

A18

HERITAGE



SECTION A18 SCHEDULE OF AMENDMENTS

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PART A

INTRODUCTION AND CONTEXT

1. Introduction

This Section of the DCP should be read in conjunction with the heritage provisions of the applicable Local Environmental Plan.

1.1. Aim of this Section

The aim of this Section is to guide the planning and design of development in association with a heritage item, within or adjoining land which comprises a heritage item or within a heritage conservation area to ensure protection and conservation of heritage items and areas and mitigation of any potential negative impacts on their heritage significance.

1.2. Objectives of this Section

The objectives of this section are to:

1. Ensure an acknowledgement and respect the Aboriginal cultural heritage significance of the Tweed;
2. Conserve the environmental heritage of the Tweed in accordance with the principles contained in the Burra Charter;
3. Integrate conservation management into the planning and development control process;
4. Ensure that any development in association with a heritage site is undertaken in a manner that is sympathetic to, and does not detract from the identified significance of the site;
5. Encourage innovative approaches to the conservation of the Tweed's heritage and to provide incentives for best practice heritage management.
6. Encourage and guide recording and interpretation of significant heritage throughout the development process.

1.3. Application of this Section

Applies to:	
Land to which this section applies	All land identified in Schedule 5 of the applicable Local Environmental Plan (LEP) being a heritage item, within a heritage conservation area or an archaeological site.
Development to which this section applies	<p>This Section will apply whenever development consent is required for works, as follows:</p> <ul style="list-style-type: none"> • demolition or alteration an item of environmental heritage; • carry out development, including subdivision, to a heritage item or on land in the vicinity of a heritage item; • carry out development, including subdivision, within a conservation area; • excavate any land for the purpose of exposing a relic or to damage or despoil a relic; or • damage or remove a tree in association with a heritage item or within a conservation area.
Other application	This Section may also be recommended by Council to owners of non-listed, but similar historic properties to guide sympathetic alterations; or to properties in the vicinity of a heritage item.

Heritage items also include infrastructure, such as the Fingal Head lighthouse (right) and Mount Warning Dam (below)



1.4. When is a development application required?

A Development Application is required for proposed development involving any of the following:

- a. Demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area;
- b. Altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior;
- c. Altering a heritage item that is a building by making structural changes to its interior;
- d. Disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed;
- e. Disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance;
- f. Erecting a building on land on which a heritage item is located or that is within a heritage conservation area; or
- g. Subdividing land on which a heritage item is located or that is within a heritage conservation area.

ADVISORY NOTE:

In the applicable Local Environmental Plan (LEP) Clause 5.10(2) outlines the requirements for consent and Clause 5.10(3) outlines when development consent is not required. Applicants are to refer to the LEP.

The Tweed Heritage Information Series Fact Sheet 4 When Do I need a DA? and Fact Sheet 5 Maintenance and Minor Development provide further guidance on development requirements.

1.5. State significant items - additional approvals

The NSW State Heritage Register lists items that are of cultural heritage significance to NSW. State significant heritage items may also be included in Schedule 5 of the applicable Local Environmental Plan.

Items listed in the State Heritage Register may be subject to a Standard Exemption for regular maintenance and repairs. Site Specific Exemptions are also possible for more intensive repair or maintenance work. Major redevelopment or works to a state significant item that have the potential to affect the cultural heritage significance will require the lodgment of either an Integrated Development Application pursuant to Section 91 of the Environmental Planning and Assessment Act 1979 where the concurrence from the NSW Heritage Council is required under Section 60 of the Heritage Act 1977. Or alternatively, a separate application is made to the NSW Heritage Office of the NSW Department of Planning under Section 60 of the Heritage Act 1977, prior to the lodgment of a Development Application with Council.

1.6. Relationship to other legislation

The NSW Heritage Act, 1977 contains additional requirements for State listed heritage items and archaeology.

The Environmental Protection and Biodiversity Conservation Act, 1999 contains additional requirements for places of National or World Significance within Tweed Shire.

1.7. Relationship to other Sections

Development is required to meet the provisions of all other relevant Sections contained within this DCP. In the event of any inconsistency the heritage provisions of this section prevail.

1.8. Conservation Management Plans

Where a heritage item, area or relic has an endorsed Heritage Conservation Management Plan (CMP), the recommendations of such CMP will also apply.

1.9. How to use this Section

This section is divided into the following Parts:

Part A - Introduction and context: identifies where this Section applies; heritage management aims; the relationship to other legislation and controls within this Development Control Plan; and a dictionary of terms applying to this Section. This section also outlines the heritage context and the objectives of the Burra Charter.

Part B - Conservation Area Guidelines: outlines a significance summary for each of the conservation areas which includes: an explanation of the significance of the heritage conservation area; contributory items; and discusses some of the key features, whether architectural, landscape or cultural.

Part C - Design Guidelines: provides design controls for alterations, additions and new development where consent is required. This section may also be applied to new development within a conservation area or in the vicinity of a heritage item.

Part C applies to all development in association with a heritage item or conservation area. Part B provides additional contextual information for development within a heritage conservation area and applies in addition to Part C.

The design guidelines shall be used by Council when assessing development applications for both alterations and additions to established buildings as well as infill development, to ensure development meets the objectives of this Section of the DCP and is compatible in character with the significance of the conservation area.

ADVISORY NOTE:

Dwellings will also need to consider the requirements of the DCP Section A1 - Residential and Tourist Development Code.

Some commercial and Industrial development will also need to consider the requirements of DCP Section A17 Business, Enterprise Corridor and General Industrial Zones.

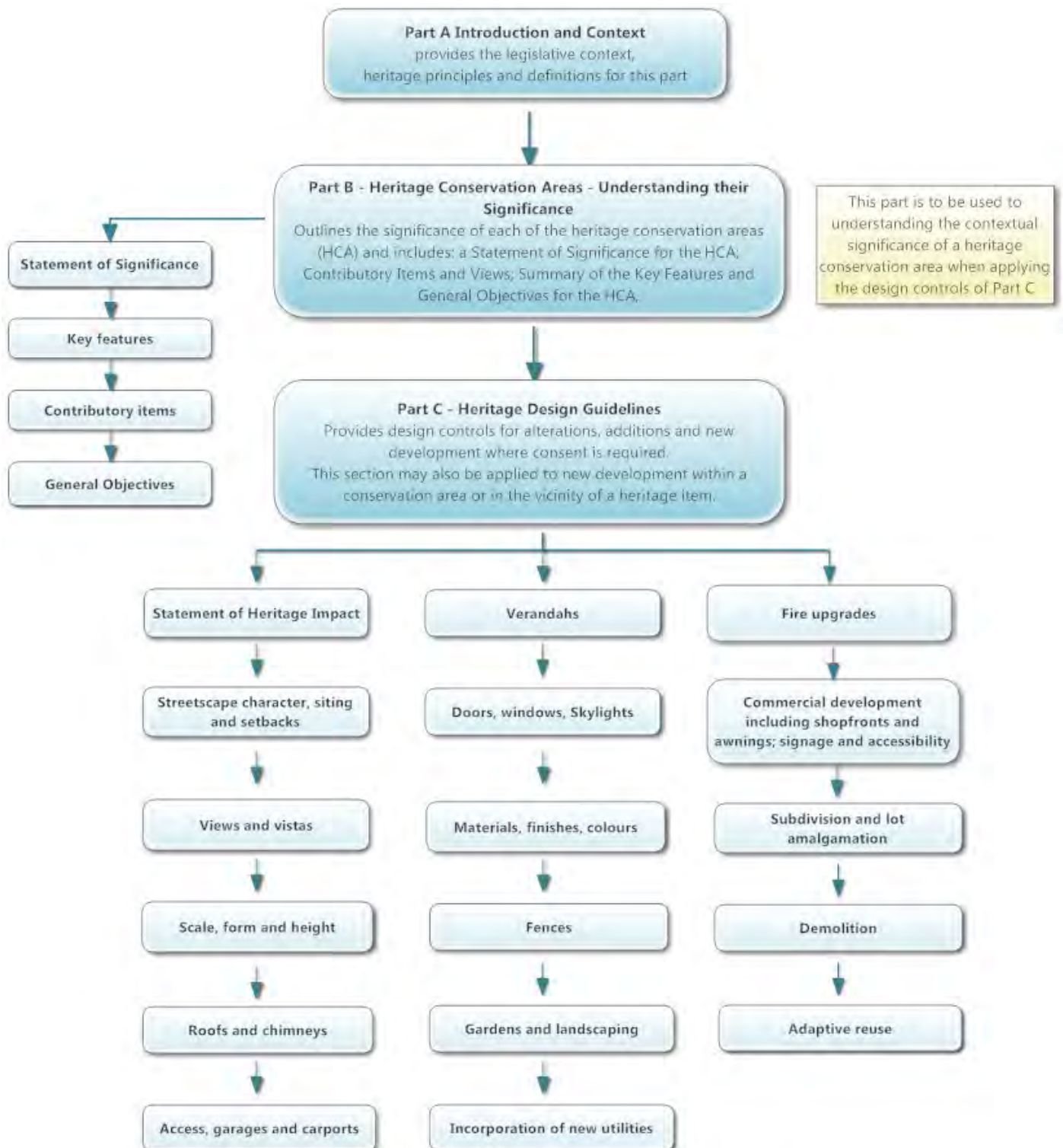


Figure A1.1 Structure and how to use this Section of the Development Control Plan.

