



Chapter 4: Heritage

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4.1. Introduction

4.1.1. Application

This section applies to development that is on land listed under Schedule 5 Environmental Heritage of the *Maitland Local Environmental Plan (MLEP) 2011*, either being a listed local heritage item, or within a Heritage Conservation Area (HCA). This section also provides development guidance where land is listed as a State heritage item, and/or is identified to contain Aboriginal heritage.

Maitland is a city rich in cultural, historical, and architectural heritage. We value and celebrate our heritage as a vital part of our community identity and character. Our approach to heritage is holistic, recognising not only the physical fabric of heritage places but also their stories, significance, and contribution to a shared sense of place. Development on or near heritage sites presents a rare opportunity to preserve, enhance, and sensitively adapt these places for future generations. This section of the DCP supports respectful and informed development that conserves Maitland's unique heritage while allowing for thoughtful and sustainable growth.

4.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix G: Heritage Guidelines

This Chapter should also be read in conjunction with 'Clause 5.10 Heritage conservation' within the [*Maitland Local Environmental Plan 2011*](#).

Additional guidance on the legislative and approval structure on heritage, further definitions of heritage concepts and information that should be included in supporting studies can be found in Appendix G: Heritage Guidelines.

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: where no site-specific Chapter or Locality Plan applies to a development site, Council may require one to be prepared prior to lodgement of development applications in the following cases:

- a. If the land is subject to Clause 6.3 of the MLEP 2011, OR
- b. where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.

4.1.3. How to use this Chapter

This Chapter has been organised in a manner that compiles key controls and acceptable conservation solutions that apply to land that is legislatively listed or may potentially contain Aboriginal and/or European heritage.

4.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

- to promote and encourage an understanding and appreciation of Maitland's Aboriginal and European history and heritage.
- to conserve and retain Maitland's heritage items and heritage conservation areas.
- to conserve and retain Maitland's Aboriginal heritage.
- to establish a framework for Aboriginal or European heritage conservation and sympathetic new development in the Maitland Local Government Area (LGA).
- to encourage the adaptive reuse of heritage buildings, enabling contemporary use and economic viability, while retaining and celebrating their heritage values.
- to allow change to occur to meet amenity and contemporary safety, sustainability and technological standards, provided that those changes do not detrimentally affect the heritage significance of Maitland's Aboriginal heritage, heritage items and Heritage Conservation Areas (HCAs).
- to support appropriate changes of use that extend the functional life of heritage places while ensuring their heritage significance is protected and respected.
- to provide guidelines that are consistent with the principles outlined in the Burra Charter, and legislative requirements under the *Heritage Act 1977*.
- to provide clarity to property owners and applicants about heritage conservation and best practice heritage conservation.

4.2. Aboriginal Heritage

Aboriginal people are the cultural owners and managers of Country, and retaining and preserving information and artefacts relating to First Nations Australians' heritage is crucial to interpreting Australia's past. The Maitland area lies in the traditional custodian country of the Wonnarua people, with the Maitland LGA overlapping the Mindaribba Local Aboriginal Land Council (LALC). It is vital to Wonnarua people and to the richness of Maitland's heritage, that spiritual and cultural links to land are maintained by preserving and protecting places and objects of cultural significance.

Developments or other activities that will destroy, remove or impact on an Aboriginal heritage are considered Integrated Development and will require a permit from Heritage NSW, under the *National Parks and Wildlife Act 1974*. Consultation with Mindaribba LALC is also required.

Any Development Application that is within or adjacent to land that contains a known Aboriginal cultural heritage site, must consider and comply with the requirements of the *National Parks and Wildlife Act 1974*.

Where the necessary consents under the *National Parks and Wildlife Act 1974* have been obtained, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.

Objectives

- O.1 To protect and conserve Aboriginal cultural, spiritual, and sacred sites in Maitland.
- O.2 To ensure the impact of a proposed development on the heritage significance of an Aboriginal place or object is considered by adequate investigation and assessment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1

- O.1
- O.2

Where a development will disturb the ground surface and the natural ground surface has not been significantly disturbed, the development application must demonstrate that adequate due diligence has been undertaken. This includes (but is not limited to) submitting the following documentation in accordance with the [Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW](#). This includes submitting the following documentation:

- a. A statement and results of a basic 200m Aboriginal Heritage Information Management System (AHIMS) search. Where a site is identified within 200m of the development site, a statement and results of a 50m AHIMS search must be included, and
- b. A statement indicating whether there are landscape features that indicate the potential presence of Aboriginal objects.

Note: landscape features include foreshore areas, creek lines, rocky areas, wetlands, ridge tops, ridgelines, headlands, sand dunes, caves.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.2 <ul style="list-style-type: none"> • O.1 • O.2 | <p>An Aboriginal Heritage Due Diligence Assessment must be prepared by a suitably qualified person to determine whether the proposed development is likely to harm Aboriginal objects and identify whether an Aboriginal Heritage Impact Permit is required where an AHIMS search has identified the likelihood of an Aboriginal item within 200m of the development site.</p> <p>While an AHIMS search can assist in identifying known Aboriginal sites, it is not a comprehensive record. The absence of AHIMS-listed sites does not guarantee that Aboriginal cultural heritage is not present. Further assessment may still be required, based on the characteristics of the site and proposed development.</p> |
| PC.3 <ul style="list-style-type: none"> • O.1 | <p>An Aboriginal Heritage Due Diligence Assessment must include an assessment of the cultural significance of the place to the Aboriginal community.</p> <p><i>Clause 5.10(8) – Heritage Conservation of the MLEP 2011</i> requires assessments to be forwarded to local Aboriginal communities for comment for a 28-day period.</p> |
| PC.4 <ul style="list-style-type: none"> • O.2 | <p>An Aboriginal Cultural Heritage Assessment (ACHA) is to be prepared in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 in cases where:</p> <ol style="list-style-type: none"> An Aboriginal Heritage Due Diligence Assessment has identified the potential for the site to contain an Aboriginal object or contains a place of significance, or The development will have an impact on a known Aboriginal object or place. <p>In cases where an ACHA is to be prepared, Mindaribba LALC must be offered the opportunity to register their interest, in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.</p> |

4.3. State Listed Heritage Items

If development is proposed on a listed State Heritage item, or in the vicinity of that item, approval is required from Heritage NSW, which issues approvals under the *Heritage Act 1977*. Depending on the heritage listing or nature of the work you may need to apply for more than one approval. In some cases, an exemption or exception to needing approval will apply. Additional information on applying for heritage approvals and permits can be found at [Heritage NSW](#).

A pre-lodgement meeting will be required prior to the lodgement of a Development Application over a State Listed Heritage Item.

Refer to the [NSW State Heritage Inventory](#) for locating State heritage items.

4.4. Locally Listed Heritage Items

Maitland has a diverse collection of local listed heritage items listed under the [Maitland Local Environmental Plan 2011](#). These include built items such as dwellings, shops, civic and commercial buildings, religious buildings, schools, and also landscape items and features including parks, private gardens, street trees, cemeteries, agricultural floodplain land, river embankments, bridges, and the Hunter railway line.

Heritage items generally comprise both built and landscape features and reflect different historical periods, architectural styles, and design and aesthetic qualities that are important within a local area or more broadly.

Additional guidance on the legislative and approval structure on heritage, further definition of heritage concepts and information that should be included in supporting studies can be found at Appendix G: Heritage Guidelines.

In some instances, when undertaking maintenance on a heritage listed item, a development application may not be required. In this circumstance you will be required to lodge a Minor Works Application. Reader to the [Minor Works Application for minor works on a heritage listed property or sites within a Heritage Conservation Area \(HCA\)](#).

Objectives

- O.3 To ensure that heritage items are retained and conserved.
- O.4 To retain the significance of heritage items in the Maitland LGA through the appropriate design of new development that is based on an understanding of the significance of the item.
- O.5 To allow change to occur to meet modern amenity, where it does not impact on the significance of heritage items.
- O.6 To encourage the reinstatement of significant features and detailing consistent with the heritage significance of the item and the removal of detracting alterations and additions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1 Any development on, within, or adjoining a locally listed heritage item, must prepare a Statement of Heritage Impact (SoHI) by a suitably qualified heritage professional.

- O.3
- O.4
- O.5
- O.6

Note: Minor alterations and additions may be exempted from providing a SoHI. Discuss with Council staff before undertaking these forms of development.

4.4.1. Demolition

Objectives

- O.7 To ensure that heritage items are retained and conserved.
- O.8 To ensure that the original form and features of heritage buildings are retained and improved.
- O.9 To support the removal of unsympathetic or intrusive structures where it will enhance the heritage significance of the item or conservation area.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.7• O.8• O.9 | <p>Demolition of Heritage Items are to be avoided wherever possible.</p> <p>If demolition is the only option, a SoHI must verify that all alternative options to demolition have been fully investigated and demonstrate the replacement building's compatibility with the physical context.</p> <p>The SoHI must include details of the:</p> <ul style="list-style-type: none">a. Structural condition.b. Overall extent of the remaining fabric.c. Potential retention and adaptive reuse.d. Comparative costings (i.e. retention, reuse, adaption costings),e. All other requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable. <p>A Structural Assessment Report prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, will also be required.</p> |
| PC.2 <ul style="list-style-type: none">• O.8 | <p>Façadism is not supported. Major alterations that only retain the front façade of a heritage item must be avoided.</p> |

4.4.2. Change of Use

Objectives

- O.10 To encourage the ongoing use of a heritage item that is consistent with its significance.
- O.11 To allow a change of use to a heritage item where it does not adversely impact on its significance and enables the significant historic use to be understood and appreciated.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 • O.10 | A SoHI must be prepared when a change of use proposes any type of internal or external alteration or addition. |
| AS.1 • O.11 | New uses should be sympathetic with the item's heritage significance. Any significant historic use should be publicly interpreted on site, such interpretation may include historic displays or moveable items related to the significant use. |
| PC.2 • O.11 | Significant alterations to heritage items for the new use will be avoided. Changes to significant historic fabric and elements should be avoided or such that they can be reversed. |
| AS.2 • O.10 • O.11 | Where a change of use requires alteration to the external presentation of a building or structure the item's heritage significance should be conserved or significant features reinstated. |
| PC.3 • O.10 • O.11 | The introduction of new facilities or services to support the new use will not detract from the item's heritage significance or its fabric and spaces. |
| PC.4 • O.11 | Where a conservation management plan applies to the heritage item any new uses will be consistent with the conditions of that conservation management plan. |
| PC.5 • O.11 | A change of use to significant public or community buildings should consider the impact on significant interior spaces, features and fittings. |
| Note: Change of use must also consider fire safety under the provisions of Environmental Planning and Assessment Regulation 2021 . Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website . | |

4.4.3. Subdivision

Objectives

- O.12 To retain the historical subdivision and allotment patterns associated with heritage items.
- O.13 To ensure that new development does not impede the appreciation and understanding of the heritage significance of the historical subdivision and building patterns associated with heritage items.
- O.14 To protect the significance of heritage items, including historic settings, significant vegetation, trees, and places of natural heritage.
- O.15 To ensure that heritage items, significant vegetation and trees and places of natural heritage are properly considered in the design of new subdivisions.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.12• O.13 | Subdivision, boundary adjustments or amalgamation will not be supported where: <ul style="list-style-type: none">a. it involves the demolition of a heritage item, orb. historic subdivision patterns are integral to the significance of the heritage item and are still extant, |
| PC.2 <ul style="list-style-type: none">• O.12• O.13• O.14 | Subdivision within the front setback of a heritage item is not permitted. |
| PC.3 <ul style="list-style-type: none">• O.13• O.15 | <p>Subdivision and lot amalgamation to the rear of a heritage item may be considered by Council, where an appropriate curtilage is retained and provided between the heritage item and the new subdivided lot.</p> <p>Note: The curtilage encompasses the immediate environment or setting of a heritage item, including any associated land features, buildings, or objects that contribute to its significance.</p> |
| PC.4 <ul style="list-style-type: none">• O.13• O.15 | The proposed layout, scale and design of any subdivision or lot boundary changes is not to compromise the significance of the heritage item or its appreciation and understanding. |

4.4.4. Setting/Expanded Curtilage

Objectives

- O.16 To retain the historic setting that contributes to the appreciation and understanding of the significance of a heritage item.
- O.17 To ensure subdivision and lot boundary changes do not adversely impact the historic setting of a heritage item including its relationships to associated features and elements.
- O.18 To ensure the setting that contributes to the significance of a heritage item remains a predominate in views and vistas to and from the item.
- O.19 To ensure new development and unsympathetic buildings, structures and elements are not located within the curtilage and setting of a heritage item.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.16• O.17 | Subdivision, boundary adjustments and amalgamation are not to adversely impact the historic setting or archaeological values of a heritage item and its relationship to related elements and features including streetscape, gardens, trees, fences, outbuildings, and driveways. |
| PC.2 <ul style="list-style-type: none">• O.18• O.19 | Any new buildings, structures or elements introduced within the setting to accommodate the ongoing use of the site are to be sympathetic to the heritage item's predominant historic character, in terms of scale, form, height and external materials, finishes and colours. |

4.4.5. Landscapes

Objectives

- O.20 To ensure Maitland's distinctive landscape heritage items are identified, retained and conserved.
- O.21 To ensure historic landscape features, including views and vistas, of significant landscapes are retained within the setting of heritage items.
- O.22 To protect and encourage an appreciation of Maitland's historic landscape, including natural landform features, endemic vegetation, mature cultural plantings, heritage listed trees, land associated with historic flood mitigation works, significant private and institutional gardens, and watercourses and, integrating them, where possible, with new development.

O.23 To ensure that new development and landscaping respects the existing landscape character of a heritage item and heritage items in the vicinity.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| AS.1 <ul style="list-style-type: none"> • O.21 • O.21 | Landscape heritage items and historic landscape features should be retained. |
| AS.2 <ul style="list-style-type: none"> • O.21 • O.22 • O.23 | Where a historic landscape forms part of the significance and setting of a heritage item, the landscape should not be subdivided from the associated heritage item to provide for new development. |
| AS.3 <ul style="list-style-type: none"> • O.20 • O.22 | Original or early garden layouts that contribute to the significance of heritage items should be retained and conserved. |
| AS.4 <ul style="list-style-type: none"> • O.22 • O.23 | New garden design should retain and incorporate surviving historic plantings or landscape items which may have been significant to the original garden layout, such as prominent trees etc. |
| AS.5 <ul style="list-style-type: none"> • O.20 • O.23 | Any garden landscape elements contemporaneous with the period of a building's construction should be retained, conserved and incorporated into new designs. This may include sandstone retaining walls, fencing, or sandstone flagged, brick paved, tessellated tile pathways. |
| PC.1 <ul style="list-style-type: none"> • O.23 | Development of new driveways and verge works that damage original sections of early sandstone curbs and guttering are to be avoided. |
| AS.6 <ul style="list-style-type: none"> • O.22 | Garden structures (such as archways) should be appropriate to the heritage item in terms of scale, style and materials. |
| PC.2 <ul style="list-style-type: none"> • O.22 | Original fences are to be retained and maintained in their original form. |
| AS.7 <ul style="list-style-type: none"> • O.22 | Fences should be located on the front boundary. |
| AS.8 <ul style="list-style-type: none"> • O.20 • O.22 | Fences should be simple and reflect the architectural style and materials of the heritage item. Examples include timber picket fences, low masonry and hedges. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.9 <ul style="list-style-type: none">• O.20• O.21 | Tall hedging and fencing that impedes view to and from heritage items are discouraged. |
| AS.10 <ul style="list-style-type: none">• O.21 | Fencing should generally be open or transparent, or backed with a hedge, and not solid. Where tall fencing is proposed, transparent fencing, such as palisade fencing, is preferred to allow views to and from the heritage item. |

4.4.6. Conservation of Significant Fabric

Heritage items in Maitland are constructed in a variety of natural and human made materials (also referred to as ‘fabric’) using a range of traditional building techniques and details. The conservation of significant original historic fabric retains the significance of heritage items.

When change is planned to heritage items, avoiding adverse impacts or damage to the historic fabric of a building, structure or object will help conserve the item’s significance. Significant fabric can include both internal and external fabric. A heritage professional can advise on what fabric is original and significant.

Objectives

- O.24 To retain and conserve the original and significant historic fabric of heritage items.
- O.25 To encourage the appreciation of traditional materials and building techniques and ensure they are used appropriately in the conservation of original and significant fabric.
- O.26 To ensure traditional materials and building techniques are used in the conservation of original and significant fabric.
- O.27 To ensure change to the significant fabric of heritage items is informed by historic research and evidence.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.1 <ul style="list-style-type: none">• O.24 | Original and significant fabric should not be demolished or removed. |
| PC.1 <ul style="list-style-type: none">• O.26• O.27 | When required by the recommendations of a SoHI. A heritage specialist must be employed to supervise the repair and conservation of significant heritage item fabric. |
| AS.2 <ul style="list-style-type: none">• O.24 | Any new materials should be consistent with the original and existing materials used in the building, structure or object. Avoid the use of modern materials such as cement mortars and latex paints on traditional materials. |

PREScriptive CONTROLS AND ACCEPTABLE SOLUTIONS

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| <ul style="list-style-type: none"> • O.25 • O.26 | <p>Note: Historic photographs or drawings may be required, particularly when the intention is to restore the item back to its former or original state.</p> |
| <p>AS.3</p> <ul style="list-style-type: none"> • O.24 • O.27 | <p>Where lath and plaster remain in heritage items, the replacement of walls and ceilings should be avoided.</p> <p>Note: It is possible to re-adhere lath and plaster finishes where plaster is cracked or drummy. A heritage conservation specialist should be consulted to provide advice and expertise.</p> |
| <p>PC.2</p> <ul style="list-style-type: none"> • O.24 • O.25 • O.26 | <p>Original face brick and stone is not to be painted.</p> <p>Note: Paint prevents the evaporation of moisture from the surface and causes blistering. As the surface layer of paint begins to break down, further water penetration can lead to increased dampness.</p> |
| <p>AS.4</p> <ul style="list-style-type: none"> • O.24 • O.26 | <p>The application of waterproof coatings or varnishes to stone and brickwork should be avoided.</p> <p>Note: Coatings and varnishes can accelerate the deterioration of masonry by trapping moisture and causes rising damp.</p> |
| <p>AS.5</p> <ul style="list-style-type: none"> • O.24 • O.26 | <p>Removal of original render or stucco should be avoided.</p> <p>Note: This practice will expose the softer, porous bricks underneath and cause deterioration. Render or stucco was often applied to external walls to protect them from the elements.</p> |
| <p>AS.6</p> <ul style="list-style-type: none"> • O.25 • O.26 | <p>Cracked or damaged traditional render should be repaired with a similar compatible render and not cemented and painted over. Traditional external render was usually lime based.</p> |
| <p>PC.3</p> <ul style="list-style-type: none"> • O.24 • O.26 • O.27 | <p>Application of modern cement renders to original brickwork is not supported.</p> <p>Note: Modern cement renders do not allow moisture to pass through brickwork, which traps moisture and can cause rising damp. Rising and falling damp can cause crumbling of exterior masonry, staining of internal finishes and odour in poorly ventilated rooms.</p> |
| <p>AS.7</p> <ul style="list-style-type: none"> • O.25 • O.26 | <p>A soft lime mortar with a rough texture and lower strength than the surrounding masonry should be used for repointing work.</p> <p>Note: This will allow moisture to evaporate from the joints rather than the masonry.</p> |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.8 <ul style="list-style-type: none"> • O.25 • O.26 • O.27 | <p>Cement should not be used in buildings where lime mortars are present. This is particularly important in old buildings where no damp-proof course exists.</p> <p>Note: Grey Portland Cement is invariably stronger and of a different absorbency level from the brick or stonework. This causes evaporation to occur from the stone or brick more easily than from the replaced mortar joint. Deterioration and cracking of masonry may therefore occur quickly after repointing in hard cement.</p> |
| AS.9 <ul style="list-style-type: none"> • O.24 | <p>Ensure water from gutters, downpipes, drains or sprinklers has clear egress and drainage to prevent it from entering the building or structure.</p> |
| AS.10 <ul style="list-style-type: none"> • O.24 | <p>The planting of any tree and shrub species near the footings of load bearing walls and garden walls should be avoided as they can lead to the drying out of subsoils and may result in the structural failure of the building or wall.</p> <p>Note: When gardens are placed directly abutting façades, building problems may also occur due to changed moisture or ventilation conditions.</p> |
| AS.11 <ul style="list-style-type: none"> • O.24 | <p>Original timber elements and/or weatherboards should be retained where possible.</p> |
| AS.12 <ul style="list-style-type: none"> • O.24 | <p>Early timber weatherboards blocked to resemble cut stone should be retained.</p> |
| AS.13 <ul style="list-style-type: none"> • O.24 • O.26 | <p>New weatherboards should have a traditional width and profile to match the original weatherboards.</p> |
| AS.14 <ul style="list-style-type: none"> • O.24 | <p>The removal of internal walls is generally not recommended as this can impact the structural stability of the building in addition to its integrity and character.</p> <p>Note: The majority of walls in older buildings are load bearing. The structural stability of the outer shell is dependent on the internal existence of walls, stairways and chimneys.</p> |
| AS.15 <ul style="list-style-type: none"> • O.24 • O.25 | <p>Existing slate roofs should be retained to the fullest extent wherever possible due to their rarity in the LGA.</p> |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.16 <ul style="list-style-type: none"> • O.24 • O.26 • O.27 | <p>When repairing or replacing corrugated metal roofing, small details should be retained or matched to the original.</p> <p>Note: Details include cutting of ridge and hip capping to match the iron flutes, which will also make the roof more weatherproof.</p> |
| AS.17 <ul style="list-style-type: none"> • O.24 • O.25 | <p>Traditional stepped flashings, roof vents, gutter moulds and rainwater heads should be preserved and restored wherever possible during re-roofing.</p> |
| PC.4 <ul style="list-style-type: none"> • O.24 | <p>Where deemed appropriate by the SoHI, or by Council, reconstruction of sandstone gutters, drains or drainage works will be permitted for the effective execution of construction and operation of the development.</p> |
| AS.18 <ul style="list-style-type: none"> • O.24 • O.26 | <p>Double stepped stone kerb and gutter should be maintained in the current configuration.</p> |
| AS.19 <ul style="list-style-type: none"> • O.24 • O.26 | <p>An audit of archaeological remains within stone kerb and guttering should be undertaken by a qualified archaeologist, prior to any relaying of stone or major repair works.</p> |
| AS.20 <ul style="list-style-type: none"> • O.24 • O.26 | <p>In instances where stone flagging has been covered by bitumen and requires maintenance, the flagstones should be cleaned and re-laid, and further stones found to replace those that are badly damaged.</p> <p>Note: Repair of existing flagging should be contained to minimal stone replacement work, undertaken only to improve safety or rectify areas of poor work. As much original fabric as possible should be retained in situ.</p> |
| PC.5 <ul style="list-style-type: none"> • O.24 | <p>Replacement of deteriorated stone with synthetic stone across large areas is not supported. Synthetic stone may be utilised to repair small sections.</p> <p>Note: Should a stone require replacement, the deteriorated section should be cut back to sound stone and cut to a regular shape to enable a new block to be inserted. This process however introduces a new material and should only be used where no other alternative is available.</p> |