Related Tweed Shire Council policy or information

Tweed Shire Council Community Based Heritage Study 2012

Tweed Thematic History, dated September 2004

Heritage Information Series Fact Sheets: provide the legislative context; a framework to understand maintenance, exempt and minor development; the practical information to assist preparation of a development application and a Statement of Heritage Impact Assessment and should be read in conjunction with this Section of the DCP.

Council has adopted the Access and Inclusion Policy 2014, which outlines Council's commitment to universal access and social inclusion.

Sources of additional information

The NSW Heritage Branch includes a range of guidelines to assist in the management and assessment of heritage and can be located on the [OEH website](#).

ADVISORY NOTES:

Heritage listings are located with the applicable Local Environmental Plan (LEP).

Where a property is a State Heritage Item approval from the Heritage Council of NSW is also required.

The State Environmental Planning and Assessment Plan (Exempt and Complying Development Codes) 2008 (Code SEPP) makes provision for a small range of low impact exempt development without the need for a development application.

Applicants are advised to read this section in conjunction with the applicable Local Environmental Plan (LEP); the State Environmental Planning Policy Exempt and Complying Development (Code SEPP) the Heritage Act and the National Parks and Wildlife Act to determine where development consent is required.

Further information may be found in Council's Heritage Fact Sheet Series.

1.10. Dictionary applying to this section

Definitions not listed below have the same meaning as within the applicable Local Environmental Plan.

Adaptive reuse: means modifying an item to suit the existing or a new use but with the intent of retaining or enhancing heritage value.

Alteration: means the making of structural or non-structural changes to the exterior or interior of a heritage item such as to the detail, fabric, finish or appearance. It may involve conservation, maintenance or preservation works necessary to ensure the conservation, adaptive reuse or continued upkeep of a heritage building.

Compatible: means a use or works which integrate with and respect the significance of the place or item.

Conservation: means all the processes of looking after a place so as to retain its significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Contributory buildings: means those buildings which may not be considered to be an individually important place of State or local cultural heritage significance, however when combined with other individually significant heritage items and/or contributory heritage places, they play an integral role in demonstrating the cultural heritage significance of a heritage conservation area.

Curtilage: is the area of land (including land covered by water) surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance.

Infill development: with regard to heritage refers to new development within an existing heritage conservation area. It refers to the design technique that allows a new building to be established amongst those of a traditional style without detracting from the sense of continuity or significance of the existing heritage streetscape.

Fabric: means all the physical material of an item or place including components, fixtures, contents and objects which contribute to its heritage significance.

Local heritage significance: in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item

Preservation: maintaining the fabric of an item in its existing state and retarding deterioration.

Restoration: means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Setting: means the physical area around a place, which may include the visual catchment.

Significance: means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

State heritage significance: in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

Statement of Heritage Impact (SOHI): an assessment of the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area.

Tree: with regard to this section of the DCP has the same meaning as within the *Rural Fires Act, 1997*.

Tweed LEP or TLEP: refers to the Tweed Local Environmental Plan.

Tweed CCLEP or TCCLEP: refers to the Tweed City Centre Local Environmental Plan

Vicinity: in relation to a heritage item means immediately adjoining an item on the opposite side of the street to an item and, where significant, may include the streetscape.

2. Aboriginal acknowledgement and cultural heritage recognition

Since the arrival of European settlers many names have been used to identify the traditional owners of the Tweed Valley and surrounding areas. This reflects a lack of understanding of complex Aboriginal culture and European attempts to apply English spelling to Aboriginal language. However, the Tweed Aboriginal community of today generally recognises three traditional clan groups who lived in the Tweed River Valley. These were the Goodjinburra people for the Tweed Coastal area, the Tul-gi-gin people for the North Arm, and the Moorang-Moobar people for the Southern and Central Arms around Wollumbin (Mt Warning).

A common feature of Aboriginal identity is language, which is known in the Tweed and further south as Bundjalung; in south east Queensland people prefer Yugambeh; and further west, in Kyogle Shire, people use Githabul as both a language and name for group identification. The language dialect of the Tweed is Ngandowal, but for the Tweed Coast and south to the Byron area is Minyungbal. Each dialect has many common words, recognised and understood by neighbouring groups.

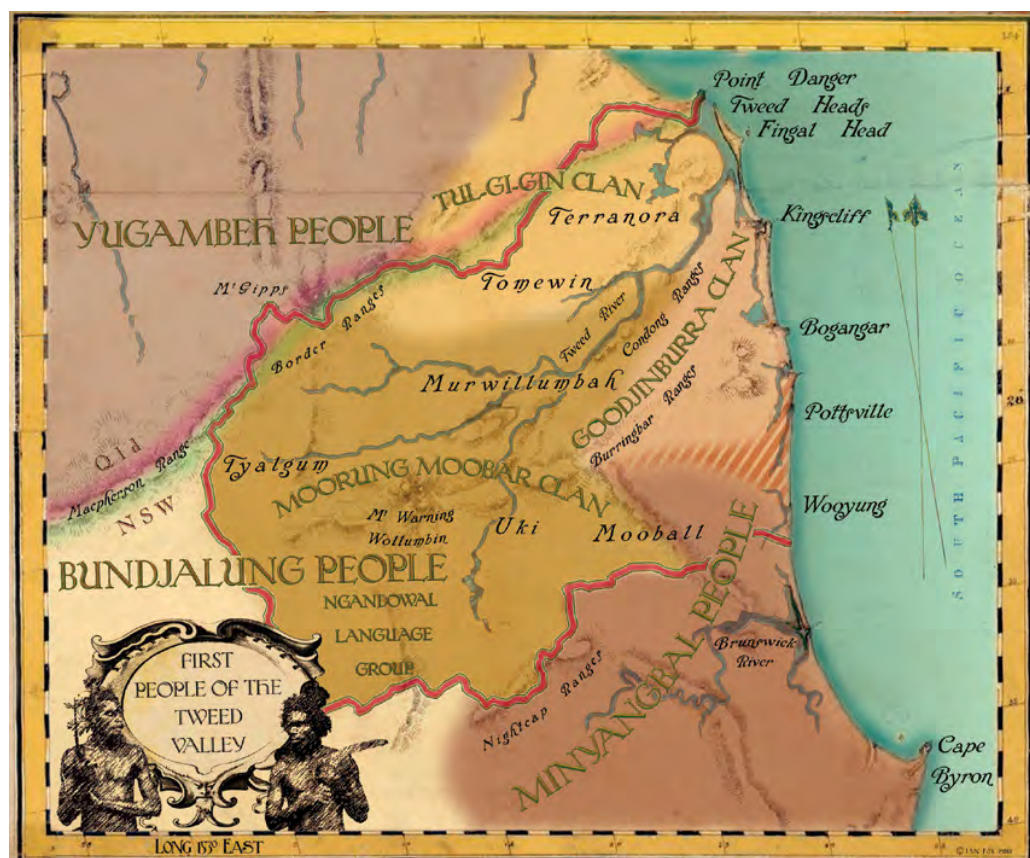
Aboriginal oral tradition tells the story of 'Three Brothers' who came to this land and its people in the 'Dreaming', gave the lore, and formed the nucleus of tribes with whom today's traditional owner descendants identify. Scientific evidence from selected sites supports the fact that Aboriginal people were living in the Tweed from at least 10,000 years ago. Despite development impacts there are many sites and places of significance to Aboriginal people. Among the most well known is Wollumbin (Mt Warning) which is a place of great spiritual significance and a focus for many stories and beliefs.

Tweed Aboriginal people seek respect for their cultural values and protection for the remaining sites and places within the Shire.

ADVISORY NOTE:

Tweed Shire Council is preparing an Aboriginal Cultural Heritage Management Plan to guide the understanding and management of Aboriginal cultural heritage.

Figure A2.1 Map of the First People of the Tweed Valley
Courtesy of Ian Fox.



3. Principles of heritage conservation – The Burra Charter

The Australian ICOMOS *Burra Charter* (Rev 2013) is the Australian national set of principles and guidelines on heritage conservation and management. It represents ‘best practice’ for all people who provide advice, make decisions or carry out works to places of heritage value.

Overall, the Burra Charter recommends a cautious approach to change:

“do as much as necessary to care for the place and make it useable, but otherwise change it as little as possible”

Council will use the Burra Charter Principles in the assessment of impact on heritage items and areas. Before preparing a development proposal, it is recommended that these principles are carefully considered.

Conservation is not just about preserving or restoring a building to its former details, but also ensuring that heritage values are not lost or eroded in the process.

Lack of maintenance, badly designed alterations, incorrect materials, inappropriate subdivisions which detract from the setting of a building, and unsympathetic colour schemes all result in the loss of heritage value. It is therefore important to understand why a building or place is important before changes are considered.

ADVISORY NOTE:

*Significance is assessed against seven criteria, as outlined in the Office of Environment and Heritage publication *Assessing Heritage Significance*, available on the OEH website.*

Additional Information:

The Conservation Principles from the Burra Charter are summarised briefly below.

- *Retain what is important about a place.*
- *Provide for current and future maintenance.*
- *Respect original fabric, past uses, associations and meanings.*
- *Understand and retain evidence of changes which are part of the history.*
- *Understand the place before making decisions.*
- *Use traditional techniques and materials to conserve original materials.*
- *Retain the use of a place if it is important, or ensure a compatible new use.*
- *Involve minimal change to allow new uses, respect the original fabric, associations and uses.*
- *Retain an appropriate visual setting for heritage places.*
- *Keep a building, work or other component in its historical location, because the physical location of a heritage item or place is part of its cultural significance. Do not relocate unless this is the only practical means of ensuring its survival.*
- *Keep contents, fixtures and objects which are part of a place’s cultural significance at that place.*
- *Retain related buildings and objects as they are also important.*
- *Enable people who have special associations and meanings with a place in its care and future management to be involved.*

PART B

HERITAGE CONSERVATION AREAS UNDERSTANDING THEIR SIGNIFICANCE

1. Conservation areas

This Part outlines the significance and key features for each of the heritage conservation areas.

The significance and key features are to be considered and used to inform the understanding of significance and the design response when applying the Design Guidelines of Part C.

ADVISORY NOTE:

The provisions of the Introduction Part A and the Heritage Conservation Areas Part B provide the context to the Design Controls of Part C.

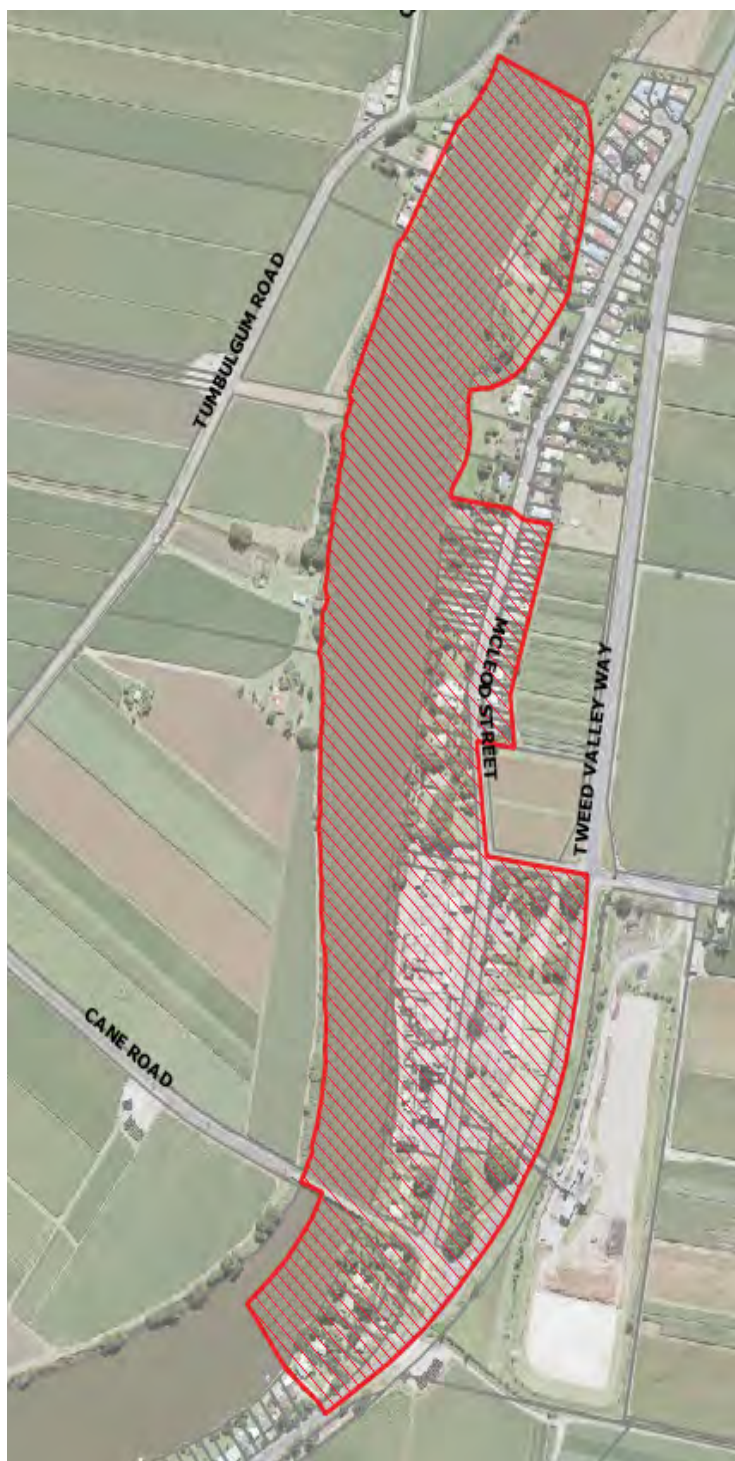
ACKNOWLEDGEMENT:

Parts B and C have been developed with the assistance of Buro Two Architecture.

2. Condong Heritage Conservation Area

The linear village is bounded by the Tweed River to the west, Tweed Valley Way to the east and extends both north and south of the sugar mill. The conservation area is focused around the historic settlement and development in association with the sugar mill. Along with parts of the mill itself the general store, tennis courts and gazebo and associated residence are also listed items.

The Condong Heritage Conservation Area (HCA) covers the land as shown in Figure B2.1 following:



Condong general store



Remains of the Condong Rail Line



Condong Mill c.1890 with cane punts along the river Source: Tweed Regional Museum (unknown) TH4-29

Figure B2.1 Application of the Condong HCA

2.1. Condong HCA Statement of Significance

The Condong Heritage Conservation Area is significant as the area considered important for meeting the following criteria:

Criteria (a) An item is important in the course, or pattern of the Tweed Shire Council's cultural or natural history.

The Condong Sugar Mill HCA is significant for the central activity as a 'Sugar Mill' town anchored by the Sugar Mill buildings and dedicated to the continuous production of sugar. The Condong Sugar Mill with its outbuildings, small commercial activities and the surviving encompassing residences are important in demonstrating the establishment of the town of Condong and its ongoing existence associated with the production of sugar since 1878. Early houses constructed for the mill workers are significant for this historic connection.

The HCA contains an historically significant and largely intact, physical record of sugar refining processes, along with the town's development and demonstrates the economic and social significance of the sugar industry to the area.

Criteria (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

The Condong HCA is significant for demonstrating the evolution of sugar milling technology and the way of life for mill workers from its early origins. In addition to the mill buildings, the HCA provides physical evidence and landmark qualities of the mill and the town's development, land use arrangement and with historically significant machinery, a wide range of C.S.R. staff housing, a shop and storage sheds and recreation facilities.

The character of the HCA is clearly defined by the iconic mill structure flanked by workers houses set within a remarkable landscape setting which contributes strongly to the aesthetic significance of the place.

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places.

The HCA setting is defined by the immediacy of the Tweed River, the town's almost complete immersion in the surrounding cane farms and distant views to the Tweed Ranges. The Condong Sugar Mill HCA is important for demonstrating a highly intact 'Sugar Mill' town dedicated to the continuous production of sugar in Tweed Shire and representative of sugar mills in NSW.

Condong HCA brief history

CSR began construction of the sugar mill buildings in 1879 adjacent to the Tweed River allowing for sugar cane to be delivered by river transport. The mill facilities display a record of cane getting with evidence of wharves, sunken punts, river pylons, navigation markers and railway tracks and spur line to Murwillumbah. Due to differing railway line gauges, river transport was also the means for delivering the refined sugar to both the NSW and Queensland rail systems.

The general store, built by CSR in 1901, traded as 'Conaghan and Fry' with the Conaghan family acting as proprietors until the late 1960's.

The mill and township, defined by the HCA, can be associated with the many cane growing families of the Tweed Valley. In 1978, after protracted negotiations started in 1973, CSR agreed to sell the Condong sugar mill, along with mills on the Richmond and Clarence Rivers to an association of cane growers on the proviso that they form a cooperative to purchase and run the mills.