4.4.7. Excavation

Objectives

- O.28 To ensure the significance of heritage items is retained during excavation works.
- O.29 To protect significant historic fabric and structural integrity of heritage buildings and structures during any excavation works.
- O.30 To ensure that mature trees, heritage listed trees, significant trees and plant communities are not compromised by excavation or earthworks, or subsequent erosion from those works.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.28• O.29 | Excavation is not supported around, within or beneath a heritage item, including under common walls and footings to common walls, front façades, or freestanding boundary walls, except when required by the recommendations of a SoHI. |
| PC.2 <ul style="list-style-type: none">• O.29 | Where excavation is necessary to allow for building works or services, a Development Application must be supported by a geotechnical report and civil plan. |
| PC.3 <ul style="list-style-type: none">• O.30 | Excavation in the vicinity of mature or significant trees and/or vegetation must be informed by an arborist report. |
| AS.1 <ul style="list-style-type: none">• O.29 | Excavation may require an archaeological assessment report if the SoHI identifies the site to be a potential archaeological or archaeological site. |

4.4.8. Alterations and additions to residential heritage items

Objectives

- O.31 To encourage alterations and additions that conserve the significance of heritage items.
- O.32 To ensure that alterations and additions to residential heritage items are sympathetic in design and do not adversely impact the significance of the item.
- O.33 To ensure that alterations and additions to heritage items respect the predominant character of the item in terms of scale, form, architectural style, details and materials.
- O.34 To ensure that alterations and additions are designed and located to the rear of the heritage item to appear as a secondary structure.

- O.35 To ensure that new works are well designed, and that new fabric is readable and not a copy of a historical architectural periods' styles.
- O.36 To ensure that new alterations and additions are sympathetic to established siting, orientation and building alignment, especially where works are proposed to group items and pairs.
- O.37 To conserve the scale, character, and pre-eminence of original and historic roof forms, and to ensure the retention of significant fabric and features such as original windows, chimneys, and roof elements.
- O.38 To protect the contributory elements of a heritage item, including significant trees, cultural plantings, landscape features including paths and lampposts, historic fencing and garden walls.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| Architectural design | |
| PC.1 <ul style="list-style-type: none"> • O.32 • O.33 • O.35 | Any new works to a heritage item must demonstrate high quality contemporary architectural design that is responsive to the historic context and character. |
| AS.1 <ul style="list-style-type: none"> • O.31 • O.32 | Alterations and additions should be reversible and not adversely impact on historic fabric or significant architectural features and elements. |
| AS.2 <ul style="list-style-type: none"> • O.34 • O.35 | Rear additions should not mimic the architectural style of the heritage item. Additions should be sympathetic to the heritage item in terms of scale, bulk, proportions and materials but should not copy or mock historic architectural styles and features. This provides a distinction between original significant fabric and new additions. |
| Siting of new works | |
| AS.3 <ul style="list-style-type: none"> • O.33 • O.34 • O.36 | <p>Additions should not impact the integrity of the heritage item's siting, orientation and building alignment when viewed from the street.</p> <p>Example: side additions to Federation dwellings should be set back or separated from the side elevation of the main building and not compromise the ability for driveway access to the rear of the block.</p> |
| AS.4 <ul style="list-style-type: none"> • O.31 • O.38 | New additions should retain an adequate setting around the heritage item for landscaping, fencing, any significant trees, unbuilt land and through site views. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.2

- O.32
- O.34

Alterations and additions must occur to the rear of a heritage item to minimise the visual impact on the item from the street.

Example: a simple timber weatherboard addition with a skillion corrugated metal roof may be an appropriate rear addition to a heritage item (refer to Figure 4-1)

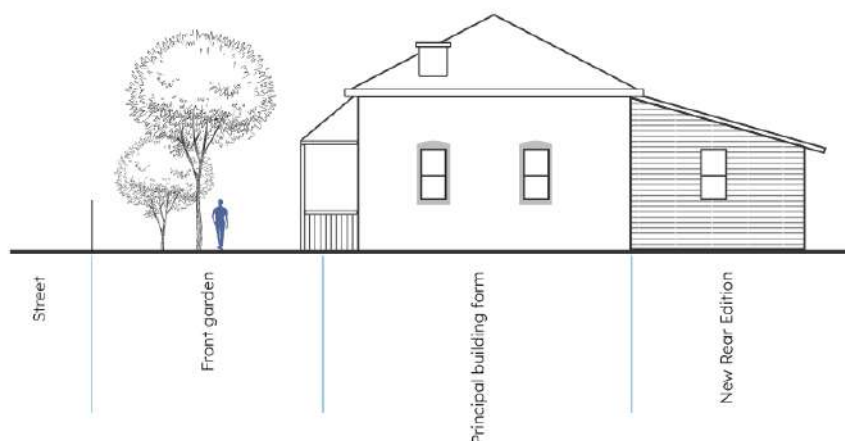


Figure 4-1: Example of secondary addition to the rear of a heritage item

PC.3

- O.34
- O.37

Rear additions to heritage items, that exceed the eave height of the principal roof form, must be designed as pavilion additions.

AS.5

- O.33
- O.34
- O.35

A single storey glazed structure should be provided between the heritage item and new addition. The height of the glazed structure should sit below the eave height of the heritage item. The ridge height of a rear addition must be 0.3m below the ridge height of the principal building form (refer to Figure 4-2).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

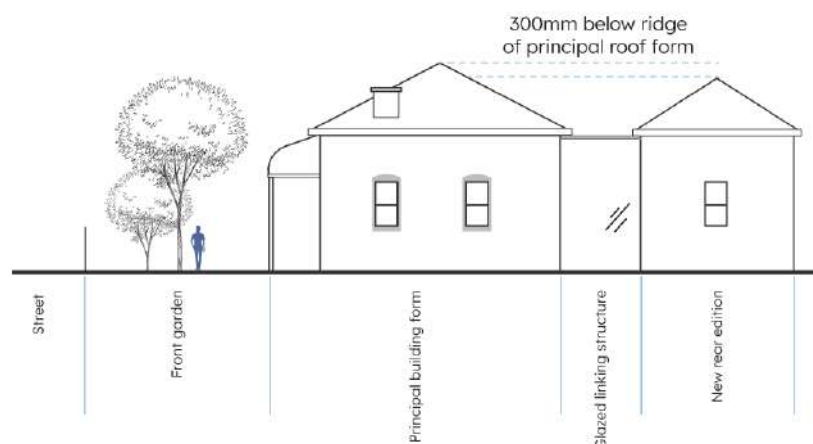


Figure 4-2: Example of a one storey pavilion addition and a glazed linking structure to the rear of a heritage item

AS.6

- O.31
- O.32
- O.34

Single storey rear additions are preferred where the heritage item is a single storey building. Two storey additions may be appropriate if the addition is 0.3m below the ridge height of the heritage item OR not visible from the streetscape (refer to Figure 4-3).

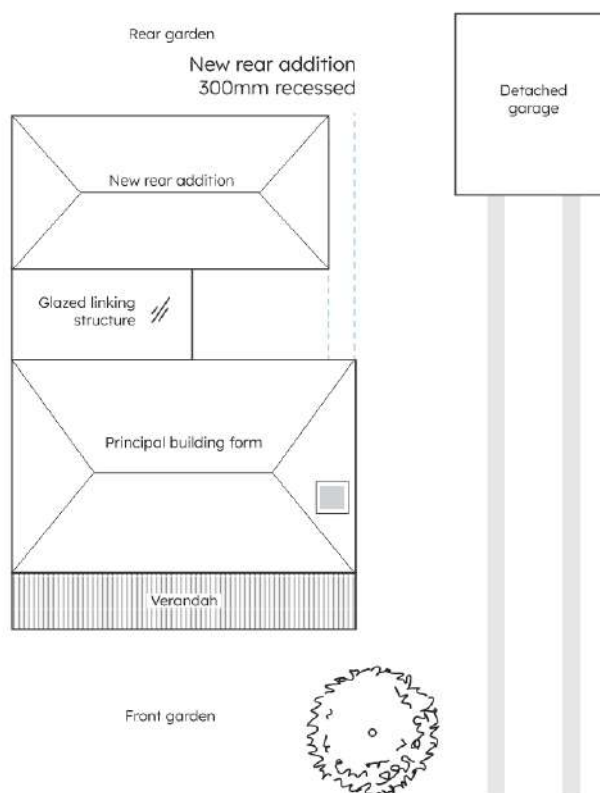


Figure 4-3. Layout of a site containing a heritage item, showing a new addition at the rear and a glazed linking structure

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.4 <ul style="list-style-type: none"> • O.32 • O.33 • O.37 • O.37 | Additional storeys are not supported above heritage items. |
| AS.7 <ul style="list-style-type: none"> • O.33 | Shadow lines and gaps between old and new fabric are encouraged. |
| AS.8 <ul style="list-style-type: none"> • O.33 • O.34 • O.35 | Rear additions should be stepped back from the side elevations of the heritage item by at least 0.3m to create a distinction between old and new fabric. |
| PC.5 <ul style="list-style-type: none"> • O.33 • O.34 • O.36 • O.38 | Extensions to the side elevation will not be supported if they alter established patterns of buildings and gardens or impact the original fabric of a heritage item. |
| PC.6 <ul style="list-style-type: none"> • O.34 • O.35 | Where the existing side setback is non-compliant with the residential building controls in Chapter 6 of this DCP, the new addition is to be setback from the side boundary to allow for improved amenity. |
| Outbuilding and other structures | |
| AS.9 <ul style="list-style-type: none"> • O.31 • O.37 | Early outbuildings should be retained insitu and re-used. |
| AS.10 <ul style="list-style-type: none"> • O.32 • O.34 | The location of new outbuildings, sheds, cabanas, decks, and structures should be located to minimise impacts to a heritage item, especially in terms of views to and from the heritage item. |
| PC.7 <ul style="list-style-type: none"> • O.34 • O.36 | Tennis courts, swimming pools and other recreation spaces and their associated structures, are to be located to the rear of a heritage item, well behind the building line and not be sited so as to intrude on its setting. |
| Scale and form | |
| PC.8 <ul style="list-style-type: none"> • O.32 | Changes to the original scale and/or form of a heritage item from alterations and additions must be minimised. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| <ul style="list-style-type: none"> • O.33 | |
| PC.9 <ul style="list-style-type: none"> • O.32 • O.34 | Alterations and additions are to be visually subservient and clearly secondary to a heritage item. |
| Roofs | |
| PC.10 <ul style="list-style-type: none"> • O.32 • O.37 | The removal of original roof forms and roofing material is not supported. |
| AS.11 <ul style="list-style-type: none"> • O.32 • O.37 | Where roofing material must be replaced due to identified damage or risk (as assessed by a suitably qualified professional and accepted by Council), traditional materials similar to that of the original construction are to be used that reflect the traditional qualities that match the original roofing material. |
| PC.11 <ul style="list-style-type: none"> • O.37 | Original chimneys are to be retained. |
| PC.12 <ul style="list-style-type: none"> • O.32 • O.37 | Original roof elements such as sheeting, covering, capping, traditional stepped flashings, roof vents, eaves, guttering, gutter moulds, rainwater goods, barge boards , fascia boards , brackets and pediments are to be retained, or if subject to structural failure, replaced like for like. |
| PC.13 <ul style="list-style-type: none"> • O.32 • O.37 | New guttering profiles are to be in keeping with that of the existing guttering. Where no guttering was originally present on the building, ogee , half round or quad styles must be used. |
| AS.11 <ul style="list-style-type: none"> • O.32 • O.37 | Where appropriate, new attic rooms may be introduced in the rear of original roofs if they do not alter the original roof form. |
| PC.14 <ul style="list-style-type: none"> • O.32 • O.33 • O.37 | Dormer windows and skylights are not to be located on the front roof plane. They may be located on side roof planes if they are not visually prominent and visible from the street. |
| Details and original features | |
| PC.15 <ul style="list-style-type: none"> • O.31 | A Colour, Materials and Finishes Schedule is required for any alterations and additions to a heritage item. Works must detail all internal and external alterations. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| <ul style="list-style-type: none"> • O.32 • O.33 | |
| PC.16 <ul style="list-style-type: none"> • O.32 | An archival or photographic record may be required at Council's discretion to document the existing structure if part or parts of the heritage item are proposed to be altered. |
| PC.17 <ul style="list-style-type: none"> • O.32 • O.33 | Original balconies and verandahs must not be removed or enclosed. |
| PC.18 <ul style="list-style-type: none"> • O.32 • O.33 | Original fretwork, posts and balustrading are to be retained and conserved. Where new pieces are required, original elements should be replaced with like for like materials. |
| PC.19 <ul style="list-style-type: none"> • O.32 • O.33 | Original timber features such as panelling, ceilings, flooring, skirtings and architraves are to be retained in their original configuration and dimensions. |
| PC.20 <ul style="list-style-type: none"> • O.32 • O.33 • O.35 | New windows to be inserted into the existing fabric of a heritage building are to be of a size, material, proportion and type that is consistent with a building's architectural style and period. |
| AS.12 <ul style="list-style-type: none"> • O.31 | New verandahs should take a traditional form, such as sloping galvanised iron with regularly spaced columns. |
| AS.13 <ul style="list-style-type: none"> • O.31 • O.35 | Development should avoid introducing modern features that replicate or copy a heritage item's design, materials, arrangement and position wherever possible. |
| External materials, finishes and colours | |
| AS.14 <ul style="list-style-type: none"> • O.31 • O.33 | Original materials, finishes and colours should be retained and conserved, where possible. |
| AS.15 <ul style="list-style-type: none"> • O.32 • O.33 | The use of highly reflective materials should be avoided. |
| PC.21 <ul style="list-style-type: none"> • O.31 | Original timber verandah posts, windows and doors are to be retained. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| <ul style="list-style-type: none"> • O.32 | |
| PC.22 | The material and colour of original roofing is to be matched in any addition. |
| <ul style="list-style-type: none"> • O.32 • O.33 | |
| PC.23 | Original face brick or stone is to remain unpainted and unrendered. Any new face brickwork is to match the existing brick in colour and texture, and in the type of jointing and mortar colour. |
| <ul style="list-style-type: none"> • O.32 • O.33 | |
| Carparking | |
| AS.16 | Original carriage loops and driveways should be retained. |
| <ul style="list-style-type: none"> • O.31 • O.38 | |
| PC.24 | New driveways and verge works that would damage original sections of Sandstone kerb and guttering are to be avoided. Where this is unavoidable, minimise the section of original kerb and guttering to be removed. Archive and securely store original curb and guttering for reuse and repairs. |
| <ul style="list-style-type: none"> • O.32 • O.38 | |
| AS.17 | Paired wheel strips over public footway areas are preferable to solid driveways. |
| <ul style="list-style-type: none"> • O.31 • O.32 | |
| AS.18 | Internal driveway materials should include wheel strips or gravel. Stamped concrete should be avoided. |
| <ul style="list-style-type: none"> • O.31 • O.32 • O.33 | |
| AS.19 | Garages and carports, should be detached and located at the rear or set well back from the side of a building, behind the rear building line. |
| <ul style="list-style-type: none"> • O.31 • O.32 • O.33 • O.36 | |
| AS.20 | Garages and carports should be subservient to the item and significant buildings and should reflect the established historic patterns of development in the street. |
| <ul style="list-style-type: none"> • O.31 • O.32 • O.36 | |
| AS.21 | Colours and materials should blend into the surrounding landscape. |
| <ul style="list-style-type: none"> • O.32 | |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| • O.33 | |
| AS.22 • O.33 • O.37 | Garages should have simple hipped, gable or skillion roofs, depending on the design of the existing main building. |
| AS.23 • O.33 • O.37 | The pitch of a garage or carport roof should, in most cases, be comparable or slightly lower than that of the main building and generally 25–30 degrees. |
| Services, skylights, solar panels etc. | |
| PC.25 • O.32 | The installation of services are not to give rise to adverse impacts on historic fabric, such as appearance from the street or irreversible structural damage where services could be installed in an otherwise less invasive manner. |
| PC.26 • O.32 | Solar panels and skylights are not supported to the front or side facing slopes of the principal roof. |
| PC.27 • O.32 | Solar panels are supported on outbuildings, garages, rear additions and other structures where visibility from the street is minimal. |
| PC.28 • O.32 | Skylights on a heritage item are only to be situated on the rear facing slope of the principal roof, with maximum dimensions being 0.5m x 1m. |
| AS.24 • O.32 | Plant and equipment such as solar water heaters, antennas, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised. |

Note: Alterations and additions must also consider fire safety under the provisions of [Environmental Planning and Assessment Regulation 2021](#). Information on fire upgrading for heritage item properties can be found at the [Heritage Office's Fire Advisory Panel's website](#).

4.4.9. Alterations and additions to non-residential Heritage items

Objectives

- O.39 To retain and conserve the significance of non-residential heritage items.
- O.40 To encourage the removal of unsympathetic features and details from non-residential buildings.
- O.41 To retain and conserve original shopfronts, including shop doors, windows and other period materials and detailing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.1 <ul style="list-style-type: none"> • O.39 | Heritage items are to be retained and conserved. |
| PC.2 <ul style="list-style-type: none"> • O.41 | Original shopfronts are to be retained and conserved. |
| AS.1 <ul style="list-style-type: none"> • O.39 • O.41 | Alterations and additions should be located to the rear and make use of rear laneway access, where available. |
| PC.3 <ul style="list-style-type: none"> • O.39 • O.41 | Any major alterations to heritage listed buildings are to be guided by a Conservation Management Plan, which is to be endorsed by Council prior to any future development being considered. |
| AS.2 <ul style="list-style-type: none"> • O.40 • O.41 | Where the original shopfront has been removed and replaced by an unsympathetic alteration, the reinstatement of earlier styles of shopfront (based on historic documentary evidence) in harmony with the overall building character is desirable. |
| PC.4 <ul style="list-style-type: none"> • O.40 | Unsympathetic features such as signage, roller doors and lighting that have no heritage significance are to be removed. |
| AS.3 <ul style="list-style-type: none"> • O.39 | Service structures and plant equipment should be suitably screened with landscaping or integrated into the building to minimise visual impacts. |
| Pairs and groups | |
| PC.5 <ul style="list-style-type: none"> • O.39 • O.40 | <p>The shared features of a pair or group of heritage items must be retained, conserved, or reinstated.</p> <p>Note: Heritage items may form part of an identical pair or part of a group of similar buildings. Buildings in pairs and groups often reflect the work of a singular architect or builder and share the same architectural period and style, original details and features, and proportions and scale.</p> |
| PC.6 <ul style="list-style-type: none"> • O.39 | Alterations and additions to a property that is one of a pair (or group) must be designed with regard to the overall balance of the pair (or group) in terms of height, alignment, form, scale, built pattern and architectural character and detail. |
| Colour schemes | |
| PC.7 <ul style="list-style-type: none"> • O.39 | <p>External colour schemes are to be in keeping with the architectural period and style of the heritage building. Where possible, refer to physical or documentary evidence to ensure the colour scheme is appropriate with the architectural style and period.</p> <p><i>Refer to Maitland City Council's Heritage Development Works webpage for colour schemes and guidelines.</i></p> |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.8 Single-colour schemes that diminish the original features of the heritage item must be avoided

- O.39

AS.5 Dark colours, such as black and grey, should not be used.