Sugar refining techniques and machinery have developed in the nearly 140 years of the mills operations. The sugar mill provides a rare physical example of this evolution which, as a working model, is of technical and historical importance.

The utilitarian and industrial visage of the mill is tempered by the HCA's more genteel residential precincts. These subdivisions were established to house mill workers and managers and are notable for the variation in allotment size, pattern and subsequent aesthetic character.

The HCA can be divided into three unique precincts, as shown in Figure B2.2 and described following:

Residential Precinct A: Located in the northern portion of the HCA, this precinct is notable for its narrow lot subdivision pattern and regular built form with minimal street curtilage. The general uniformity of building scale and ubiquity of timber and tin as building materials have developed a distinct streetscape character. The residential buildings are of some significance for the contribution their built character makes to the streetscape of the precinct. There are glimpses between the buildings to the Tweed River and distant mountain ranges providing connections to important aspects of the natural landscape setting that defines the Condong HCA.

Residential Precinct B: Located in the southern portion of the HCA, this precinct is notable for its larger lot subdivision pattern and generous treed and garden character. The residential buildings while predominantly still of timber and tin construction, are larger in scale than those in Precinct A and are sited in broad garden settings with generous boundary setbacks. The diffuse building grain provides broader views of the Tweed River, cane fields and mountains beyond. Numerous established large trees, spread out through the precinct, generate a unified character.

The Mill Managers Residence Precinct C: This grand house, immediately to the south of Precinct A, is set in generous landscape gardens overlooking the Tweed River and is furnished with a grass tennis court and gazebo. There is a level of architectural refinement not evident in the houses of Precinct A or B. The aesthetic consideration and level of amenity of this precinct reflects the social standing of an 1880's sugar mill manager.

The Mill Precinct D: This precinct comprises of the factory, general store, sheds and recreation facilities and is the central focus of the HCAs industrial history. The factory form, conveyor belts and smoke stacks are visible from the wider Tweed Valley, have landmark qualities and provide a point of orientation within the valley.

The three residential precincts provide a window into the social strata of the sugar mills workforce. As a significant part of the Condong HCA, these residential precincts, along with the mill structures and recreational facilities provide a rare example of a town developed for and devoted to a single industry.



Figure B2.2 Precincts of the Condong HCA

- Residential Precinct A
- Residential Precinct B
- The Mill Managers Residential Precinct C
- The Mill Precinct D

2.2. Condong HCA Key Features

1. The subdivision pattern and lot sizes of Condong reflect the historical sugar mill use and social structure of managers and works residences. The subdivision pattern is a key feature of significance. Any proposed changes to the subdivision pattern would require a well considered approach, addressing how a proposal for change to the subdivision is sympathetic and of little impact on this significant feature.
2. Views to the distant Lamington and Border Ranges as well as the closer rural views of sugar cane farms are important landscape features that contribute to the setting of the Condong township.
3. The approaches to Condong are through, or adjacent to, large expanses of sugar cane farm reinforcing the villages historic and central role of the processing of the surrounding sugar cane.
4. The importance and significant of the sugar mill to the village is reinforced by its central location, landmark qualities and dominating industrial scale.
5. The village scale and form is punctuated by the park setting of the Condong Primary School and grounds, the northern Clarrie Purnell Park, and the sugar mill industrial complex.
6. Precinct A presents a consistent residential character with light weight and traditional building fabric. The verandahs, front doors and stairs addressing McLeod Street, provide legibility, pedestrian amenity and a community atmosphere.
7. The northern residential Precinct A built form is predominantly derived from the narrow lot subdivision pattern, collection of small, workers cottage scale dwellings with a strong and regular built form to the street edge, and consistent one and two storey timber buildings with strong roof forms creating a unified village character.
8. Within Precinct C the heritage listed mill managers residence, landscaped garden setting and associated tennis court and gazebo are significant in demonstrating aesthetic characteristics of an 1880's sugar mill manager's residence and its social aspects.
9. Residential Precinct B, located in the southern portion of the HCA, is notable for its larger lot subdivision pattern, larger scaled dwellings with more extensive verandahs, within a wider landscape garden setting and lightweight building materials.
10. The factory Precinct D typifies the industrial history of the HCA with the prominent factory form, conveyor belt and smoke stacks, visible from wider areas of the Valley, the general store, sheds and recreational facilities.

Intrusive elements which are not supported: Enclosure of verandahs, changes to the subdivision pattern, non-complementary brick or rendered materials, skillion style roofs, carports forward of the front building line, high or dominant front fences.

2.3. Condong HCA Contributory Buildings and Views

A prominent feature of the Condong Heritage Conservation Area is its location adjacent the Tweed River and being within sugar cane farmland setting. The resulting views and scenic vistas, glimpses between buildings to river and distant mountains create a distinct visual impression inherent to the character of Condong.

The HCA contains a number of heritage items and a significant consistency of contributory items as shown in Figures B2.3 and B2.4.



View west across Clarrie Purnell Park towards the mountain and river backdrop



View north to the HCA showing the surrounding cane land associated with the mill



- Heritage items
- Contributory buildings
- Contributory vegetation (including hatched over heritage item)
- Views / vistas



Long view south down McLeod Street past the mill and landscaped setting

Figure B2.3 Contributory buildings, landscaping and views of the Condong HCA

2.4. Objectives for the Condong HCA

01. Promote an understanding of the significance of the heritage conservation area.
02. Celebrate the value of the HCA and ensure the heritage items are conserved.
03. Ensure the significance of the contributory items and landscaping are retained and maintained.
04. Protect and maintain the visual catchment and significant views and vistas from either side of the River.
05. Ensure the visual prominence of the sugar mill within the landscape.
06. Conserve the historic fabric and minimise the collective impact on the significance of the heritage conservation area.
07. Ensure alterations, additions and infill development are carefully designed to sympathetically integrate with the streetscape and character of the heritage conservation area.
08. Encourage sympathetic, contemporary design of infill development that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character of the heritage conservation area.
09. Respect the small working class residential subdivision, village scale and character with an elevated building form that addresses the river and surrounding vistas, a regular subdivision pattern and a sub-tropical landscape and residential design character of Precinct A.
010. Respect the ad hoc nature of the Sugar Mill industrial complex and precinct that is central to founding and identifying the heritage conservation area character in Precinct D.
011. Respect the larger lot subdivision pattern and larger dwelling forms within the landscaped setting of Residential Precincts B and the Mill Managers Residential Precinct C.

Figure B2.4 The views of the smoke stacks of the Condong Mill are distinctly prominent from the surrounding landscape



3. Hartigans Hill Heritage Conservation Area

The Hartigans Hill Heritage Conservation Area (HCA) is located to the west of the Murwillumbah township and Main Street HCA. The HCA covers the land as shown in Figure B3.1 following:



Figure B3.1 Application of the Hartigans Hill HCA



Small scale dwellings which show consistent architectural form and detail and step with the topography.



Small scale dwellings which step with the topography showing low front fencing



Landscaped character of the rear laneways

3.1. Hartigans Hill HCA Statement of Significance

The Hartigan's Hill Heritage Conservation Area is significant as the area is considered important in meeting the following criteria:

Criteria (a) An item is important in the course, or pattern of the Tweed Shire Council's cultural or natural history.

Hartigan's Hill HCA is historically significant for demonstrating the development of the town of Murwillumbah from the late 19th century to the early twentieth century. Murwillumbah has its roots in the timber and dairy industries. The establishment of the early settlement of Murwillumbah is reflected in the built form and characteristics evident in the houses on Hartigan's Hill. Development from the late 19th century and continuing after 1901 when Murwillumbah became a municipality, Hartigan's Hill contributes to a greater understanding of the growth of the town of Murwillumbah.

Criteria (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

Hartigan's Hill is significant for the range of housing stock that is representative of the key phases of development in Murwillumbah from the end of the 19th and into the early 20th century. These are expressed in quality Victorian, Federation and Interwar dwellings that contribute an important aesthetic to the area. The houses are distinctive in the Murwillumbah region and more widely in NSW in their stronger use of timber and iron than their southern counterparts of the same periods and styles with an obvious influence from the more lightly constructed Queensland house.

The variety of detailing expressed in fencing, verandahs, gable ends, windows and door joinery, contrasting materials, use of timber, brick and other decorative features is outstanding and provides a high standard representation of the styles and associated social development at the time. The use of laneways at the rear of the residences is distinctive in this area. The roof forms of the residences contribute to the stylistic aesthetics and the streetscape.

The Hartigans Hill HCA is an important landmark being a notable high ridge in the Murwillumbah township and for the outstanding views provided from its elevated position along the Byangum Ridge of broad vistas across the town, Tweed River Valley and to the surrounding Border Ranges.

Hartigans Hill HCA brief history

Hartigans Hill was an important location in the early settlement of Murwillumbah being more prestigious and desirable for its views to the surrounding Tweed region, leading to more substantial or stylistic residences to be constructed. The scale and quality of buildings is reflective of the stability of the local economy during the key period from the end of the 19th century to the beginning of the twentieth century due to timber and dairy industries.

The historic development of the main street of Murwillumbah is also reflected in Hartigans Hill in streets such as Eyles Avenue where early residential buildings exhibit a stylistic development similar to commercial buildings in Murwillumbah Street.

The scale of the houses varies, in accordance with means as well as social station, providing a combination of workers cottages, merchant and professional houses. A former corner shop and adjoining local Primary School with classrooms and facilities provide evidence of community uses.

The built form provides an insight into the social structures of the historic periods as the scale and quality of buildings is indicative of social standing in the community and financial means.

3.2. Hartigans Hill HCA Key features

1. Elevated position along the Byangum ridge that provides broad vistas across Murwillumbah, Tweed River Valley and to the surrounding Border Ranges.
2. An established suburban subdivision pattern, with regular lot sizes, typical of this period of development.
3. Consistent boundary setback pattern forming an overall visual unity and landscape character.
4. A varying pattern of 2 or 3 period specific architectural styles that combine to provide a strongly aesthetic and consistent streetscape character.
5. Consistency of mass, form and scale brings harmony to the wide variety of architectural detailing visible across the common styles.
6. Prominent, traditionally pitched, roof forms with eaves and period details.
7. Predominantly timber dwellings with iron roofing and few rendered and face brick dwellings with tiled roofing consistent with the mix of materials found in the Murwillumbah Main Street HCA.
8. Traditional low height front fences are formative to the landscape character. They define the public and private spaces whilst still allowing visibility to and from the street, and transparency between lots. Fences also, on occasion, act as retaining walls as well.
9. A consistent pattern of verandahs and/or awnings, front doors and entry stairs addressing Eyles Ave and Myrtle Street provide a clearly legible front entry pattern, pedestrian experience and character.
10. Car parking is typically integrated unobtrusively under, beside, or behind the main form of the house. Where the parking space is not directly attached to the house there is often a small scale outbuilding of similar character to the main house.
11. Vehicular access obtained via a pattern of rear lane ways.
12. The character of the rear lane ways is formed by higher fences (1.8m) with a prominent landscape character. There is variability in the provision of garages and/or outbuildings.
13. Consistent building heights generally following the immediate topography are typical of the HCA.
14. There are also contributory non-residential heritage items including the Murwillumbah Primary School building.
15. The vistas and landscapes within and from and the HCA due to the elevated position along the Byangum ridge, which encompass the town and Tweed River Valley in the foreground and to the surrounding Border Ranges in the distance.

Intrusive elements which are not supported: cut and fill of sites that changes the form of the built character from stepping with the topography, front setback intrusions, unsympathetic architectural styles, high or dominant front fences.

3.3. Hartigans Hill HCA Contributory Buildings and Views

A significant feature of the Hartigans Hill HCA is the sweeping vistas to the surrounding Border Ranges National Park provided by the undulating topography of the suburb. The undulating topography and stepping building heights also provides for views across roofscapes and front and back yards within the conservation area.

The HCA contains a number of heritage items and a significant consistency of contributory items as shown in Figures B3.2 and B3.3.



1 and 2 Long views north down Eyles Avenue to the mountains within the landscaped setting



Figure B3.2 Contributory buildings, landscaping and views of the Hartigans Hill HCA

3.4. Objectives for the Hartigans Hill HCA

01. Promote an understanding of the significance of the heritage conservation area.
02. Ensure the heritage items are conserved.
03. Ensure the significance of the contributory items and landscaping are retained and maintained.
04. Protect and maintain the visual catchment and significant vistas to the greater landscape from within Hartigans Hill conservation area.
05. Maintain the sense of spaciousness and internal suburban views afforded by low front fences and consistent front setback patterns.
06. Conserve the historic fabric and minimise the collective impact on the significance of the heritage conservation area.
07. Ensure alterations, additions and infill development are carefully designed to sympathetically integrate with the streetscape and character of the heritage conservation area.
08. Encourage sympathetic, contemporary design of infill development that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character of the heritage conservation area.
09. Respect the scale and character of the suburban building form that responds to the subdivision pattern, topography, and landscape character setting.

Figure B3.3 The contributory long view backdrop of Hartigans Hill, showing landscaping and building elements within the context of the topography which contributes to the character and significance of the Hartigans Hill Heritage Conservation Area



4. Murwillumbah Main Street Heritage Conservation Area

The Murwillumbah Main Street Heritage Conservation Area (HCA) applies to the Murwillumbah Street retail centre and takes in Proudfoots Lane and surrounding civic and ecclesiastic precincts, as shown in Figure B4.1 following:



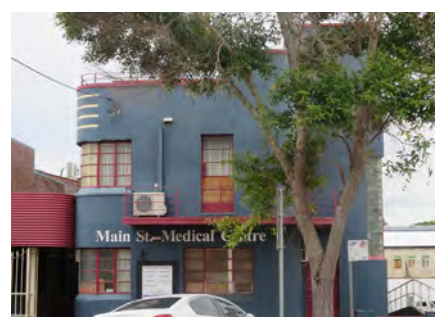
Figure B4.1 Application of the Murwillumbah Main Street HCA



Murwillumbah Sacred Heart Convent



Murwillumbah Main Street parapet detailing



Murwillumbah Main Street architectural detailing



Proudfoots Lane



Parapet detailing in Murwillumbah Main Street



Austral Building

4.1. Murwillumbah Main Street HCA Statement of Significance

The Murwillumbah Heritage Conservation Area is significant as the area is considered important in meeting the following criteria:

Criteria (a) An item is important in the course, or pattern of the Tweed Shire Council's cultural or natural history.

The Murwillumbah Main Street Conservation Area (MMSHCA) is of significance as it provides an evocative physical record of the historical and social phases that influenced the development and character in Murwillumbah from its early origins. Major fires, frequent flooding and robust Inter-war year development have all played important roles in forming the streetscape character of the area.

The buildings, possessing one and two story masonry facades with distinctive parapets and wide street level awnings, have retained a considerable degree of integrity and demonstrate the importance of the Murwillumbah Main Street area as the commercial and social hub of Murwillumbah. Many of the main street buildings contribute as an important representation of the phase of development following a series of fires and constructed after the 1907 fire and pre1939.

Criteria (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

The Murwillumbah HCA is significant for the retail streetscape which is defined by a number of pre-1939 buildings reflective of the period of growth and prosperity. A variety of architectural styles is evident in office buildings, the cinema, civic, institutional and amenity buildings and hotels as well as the main street shopfronts. Individual buildings provide quality examples of Georgian Revival, Mediterranean, Spanish Mission, Art Deco, Free Classical and Functionalist building styles.

The buildings of the MMSHCA as an intact group are rare in the Tweed Region and while displaying a range of types and styles are contributory to the overall heritage character of the main street. An important sub-theme is evident and provides reference to the development of Modern Movement architecture in Australian country towns with representative examples of Interwar Functionalist, Art Deco and Post War Internationalist styles.

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places.

The area is important socially to the local and broader community as the central civic, retail and entertainment hub servicing not only Murwillumbah but a region of dispersed villages. The retail area sits within a clearly identifiable precinct and has maintained an important role as a town centre in the region.

The views from the HCA to Wollumbin/Mt Warning and associated ranges contribute to the unique and inspirational qualities of the place.

Murwillumbah Main Street HCA brief history

Originally the area was home to the indigenous Bundjalung people. European settlement came in the latter 19th century, with the name Murwillumbah being first noted by pioneer settler Joshua Bray following a suggestion by Jonathon Harris and was the Aboriginal name of the tribal lands between what is now the Tweed and Rous Rivers.

The first commercial maritime vessel navigated the Tweed River in 1868 and the cultivation of sugar cane and the surveying of the town soon followed.

Shortly before the turn of the century Murwillumbah became the terminus for the NSW North Coast railway line.

Subsequently, the town became a focal point for new settlers to the region and quickly established itself

as the mercantile and agricultural centre for the region, rivalling Lismore to the south and as the major town between there and Brisbane.

A lift-span bridge replaced the ferry across the Tweed River in 1901 and the town was declared a municipality a year later. Also at the turn of the century, the first Tweed River Agricultural Society Show was held at the Murwillumbah Showgrounds and is now one of the oldest continually running agricultural shows in Australia celebrating its 100th show in the year 2000. The showgrounds are considered to be some of the best in Australia.

The majority of Murwillumbah Main Street buildings were devastated in the 1907 fire resulting in new buildings in the Court House precinct and along Murwillumbah Main Street. The fire engendered a change in construction typology with new buildings being constructed from masonry rather than timber. The pre-World War 1 Court House buildings still stands today along with a number of shop fronts scattered throughout the main street area.