- O.39

Accessibility

AS.5 Reversible additions for accessibility purposes are preferred.

- O.39

PC.9 Entries are to be located to minimise the loss of original elements such as railings, steps and windows. An accessible entry is to be identified for the building. This may not be the main entrance but the most practical entry that provides sufficient area for a ramp.

- O.39

AS.7 Accessible paths should provide a firm compacted surface.

- O.39 **Note:** Concrete is best, but well-compacted gravel, cement, stabilised or consolidated gravel, or dirt may have less impact on the significance of the item

AS.8 Ramps should be located discretely to minimise or avoid impact on heritage significance.

- O.39

Note: Alterations and additions must also consider fire safety under the provisions of [Environmental Planning and Assessment Regulation 2021](#). Information on fire upgrading for heritage item properties can be found at the [Heritage Office's Fire Advisory Panel's website](#).

4.5. Development in the vicinity of Heritage Items/Heritage Conservation Areas

New development in the vicinity of heritage items can impact the significance of an item. New development adjacent to heritage items should respectfully respond to the siting, scale, form and height of the heritage item and historic pattern of development.

Note: there is no statutory definition of ‘vicinity’ in the context of heritage items. Rather the concept of curtilage is related and assists in understanding and assessing the impacts of development on nearby heritage items. Refer to the Heritage Guideline for further information.

Objectives

- O.42 To ensure that new development in the vicinity of a heritage item retains the significance of the heritage item and enhances its understanding and appreciation.
- O.43 To ensure that new development and the setting of the heritage item is respected through appropriate contemporary design of new built form, scale, siting, materiality, and detailing that is responsive to the historic character of the context.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.1 <ul style="list-style-type: none">• O.42 | Development in the vicinity of a heritage item is to conserve the item’s significance and not give rise to any adverse impact on the ability to appreciate and understand the item. |
| PC.2 <ul style="list-style-type: none">• O.43 | Proposed new development in the vicinity of a heritage item is to respond to and enhance the character, context and significance of the item and the surrounding area through high quality contemporary design. |
| PC.3 <ul style="list-style-type: none">• O.42• O.43 | Development in the vicinity of a heritage item is to adhere to the following criteria in relation to visual interaction: <ul style="list-style-type: none">a. integrate and retain any significant landscape items and featuresb. retain an appropriate visual setting, including views and vistas to and from the heritage itemc. have regard for the established siting and orientation of heritage itemsd. be setback from the building line of front facade where adjoining or adjacent to a heritage item. |

4.6. Heritage Conservation Areas

Heritage Conservation Areas (HCAs) are recognised and conserved for their ability to demonstrate significant built and landscape heritage values. An HCA is typically an area that evidences a particular course and pattern of history in a specific locality, demonstrating how people have experienced a place through time socially, physically, environmentally, economically, and architecturally.

This section outlines the general objectives and controls for the HCAs within the Maitland LGA and additional specific controls for each HCA. The controls within this section (4.5) only applies to buildings within HCAs that are **not heritage-listed**. These buildings are classified into the following three categories:

1. Contributory buildings (originate from the historical era)
2. Neutral buildings (originate from/or near the historical era, but have had modern alterations)
3. Non-contributory buildings (do not originate from the historical era, and are of modern design)

These classifications relate to the heritage significance of each building and its contribution to the HCA curtilage. Further information on the classification of buildings is provided in Appendix G: Heritage Guidelines.

There are seven HCAs in the Maitland LGA:

- Bolwarra HCA
- Central Maitland HCA
- East Maitland HCA
- Lorn HCA
- Regent Street HCA
- Morpeth HCA
- Aberglasslyn House HCA.

In addition to the specific controls provided for each of the HCAs, this section provides a desired future character statement and current statement of significance for each HCA. Controls for contributory, neutral and non-contributory buildings are included. Many buildings within the HCAs are also listed as individual heritage items; in these cases, the controls in Section 4.4 apply and If there is any inconsistency between this sections controls, Sections 4.7 -4.13 controls, and Section 4.4, Section 4.4's controls prevail.

4.6.1. Demolition

Objectives

- O.44 To ensure that contributory buildings and elements that contribute to the character and significance of heritage conservation areas are retained and conserved.
- O.45 To ensure that the original form and features of neutral buildings are retained and improved.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.44• O.45 | <p>Demolition of contributory buildings is to be avoided wherever possible.</p> <p>A Structural Assessment Report prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, is to be provided, with associated costing to make the building safe.</p> <p>Following this, an Estimated Cost of Development Report in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, is to be provided for sympathetic alterations and additions.</p> <p>If demolition is the only option after this is undertaken, a SoHI must verify that all alternative options to demolition have been fully investigated, and demonstrate the replacement building's compatibility with the physical context.</p> <p>The SoHI must include details of the:</p> <ol style="list-style-type: none">a. Structural condition.b. Overall extent of the remaining fabric.c. Potential retention and adaptive reuse.d. Comparative costings (i.e. retention, reuse, adaption costings),e. All other requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable. <p>will also be required.</p> |
| PC.2 <ul style="list-style-type: none">• O.44• O.45 | <p>The original form and features of neutral items are not to be demolished.</p> <p>Later alterations and additions that detract from the contribution of the building to the character and significance of the HCA area may be removed.</p> |
| AS.1 <ul style="list-style-type: none">• O.45 | <p>Non-contributory buildings and/or later additions to contributory and neutral buildings may be demolished and replaced with buildings or elements that complement the character of the HCA.</p> |
| PC.3 <ul style="list-style-type: none">• O.45 | <p>The demolition of severely deteriorated sheds, garages, and outbuildings will be considered where the building or structure has no heritage value and the replacement building is of a suitable design.</p> |

4.6.2. Subdivision and boundary adjustment

Objectives

- O.46 To retain the original historic subdivision patterns.
- O.47 To protect the significance of heritage conservation areas, including contributory and neutral buildings within them.
- O.48 To ensure that HCAs are properly considered in the design of new subdivisions.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.46• O.48 | Unless recommended by a SoHI, subdivision or boundary adjustment will not be supported. |
| PC.2 <ul style="list-style-type: none">• O.46• O.47• O.48 | Lot boundary changes are not supported where the development pattern or early subdivision is integral to the heritage significance of the HCA. |
| AS.1 <ul style="list-style-type: none">• O.46• O.47• O.48 | Where the subdivision or boundary adjustment of land within a HCA is supported, the development must ensure that it conserves the important characteristics of the subdivision pattern, allotment layout, landscaping, curtilage, views, streetscape character and notable features of the significant period of development. This is to be justified by the applicant to the satisfaction of Council. |
| PC.3 <ul style="list-style-type: none">• O.47• O.48 | Boundary adjustments of sites within HCAs must allow for the ongoing interpretation of the original subdivision through building form and landscape design. |

4.6.3. Views and vistas

Objectives

- O.49 Public domain views, including iconic views, views along historic streetscapes and views of heritage items and contributory buildings and setting of HCAs, must be retained.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.49 | Development in HCAs must not impact or obstruct important public views or vistas including iconic views, townscape, views along historic streetscapes and views of heritage items and contributory buildings. |
| PC.2 <ul style="list-style-type: none">• O.49 | Development must consider the impact of views and include appropriate setbacks, siting and scale in order to ensure that important views and vistas are retained. |

4.6.4. Streetscape character

Objectives

- O.50 To retain the significance and streetscape character of the HCA.
- O.51 To preserve both the immediate and broader setting of heritage items and contributory buildings in HCAs.
- O.52 To enhance key character elements of an HCA.
- O.53 To conserve the historic visual qualities and significant views to and from heritage items and contributory buildings, and from within the HCA.
- O.54 To retain public domain views, including iconic views, views along historic streetscapes and views of heritage items and contributory buildings.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.50• O.51• O.54 | Alterations and additions are to retain the significance and streetscape character of the HCA as defined in the character statement in Appendix G: Heritage Guidelines. |
| PC.2 <ul style="list-style-type: none">• O.52 | Alterations and additions are to retain and enhance key character elements of the HCA, including landscape features. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.3 <ul style="list-style-type: none">• O.51• O.53 | The incorporation of unsympathetic elements as part of alterations and additions will not be supported. |
| PC.4 <ul style="list-style-type: none">• O.51• O.53 | Additions are to conserve significant building aspects of the HCA, such as scale, massing, bulk, roofscape, building form, setback, external materials, and details. |
| PC.5 <ul style="list-style-type: none">• O.53• O.54 | Additions must be designed and located such that they have minimal visibility from the street. |
| AS.1 <ul style="list-style-type: none">• O.51• O.53• O.54 | New landscaping in front gardens should reflect the design and scale of landscaping in the existing streetscape. |
| PC.6 <ul style="list-style-type: none">• O.50• O.53• O.54 | New landscaping must not impact views between the street and buildings within the HCA. |
| AS.2 <ul style="list-style-type: none">• O.50 | Street trees and significant trees should not be removed where they contribute to the streetscape character and significance of the HCA. Where removal is required, the process under Chapter 2, Section 2.3.1 Tree and Vegetation Management for tree removal is to be followed. |

4.6.5. Landscapes

Refer to the Maitland Significant Tree Register and Chapter 2: Environmental Considerations of this DCP for tree management guidelines and controls.

Objectives

- O.55 To maintain and conserve the landscape character of the HCAs.
- O.56 To maintain and protect the existing rural character and landscape of the Maitland LGA.
- O.57 To retain significant contributory landscape components on private and public properties that demonstrate the heritage significance of the HCA, including trees listed on Council's Significant Tree Register.

- O.58 To ensure that new planting does not compromise views to and from heritage items and contributory buildings, within the HCA or of the HCA setting.
- O.59 To ensure that infill landscaping does not obscure or reduce the interpretability of historic gardens and public landscapes, or conflict with the streetscape identification of a group of historic properties.
- O.60 To ensure that private property landscaping does not extend onto the street verge.
- O.61 To retain landscape features in the public domain, especially where they abut development sites.
- O.62 To retain historically significant transit corridors between townships and across the floodplain.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none"> • O.55 • O.57 • O.61 | Significant landmark plantings in public and private settings are to be retained. |
| PC.2 <ul style="list-style-type: none"> • O.55 • O.57 | Ensure that front gardens are part of the streetscape and appropriate to the character of the HCA. Traditionally designed gardens that enhance the appearance of heritage items and the streetscape are to be used. Surviving plantings that are typical of historic garden layouts are to be incorporated into new designs. |
| PC.3 <ul style="list-style-type: none"> • O.55 • O.57 | Surviving original garden elements such as gates, paths, fencing, edging tiles, brick kerbing, and the like are to be retained. |
| AS.1 <ul style="list-style-type: none"> • O.58 | Generous landscaped areas should be provided in the front of new residential buildings wherever possible to maintain the character of the streetscape. |
| AS.2 <ul style="list-style-type: none"> • O.55 • O.59 | Garden structures (such as archways) should be amenable to the principal buildings of a site in terms of scale, style and materials. |
| PC.4 <ul style="list-style-type: none"> • O.55 • O.58 | Rows of high planting for the demarcation of boundaries are restricted to the rear gardens of lots, and only in cases where those rear gardens are not prominent in views from the floodplain. |
| AS.3 <ul style="list-style-type: none"> • O.55 • O.58 | Large trees, both natives and exotics, are generally not suitable for use in front gardens due to their size once matured. Exceptions apply where the site has a large front setback, or large trees formed part of the design of the original landscape. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.4 <ul style="list-style-type: none">• O.60 | Private planting on street verges is discouraged. |
| PC.5 <ul style="list-style-type: none">• O.56• O.62 | Solid screen planting over 1.5m within significant view corridors is not supported. |
| AS.5 <ul style="list-style-type: none">• O.55• O.56• O.58• O.59 | The use of monocultures of large shrubs abutting front boundaries should be avoided in new garden design plans for heritage items and contributory buildings. |

4.6.6. Alterations and additions to residential buildings

Objectives

- O.63 To ensure that modifications to buildings within HCAs are of an appropriate design that does not adversely impact the significance or character of the HCA.
- O.64 To maintain and enhance the existing character of the street and the surrounding HCA.
- O.65 To ensure that modifications to buildings within HCAs retain and complement the character of the HCA in terms of scale, form, architectural style, details and materials.
- O.66 To ensure that alterations and additions are designed and located so that they have minimal visibility from the street.
- O.67 To retain the symmetry of semi-detached houses, pairs and contiguous groups of buildings.
- O.68 To enhance the streetscape and encourage appreciation of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Architectural design

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| PC.1 <ul style="list-style-type: none">• O.63• O.64• O.65 | Where proposed additions will be visible from the street, the style of the addition must respond to and complement the architectural style of characteristic development within the HCA, as defined in the relevant character statement and demonstrated on contributory buildings. |
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PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.1 <ul style="list-style-type: none"> • O.63 • O.65 | Alterations and additions to a site should be designed to minimise the impact on the heritage significance of the HCA and the architectural style of the site's principal building form. |
| PC.2 <ul style="list-style-type: none"> • O.64 • O.66 | Contemporary architectural styles that are not consistent with the historic character of the area may only be used on parts of a neutral or detracting building that cannot be seen from the street. |
| PC.3 <ul style="list-style-type: none"> • O.63 • O.65 | Distinction is to be provided between new and old fabric. New work should be recognisable and not mimic the architectural style and materials of the building. |
| PC.4 <ul style="list-style-type: none"> • O.67 | Any addition must avoid extending the original design across the street front. |
| Siting of new works | |
| AS.3 <ul style="list-style-type: none"> • O.64 • O.68 | The orientation and pattern of contributory buildings should be maintained. |
| AS.4 <ul style="list-style-type: none"> • O.63 • O.65 • O.66 | New additions should be consistent with the siting, orientation and massing of existing buildings in the streetscape. |
| AS.5 <ul style="list-style-type: none"> • O.65 • O.66 | New additions should generally be designed as pavilion additions. A single storey glazed structure should be provided between the existing dwelling and the new addition. The height of the glazed structure should sit below the eave height of the existing dwelling. The ridge height of a rear addition must be 0.3m below the ridge height of the principal building form (refer to Figure 4-2). |
| PC.5 <ul style="list-style-type: none"> • O.63 • O.68 | All new development is to be sited behind the rear building line of a heritage item or contributory building, except where the design is a side extension designed in the same |

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style and materiality as the principle building form (refer to Figure 4-4).

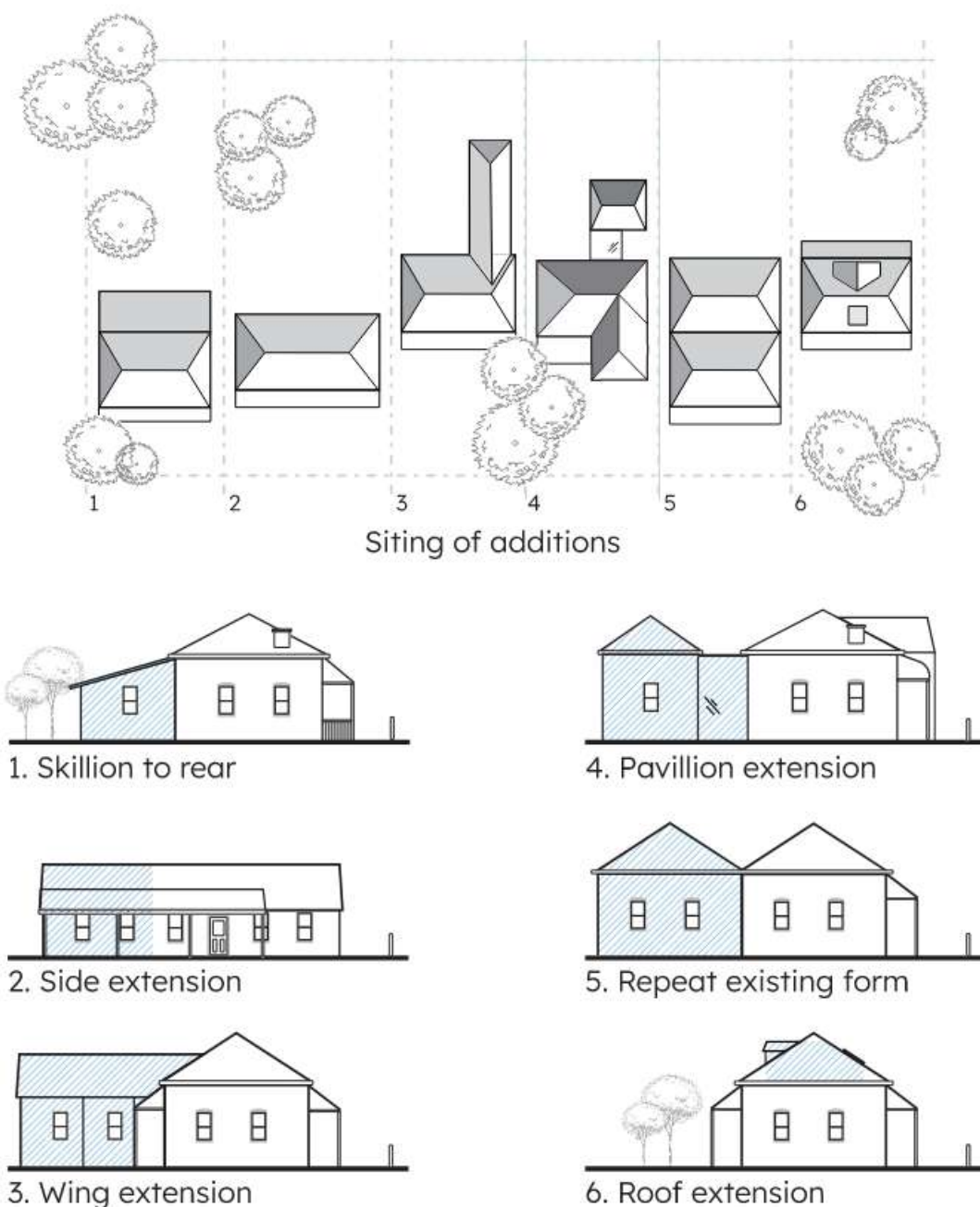


Figure 4-4: Examples of Appropriate Siting of Additions

PC.5

- O.63
- O.66

Where rear additions are not possible, additions to the side of buildings may be permitted. Side additions must be designed so that they are set back as far as possible from the front building line.