Fires in the 1920's and 1930's again impacted on the Murwillumbah Township, instigating again the need for a phase of rebuilding. The impact of these later fires coincided with the burgeoning growth and viability of local rural industries and inter-war peace. This resulted in a period where need and prosperity informed the construction of many new buildings along Murwillumbah Main Street and surrounding streets and lanes. This phase of construction is evident in the remarkable number and quality of the buildings that survive from the 1920s-1930s period.

Several buildings with individual character and/or historical significance, such as the Police Station and Courthouse group, Southern Cross Credit Union building, Banana Growers Federation building (BGF House), Westpac (previously Bank of NSW) and National Bank, Regent Cinema, Imperial and Murwillumbah Hotels punctuate the aesthetic character of the conservation area providing notable points of visual articulation within the MMSHCA setting.

4.2. Murwillumbah Main Street HCA Precincts and Key Features

The MMSHCA is comprised of four key precincts as shown in Figure B4.2 and outlined following.



- Churches and Educational Precinct
- Murwillumbah Retail Precinct
- Courthouse and Police Station Precinct
- Proudfoots Lane Precinct

Figure B4.2 Murwillumbah Main Street HCA Precincts



Figure B4.3 View west to the churches and educational precinct on the hill showing the predominant hilltop character, landscaping and prominent view of the Mount Saint Patrick's church spire looking west.

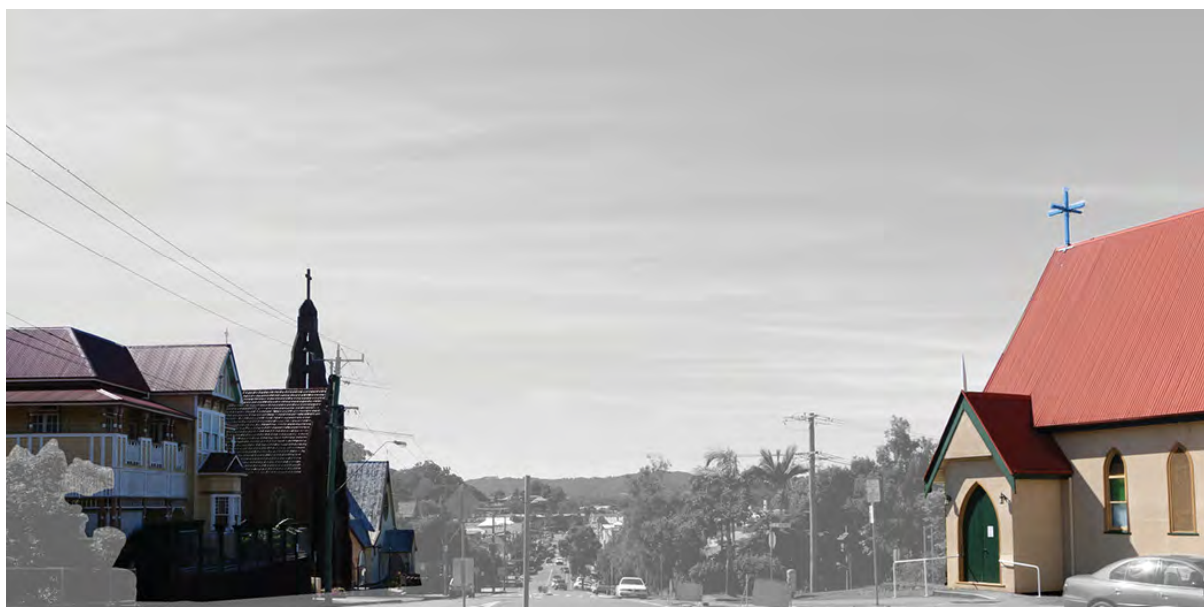


Figure B4.4 shows significant items which frame the churches and educational precinct and contribute to its character looking east.



Figure B4.5 and B4.6 show the near and distant landscape views which frame the churches and educational precinct and contribute to its character looking east.

4.2.1. Churches and Educational Precinct Key Features

The Churches and Educational Precinct acts as a hilltop gateway to the CBD from the surrounding residential areas. It is notable for the contrasting church characters. The simple, austere and modest Carpenter Gothic Methodist Church and Hall sits opposite the exuberant and showy buildings of the Catholic Precinct, which include higher style, Carpenter and Interwar Gothic Churches, the Federation Filigree Convent and the Queen Anne Presbytery. In addition, the precinct includes the Government Offices, Modernist Movement Tafe building and various contemporary school buildings.



Murwillumbah Uniting Church and Hall



Sacred Heart Roman Catholic Convent



Sacred Heart Roman Catholic Church



Mount St Patricks Roman Catholic Church



Murwillumbah Government Offices



Murwillumbah Roman Catholic Presbytery

Key features:

1. Prominent hill top location;
2. Prominent landscaped views from this area to the town and from the town to the precinct;
3. Visibility of church spires and contributory roof forms from the town;
4. Churches material palette of solid masonry, both face brick and rendered, and timber. Bricks are characteristically red/brown and timber work is characteristically in cream with red trim and/or roofing;
5. Residential materials are timber dwellings with low set front semi-open fences of timber or similar materials.
6. Large lots with landscaped separation between buildings;
7. Buildings setback behind a landscaped street frontage; and
8. Masonry retaining walls and iron front fences to churches where street topography slopes.

Intrusive elements which are not supported: Advertising other than general identification or information signage, encroachment on the landscaped buffer.

4.2.2. Murwillumbah Retail Precinct Key Features

The Murwillumbah Retail Precinct presents a continuous streetscape defined by a number of pre-1939 buildings, with masonry facades featuring distinctive parapets and pedestrian level awnings. It has retained a considerable degree of integrity, within a visually distinct precinct with simple boundaries. The streetscape has well developed townscape qualities with high aesthetic value. There are a number of notable buildings including the Interwar Georgian style BGF House building, the Interwar Free Classical Southern Cross Credit Union, the ANZ building and the Imperial and Murwillumbah Hotels to name only a few.



Austral Building



Art Deco step-in entryway detailing



NAB building group



BGF Building



Parapet detailing and fine grained shopfront pattern



Art Deco detailing of the Austral Building

Key Features:

1. Fine grained shop frontage with a zero front and side setback to the retail uses;
2. Northern side is interspersed with a collection of civic buildings with a landscaped setback;
3. Hard surface urban edge to southern side;
4. Mix of single and two stories;
5. Provision and continuity of awnings and parapets, which ties the retail precinct as a group and provides a rich and varied silhouette;
6. Variety of facades, architectural styles and traditional step in shopfront entries with window displays;
7. A material palette of rendered masonry, bagged brickwork, and face brickwork characterise and contribute to a unified retail precinct streetscape;
8. At the shopfront level of these buildings a richer material palette can be found including ceramic tile, terrazzo, detailed glass and joinery. Art deco buildings are characterised by geometric forms, chevrons, sunburst motifs, aluminium, stainless steel, brick, stained glass, vitrolite glass; and
9. Opportunities for taking advantage of the northern solar access.

Intrusive elements which are not supported: uncharacteristic or absence of awnings except on civic buildings; enclosed footpaths spaces or barricades to the footpath; advertising signage above awnings; cabling or air-conditioning damage to the parapet features and significance.

4.2.3. Courthouse and Police Station Precinct Key Features

The Courthouse and Police Station Precinct is an exceptional and cohesive collection of Federation Free Style civic buildings. The buildings of this precinct, all sensitively designed to suit the subtropical climate, are well related by form, colour and scale. As a group the buildings create a strong formal impression within a generous mature landscape and punctuate the retail streetscape reinforcing their civic importance. The Police Station and Courthouse buildings are significant as part of the Murwillumbah Main Street Heritage Conservation Area. The Federation Freestyle facades of the buildings contribute to the character of the conservation area.



Federation Free style Murwillumbah Police Station



Murwillumbah Courthouse and landscaped setback



Courthouse landscaped setback



Federation Free style Murwillumbah Courthouse



Murwillumbah Police Station



Landscaped street setting

Key features:

1. The precinct is defined by the consistency of the civic buildings setback within a landscaped garden setting;
2. Federation Freestyle government buildings;
3. A suite of face brick, timber and iron roofing and Federation Freestyle colours;
4. Low set front fencing;
5. No setback to the rear laneway; and
6. Trees within the landscaped front setback.

Intrusive elements which are not supported: removal of landscaping, fencing and changes to the setbacks.



Figure B4.7 Existing pedestrian walkthrough shops between Murwillumbah Street and Proudfoots Lane are a significant feature of the MMSHCA.