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| PC.6 <ul style="list-style-type: none"> • O.63 • O.64 | Setbacks from side boundaries are to be consistent with typical buildings in the streetscape. |
| AS.6 <ul style="list-style-type: none"> • O.63 • O.64 • O.66 | Development on corner sites should address the corner and retain the original built form as it turns the corner. |
| PC.7 <ul style="list-style-type: none"> • O.64 • O.66 | Outbuildings and other structures are to be sited to minimise impacts to the streetscape character and heritage items in the vicinity. |
| AS.7 <ul style="list-style-type: none"> • O.65 • O.68 | Additions should not be built over contributory gardens or historic landscape fabric. |
| PC.8 <ul style="list-style-type: none"> • O.63 • O.65 | New structures are to be set back from mature trees, in accordance with a AQF Level 5 Arborist Report, and historic gardens are to allow views to the significant landscaping elements from the street and to reduce impacts to historic planting and vegetation. |
| Scale and form | |
| PC.9 <ul style="list-style-type: none"> • O.63 • O.65 | Alterations and additions must not alter the original scale or form of contributory buildings. An alteration or addition is not to be of a size or scale that overwhelms or dominates the existing building, substantially changes it, destroys its identity, or changes its contribution and importance in its surrounds. |
| PC.10 <ul style="list-style-type: none"> • O.64 • O.65 | Alterations and additions to neutral and non-contributory items must be consistent with the scale and form of nearby contributory buildings. |
| PC.11 <ul style="list-style-type: none"> • O.63 • O.66 | Where proposed, additional floor space must be located in the rear to retain the original scale and form of the building. |
| Roofs | |
| PC.12 <ul style="list-style-type: none"> • O.64 • O.65 • O.67 | Original and traditional roof forms and materials are to be retained. Alterations to original roofs are to complement the style, form and pitch of the original roof or be consistent with contributory buildings. |

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| AS.8 <ul style="list-style-type: none"> • O.63 • O.66 | Upper-level additions may be included within the existing roof space as part of an attic-style addition. Dormers and skylights should be located on the side or rear roof plane. |
| AS.9 <ul style="list-style-type: none"> • O.66 | Roof additions should be generally confined to the rear of an existing building. |
| PC.13 <ul style="list-style-type: none"> • O.64 • O.68 | New additions are to have separate roof forms. Large roof extensions that change the form and ridge lines of the original roof are to be avoided, and the original roof is to be the principal roof form on the site |
| AS.11 <ul style="list-style-type: none"> • O.65 • O.68 | Habitable space within a roof area will generally not be acceptable due to the substantial increase in required height and scale. |
| AS.12 <ul style="list-style-type: none"> • O.63 • O.64 • O.68 | Dormers to the front or side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered. |
| PC.14 <ul style="list-style-type: none"> • O.63 • O.65 | Dormer windows must be positioned 200 millimetres below the main roof ridge on all buildings on the front roof plane. |
| PC.15 <ul style="list-style-type: none"> • O.64 • O.68 | All original chimneys must not be demolished unless they are proven to be structurally unsound, and only when followed by immediate reconstruction in the original detail. |
| PC.16 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 | New roofing must be consistent with existing materials or demonstrated original. Where new buildings are proposed, roofing of the new element is to generally be corrugated galvanised metal sheeting. |
| AS.13 <ul style="list-style-type: none"> • O.63 • O.65 | Tiling may be appropriate on buildings constructed between the 1900s and 1930s. Unglazed terracotta tiles are preferred to glazed and coloured tiles. |
| PC.17 <ul style="list-style-type: none"> • O.63 • O.65 | The re-roofing of the main body of the house is only supported when utilising new roofing materials that match original materials. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Details and original features

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| PC.18 <ul style="list-style-type: none"> • O.63 • O.64 • O.65 | Original architectural detailing and features on contributory buildings, such as barge boards, finial trim, decorative fretwork, window awnings and front verandahs, are to be retained and conserved. |
| PC.19 <ul style="list-style-type: none"> • O.63 • O.65 | New detailing must be complementary to the character of contributory buildings within the HCA in terms of style, material and detail. |
| AS.14 <ul style="list-style-type: none"> • O.63 • O.65 | Where new doors, windows and verandahs are visible from the street or prominent location, they should be of a similar proportion, size, location and detailing to original elements. Original door and window openings are to be retained and repaired. If original doors and windows have been lost, they are to be replaced with a similar size, type and material for the age and style of the building. |
| AS.15 <ul style="list-style-type: none"> • O.63 • O.65 | New windows should have a vertical orientation. Double hung, casement, awning or fixed windows are preferred, in timber. On new buildings or modern additions, windows and doors may be in aluminium frames with timber-like proportions. |
| AS.16 <ul style="list-style-type: none"> • O.64 • O.65 | The location of openings should follow the solid to void ratio in historic buildings. |
| PC.20 <ul style="list-style-type: none"> • O.64 • O.65 • O.68 | Verandahs on the front and sides of a contributory or neutral building must not be infilled or enclosed. |
| AS.17 <ul style="list-style-type: none"> • O.64 • O.68 | Enclosures to verandahs should be removed when alterations and additions are proposed. |
| AS.18 <ul style="list-style-type: none"> • O.64 • O.68 | Verandahs and balconies that do not match the architectural period and style of the principal building should be removed. |
| AS.19 <ul style="list-style-type: none"> • O.63 | New verandahs and balconies should not be introduced where they were not intended as part of the original design of the building. |

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| AS.20 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 • O.65 | Missing components such as verandah brackets, fences and chimneys should be copied carefully and reinstated in their original style. |
| AS.21 <ul style="list-style-type: none"> • O.63 • O.67 | Alterations should avoid arbitrary changes to openings or other features which do not fit with the symmetry or character of the original architectural design. |
| PC.21 <ul style="list-style-type: none"> • O.63 • O.65 | Material that imitates historic fabric is not supported. |
| AS.22 <ul style="list-style-type: none"> • O.64 • O.68 | Existing incompatible/intrusive elements (e.g. non-original aluminium windows and doors, and aluminium or vinyl cladding) in street elevations and prominent locations should be replaced with traditional materials when alterations and additions are proposed. |
| External materials, finishes and colours | |
| PC.22 <ul style="list-style-type: none"> • O.63 • O.65 | Original wall cladding is to be retained and conserved, including face brickwork and timber weatherboards blocked to resemble cut stone. Modifications to face brick dwellings must use the original style of bricks, window heads, mortar joints and other building details. |
| PC.23 <ul style="list-style-type: none"> • O.63 • O.65 | Paintwork must not be applied to any brickwork, stonework, exposed bricks on chimneys, terracotta chimney pots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces. |
| AS.23 <ul style="list-style-type: none"> • O.63 • O.65 | Face brickwork should remain unpainted and unrendered. Face brickwork that is already painted or rendered should be restored, where possible, to its original un-painted state. |
| PC.24 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 | For brickwork that was originally rendered or painted, cement render that is complementary to, and consistent with, the architectural style and colour schemes is to be used. Repainting must be articulated in the same manner as the original colour rendering of the building. |
| AS.24 <ul style="list-style-type: none"> • O.63 • O.65 | Plain bricks with natural-coloured mortars are preferred for new structures. Avoid mottled bricks and textured sandstone bricks. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.25 <ul style="list-style-type: none"> • O.63 • O.65 | <p>The recladding of existing timber weatherboard buildings with any material other than timber weatherboards is not encouraged.</p> |
| AS.26 <ul style="list-style-type: none"> • O.63 • O.65 | <p>New timber weatherboards should have a traditional width and profile to match the original weatherboards.</p> <p>Note: timber weatherboards should be 150mm with a square edged profile.</p> |
| PC.25 <ul style="list-style-type: none"> • O.63 • O.64 • O.65 | <p>New materials must reflect the historic character of the HCA where visible from the street.</p> |
| PC.26 <ul style="list-style-type: none"> • O.63 • O.64 • O.68 | <p>Colour schemes are not to be of a singular colour solution, nor be entirely dark colours, such as black and grey.</p> <p>Note: Refer to Maitland City Council's Heritage Development Works webpage for colour schemes and guidelines.</p> |
| PC.27 <ul style="list-style-type: none"> • O.63 • O.65 | <p>Original rainwater goods e.g. gutters, downpipes, rainheads, are to be preserved or replaced to match existing.</p> |
| AS.27 <ul style="list-style-type: none"> • O.63 • O.65 | <p>Plastic downpipes should be avoided where they are visible from the street.</p> |
| PC.28 <ul style="list-style-type: none"> • O.63 • O.65 | <p>Round downpipes are to be provided as part of new development.</p> |

Carparking and driveways

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| PC.29 <ul style="list-style-type: none"> • O.63 • O.66 | <p>Garages and carports are not to be constructed forward of the building alignment of a building within an HCA and are to be setback at least 5m behind the principal building line. Preferably, they should be located at the rear of the lot and setback 500 millimetres from the rear and side boundaries.</p> |
| PC.30 <ul style="list-style-type: none"> • O.64 • O.66 | <p>If garages or carports are connected to the principal building form, they are to be setback from the principal building line at least 5m and have a separate roof.</p> |

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| PC.31 <ul style="list-style-type: none"> • O.64 • O.65 • O.68 | <p>The scale and form of a garage or carport must not dominate the principal building, or adjoining structures.</p> |
| PC.32 <ul style="list-style-type: none"> • O.64 • O.65 • O.66 | <p>Garages and carports must be single storey. The addition of an attic above garages, carports or other outbuildings shall only be considered where window openings are not visible from the street.</p> |
| AS.29 <ul style="list-style-type: none"> • O.63 • O.65 | <p>The roof pitch of a garage or carport should be lower than the roof pitch of the principal building form. Generally, a roof pitch above 25 degrees will be required for carports, sheds and garages.</p> |
| AS.30 <ul style="list-style-type: none"> • O.63 • O.64 | <p>Garages and carports should have simple hipped or gable roofs depending on the roof design of the principal building on the site.</p> |
| PC.33 <ul style="list-style-type: none"> • O.63 • O.65 | <p>New garage structures are not to have roller doors and are to be single width garage doors.</p> |
| AS.31 <ul style="list-style-type: none"> • O.63 • O.65 | <p>Carports should be simple light structures.</p> |
| PC.34 <ul style="list-style-type: none"> • O.63 • O.66 | <p>Triple door garages are not supported in any location visible from the street.</p> |
| AS.32 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 | <p>Where visible from the street, external cladding of garages should generally be consistent with that of the principal building on the site or be of horizontal weatherboard construction.</p> |
| AS.33 <ul style="list-style-type: none"> • O.64 • O.65 • O.68 | <p>Where a property has access to a rear lane or street, vehicle accommodation is to be located adjacent to the rear laneway or street with vehicle access from the laneway.</p> |

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| PC.35 <ul style="list-style-type: none"> • O.64 • O.68 | Driveways and wheel strips are to be constructed using Morpeth Mix. |
| AS.34 <ul style="list-style-type: none"> • O.64 • O.65 • O.68 | Wheel strips and gravel driveways are preferred to solid driveways, especially over the public footpath. Infill areas between wheel strips must be confined to private property and is to consist of soft landscaping such as turf, grass rings or gravel. |
| AS.35 <ul style="list-style-type: none"> • O.63 • O.65 | Council may consider exceptions to the numerical requirements for on-site car parking at dwellings in HCAs if the car parking does not adversely impact on the HCA. |
| PC.36 <ul style="list-style-type: none"> • O.63 • O.68 | Significant historic kerbing is not to be disturbed. Where this is unavoidable, a stone mason is to be engaged and must minimise the section of original kerbing and guttering to be removed. Archive and securely store original kerb and guttering for reuse and repairs. |
| Fencing and gates | |
| PC.37 <ul style="list-style-type: none"> • O.63 • O.64 • O.65 • O.68 | Modifications to the front fence of buildings within a HCA must be designed and constructed in materials that contribute to, and do not detract from, the historic style of the building and character of the streetscape. |
| PC.38 <ul style="list-style-type: none"> • O.64 • O.68 | Original fences must be retained and refurbished where possible. |
| PC.39 <ul style="list-style-type: none"> • O.64 • O.65 • O.68 | Fences should be located on the building line. |
| AS.36 <ul style="list-style-type: none"> • O.64 • O.65 | Where fences have been changed, they should be reconstructed based on their original design. If the original design is not known or cannot be identified, the fence should be built according to the architectural style of the building i.e. timber picket, low masonry, and low hedges etc. |

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| PC.40 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 | <p>New fences must be sympathetic in colour, material, height and design to the streetscape character and other contributory fences and not detract from the heritage significance of the locality. Avoid faux historic fencing styles.</p> |
| PC.41 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 | <p>Front fences must be no higher than 1.2m in height, unless there is evidence that the original heritage fencing was higher.</p> |
| AS.37 <ul style="list-style-type: none"> • O.63 • O.65 • O.68 | <p>Front fences in HCAs should be open or transparent, or back with a hedge, not solid.</p> |
| PC.42 <ul style="list-style-type: none"> • O.63 • O.65 | <p>Side fences forward of the building line, and fences to the rear or side lanes or streets are to be in traditional materials, including timber paling fences using steel posts in concrete footings. Fences using clip lock, Colourbond are not supported.</p> <p>Side fences behind the building line where they do not face onto a street or public space may be in other materials, although timber paling fences are recommended.</p> |
| PC.43 <ul style="list-style-type: none"> • O.63 • O.64 • O.65 • O.68 | <p>Plain or treated corrugated metal fences and/or colorbond fences are not appropriate on the front or side boundary.</p> |
| Services, skylights and solar panels | |
| PC.44 <ul style="list-style-type: none"> • O.63 • O.64 • O.66 • O.68 | <p>Solar panels and skylights are not supported to the front or side facing slopes of the principal roof.</p> |
| AS.38 <ul style="list-style-type: none"> • O.63 • O.64 • O.66 • O.68 | <p>Plant and equipment such as solar water heaters, antennas, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised.</p> |

4.6.7. Alterations and additions to non-residential buildings

Objectives

- O.69 To retain and conserve contributory commercial and civic buildings.
- O.70 To ensure alterations and additions to contributory commercial and civic buildings are of an appropriate design that does not adversely impact the significance or character of the building.
- O.71 To encourage the removal of unsympathetic features and details on commercial and civic buildings, such as signage.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.69• O.70 | Alterations and additions to non-residential buildings in HCAs must respond appropriately to the heritage significance and historic character of the conservation area. |
| PC.2 <ul style="list-style-type: none">• O.69• O.70 | Alterations and additions to commercial and retail buildings that are contributory buildings must be designed based on a demonstrated thorough understanding of the heritage significance of the HCA. |
| PC.3 <ul style="list-style-type: none">• O.69• O.70 | Upper storey additions must be set back from the primary façade of the building so that the addition is not visible from the public domain. |
| AS.1 <ul style="list-style-type: none">• O.69• O.70 | The design of additions should be contemporary and identifiable from the existing building. |
| AS.2 <ul style="list-style-type: none">• O.69• O.70 | Generous setbacks should be provided between old buildings and new additions, using a glazed section and/or shadow lines and gaps to link the new addition to the existing building. |
| AS.3 <ul style="list-style-type: none">• O.69 | The original elements and details of contributory or neutral buildings should be retained, especially on front façades. This includes original windows and doors, brick detailing and parapets, original signs, roofs and verandahs. |
| PC.4 <ul style="list-style-type: none">• O.69 | Open verandahs and balconies of contributory or neutral buildings must not be enclosed. |
| PC.5 <ul style="list-style-type: none">• O.69 | Original shopfronts on contributory retail buildings must be retained. |

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| AS.4 <ul style="list-style-type: none">• O.71 | Non-original shopfronts should be replaced with new shopfronts that respect the historic character of the HCA. The reinstatement of the original shopfront design is desirable, where the original design can be referenced from historic photographs, drawings, or remaining physical evidence. |
| AS.5 <ul style="list-style-type: none">• O.70 | New shopfronts should be timber framed. |
| AS.6 <ul style="list-style-type: none">• O.69 | Awnings of contributory retail buildings should be retained. |

4.6.8. Infill development

Infill development involves the addition of new buildings within HCAs. New buildings should be sympathetic in design to the HCA and should not impact the streetscape character.

Objectives

- O.72 To ensure that infill development enhances the character of heritage items and contributory buildings.
- O.73 To ensure that infill development is sympathetic to the HCA in terms of scale, form, architectural style, details and materials.
- O.74 To ensure that siting of new buildings respects the significance and character of the HCA.

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| AS.1 <ul style="list-style-type: none">• O.72• O.73• O.74 | The design of new infill buildings in HCAs should be guided by NSW Heritage Office's Design in Context: Guidelines for Infill Development in the Historic Environment, ¹ and the Better Placed guidelines. |
| PC.1 <ul style="list-style-type: none">• O.72• O.73• O.74 | The design of replacement buildings must sympathetically respond in scale, form, siting, materials, colours and detailing to surrounding contributory items, particularly where there is a general consistency in the building scale in the streetscape and the HCA. |
| PC.2 <ul style="list-style-type: none">• O.74 | New buildings are to be setback or sited behind the façade of heritage items and contributory buildings. |

PREScriptive CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.3 <ul style="list-style-type: none"> • O.74 | <p>New buildings must maintain the established historically significant pattern of setbacks in the streetscape.</p> |
| PC.4 <ul style="list-style-type: none"> • O.73 | <p>Within groups of buildings such as rows of shops, infill building and façade design is to respond to the scale, height, materials, and massing of heritage items, contributory, and neutral building.</p> <p>This is to be done by aligning eave lines, cornices and parapets, ensuring consistency in the articulation of façades and the proportion and/or rhythm of existing elements, as well as through the use of complementary colours, materials and finishes.</p> |
| AS.2 <ul style="list-style-type: none"> • O.72 • O.73 • O.74 | <p>On corner sites, the new building should be designed to address the street corner and respond to the form, scale and articulation of historical corner buildings within the HCA.</p> |
| AS.3 <ul style="list-style-type: none"> • O.72 • O.73 • O.74 | <p>Infill development should not copy or mimic the architectural styles of adjoining heritage items and contributory buildings, and should instead reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.</p> |
| PC.5 <ul style="list-style-type: none"> • O.72 • O.74 | <p>Infill development in the form of dual occupancy development, multi dwelling housing and residential flat buildings are not appropriate:</p> <ol style="list-style-type: none"> a. on sites containing heritage items or contributory buildings b. where single detached dwellings are the prominent building form within an HCA c. where the historic subdivision pattern of a HCA would be changed, or d. where the proposed design results in impacts to the streetscape character and significance of the HCA. <p>These building types will be assessed on merit.</p> |
| AS.4 <ul style="list-style-type: none"> • O.72 • O.73 • O.74 | <p>In areas where dual occupancy development will be considered, appropriate forms include:</p> <ol style="list-style-type: none"> a. New development at the rear of existing buildings with a shared tyre strip driveway along one side boundary, or b. A single storey detached building form to the street frontage, with detached garages to the rear or side of a building. |

4.6.9. Historic streetscape elements

Each of the HCAs in Maitland contains historic characteristic elements such as hitching posts, bollards, bridges, monuments, statues, memorials, gutters, kerbing, ghost signs, paving, footpaths, lampposts and sandstone markers. Most of these elements form part of the public domain and some may be listed as individual heritage items.

Objectives

O.75 To retain and conserve historic and characteristic elements in HCAs.

O.76 To enhance the distinctive character of an HCA.

O.77 To promote the use of characteristic elements in the public domain.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| AS.1 <ul style="list-style-type: none">• O.75• O.77 | <p>Historic streetscape elements are to be retained in situ, where possible.</p> <p>If characteristic elements are removed from the public domain, they should be re-used and relocated within the HCA.</p> <p>If characteristic elements or moveable heritage items are unable to be re-used within the HCA, they should subject to a conservation assessment, archived and securely stored.</p> |
| PC.1 <ul style="list-style-type: none">• O.75 | <p>Historic town signage is to be retained and conserved.</p> |
| AS.2 <ul style="list-style-type: none">• O.75• O.76• O.77 | <p>The removal of historic paving, sandstone gutters and kerbing and sandstone swale drains is to be avoided wherever possible.</p> <p>Where removal is unavoidable, the materials are to be donated to Council, archived, and securely stored according to their condition and used for repairs within the HCA.</p> |
| PC.2 <ul style="list-style-type: none">• O.75• O.76 | <p>Original footpaths are to be retained and only replaced in circumstances where their condition requires reconstruction. When replacing footpaths either repair with the original or a sympathetic surface material.</p> |
| AS.3 <ul style="list-style-type: none">• O.75• O.77 | <p>Stormwater outlets from buildings to stone kerbs should reuse existing pipes to minimise new outlets.</p> <p>Note: Outlets should be contained within existing holes in the stone, without any visible PVC piping.</p> |
| AS.4 <ul style="list-style-type: none">• O.75 | <p>Bitumen is to be removed from sandstone where possible, as part of ongoing maintenance and restoration works.</p> |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.3

- O.75
- O.76
- O.77

Development affecting streetscape elements must retain evidence of archaeological items and structures within kerb and guttering that allows for interpretation, including verandah post bases, stormwater outlets and kerb crossing.

AS.5

- O.75
- O.76

The design of new marker posts including bollards, directional signs and posts should reflect the historic character of the HCA.

4.6.10. Civil infrastructure

Excessive and poorly designed civic infrastructure within heritage settings (such as wayfinding and inappropriate interpretation signage, road signs, bollards, public seating and street lighting) causes visual pollution that may have an adverse impact on the significance, character and setting of a historic area. Similar to private development, civic infrastructure should be designed to complement the character of the historic streetscape and positioned appropriately to avoid adverse heritage impacts.

Objectives

- O.78 To ensure the design and location of civic infrastructure complements the character and setting of the HCA.
- O.79 To ensure the civil infrastructure is sympathetic to the HCA in terms of scale, form, architectural style, details and materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1

- O.78
- O.79

All new civic infrastructure should be designed to complement the historic character of the HCA. The design of new elements should be guided by heritage advice.

PC.2

- O.78

Civic infrastructure must not feature advertising or logos.

AS.1

- O.78
- O.79

When existing civic infrastructure is replaced, the replacement element should have an improved outcome in terms of its 'fit' within the historic context.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.2 <ul style="list-style-type: none"> • O.78 | All new civic infrastructure, including signage, should be designed and located so that it does not obstruct views of heritage items, contributory buildings or iconic views. |
| AS.3 <ul style="list-style-type: none"> • O.78 • O.79 | Street furniture and temporary installations within an HCA should be sympathetic and unobtrusive to the character of the street. |
| AS.4 <ul style="list-style-type: none"> • O.78 | Street furniture should not be fixed to historic fabric, including sandstone flagging. If fixing is required, it must cause minimal impact and be readily reversible. Stainless steel should be used for all fixings to historic stone or brickwork to prevent rust. |
| AS.5 <ul style="list-style-type: none"> • O.78 • O.79 | <p>Street furniture should consider the character of the streetscape, landscape or building it is associated with.</p> <p>Example: For civic buildings, the design of street furniture should be cast iron or timber. Timber used for seating should be oiled, with cast iron painted or left natural. In parks and along the river, a modern style of seating is preferred using timber framed settings with a rugged design and oiled timbers. The use of historic materials such as railway sleepers or rails, heavy hardwood timbers similar to jetty construction, or sandstone blocks is encouraged.</p> |
| AS.6 <ul style="list-style-type: none"> • O.79 | Picnic shelters should be simple structures of hardwood timber framing and galvanised corrugated iron gable roofs. |
| PC.3 <ul style="list-style-type: none"> • O.78 | <p>Existing and new bin enclosures are to be located where they:</p> <ol style="list-style-type: none"> are not immediately in front of an historic building do not obscure any historic details such as sandstone flagging do not obstruct views along laneways or between buildings impact the appreciation of the historic character of the town can be setback from the kerb. |
| AS.7 <ul style="list-style-type: none"> • O.79 | Bin enclosures should be of metal or oiled timber design. |
| AS.8 <ul style="list-style-type: none"> • O.78 • O.79 | It is appropriate to reconstruct streetlights to match existing lights within the streetscape or at heritage items and contributory buildings. Ceiling mounted fittings under verandahs or awning outside commercial buildings are acceptable. |
| AS.9 <ul style="list-style-type: none"> • O.78 • O.79 | The reconstruction of missing historic lights is supported. Avoid the use of faux historic designs. |
| AS.10 <ul style="list-style-type: none"> • O.78 • O.79 | The use of umbrellas or canvas blinds on footpaths is appropriate where no verandah or awning is present. An exemption applies to traditional canvas drop blinds fixed to the verandah or awning edge. |

4.6.11. Signage

Historic signage can be located on shopfronts, the sides of buildings, or provide historical information to communicate the history and significance of a site or HCA.

Objectives

- O.80 To retain and conserve original historic signage.
- O.81 To ensure the design and location of signage complements the character and setting of the HCA.
- O.82 To provide for public signage that allows interpretation and information of historical buildings and places, in a visible and accessible location that is relevant to the community.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| PC.1 <ul style="list-style-type: none">• O.80 | Original historic signage is to be retained in-situ. |
| PC.2 <ul style="list-style-type: none">• O.81 | New signage is to reflect original historic signage within the conservation area and utilise similar colours and lettering styles. |
| PC.3 <ul style="list-style-type: none">• O.81 | Maximum number of signs for shopfronts: A maximum of two identification signs will be permitted per frontage (e.g. one fascia and one awning sign). |
| PC.4 <ul style="list-style-type: none">• O.81• O.82 | Advertising is, where possible, to be placed on areas of the building or item which would traditionally have been used for advertising. Projecting signs above awnings are not permitted. These locations are: <ul style="list-style-type: none">a. under the awning,b. on the awning fascia,c. a transom sign above the door or shopfront (top hamper),d. inside the display window,e. below the windowsill, orf. flush wall signs. |
| PC.5 <ul style="list-style-type: none">• O.81 | Size of signs: Signs on shop windows should not exceed 25 per cent of the total area of the shopfront glazing. |
| PC.6 <ul style="list-style-type: none">• O.81 | Illuminated signs are not supported. Illumination must be by floodlighting and the source of the lighting must be concealed. |
| PC.7 <ul style="list-style-type: none">• O.81 | Signs must be designed to be integral to the architectural style and finishes of the building to which they are attached. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.1 <ul style="list-style-type: none"> • O.81 | Standardised trademarks or corporate advertising may be supported by placing the modern sign in a panel with a perimeter margin and surrounding wall surface, printed in sympathetic heritage colours. Corporate colours may not be appropriate and may require modification to suit the character of the HCA. |
| AS.2 <ul style="list-style-type: none"> • O.81 | The colours of signs should be based on historical research and should be appropriate for buildings in an HCA. Generally, neutral or muted colours are appropriate, i.e. maroon, dark green, terracotta, brown or charcoal highlighted with creams, ochres, pinks and earth tones etc. |
| AS.3 <ul style="list-style-type: none"> • O.81 | The lettering of signs on heritage-listed and contributory buildings should complement the architectural style of the building. Suitable lettering styles may involve shaded letters, the mixing of sizes and styles of letters and ornamental scrolls relevant to the period of the building. |
| PC.8 <ul style="list-style-type: none"> • O.82 | Interpretational signage must be confined to historical buildings and places. These signs must only be erected where their placement will be easily visible and accessible and where they will not obstruct significant view corridors or established pedestrian routes. |
| PC.9 <ul style="list-style-type: none"> • O.81 | Signage must be confined to a single nameplate for historic buildings, mounted on the wall of the buildings such that the mounting does not damage the fabric of the building. Alternatively, the signage may be fixed to a grounded post. |
| AS.4 <ul style="list-style-type: none"> • O.81 • O.82 | All signage should be designed for people with a vision impairment and be located at a level for common viewing. |

4.7. Bolwarra Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Bolwarra HCA, the following specific controls are be applied to this area. Where the specific controls for the Bolwarra HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-5 provides a heritage map of the Bolwarra HCA applied within MLEP 2011.



Figure 4-5: Bolwarra HCA Land Application Map

4.7.1. Statement of Significance

The Statement of Significance for the Bolwarra HCA is as follows:

The historic significance of Bolwarra can be traced to the surviving buildings and gardens of the late nineteenth century which record the original subdivision of “gentleman’s houses”. These qualities give the area historic significance for the locality. The same remnant plantings and surviving estate development are of aesthetic significance. Many of the later but undistinguished houses are set in attractive gardens complementing the character of the earlier development.

Characteristic Elements

- Well defined boundary located above floodplain in a broader agricultural setting.
- Late nineteenth century land subdivision and street pattern comprising “gentleman’s houses” on large estates.
- Examples of High Victorian villas and Late Victorian cottages in garden settings.
- WWI War Memorial at the junction of Westbourne Road and Addison Road.
- Compact high street comprising small scale commercial buildings on Paterson Road.
- Predominant single storey detached residential character.
- The view to the HCA, rural landscape and landmark trees including a large Bunyah Pine, on approach from the southern entrance to the town.
- Mature cultural plantings dating from the late nineteenth and early twentieth centuries, including Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels.

4.7.2. Desired Future Character

The desired future character for the Bolwarra HCA is as follows:

1. Retention and conservation of the historic estates that represent the original late nineteenth century land subdivision and street pattern.
2. Retention of the heritage items and contributory buildings that contribute to the historic character of the area, including the gentlemen’s houses and examples of High Victorian and Late Victorian buildings.
3. Retention of the consistent scale and form of residential development, being single storey detached residential development behind formal front gardens with low front fencing and generous setbacks.
4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
5. A consistent principal building alignment on residential streets for new development.
6. Improved cohesion of the streetscape through additional street tree planting.
7. Improved cohesion of the streetscape through generously landscaped front setbacks that are sympathetic to the character of the HCA.

8. Enhancement of the street tree layout through planting of regular patterns and selection of monoculture species.
9. Retention of landmark plantings and the historic and significant tree stock located in and around the northern arm of Kensington Road and the suburban block framed by that road, Bayswater, Westbourne and Paterson Roads.
10. Mature and landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.
11. Retention of the historical and contemporary components of Bolwarra's floodplain drainage and river embankment design to ensure the integrity of those engineering assets and the two centuries of Bolwarra's river flood management remains evident and interpretable.

4.7.3. Objectives and controls for Bolwarra HCA

Objectives

- O.83 To retain and conserve the historic estates and original late nineteenth century land subdivision and street pattern.
- O.84 To retain and conserve the rural landscape at the edges of the HCA and historic use of the Hunter River.
- O.85 To retain and conserve the heritage items and contributory buildings in the Bolwarra HCA, especially the Victorian period buildings.
- O.86 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Bolwarra HCA.
- O.87 To ensure new infill development is of a high standard and respects the heritage significance and character of the HCA.
- O.88 To retain the mature tree canopy of Bolwarra HCA, especially landmark plantings at the entrance to the HCA and historic tree stock.
- O.89 Improve the streetscape character of the Bolwarra HCA by:
 - siting new development to reinforce the principal building alignment on residential streets
 - encouraging generous landscaping treatments within the front setback
 - retaining mature street trees and planting additional street trees.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1

Subdivision and amalgamation are to be avoided to retain the original late nineteenth-century land subdivision and street pattern.

- O.83

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.2 <ul style="list-style-type: none"> • O.83 • O.85 • O.86 • O.89 | Subdivision proposed at sites that contain neutral or non-contributory buildings and meet the minimum lot size will be considered on merit. New development must be located to the rear of the existing building (or replacement building) with one shared driveway and vehicle crossover. The new building to the rear should be sited and oriented to minimise impacts on the streetscape character. |
| PC.3 <ul style="list-style-type: none"> • O.83 | Future subdivision or new residential development east of Paterson Road and south of Westbourne Road is not supported. |
| PC.4 <ul style="list-style-type: none"> • O.87 • O.89 | New development is to be consistent with the single storey detached scale and character within the HCA. |
| PC.5 <ul style="list-style-type: none"> • O.87 • O.89 | New development must be consistent with the predominant building alignment to the street. |
| AS.1 <ul style="list-style-type: none"> • O.86 • O.87 | New front fencing should reflect the height, materiality and architectural period and style of the building on the site. |
| AS.2 <ul style="list-style-type: none"> • O.86 • O.87 | New front fencing should be a maximum of 1.2 metres in height, unless this conflicts with the original historical design of the fencing. |
| AS.3 <ul style="list-style-type: none"> • O.86 • O.87 | Front fencing should be 50% transparent at a minimum. Avoid solid brick or stone fencing unless it is part of the original fencing design. |
| PC.6 <ul style="list-style-type: none"> • O.84 • O.88 • O.89 | Significant landmark plantings and historic tree stock are to be retained. |
| PC.7 <ul style="list-style-type: none"> • O.88 | The mature bunya pine to the south of 5 Paterson Road, Bolwarra is to be retained. |
| AS.4 <ul style="list-style-type: none"> • O.85 • O.86 | Alterations and additions to gardens on sites containing heritage items or contributory buildings should refer to original architectural drawings, historic photographs and aerial images when designing garden layouts, where available. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.5

- O.85
- O.86

Alterations and additions to gardens on sites containing heritage items or contributory buildings should refer to historic garden styles and planting palettes from NSW and Australian landscaping styles from the nineteenth and twentieth centuries.

PC.8

- O.85
- O.87

Driveways and wheel strips are to be constructed using Morpeth Mix.

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4.8. Central Maitland Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Central Maitland Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Central Maitland HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-6 provides a land application map for the Central Maitland HCA.



Figure 4-6: Central Maitland HCA Land Application Map

4.8.1. Statement of Significance

The Statement of Significance for the Central Maitland HCA is as follows:

Central Maitland has historic significance of exceptional value recording an early settlement of the Hunter Valley which grew to be the major centre in the region – larger than Newcastle. It also became one of the largest settlements in NSW during the middle of the nineteenth century. Its historic role is reflected in the excellent examples of Commercial, Civic and Ecclesiastical buildings and in the rarer and more modest surviving examples of early housing. The HCA's aesthetic significance is derived from the intactness of its streetscapes, its landmark buildings and strong edge definition of river and flood plain. The area is of

social significance for its continuing roles as a regional centre for administration, cultural activities and several religious denominations.

Characteristic elements

- Maitland's commercial, civic, and religious centre and largest centre in the Hunter Region.
- An early settlement located on the southern side of the Hunter River.
- A predominant grid street pattern.
- An excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
- High Street has an intact streetscape, including many original shopfronts and landmark buildings.
- Residential character varies from early modest slab huts and cottages to two storey single fronted housing.
- The key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens.
- Public recreation and walking path along the Hunter River.
- Maitland Park and Maitland Showground.
- Central Maitland Railway Station.
- The southern portion of the HCA is physically separated by Les Darcy Drive and the New England Highway.
- Views to important buildings, spires and other architectural features from the surrounding HCAs and broader district.

4.8.2. Desired Future Character

The desired future character for the Central Maitland HCA is as follows:

1. Enhancement of the existing character of the HCA, being the largest commercial, civic, and religious centre in the Hunter Region.
2. Retention and conservation of the predominant grid street pattern, laneways, and side streets.
3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA, particularly the excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
5. Retention and conservation of High Street, its intact commercial streetscape, including many original shopfronts and landmark buildings.

6. Retention of the sense of enclosure of High Street by ensuring that new development maintains a two-storey building height and scale, including an appropriate parapet height and design and reinforcement of established building lines.
7. A general maximum building height limit of three storeys where appropriate.
8. Retention and conservation of the mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens.
9. Retention and enhancement of public parks and recreation areas within the HCA.
10. Mature landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.
11. Improvement of the public domain character to enhance the significance of the HCA and its relationship to the Hunter River and southern portion of the HCA.
12. Retention of views to important buildings, spires, and other architectural features.
13. Retention of the open landscape character around Central Maitland Railway Station.

4.8.3. Objectives and controls for Central Maitland HCA

Objectives

- O.90 To retain and conserve the predominant grid street pattern, laneways, and side streets.
- O.91 To retain and conserve the heritage items and contributory buildings in the Central Maitland HCA, in particular very early residential and commercial buildings.
- O.92 To retain and enhance the mixture of building typologies, including commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
- O.93 To ensure the commercial character High Street is maintained.
- O.94 To establish a consistent building height that is compatible with historic development and allows views to important buildings, spires, and other architectural features.
- O.95 To retain and enhance public parks and recreation areas within the HCA.
- O.96 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Central Maitland HCA.
- O.97 To encourage medium density development where there is no impact to the heritage significance of the HCA.
- O.98 To retain significant and mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens.
- O.99 To enhance the public domain character to enhance the significance of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.1 <ul style="list-style-type: none"> • O.90 | Subdivision and amalgamation that impacts the predominant grid street pattern, laneways and side streets are to be avoided. |
| PC.2 <ul style="list-style-type: none"> • O.90 | The existing alignments and widths of all historic roads in the HCA are to be retained. |
| AS.1 <ul style="list-style-type: none"> • O.90 | Subdivision may be appropriate at existing amalgamated sites where the historic subdivision pattern has been lost. |
| PC.3 <ul style="list-style-type: none"> • O.92 • O.93 • O.94 • O.97 | Infill development, especially new commercial development, is to consider the height, form, scale, proportions, fenestration pattern and materials of the heritage items and contributory buildings in the HCA. |
| PC.4 <ul style="list-style-type: none"> • O.93 • O.94 • O.96 • O.97 | Buildings in High Street and surrounding commercial streets must be sensitive to existing character through height, bulk, scale, and heritage sensitive urban design practices. |
| AS.2 <ul style="list-style-type: none"> • O.91 • O.96 • O.99 | Shopfronts should reflect the rhythm of fenestration and vertical elements of the original shop buildings (refer Figure 4-7). |

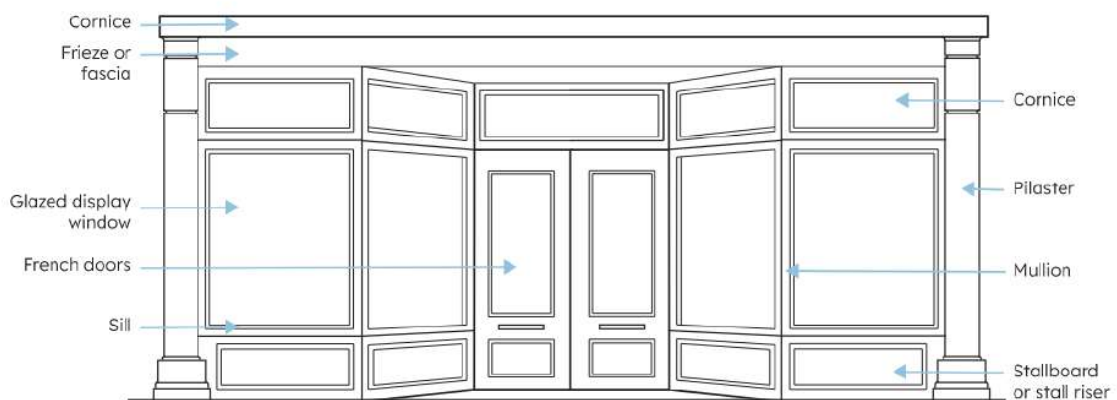


Figure 4-7: Example of Traditional Shop Front

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.3 <ul style="list-style-type: none"> • O.91 • O.96 • O.99 | Where new verandah posts are proposed for commercial buildings, they should reinstate original arrangements. Where no evidence of original verandahs can be found, traditional construction methods appropriate to the building should be used. Verandah posts inserted directly underneath cantilevered awnings will generally not be considered appropriate. |
| AS.4 <ul style="list-style-type: none"> • O.94 • O.97 | New residential development should be consistent with the one and two-storey detached character of the HCA. |
| AS.5 <ul style="list-style-type: none"> • O.94 • O.97 | New development should have a consistent building height that is compatible with heritage and contributory items and allows views to important buildings, spires and other architectural features, in particular from the Johnson Reserve floodplain and the Regent Street HCA. |
| AS.6 <ul style="list-style-type: none"> • O.94 • O.97 • O.99 | New development should not camouflage or obscure historical lot boundaries between the floodplain and town centre (e.g. Hanna Street). |
| AS.7 <ul style="list-style-type: none"> • O.91 • O.96 • O.99 | Retention of original sandstone kerbing and guttering in situ should be pursued wherever possible. |
| AS.8 <ul style="list-style-type: none"> • O.90 | Street trees should not be planted in narrow streets (<8m) or in those with narrow verges and footpaths (e.g. Catherine Street). |
| PC.5 <ul style="list-style-type: none"> • O.98 | Remnants of the jacaranda plantings in Carrington Street are to be retained, and consideration given to inter-planting with new jacarandas, as per the original scheme. |
| AS.9 <ul style="list-style-type: none"> • O.94 • O.99 | Development to the immediate north of Athel D'Ombra Drive should not obscure landmark trees in Maitland Park from streets to the north of the rail line. |
| PC.6 <ul style="list-style-type: none"> • O.91 • O.96 | Driveways and wheel strips are to be constructed using Morpeth Mix. |

4.9. East Maitland Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the East Maitland Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the East Maitland HCA differ from the general controls for HCAs, the specific controls in this section prevail to the extent of the inconsistency.

Figure 4-8 provides a heritage map of East Maitland HCA.

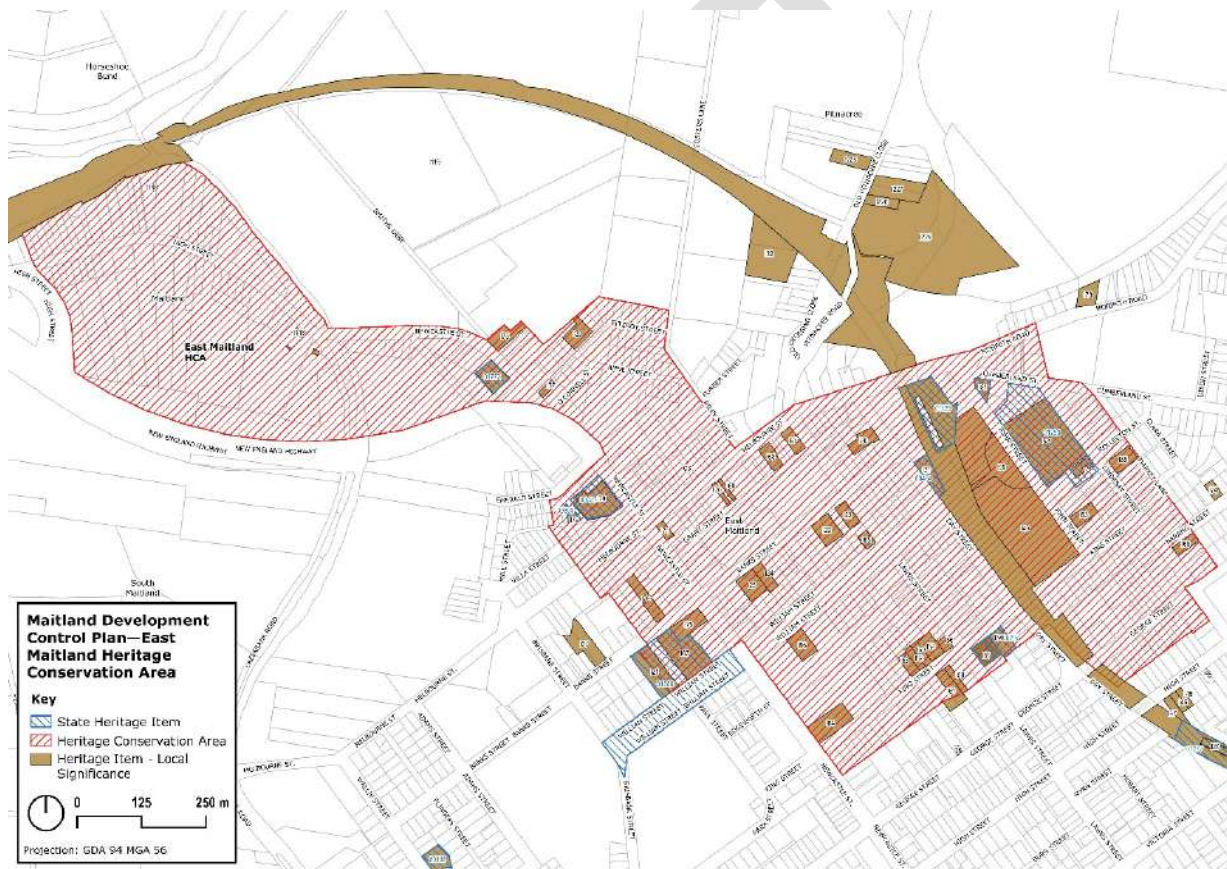


Figure 4-8: East Maitland HCA Land Application Map

4.9.1. Statement of Significance

The Statement of Significance for East Maitland HCA is as follows:

East Maitland's historic significance is in its surviving record of the urban growth of Maitland. It is a relatively rare example of a town with origins based primarily on government functions, with links to the convict period and early immigration (Caroline Chisholm House). Its government functions, continued in the ongoing use of the Gaol (over almost 150 years), Courthouse and Lands Office and in the preservation of the former police buildings and Post Office, contribute to both historic and social significance. The HCA's aesthetic significance is derived from its collection of residential, government, institutional and commercial buildings of all its periods of historic growth and their visual inter-relationship, in particular the strong axial composition based on the prominent hillside location of the Court House and Stockade Hill.