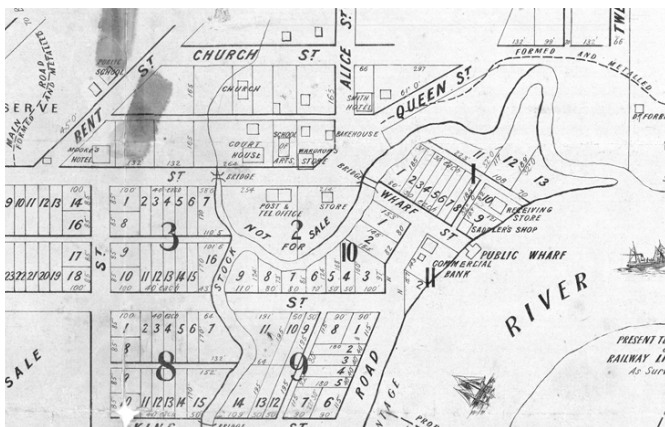


Figure B4.8 Parish Map on the left which shows the relationship of the current Proudfoots Lane with the meander of the former Lavender Creek

4.2.4. Proudfoots Lane Precinct Key Features

The Proudfoots Lane Precinct is notable for the collection of outbuildings that service the Retail precinct. It is aesthetically significant for its material quality, direct design response for retail service, ad hoc character and uniform pattern of use. A portion of Proudfoots Lane follows the meander of the former Lavender Creek.



Raywards Mensware painted signage



Mixed painted and unpainted brickwork and landscaped seating areas



Rear service land showing vegetation elements and pedestrian bridge



Rear service laneway and pedestrian walkthrough areas



Attention to detailing in contributory buildings - Austral Building



Saw tooth roof form of the NAB building

Key Features:

1. Rear service accessway with a mix of vehicle and pedestrian uses;
2. Multiple pedestrian access points through arcades and shops between Murwillumbah Street and Proudfoots Lane ensures pedestrian permeability;
3. The Laneway is characterised by a mix of painted and unpainted brickwork, corrugated iron and hard stand surfaces interspersed with small landscaped pedestrian seating areas and scattered vegetation;
4. A mix of single and two storey building forms.

Intrusive elements which are not supported: removal of the vegetation as this provides shade cover for pedestrians, painting of existing non painted brickwork; removal or replacement of traditional painted signage, advertising signage other than business identification and information signage.

4.3. Murwillumbah Main Street HCA Contributory Buildings and Views

Significant contributory buildings representing key historic periods in Murwillumbah Main Street are: Carpenter Gothic Churches; Interwar Gothic Churches; Federation Filigree buildings; Queen Anne Style buildings; Interwar Georgian buildings, Art Deco buildings.

The MMSHCA contains a number of heritage items and a significant consistency of contributory items and views as shown following in Figure B4.9 and Section B4.2.

1 Views along Murwillumbah Street looking west



2 Views along Queen Street looking northeast



3 Long views down Murwillumbah Street towards the river and mountains backdrop



- Heritage items
- Contributory buildings
- Contributory vegetation
- Views / vistas

Figure B4.9 Contributory buildings, landscaping and views of the Murwillumbah Main Street HCA

4.4. Objectives for the Murwillumbah Main Street HCA

01. Promote an understanding of the significance of the heritage conservation area.
02. Ensure the heritage items are conserved.
03. Ensure the significance of the contributory items are retained and maintained.
04. Protect and maintain the prominent scale, form and views of the church buildings and spires within the townscape.
05. Protect and maintain the landscaping context which frames the streetscape.
06. Conserve the historic fabric and minimise the collective impact on the significance of the heritage conservation area.
07. Ensure alterations, additions and infill development are carefully designed to sympathetically integrate with the streetscape and character of the heritage conservation area.
08. Encourage sympathetic, contemporary design of infill development that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character of the heritage conservation area.
09. Conserve the architectural features of significant buildings, including, but not limited to: step in shop fronts; pressed metal ceilings; terrazzo, tiled and timber tiled floors; leadlight and original windows and doors; tiled and unpainted brickwork; and period detailing.
010. Conserve the established fine grained retail form and subdivision pattern of the heritage conservation area.
011. Maintain the established and significant pattern of awnings and parapets to all shop fronts and no awnings to significant civic buildings such as banks.
012. Minimise the impacts of signage on the significance of the heritage conservation area.

5. Tumbulgum Heritage Conservation Area

The village is bounded by Tweed Valley Way to the east, Government Road to the south and Riverside Drive and the Tweed River to the west and north. The heritage conservation area is comprised predominantly of the land facing the Tweed River along Riverside Drive. The Tumbulgum Heritage Conservation Area (HCA) covers the land as shown in Figure B5.1 following:



Tumbulgum Hall



Tumbulgum typical elevated dwellings with front verandah and gable roofs



Tumbulgum Ferry wharf and riverside location



Figure B5.1 Application of the Tumbulgum Conservation Area

Figure B5.2 The contributory riverside location of Tumbulgum, consistent landscaping and building elements within the context of the sweeping river vistas together create the character and significance of the Tumbulgum Heritage Conservation Area



5.1. Tumbulgum HCA Statement of Significance

The Tumbulgum Heritage Conservation Area is significant as the area is considered important in meeting the following criteria:

Criteria (a) An item is important in the course, or pattern of the Tweed Shire Council's cultural or natural history.

Tumbulgum is significant as an example of surviving early villages, representative of the pattern of settlement in the Tweed region. The European settlement pattern typically originates with the cedar-cutters followed by dairying and crop farming settlers.

Tumbulgum HCA is significant for its early origins and important role as the first major population and business area of the Tweed Valley, prior to the development of Murwillumbah. The village of Tumbulgum is significant for its location at the junction of the Rous and Tweed Rivers and the contribution this makes to the historic development of the village and the settlement of the region. In the 19th century transport for goods such as cedar, as well as people, relied heavily upon the rivers and the location and growth of Tumbulgum was intrinsically connected to the river junction. Evidence of the early settlement is also demonstrated in the nearby 'pioneer' cemetery.

Criteria (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

The village is significant aesthetically for its surviving early buildings. Within the village there are a number of places that contribute aesthetically to the town and provide important evidence of the early origins and its occupation. Of note are the Tumbulgum Tavern (est 1897), the Community Hall, Tea House and Residence, Public School, Corner Store/Café, St Peters Church (now Tweed River Chapel) and the Ferry Approach. The built form of the village and the street layout is distinguished by its response to the location adjacent to the river, managing flood risk, through elevated, predominantly timber buildings on narrow lots addressing the river.

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places.

Tumbulgum is significant as a surviving example of a typical early villages, occurring on river banks in the Tweed region.

The important setting of the village site at the junction of the Rous and Tweed Rivers is a landmark in the region. The alignment of Fawcett Street with the mouth of The Rous River and the ferry approach is a particularly important view. The southern and northern approaches along Riverside Drive as well as the river edge also contribute to the outstanding landscape setting of the village.

Tumbulgum HCA brief history

Originally the area was home to the indigenous people known as the Bundjalung. The area was accessed by cedar-cutters from around the 1820s and a settlement developed at the junction of the Rous and Tweed rivers. The settlement was one of the first villages established by Europeans in northern NSW from around 1840 and became known as 'The Junction' or 'Tweed Junction'. The village developed through the 19th century and around 1880 the local people changed the name to 'Tumbulgum', which is reported to be of indigenous origins.

The village prospered and vied for commercial supremacy with Murwillumbah until the railway was established in 1897, followed by a bridge in 1901 providing the impetus for Murwillumbah to become the major town centre for the region.

The village of Tumbulgum survives as a picturesque village of historic buildings with spectacular views across the Tweed River to Wollumbin/Mt Warning.

5.2. Tumbulgum HCA Key Features

1. A prominent riverside location where the single sided streetscape creates an uninterrupted vista to river and landscaped foreshore;
2. The built character of the village has evolved to respond to the historic subdivision pattern, riverfront location and the sub-tropical climate;
3. The narrow allotments of the conservation area result in the front yard being predominantly driveway, however, generously landscaped beds are provided along the side boundaries.
4. A consistent landscaped setback to residential frontages with identifiable front entryways;
5. Typically buildings are elevated with generous, shaded first floor verandahs facing the river and stair access to the verandah providing a consistent and unifying two storey built form streetscape;
6. The structure of the elevated narrow dwellings, predominance of structural posts, vertical verandah treatments and vertically proportioned doors and windows give a defining character of vertical elements.
7. Roofs are typically corrugated iron with simple hip roof form or gable ends to the street and simple lower pitch verandah roof forms;
8. Contributory buildings are most commonly light weight weatherboard with timber posts, verandah balustrades and trims;
9. Car parking is predominantly located under the elevated building and garage doors are not visually prominent;
10. Many dwellings of the conservation area have a low front fence. These are typically open, timber picket or timber and wire mesh in style, with perimeter landscaping;
11. Trees, within both the street and private yards, and landscaped gardens are a contributory feature of the conservation area. Along with the river panorama this adds to the relaxed landscape setting.
12. A small retail precinct around the Fawcett Street intersection related to the old ferry stop is characterised by reduced street setbacks and active street frontages;
13. Heritage items include the ferry approach, St Peters Anglican Church (now Tweed River Chapel), and Community Hall.