Characteristic Elements

- A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms.
- Significant views from the Stockade Hill and Maitland Courthouse to the HCA and surrounding district.
- A predominant grid street pattern and town plan established in 1829, with wide streets that terminate at public parks.
- Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office.
- A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century.
- Predominant single storey detached residential character.
- Inconsistent built character due to the physical separation of the HCA by Wallis Creek, New England Highway, and railway line.
- Large non-contributory commercial and light industrial buildings along the highway.
- Significant landscape features, including cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens.

4.9.2. Desired Future Character

The desired future character for the East Maitland HCA is as follows:

1. Retention and conservation of the early grid street pattern and town plan established in 1829, with wide streets that terminate at public parks.
2. Retention and conservation of the natural landform and landscape.
3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA.
4. Retention of the consistent scale and form of residential development, being single storey detached residential development.
5. Retention of the mixture of building typologies, including residential, commercial, and government and institutional buildings, particularly dating from the mid-nineteenth century.
6. Maintain the historic small scale commercial character of Melbourne and Newcastle streets.
7. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
8. Retention of the formal street plantings and footpaths in and around William and Banks streets.
9. Retention of the landscape setting of the major administrative buildings.
10. Retention of significant landscape features including, cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens.
11. Improvement of the public domain character to enhance the significance of the HCA.
12. Mature landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.

4.9.3. Objectives and controls for the East Maitland HCA

Objectives

- O.100 To retain and conserve the early grid street pattern and town plan established in 1829, including the wide streets that terminate at public parks.
- O.101 To retain and conserve the heritage items and contributory buildings in the East Maitland HCA.
- O.102 To conserve the natural landform and landscape.
- O.103 To retain and enhance the mixture of building typologies, including residential, commercial, and government and institutional buildings, particularly dating from the mid-nineteenth century.

- O.104 To reduce large scale commercial and light industrial sites that impact the historic streetscape character.
- O.105 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the East Maitland HCA.
- O.106 To ensure new infill development is of a high standard and respects the heritage significance and character of the HCA.
- O.107 To retain significant landscape features including cultural plantings, wide landscaped median strips, bridges, street trees and gardens.
- O.108 To retain and enhance public parks and recreation areas within the HCA.
- O.109 To enhance the public domain character to enhance the significance of the HCA.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
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| AS.1 <ul style="list-style-type: none"> • O.100 | Subdivision and amalgamation that impacts the early grid street pattern and town plan established in 1829 should be avoided. |
| PC.1 <ul style="list-style-type: none"> • O.100 • O.107 | The existing alignments and widths of all historic roads in the HCA, especially the William Street corridor, are to be retained. |
| AS.2 <ul style="list-style-type: none"> • O.101 • O.109 | New development should not visually obstruct the key north-south historic corridor of William Street. |
| PC.2 <ul style="list-style-type: none"> • O.106 | New residential development is to be consistent with the one and two-storey character of the HCA. |
| PC.3 <ul style="list-style-type: none"> • O.103 • O.106 | Infill development, especially new commercial development, is to consider the height, form, scale, proportions, fenestration pattern and materials of the heritage items and contributory buildings in the HCA. |
| AS.3 <ul style="list-style-type: none"> • O.104 | New large-scale commercial and light industrial uses should be avoided. |
| PC.4 <ul style="list-style-type: none"> • O.102 • O.107 | The historic avenue of fig trees in William street and the hills figs to the south of Newcastle Street made in the 1980s and 1990s are to be retained. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.5 <ul style="list-style-type: none">• O.102• O.107• O.108• O.109 | Significant landscape features, cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens, in particular the old stone pines in Cooks Square Park, are to be retained and conserved. |
| PC.6 <ul style="list-style-type: none">• O.105• O.109 | The potential of archaeological fabric in the landscape is to be considered when undertaking building works related to former public utilities (bridges etc) and former public spaces (market squares etc). |
| PC.7 <ul style="list-style-type: none">• O.105• O.106 | Driveways and wheel strips are to be constructed using Morpeth Mix. |

4.10. Lorn Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Lorn Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Lorn HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-9 provides a heritage map of Lorn HCA.



Figure 4-9: Lorn HCA Land Application Map

4.10.1. Statement of Significance

The Statement of Significance for Lorn HCA is as follows:

The area is of historical significance as probably the best example in the region of the garden suburb ideal. Lorn has an excellent collection of residential architecture dating from the late Victorian period, the Federation period and the Inter-Wars period. It records the historic expansion of Maitland's residential development onto the flats across the river. The social significance of the suburb is preserved in an urban form and building content still functioning as a garden suburb of greater Maitland and deriving meaning from its continuity of usage. The aesthetic significance of Lorn is derived from the many excellent examples of residential architecture styles of the late Victorian period, Federation period and the Inter-wars period, supported by many other later impressive but contributory buildings of compatible scale and form; wide streets and civic tree planting; and well-established gardens. The urban edge is well defined by river levees and open agricultural land contributing to its identity as a cohesive townscape.

Characteristic Elements

- An early twentieth century example of a purposefully planned garden suburb.
- Well defined boundary being located behind the river levees along the northern side of the Hunter River.
- Small commercial high street comprising mixture of commercial building typologies on Belmore Road.
- Unified street layout and allotment pattern with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.
- An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages.
- Wide streets with inconsistent historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.
- Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment.
- Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.

4.10.2. Desired Future Character

The desired future character for Lorn HCA is as follows:

1. The garden suburb character including the irregular grid pattern and layout, wide streets, and street tree plantings.
2. Conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the late Victorian, Federation and Californian Bungalow buildings.
3. Cohesive streetscape character of single lots containing one storey detached dwellings with generous landscaped gardens, low front fencing, and detached garages.
4. Landscaped verges with consistent plantings of street trees, such as Jacarandas.
5. Mature trees, landmark plantings and Jacarandas through Maitland Council's Significant Tree Register and tree preservation order policy.
6. Generous landscaped gardens and fencing that emulate the architectural period and style of the site.
7. Cohesive commercial character on Belmore Road comprising one storey shops built to the front boundary.
8. Sympathetic contemporary infill development of a high design standard which reflect the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.

4.10.3. Objectives and controls for Lorn HCA

Objectives

- O.110 To retain and conserve the garden suburb character.
- O.111 To retain and conserve the heritage items and contributory buildings in the Lorn HCA, especially the late Victorian, Federation and Californian Bungalow cottages and shops.
- O.112 To maintain the cohesive streetscape character of single lots containing single storey detached dwellings with generous landscaped gardens and low fencing.
- O.113 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Lorn HCA.
- O.114 To ensure contemporary infill development is of high standard and does not mimic Victorian and Federation period elements and features.
- O.115 To encourage new development that reinterprets the historic scale, form, height, siting, proportions, and materials in contemporary design.
- O.116 To enhance the streetscape character through additional street tree planting.

PREScriptive CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.1 <ul style="list-style-type: none"> • O.110 • O.112 | Subdivision and amalgamation should be avoided to retain the garden suburb plan and cohesive streetscape character of single lots containing single storey detached dwellings. |
| AS.2 <ul style="list-style-type: none"> • O.110 • O.112 • O.115 | Dual-occupancy developments should be avoided unless they can be accommodated within the existing building structure and with minimum disturbance to garden areas for parking and driveways. |
| AS.3 <ul style="list-style-type: none"> • O.111 • O.112 • O.114 • O.115 | Infill development should consider the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features. |
| AS.4 <ul style="list-style-type: none"> • O.114 • O.115 | Infill development should be contemporary in design with simple, paired-down features and modern detailing of traditional materials. Materials such as weatherboard and brick are preferred. |
| PC.1 <ul style="list-style-type: none"> • O.113 • O.114 • O.115 | Development is to avoid introducing architectural features, details and finishes that are inconsistent with the significance and character of the HCA. |
| AS.5 <ul style="list-style-type: none"> • O.115 | New development should be one or two storeys in height. |
| PC.2 <ul style="list-style-type: none"> • O.113 • O.114 • O.115 | Single and two-storey pavilion-style additions are to be located to the rear. |
| PC.3 <ul style="list-style-type: none"> • O.113 • O.115 | Alterations and additions to dwellings that require changes to the roof form are to be avoided. |
| AS.6 <ul style="list-style-type: none"> • O.113 • O.114 • O.115 | Detached garages and carports located at the rear boundary are preferred. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| PC.4 <ul style="list-style-type: none"> • O.113 • O.114 • O.115 | New garages and carports are to be single storey in height and secondary in scale to the principal building on the site. The roof form and pitch should emulate the roof style of the principal building on the site. |
| PC.5 <ul style="list-style-type: none"> • O.110 • O.111 • O.112 • O.113 | Existing private gardens which are characteristic of the HCA, and its Federation-era design are to be retained and recorded. Any original edging fabric framing paths are to be conserved, remediated, and extended. |
| PC.6 <ul style="list-style-type: none"> • O.110 • O.112 • O.113 • O.116 | As part of new development, landscape design and planning should respond to the existing character of the HCA. |
| PC.7 <ul style="list-style-type: none"> • O.110 • O.111 | Rows of high planting to demarcating boundaries is to be restricted to the rear gardens of lots. |
| PC.8 <ul style="list-style-type: none"> • O.110 • O.112 • O.113 | When undertaking alterations and additions, re-establish original gardens, including paths. This would be based on information from historical Council records and building files, historical images of the subject property, and design principles and inclusions found commonly in Federation-era gardens. |
| PC.9 <ul style="list-style-type: none"> • O.110 • O.116 | Large trees, mature trees and cultural plantings are to be retained when proposing alterations and additions. Trees are to be managed through Maitland Council's Significant Tree Register. |
| AS.7 <ul style="list-style-type: none"> • O.110 | Generally, maintain the roll-over kerb profile and reinstate it where appropriate. |
| PC.10 <ul style="list-style-type: none"> • O.111 • O.113 • O.114 • O.115 | Driveways and wheel strips are to be constructed using Morpeth Mix. |

4.11. Regent Street Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Regent Street Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Regent Street HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-10 provides a land application map of Regent Street HCA.



Figure 4-10: Regent Street HCA Land Application Map

4.11.1. Statement of Significance

The Statement of Significance for Regent Street HCA is as follows:

The heritage value of the Regent Street HCA is attributable to its historic and social values, as a favoured setting for both medical, institutional and residential landmark development from the mid-nineteenth century. Sited on and adjoining the western end of the meandering High Street, the precinct provided elevated ground and proximity to the Central Maitland commercial centre, whilst enabling separation from the core of the town. The HCA contains some landscape areas (within the grounds of former Maitland Hospital) and some residential and institutional gardens which are of contributory value to the significance of the HCA. Regent Street HCA contains an excellent collection of mansions, large residences, and cottages of the late Victorian and Federation periods. The reuse of residential heritage items and contributory building for medical purposes has established the HCA as a historic medical precinct.

Characteristic elements

- The former Maitland Hospital and grounds established in 1849.
- The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge.
- Well-defined edges to the floodplain.
- Fine grain residential subdivision pattern along High Street and Regent Street.
- An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings.
- Semi-rural use of sites along Regent Street and Bonar Street.
- A cohesive building typology of one and two storey detached dwellings, with established gardens and inconsistent front fencing.
- Mature trees, landmark plantings, and Jacarandas on Regent Street.
- The location of the former Regent Street Mill.

4.11.2. Desired Future Character

The desired future character for Regent Street HCA is as follows:

1. Retention of the fine grain residential subdivision pattern along High and Regent streets.
2. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the mansions, large residences, and cottages of the high Victorian, late Victorian, Federation periods and early twentieth century development.
3. Retention of the dominant presence of landmark buildings.
4. Retention of the consistent scale and form of residential development on Regent Street of one and two storey detached dwellings with established front gardens and low front fencing.
5. Encourage gardens and fencing that reflect the historic period and style of heritage items or contributory items.
6. Maintain mature trees, landmark plantings and Jacarandas on Regent Street through Maitland Council's Significant Tree Register.
7. Encourage the continuation of street trees south along Regent Street.
8. Enhancement of the HCA by improving the public domain on High Street.

4.11.3. Objectives and controls for Regent Street HCA

Objectives

- O.117 To retain and conserve the heritage items and contributory buildings in the Regent Street HCA.
- O.118 To maintain the cohesive residential streetscape character of Regent Street, including the consistent front building alignment and scale and form of the one and two storey detached dwellings.
- O.119 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Regent Street HCA.
- O.120 To encourage residential sites to provide generous landscaped gardens and low fencing that reflect the character of the site.
- O.121 To maintain the streetscape character through additional street tree planting.
- O.122 To ensure contemporary infill development Bonar Street is of a high standard.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.1 <ul style="list-style-type: none"> • O.118 | Subdivision and amalgamation should be avoided where it alters the fine-grained residential subdivision pattern along Regent Street. |
| PC.1 <ul style="list-style-type: none"> • O.118 | Infill development must maintain the cohesive residential streetscape character, including consistency in the front building alignments, scale and form of one and two-storey detached dwellings. |
| AS.2 <ul style="list-style-type: none"> • O.117 • O.118 • O.120 • O.122 | Infill development, especially on Bonar Street, should consider the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features. |
| AS.3 <ul style="list-style-type: none"> • O.118 • O.119 • O.120 | Two storey development at the rear of sites with laneway access or a double frontage should be avoided where possible to reduce visual impacts on the streetscape. |
| PC.2 <ul style="list-style-type: none"> • O.118 • O.119 | Alterations and additions that require changes to the roof form are to be avoided. |
| PC.3 <ul style="list-style-type: none"> • O.118 • O.119 | Garages, carports and structures built forward of the principal building form will not be supported. |
| PC.4 <ul style="list-style-type: none"> • O.120 | Front gardens and landscaping with front fencing that reflects the character and significance of the HCA are to be retained. New gardens should have generous landscaping and low front fencing. |
| PC.5 <ul style="list-style-type: none"> • O.118 • O.121 | Mature trees, landmark plantings and jacarandas on Regent Street are to be maintained through Maitland Council's Significant Tree Register. |
| AS.4 <ul style="list-style-type: none"> • O.117 | When undertaking alterations, additions or new works, care should be taken to avoid impacting historical archaeological remains associated with the former Regent Street Mill. |
| PC.6 <ul style="list-style-type: none"> • O.118 • O.119 • O.122 | Driveways and wheel strips are to be constructed using Morpeth Mix. |

4.12. Morpeth Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Morpeth Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Morpeth HCA differ from the general controls for heritage conservation areas, the specific controls in this section prevail.

Figure 4-11 provides a land application map of the Morpeth HCA.

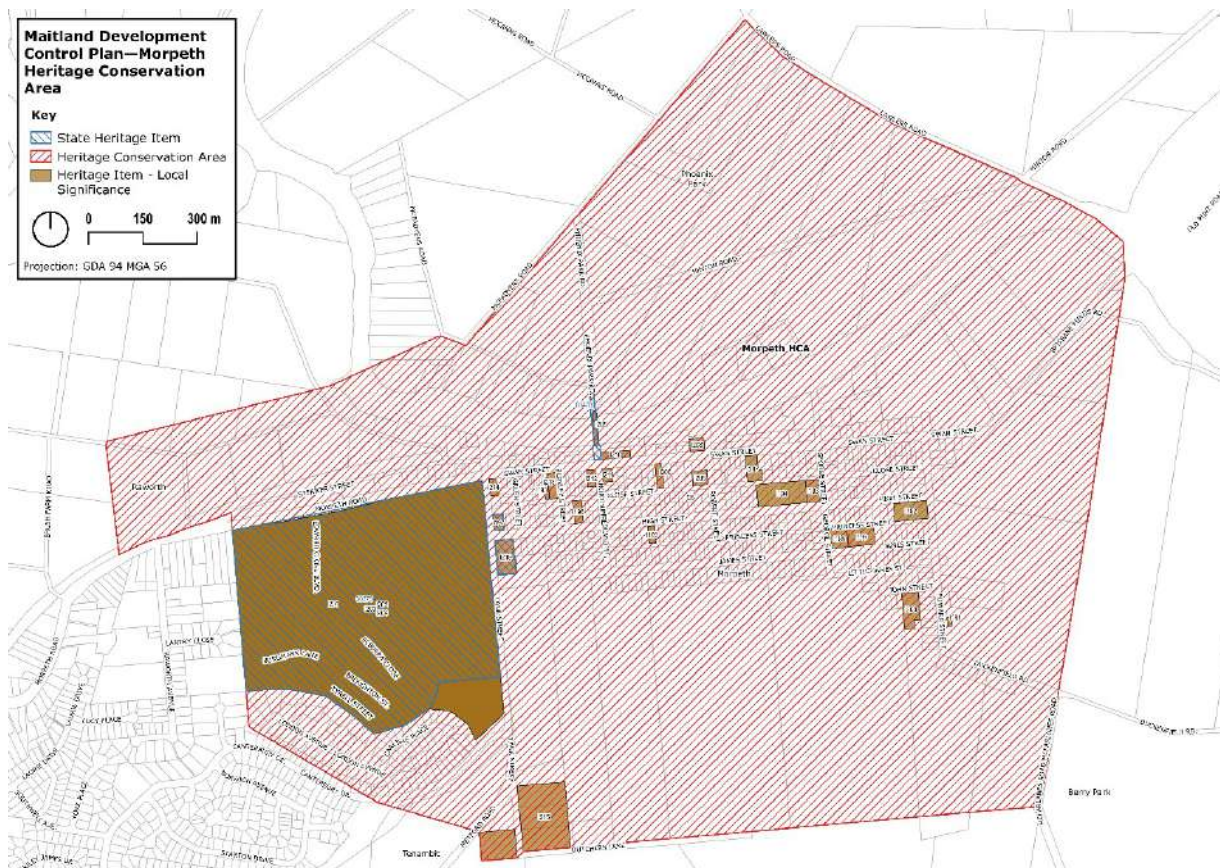


Figure 4-11 Morpeth HCA Land Application Map

Precincts

There are five precincts in the Morpeth HCA, each with a unique character and different land use.

Rural Precinct

The township of Morpeth is surrounded by a rural landscape to the north, east and south. The rural lands define the edge of the HCA and is predominantly flood prone land. The specific characteristics of this precinct can be summarised by the following:

- Rural surrounds which feature barns and farmhouses and evidence of floods

- Open farming plains that provide clear views to the township of Morpeth from surrounding areas
- Incorporates the floodplains and meandering Hunter River
- Rural approaches to the Morpeth township with landmark transition Avenue plantings at Morpeth Road (Fig Tree Hill) and Duckenfield Road.

Residential Precinct

There are two residential precincts in the Morpeth HCA. The original township is situated between Tank Street and Edward Street, directly south of the Hunter River to James Street, except for the commercial and industrial precincts.

The specific character of this residential precinct includes a small number of attached dwellings mostly from mid-nineteenth century, semi-detached dwellings (or pairs), which are single-storey and sited close to the front boundary. There are also two storey buildings that are modest in scale. Some large historic residences remain (e.g. Kiora and Marlborough) and retain their expansive garden settings. Residential allotment sizes vary through the township. Those established around Swan Street consist of small allotments compared to the wider frontage allotments created on the edges of the township along James Street.

Morpeth did not have any style distinctive from those in other towns in the locality, but the circumstances of the town have kept an outstanding number of pre-1870 buildings.

The most predominant type is a dwelling that has a four-room core, with a different layout for the verandah, kitchen, bathroom. This layout is seen in the earliest buildings and buildings constructed up to the 1920s.

Some diversity in building typology exists in the form of churches and associated community buildings that are located within this precinct. These buildings maintain surrounding yards and gardens associated with their community use as gathering spaces and provide a spacious amenity to this residential precinct. The specific characteristics of this precinct can be summarised by the following:

- Single storey, small, detached dwellings located relatively close to the street
- Wide streets and wide allotments with narrow rear lanes
- Domestic outbuildings, such as sheds and carports, that are located in rear corners of the yard separate from the dwelling and typically freestanding buildings.

The second residential precinct is located south on Morpeth Road, towards the western entry of the town and constructed around Morpeth House and Closebourne House. This precinct includes senior housing and large contemporary dwelling houses. These buildings are considered non-contributory in the HCA.

Industrial Precinct

The Industrial Precinct is contained within the eastern section of Swan Street, on the northern side predominantly between Robert Street and George Street. This area represents the zoned industrial land within the town however this zone is surrounded by a combination of land uses

and consequently the precinct extends across Swan, Robert and George Streets to form the basis of this industrial precinct.

The specific character of this precinct is defined by the large industrial buildings located along the edge of the Hunter River associated with the town as a river port and the Morpeth railway line. Consisting of a combination of building forms these industrial sheds are constructed in both metal sheeting and timber.

Located within this precinct is a single block of buildings on the northern side of Swan Street which define this eastern end of the township with a strong built edge along the street boundary.

Throughout the town, there are also many large sheds, including stables, built for light industrial or rural purposes within the predominantly residential area. Like the large industrial buildings on Swan Street, these add to the visual appeal and historic authenticity of Morpeth.

The industrial precinct provides a tangible record of the manufacturing industries associated with the river port of Morpeth. The specific physical characteristics of this precinct can be summarised by the following:

- Limited vegetation within the precinct, including along the riverbank
- Large scale, single pitched roof buildings of consistent building materials such as iron and timber with minimal window or door openings
- Located along the riverbank with frontage to the river rather than Swan Street
- Landmark fig tree plantings fronting Swan Street.

Commercial Precinct

The commercial precinct is contained within the western section of Swan Street predominately between Tank Street and Northumberland Street. Apart from a couple of vacant shops in High Street, the remainder of shops are located on Swan Street.

The specific character of this precinct is defined by the established row of shops and dwellings along the southern side of Swan Street of two and three storey (attic style) buildings. Together, these shops - particularly Campbell's Store and the three storey shops and dwellings - are the most significant group of retail buildings pre-1880 in the Hunter Region. Individual buildings of the same period exist in other towns, but there are no comparable groups that make such a major contribution to the streetscape.

Most of these buildings were built as shops and dwellings but are now used only as shops. Two nineteenth century hotels remain in the HCA. They are two storeys, with post supported verandahs and have been adapted by various additions and modifications to present needs.

The southern side of Swan Street also has a fine collection of civic buildings constructed in the nineteenth century and designed by the Government architects. These include the former Courthouse, the former Bond Store group, the former CBC Bank, and the former Post Office.

The northern side of Swan Street by comparison is characterised by predominantly freestanding one and two storey buildings. This northern side of Swan Street due to the

placement of freestanding buildings maintains defined view corridors to the Hunter River and the rural plains beyond.

Four types of shops are found in Morpeth:

- shops with dwellings above (mainly two and three storeys)
- shops with a dwelling at side or rear (usually single storey)
- a dwelling and shop with a projecting bay window at the front
- the large store or emporium known as ‘Campbell’s Store’ (c.1850).

Community and Public Recreation Precincts

There are two community and public recreation precincts in Morpeth. The first comprises the grounds of Closebourne House and Morpeth House. The second includes Morpeth Common and Morpeth Oval on the eastern side of Edward Street. Surviving community buildings in Morpeth, include the grandstand located in Morpeth Oval, the Morpeth Bowling Club and the Morpeth School of Arts building.

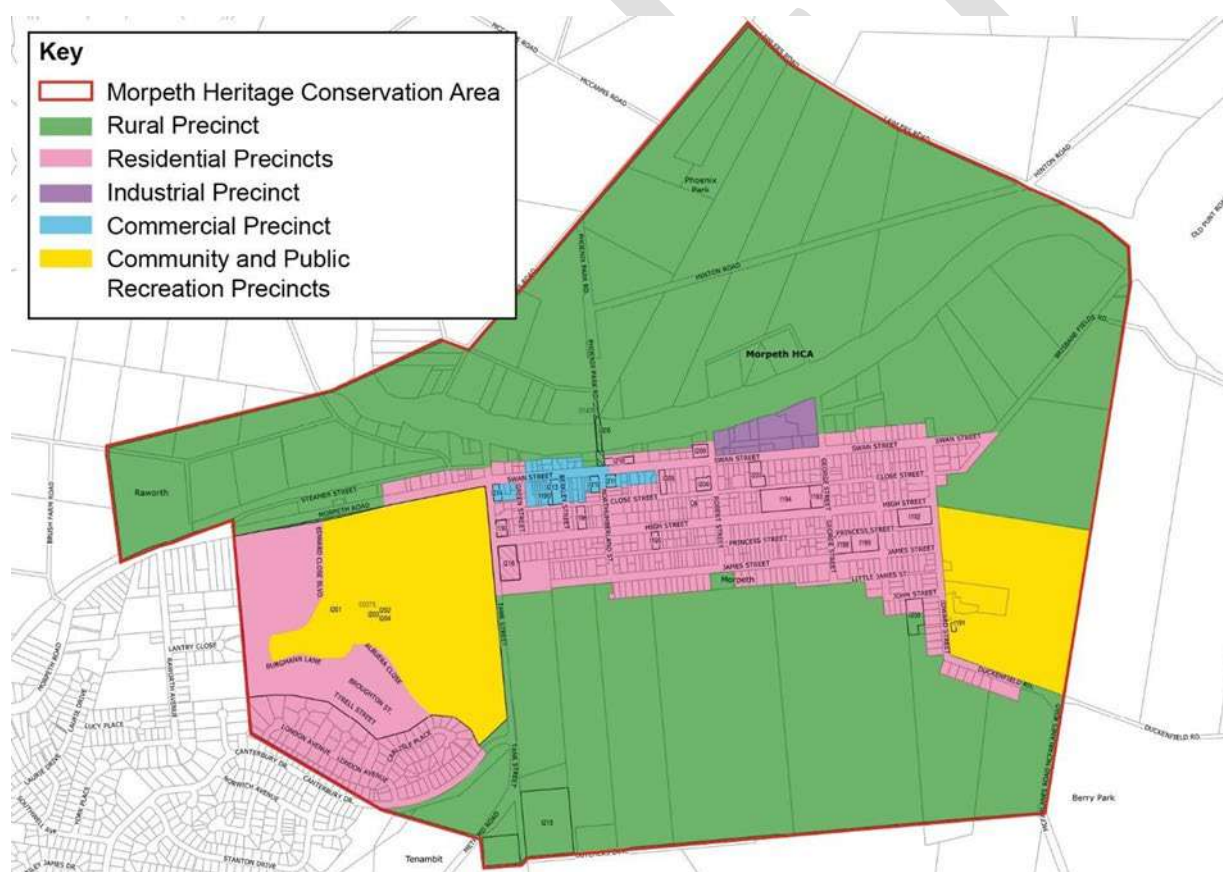


Figure 4-12: Precincts within the Morpeth HCA

4.12.1. Statement of Significance

The Statement of Significance for the Morpeth HCA is as follows:

Morpeth is of State Significance:

- For its role in the pattern of NSW's cultural history: As the major river port town in the European settlement and development of the Hunter region in the 19th Century.
- For demonstrating a high degree of creative or technical achievement in NSW: As a privately founded town whose layout is a skilful adaptation of the standards for government towns to the circumstances of the site, and the requirements of its founder, who lived alongside and whose family continued to own much land in the town and its surrounding area until 1920.
- For its uncommon and endangered aspects of NSW's cultural history: As a town with a large collection of buildings and works from the 19th Century, many pre-1868, compared with other similar sized and aged towns; and which provides comprehensive evidence or architectural standards and building techniques, which are now relatively rare in the state. As a town with extensive archaeological evidence with potential to yield information that will contribute to an understanding of NSW's cultural history; in particular of the river port and associated works and structures currently in an endangered condition; and
- As a private town where the founder lived alongside and whose family continued to have an impact on the town and its development for almost 90 years after its founding.

Morpeth is of Regional Significance:

- For its uncommon evidence of the impacts of European settlement on the natural character of the landscape: activities of early settlement (such as tree clearing) where a factor in floods that made major changes to the course of the Hunter River at Morpeth, leaving large off cuts and lagoons.
- For its strong and special association with its local community which has shown its appreciation of Morpeth's history, heritage and character, including its scenic qualities of the relationship between a riverside town and the surrounding rural area.
- For demonstrating the range and variety of dwelling types occurring in towns from 1830s to the present, with intact dwellings, mostly detached and single storey, from every period of its development.
- As an uncommon example of a town whose road layout and extent has changed little since the mid-19th century and has developed and maintained a clear edge and distinctive form in its rural setting.

Morpeth is of Local Significance:

- As a town that demonstrates its history through tangible evidence in its current built form.
- As a major tourist destination, creating greater public awareness of the heritage significance of the Maitland area generally.

Characteristic Elements:

- Early settlement on the Hunter River, established in the 1820s.
- Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive form in its rural landscape setting.
- Continuous relationship to the Hunter River.
- Large industrial buildings along the Hunter River, evidence of the early settlement and industry on the river.
- Queens Wharf.
- Morpeth Bridge.
- Landmark civic buildings designed by Government architects.
- Commercial streetscape character containing one, two and three storey examples of shops on Swan Street.
- Morpeth House and Closebourne House.
- A variety of dwelling types constructed from the 1830s to the present.
- Predominant single storey detached residential character.
- Inconsistent fencing types and garden layouts in residential development.
- Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
- A line of mature lopped Brushbox on High Street.
- Morpeth Common and Morpeth Oval.
- Sandstone gutters, kerbing, and swale drain system.
- Expansive views over the Hunter River floodplain are available from highpoints in Morpeth.

Significant Views

The significant views to and from the Morpeth HCA include:

1. View from Morpeth Road to Morpeth HCA on entry to the town.
2. View from Morpeth Road to Morpeth House.
3. View from Closebourne House towards Hunter River and northern rural landscape.
4. View from Queens Wharf Road to Hunter River.
5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape.
6. View to the cemetery from Tank Street.
7. Views between buildings on Swan Street to the Hunter River.

8. View from the Morpeth Bridge to the northern rural landscape.
9. View from the intersection of Robert and Swan streets to the northern rural landscape.
10. View from the intersection of George and Swan streets to the northern rural landscape.
11. Views from the intersection of Swan and Edward streets to the rural landscape.
12. View from Edward Street to Morpeth Common and western rural landscape.
13. View from Edward Street to Morpeth Oval and the western rural landscape.
14. View from Duckenfield Road to the southern rural landscape and lake.
15. View from the corner of John Street and Duke streets to the southern rural landscape and lake.
16. View from Little James Street to the southern rural landscape.
17. View from the intersection of George and James streets looking north.
18. View from the intersection of James and Robert streets to the southern rural landscape.
19. View from the intersection of James and Northumberland streets to the southern rural landscape.
20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lake.
21. View from the floodplain to Morpeth Bridge and the township.

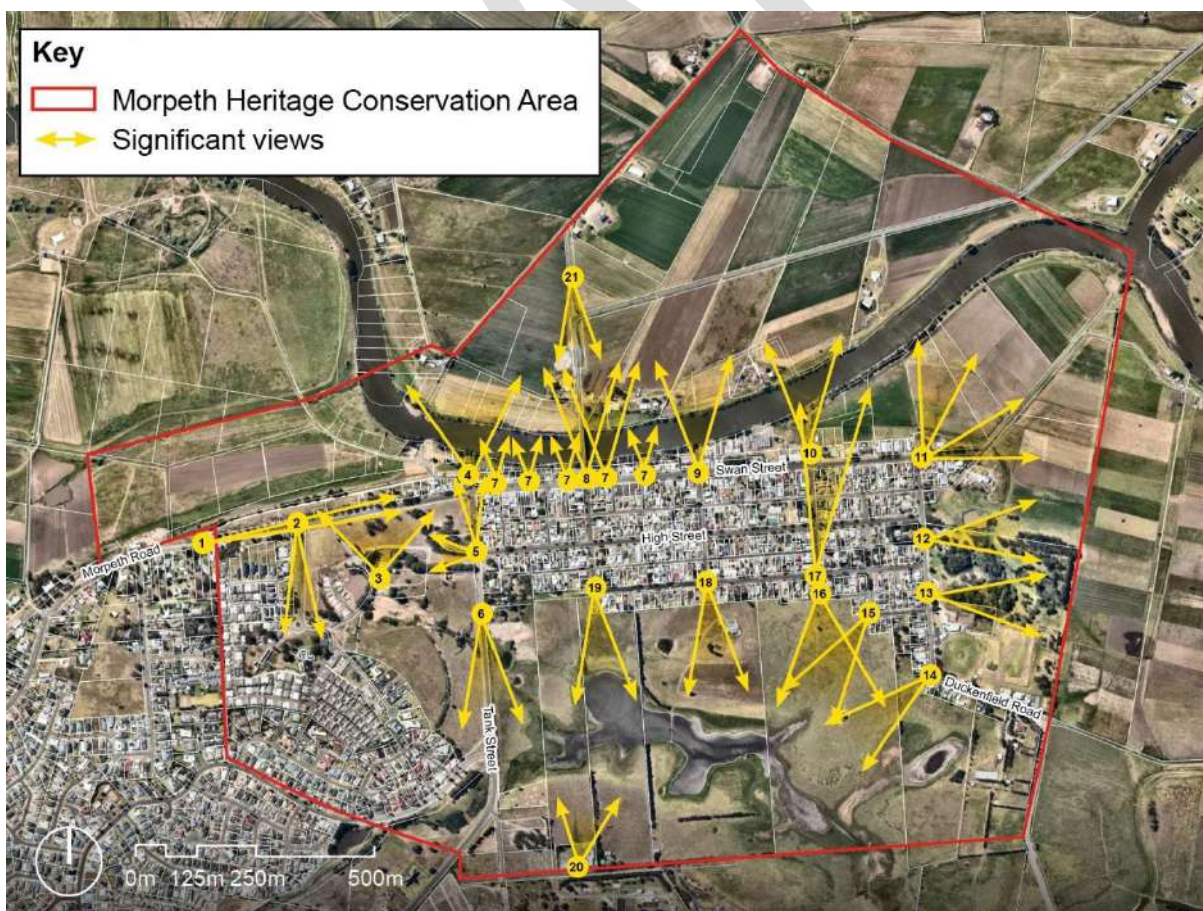


Figure 4-13: Significant views within the HCA

4.12.2. Desired Future Character

The desired future character for the Morpeth HCA is as follows:

1. Retention and conservation of the original nineteenth century grid land subdivision and street pattern.
2. Enhancement of the town's early relationship to the Hunter River and surrounding rural landscape and features, including Queens Wharf and Morpeth Bridge.
3. Maintain Morpeth's contained and distinctive form in the rural landscape setting.
4. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area.
5. Retention and conservation of the commercial streetscape character at the western end of Swan Street.
6. Maintain the small-scale high-quality specialty businesses on Swan Street.
7. Retention and conservation of the industrial precinct on Swan Street and its large industrial buildings.
8. Retention of the scale and form of residential development and single storey detached dwelling typology.
9. Retention and conservation of grand residences and associated gardens and plantings.
10. Improved quality of residential gardens that are sympathetic to the character of the HCA.
11. Improved streetscape character through the planting of additional street trees and introduction of sympathetic front fencing styles.
12. Retention of the old and prominent cultural plantings on Morpeth Road, High Street, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
13. Mature landmark trees in the HCA should be retained and managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.
14. Retention of the expansive views to the rural landscape and floodplain.

4.12.3. Objectives and Controls for the Morpeth HCA

Objectives

O.123 To retain and conserve the original nineteenth century grid land subdivision and street pattern.

O.124 To retain and conserve the contained and distinctive town layout in the rural landscape.

O.125 To enhance the town's early relationship to the Hunter River and surrounding rural landscape and features, including Queens Wharf and Morpeth Bridge.

- O.126 To retain and conserve the heritage items and contributory buildings that contribute to the historic character of the Morpeth HCA.
- O.127 To retain and conserve grand residences and associated gardens and plantings.
- O.128 To retain and conserve the commercial buildings and commercial streetscape character at the western end of Swan Street.
- O.129 To retain and conserve the industrial buildings and the industrial precinct on Swan Street.
- O.130 To respect the traditional heritage, scale, form, height, materiality and character of heritage items and contributory buildings.
- O.131 To maintain the single storey and detached nature of development within the residential precinct.
- O.132 To ensure that new garages, sheds, carports, and other outbuildings are not dominant within the streetscape and complement existing buildings.
- O.133 To ensure front gardens and fencing reflect the architectural period of the building at the site.
- O.134 To enhance the streetscape character through the planting of additional street trees.
- O.135 To retain old and prominent cultural plantings on Morpeth Road, High Street, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
- O.136 To ensure that modifications to neutral and detracting buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Morpeth HCA.
- O.137 To allow new development only where it is consistent the existing pattern of development and forms a continuation of the original nineteenth century grid land subdivision and street pattern.
- O.138 To retain the historic pattern and remnants of sandstone drainage and swale drain systems in the Morpeth streetscape.
- O.139 To maintain existing significance views to and from Swan Street to the river, the rural landscape and within Morpeth.

PREScriptive CONTROLS AND ACCEPTABLE SOLUTIONS

Subdivision and amalgamation

AS.1

- O.123
- O.124

Subdivision and amalgamation should be generally avoided to retain the original late nineteenth-century land subdivision and street pattern.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Rural precinct

| | |
|---|---|
| AS.2 <ul style="list-style-type: none"> • O.124 | The approaches to the township should remain informal in character, avoiding formal footpaths along the primary access routes (e.g. Metford Road and Fig Tree Hill). |
| AS.3 <ul style="list-style-type: none"> • O.125 | The physical association between the township and the Hunter River should not be altered through river re-alignments. |
| PC.1 <ul style="list-style-type: none"> • O.124 • O.128 | Future development in Morpeth is not to impinge on the existing composition of road entrances to Morpeth—via Tank Street, Phoenix Park Road, Duckenfield Road and Morpeth Road—to retain the existing setting of the township. |
| PC.2 <ul style="list-style-type: none"> • O.124 • O.125 | There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, the vacant land on the corner of Tank Street and Close Street, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river. |

Commercial and industrial precincts

| | |
|---|--|
| PC.3 <ul style="list-style-type: none"> • O.126 • O.128 • O.129 • O.130 • O.136 • O.137 | Historical industrial buildings, outbuildings, and industrial uses that contribute to the streetscape character of Morpeth HCA are to be retained. |
| PC.4 <ul style="list-style-type: none"> • O.124 • O.136 | New commercial uses within the residential precinct are not supported unless the building is an existing commercial building. |
| PC.5 <ul style="list-style-type: none"> • O.128 • O.129 | New commercial development is to provide on-site car parking. Sites at the rear of Swan Street and with frontage to Close Street should be used for service access and parking and screened accordingly. |
| PC.6 <ul style="list-style-type: none"> • O.126 • O.130 | The maximum height of buildings between Tank and Northumberland streets should be two storeys. |
| PC.7 <ul style="list-style-type: none"> • O.126 • O.130 | The maximum height of buildings west of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.4

- O.128
- O.129
- O.130

There should be no new awnings or verandahs constructed across the footpath along Swan Street, unless reconstructing a historic front façade to an existing building to its original form based on documentary evidence.

PC.8

- O.130
- O.136
- O.137

Non-residential uses will be permitted at the following sites providing there are no additional impacts on the heritage significance of the site or HCA:

- the former cinema at 85 High Street
- the former shop and dwelling at 79 High Street
- the green barn at 60 James Street
- the former Catholic School on James Street
- the former milking shed beside 376 Morpeth Road
- the shed at the rear of 39 High Street
- Morpeth Trading Co at 7-9 Robert Street
- the Post Office and residence at 105 Swan Street, and
- the hairdresser and former barber shop at 94 Swan Street.

AS.5

- O.128
- O.130

Shopfronts should reflect the rhythm of fenestration and vertical elements of the original shop buildings (refer Figure 4-14).

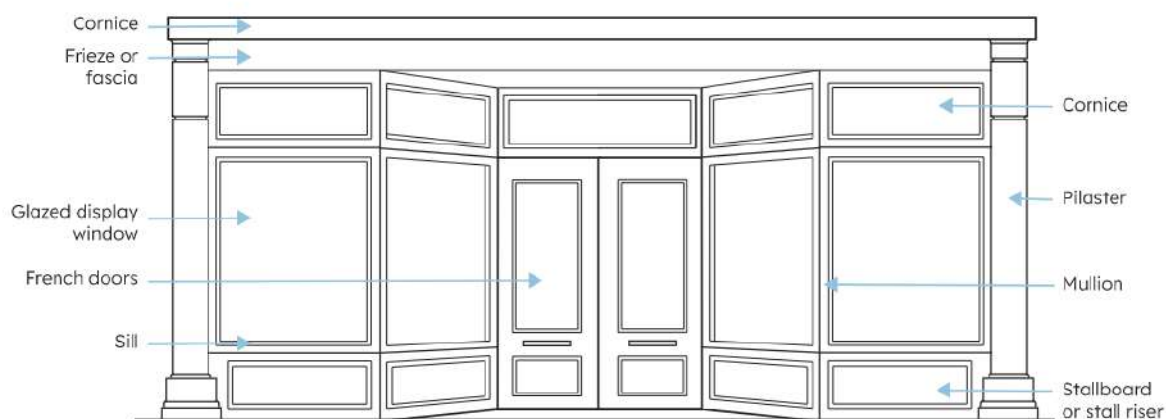


Figure 4-14: Example of Traditional Shop Front

Residential precincts

AS.6

- O.130
- O.131

New development should be consistent with the single storey detached scale and character within the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

| | |
|--|---|
| PC.9 <ul style="list-style-type: none"> • O.126 • O.130 • O.131 | Rear additions should be limited to one storey within the residential precinct. Two-storey pavilion additions will be assessed on merit. |
| AS.7 <ul style="list-style-type: none"> • O.126 • O.130 • O.131 | Attic rooms may be approved in existing buildings in cases where they do not alter the existing roof form. |
| AS.8 <ul style="list-style-type: none"> • O.126 • O.130 • O.131 | Two storeys may be permitted on steep sites, providing the building is only single storey at the road frontage. |
| AS.9 <ul style="list-style-type: none"> • O.130 • O.131 | New development should be contemporary in design and not include the reproduction of heritage features and elements. |
| PC.10 <ul style="list-style-type: none"> • O.124 • O.125 • O.130 • O.137 • O.139 | Dual occupancies and multi-dwelling housing are not considered appropriate on lots with frontages to main streets (i.e. Swan, High, Tank, Northumberland, Robert, George and Edward streets). |
| PC.11 <ul style="list-style-type: none"> • O.124 • O.130 • O.137 | <p>Dual-occupancy development will only be considered in the following circumstances:</p> <ol style="list-style-type: none"> where the dual occupancy includes an existing residence fronting a main street where the total site coverage is no more than 50 per cent of the site area where the side and front setback requirements identified in this plan are maintained where new development is not located on main streets, including Swan, High, Tank, Northumberland, Robert, George and Edward streets if access is provided from secondary lanes, and where it is a suitable design on a corner block and the proposal meets identified requirements. |
| Garages, carports and other structures | |
| AS.10 <ul style="list-style-type: none"> • O.132 | Garages, carports and sheds should be detached and located at the rear boundary. |
| AS.11 | Garages, carports and sheds should not form part of the main street elevation of the building. Where they are proposed adjacent to the main dwelling, they should be |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

- O.132 substantially set back from the front building line or rear boundary (where a property has dual frontages) by a minimum of five metres.

Setbacks

- PC.12**
- Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. In all remaining streets the setback is to be 6m. The setback requirements apply to all residential buildings.
- O.124
 - O.130
 - O.131
 - O.137

- AS.12**
- Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road, new buildings should generally be set back the same distance.
- O.130
 - O.137

- PC.13**
- Where there are no adjoining buildings, the minimum setback of three metres is to be measured from a point four metres from the kerb line.
- O.130
 - O.137

Views

- AS.13**
- The significant views identified in Figure 4-13 should be maintained and not obstructed by new development.
- O.125
 - O.139

- AS.14**
- New development and additions should provide generous (900mm to 1.5 metres) side setbacks to maintain existing views within the town and to and from the rural landscape. In particular, on Swan Street where views are available to the Hunter River.
- O.125
 - O.126
 - O.139

- AS.15**
- Where existing rural views would be interrupted, new trees and plantings should have a mature height of 3 metres.'
- O.125
 - O.134
 - O.139

- PC.14**
- Plantings over 1.5m within identified view corridors are not appropriate.
- O.125
 - O.134
 - O.139

- PC.15**
- A 1.5m footpath, measured from the kerb to the property boundary, is to be retained on both sides of Close Street, with the exception of sites where public utilities are located within the former road widening reserve.
- O.124
 - O.130

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.16 All utilities are to be retained within the road reserve.

- O.124

Fencing

PC.17 Fencing along Close Street is to be restricted to suitably designed front fences with a maximum height of 1.2 metres, or timber paling fences to a 1.8m height.

- O.124
- O.133

PC.18 Special consideration will be given to boundary treatments on all corner sites. The height of fencing and vegetation is to be restricted to a height of 0.9m and be of an open nature.

- O.124
- O.133

AS.16 New fences should be in a style and material consistent with the design of the building. Fence types could include:

- O.124
 - O.133
- a. painted timber pickets (c1840–1925)
 - b. a simple, mild steel rod palisade using flat steel bar rails (c1860–1900)
 - c. a chain-link galvanised wire mesh, woven wire (not plastic coated) or steel ribbon (c1900–1925), or
 - d. hedges behind a picket or palisade fence (1860–1900) or in isolation (1900–1925).

PC.19 No new kerb crossings within existing sandstone kerbs and gutters will be permitted, especially on Swan, High and James streets. Any subdivisions of allotments facing these streets will only be permitted where rear lane access to all lots can be provided and/or by using existing kerb crossings.

- O.124
- O.130
- O.137

PC.20 Frontages to east-west streets (Swan, Close, High, Princess and James streets) are not to be reduced to less than 15m, and frontages to side streets are not to be reduced to less than 40m.

- O.130
- O.137

Landscaping and trees

AS.17 Landscaping should not obscure historical lot boundaries or roads between the floodplain and township.

- O.123
- O.124
- O.125
- O.127
- O.133

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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| AS.18 <ul style="list-style-type: none"> • O.124 • O.125 • O.127 • O.135 | Development should not impact the significance or interpretability of heritage listed assets, historically significant sites and historically important landscape features, such as the old cultural plantings of fig trees in private and public landscapes. |
| AS.19 <ul style="list-style-type: none"> • O.127 • O.135 | Mature landmark trees in the HCA should be retained and managed through Council's Significant Tree Register. |
| AS.20 <ul style="list-style-type: none"> • O.125 • O.126 | Trees and plantings located in rear gardens and behind industrial buildings along the western side of Swan Street, should be limited to a height of 3m to avoid camouflaging views of the river from Swan Street'. |
| Historic streetscape elements | |
| PC.21 <ul style="list-style-type: none"> • O.123 • O.124 • O.137 | The diversity and hierarchy of the road surfaces in Morpeth is to be maintained to ensure no further loss of unformed gravel or grassed verge edges |
| PC.22 <ul style="list-style-type: none"> • O.124 | Authentic, original footpath materials are to be retained. |
| PC.23 <ul style="list-style-type: none"> • O.138 | Historic pattern and remnants of sandstone drains, and swale drain systems in the Morpeth streetscape is to be retained. Retain grassed drains where they exist. |
| PC.24 <ul style="list-style-type: none"> • O.124 • O.137 | The intact nature of stone kerbs and guttering within the Morpeth streetscape are to be maintained and conserved by providing for kerb crossing bridges in appropriate locations. |
| AS.21 <ul style="list-style-type: none"> • O.124 • O.137 | When undertaking new development in Morpeth a historical archaeological assessment should be undertaken to identify any potential archaeological fabric in the township. |
| PC.25 <ul style="list-style-type: none"> • O.124 • O.137 | The existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain visual emphasis on the central section of the road are to be retained. Existing road surfaces that presently feature bitumen must maintain a clearance to the outer edge of the gutter and must not extend over the surface of the gutter stones. |
| PC.26 <ul style="list-style-type: none"> • O.123 | Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Grassed verges are to be extended, dust suppressants or gravel mixed with concrete are to be used as potential options to dust generation and erosion problems. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

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|--|---|
| <ul style="list-style-type: none"> • O.124 • O.137 | Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Consideration may be given to bitumen finished with a concrete strip with grassed verges (e.g. King Street Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings). |
| AS.22 <ul style="list-style-type: none"> • O.124 | Repairs and new additions to the existing historic footpaths should be completed using the Morpeth Footpath mix. |
| PC.27 <ul style="list-style-type: none"> • O.123 • O.124 | In Swan Street, full-width footpaths are only to be constructed where the adjoining building presently supports an awning or verandah that extends fully across the width of the footpath. |
| PC.28 <ul style="list-style-type: none"> • O.123 • O.124 | On the western side of Swan Street where no awnings or verandahs exist across the footpath, paving must be maintained to a central area of between 1.5m to 1.8m with grassed verges to either side of the central path. |
| PC.29 <ul style="list-style-type: none"> • O.124 • O.125 | No new kerb crossings for vehicles in areas of sandstone kerb and guttering, particularly along High, Swan and major cross streets. Access should be provided from rear lanes. |
| PC.30 <ul style="list-style-type: none"> • O.123 • O.124 | Grass or bitumen swale drains in minor streets is to be maintained, where possible. No new kerb and guttering in minor streets. |
| PC.31 <ul style="list-style-type: none"> • O.124 • O.137 | New concrete kerbs and guttering in Swan, High and James Streets is to consist of a wider kerb and gutter (indicative or traditional sandstone in scale and dimension) using the Morpeth Kerb and Gutter Mix concrete to maintain compatible texture and colour. |
| PC.32 <ul style="list-style-type: none"> • O.124 • O.130 • O.136 | Driveways and wheel strips are to be constructed using Morpeth Mix. |

4.13. Aberglasslyn House Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Aberglasslyn House Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Aberglasslyn House HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-15 provides a land application map of the Aberglasslyn House HCA.

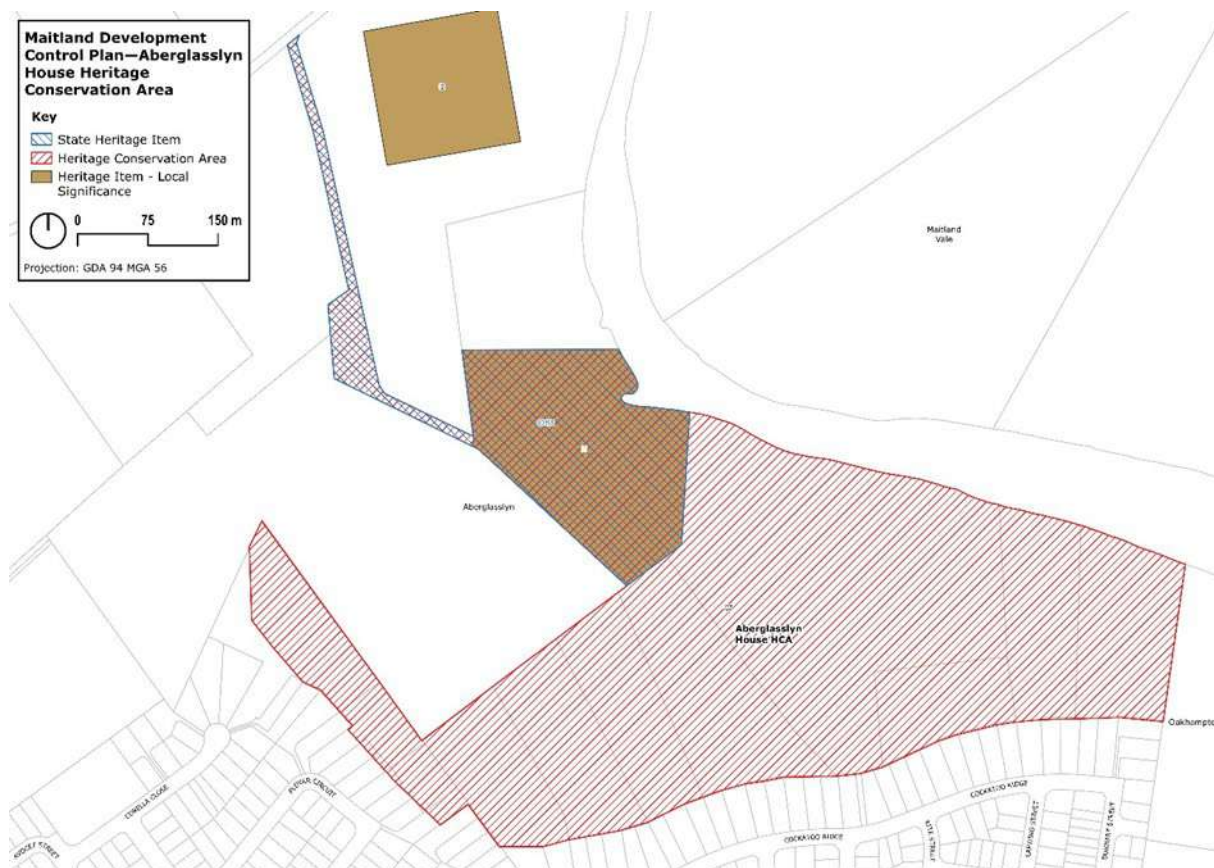


Figure 4-15: Aberglasslyn House HCA Land Application Map

4.13.1. Statement of significance

The Statement of Significance for Aberglasslyn House has been taken from the State Heritage Inventory, and is as follows:

It is arguably the finest extant Greek Revival style villa (in the 18th century sense of the word) in Australia. The configuration of its fabric, largely in its c1860 form, is patent physical evidence of the high expectations of colonial settlers of the 1830s and early 1840s and the severity of the economic crash of the 1840s. It is the earliest known surviving example in Australia of a house design generated in part by considerations of an integrated sanitary plumbing system. The building is one of a group of surviving pre- 1850 in the vicinity of Maitland. The house and setting is physical evidence of the pattern of land settlement and leasehold farming in the Maitland area. It contains elements of high individual and often unique quality, including a domed stairwell and geometric stair of unique quality and design in Australia. The place is perceived by many knowledgeable people to be one of the major sites of cultural significance in Australia. On a regional basis the building is an historic landmark (monument). It is an exemplary example of the 19th century builder's art embodied in the quality of the stonework, brickwork, timber selection, carpentry and joinery, plasterwork, hardware etc.

Characteristic Elements

- Aberglasslyn House, its principal garden and grounds.
- The pastoral landscape setting surrounding Aberglasslyn House, which is partially included in the boundary of the HCA.
- The historic relationship to the Hunter River.
- The natural landform to the south of the HCA.
- Views to and from Aberglaslyn House and the HCA from the Aberglasslyn Lane and the northern side of the Hunter River.



Figure 4-16: Significant views within the Aberglasslyn House HCA

4.13.2. Desired Future Character

The desired future character for the Aberglasslyn House HCA is as follows:

1. Retain and conserve Aberglasslyn House, its principal garden and grounds.
2. Retain the open pastoral landscape setting of the HCA.
3. Retain the existing views to and from the house and broader HCA from the Hunter River and Aberglasslyn Lane.
4. Avoid construction of new buildings or structures within the HCA.
5. Avoid the construction of new buildings or structures near the natural landform to the south of the HCA.
6. Avoid subdivision of larger allotments to allow new dwellings in the vicinity of the HCA.
7. Mature landmark trees in the HCA should be retained and managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.

4.13.3. Objectives and Controls of the Aberglasslyn House HCA

Objectives

O.140 To retain and conserve Aberglasslyn House, its principal garden and grounds.

O.141 To retain and conserve the pastoral landscape of the HCA and setting of Aberglasslyn House.

O.142 To retain the views to and from the house and broader HCA.

O.143 To retain mature trees and contributory landscape fabric and items that positively contribute to the character of the HCA.

O.144 To discourage new development within the HCA that does not relate to the historic character or use of Aberglasslyn House.

| PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS | |
|---|---|
| PC.1 <ul style="list-style-type: none">• O.140• O.141 | The HCA is to be maintained as an open rural landscape. |
| PC.2 <ul style="list-style-type: none">• O.142• O.144 | Where buildings or structures are required to undertake pastoral activities associated with Aberglasslyn House, these must be a maximum of one storey in height and utilise traditional materials and colours that blend into the pastoral landscape. |

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

| | |
|---|---|
| AS.1 <ul style="list-style-type: none"> • O.141 • O.142 | <p>New buildings and structures associated with Aberglasslyn House should not reduce the views to and from the HCA or the open visual catchment between Aberglasslyn House and the river.</p> |
| AS.2 <ul style="list-style-type: none"> • O.140 • O.141 • O.142 • O.144 | <p>New buildings and structures associated with Aberglasslyn House should not reduce the interpretability of the original form and function of the property.</p> |
| AS.3 <ul style="list-style-type: none"> • O.140 • O.143 | <p>Ad hoc plantings and structural landscape works should not be made around Aberglasslyn House or the HCA. All proposed landscaping works to Aberglasslyn House should be guided by a historically informed landscape master plan and involve archaeological investigations.</p> |
| PC.3 <ul style="list-style-type: none"> • O.140 • O.143 | <p>Clearing of remnant or regrowth eucalypt woodland on the foot slopes of Aberglasslyn House is not permitted.</p> |
| PC.4 <ul style="list-style-type: none"> • O.140 • O.141 • O.142 • O.143 • O.144 | <p>The following properties are partially located within the Aberglasslyn House HCA:</p> <ol style="list-style-type: none"> 30 Corella Close, Aberglasslyn. 38 Plover Circuit, Aberglasslyn. 30 Plover Circuit, Aberglasslyn. 70 Cockatoo Ridge, Aberglasslyn. 64 Cockatoo Ridge, Aberglasslyn. 56 Cockatoo Ridge, Aberglasslyn. Cockatoo Ridge, Aberglasslyn. Cockatoo Ridge, Aberglasslyn. Cockatoo Ridge, Aberglasslyn. 16 Cockatoo Ridge, Aberglasslyn. 8 Cockatoo Ridge, Aberglasslyn. <p>The following controls relate to the abovementioned properties:</p> <ol style="list-style-type: none"> Where new development is proposed, buildings should be one storey in height and for residential or agricultural purposes only. New development proposed at the above properties should be concentrated within the residential development zone (refer to Figure 4-17) and be oriented towards the vehicular access handle adjoining Corella Close, Plover Circuit or Cockatoo Ridge. The roof height of new development within the residential development zone should be below the ridgeline of the natural landform to the north to avoid impacts to views to and from the HCA and Aberglasslyn House (refer to Figure 4-17 Figure 4-17: Residential development zone within the Aberglasslyn House). |

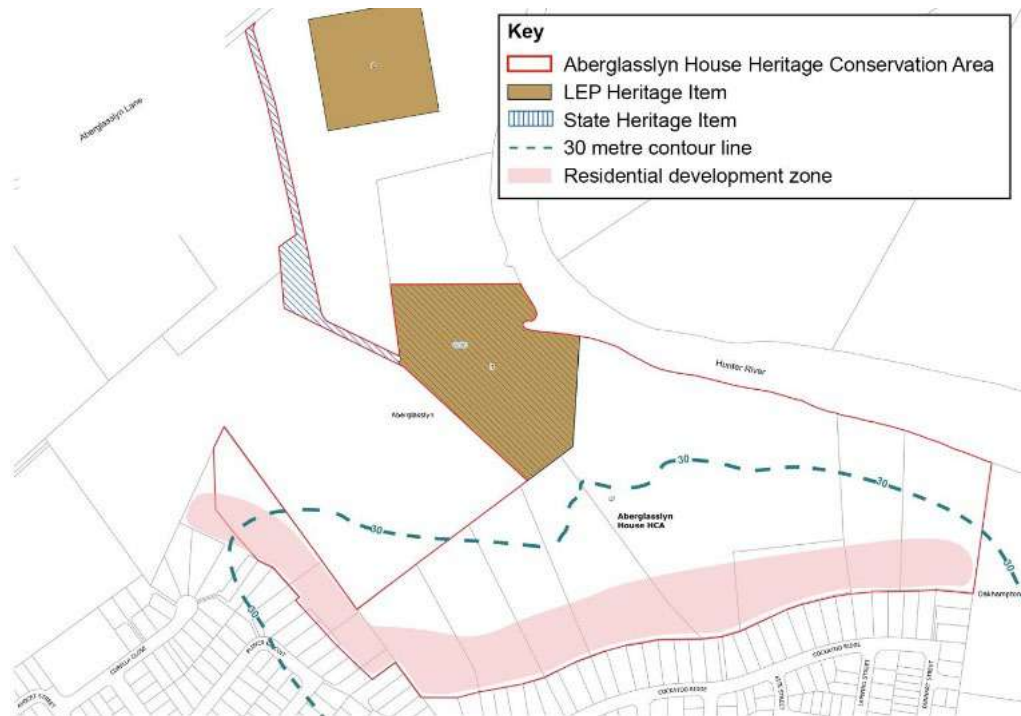


Figure 4-17: Residential development zone within the Aberglasslyn House HCA

4. New development proposed at the above properties should utilise traditional materials and colours that blend into the surrounding pastoral landscape.
5. New development proposed at the above properties should reflect the historical character of the HCA and avoid large, faux-style development that mimics heritage features.
6. New landscaping along the lot boundaries of the above properties, such as rigid paddock boundary hedges or avenues, are not permitted.
7. Retain extant timber post and wire paddock fencing with like-for-like fabric.
8. Remnant patterns of lots and paddocks within the HCA should be retained.