Intrusive elements which are not supported: Modern flat style roofs; heavy masonry or rendered walls; pool style metal fencing or glass balustrades to first floor verandahs.

5.3. Tumbulgum HCA Contributory buildings Buildings and Views

Tumbulgum is the location of the original settlement of the Tweed Valley. The HCA is located at the confluence of the Tweed and Rous Rivers, which together with the surrounding Border Ranges forms a significant landscaped backdrop to the HCA. The resulting river views and scenic vistas, the river bank parkland, landscaping and direct access to the river foreshore and the sense of spaciousness this affords the residential lots, is inherent to the character of Tumbulgum.

The HCA contains a number of heritage items and a significant consistency of contributory items as shown in Figures B5.3. and B5.2.



3 Long views from Riverside Drive across the river towards Wollumbin / Mt Warning



3 Long views along Riverside Drive looking south west towards Wollumbin / Mt Warning



2 Views along Fawcett Street towards the river

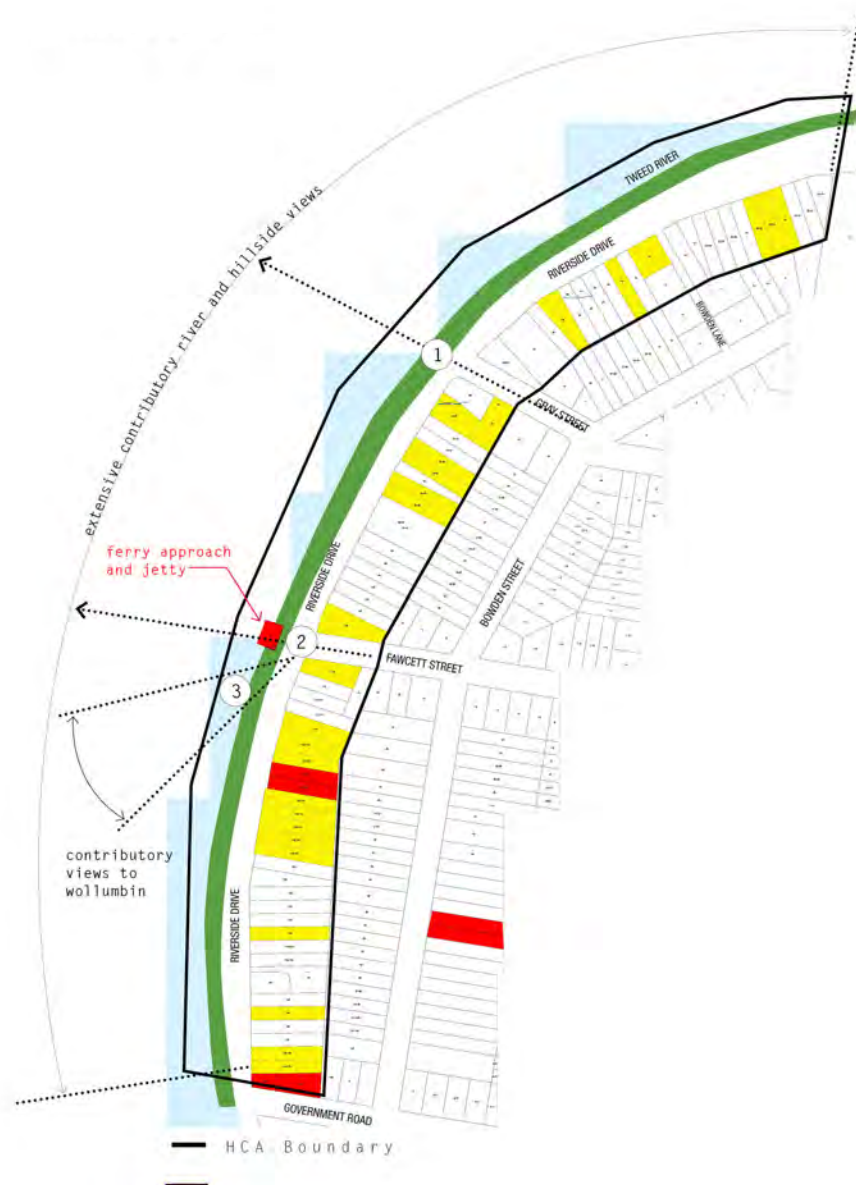


Figure B5.3 Contributory buildings, landscaping and views of the Tumbulgum HCA

5.4. Objectives for the Tumbulgum HCA

01. Promote an understanding of the significance of the heritage conservation area.
02. Ensure the heritage items are conserved.
03. Ensure the significance of the contributory items and landscaping are retained and maintained.
04. Protect and maintain the visual catchment and significant views and vistas from either side of the River.
05. Protect and maintain the sense of arrival, the view of the village and the Tweed River with Mount Warning as the backdrop as you travel over the Tumbulgum Bridge.
06. Protect and maintain the views to the Tweed River and its junction with the Rous experienced from Riverside Drive in both directions, as well as views towards the river experienced from streets that intersect Riverside Drive.
07. Conserve the historic fabric and minimise the collective impact on the significance of the heritage conservation area.
08. Ensure alterations, additions and infill development are carefully designed to sympathetically integrate with the streetscape and character of the heritage conservation area.
09. Encourage sympathetic, contemporary design of infill development that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character of the heritage conservation area.
010. Encourage sympathetic contemporary design that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character.
011. Respect the small riverfront village scale and character, high set building form that addresses the river, subdivision pattern, front setback pattern and landscape character.
012. Protect and encourage the active street frontage commercial /retail premises, traditionally located in conjunction with the ferry stop at the end of Fawcett Street.

6. Tyalgum Heritage Conservation Area

The Tyalgum village is nestled in the foothills of the Border Ranges with Tyalgum Creek to the north and intersecting with the Oxley River to the east. The conservation area is centred around the historic main street settlement of Coolman Street and the scenic mountain and rural backdrop to the north.

The Tyalgum Conservation Area covers the land as shown in Figure B6.1 following:



Figure B6.1 Application of the Tyalgum Conservation Area



Footpath awnings typical of commercial premises in Tyalgum



Old Buttery, Tyalgum



Footpath awnings typical of commercial premises in Tyalgum

6.1. Tyalgum HCA Statement of significance

The Tyalgum Heritage Conservation Area is significant as the area is considered important in meeting the following criteria:

Criteria (a) An item is important in the course, or pattern of the Tweed Shire Council's cultural or natural history.

Tyalgum is significant as an example of surviving early villages, important in being representative of the pattern of settlement in the Tweed region. The European settlement pattern typically originates with the cedar-cutters followed by dairying and crop farming settlers.

Tyalgum HCA is significant in the Tweed region for its early origins in 1906 and the contribution this makes to the historic development of the village and the wider settlement of the region. The establishment and evolution of Tyalgum reflects the growth of the dairy industry in the Tweed shire which lead to the centralisation of services and social structures in the small supporting villages of the Tweed Valley.

The Tyalgum HCA has a historical association with Sir Eric Willis, NSW Member of Parliament and 34th premier of NSW, who spent his childhood in the village.

Criteria (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

The village is significant aesthetically for its surviving early buildings. The provisional school (1906), the Tyalgum Hall (1908), the general store, the Literary and Mechanics Institute, the post office, bakery and butcher shop – all provide evidence of the Village of Tyalgum growing and servicing the greater community of Tyalgum in the early 20th century.

The Tyalgum Butter Factory (1913) provides specific evidence of the historical connection with the dairy industry that lead to the foundation of the Village. The building is an important representative example of both the industrial processes used in the dairy industry in 1913 and their application in the Tweed Valley.

The buildings within the HCA that contribute significantly to the aesthetic of the town are modest in scale with a recognisable local character. The character of the HCA and Coolman Street is defined by the predominant use of timber and the many buildings that are elevated with verandahs or awnings to the street. Residential, commercial and community buildings are typically clad in weatherboards with corrugated metal roofs. The repetition of the built form and material characteristics contribute to Tyalgum's aesthetic continuity without being uniform. The buildings are also good representative examples of rural village architecture in the Tweed Shire.

Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area – Tweed Shire Council) for social, cultural or spiritual reasons.

The Tyalgum HCA has social significance for the Tyalgum community that has its roots in the history of the area. The continued attachment to the place is demonstrated through the management of the Tyalgum Hall and community fields.

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places.

Tyalgum is significant as a surviving example of a typical early villages, occurring on river banks and with spectacular views to Wollumbin/Mt Warning in the Tweed region. The village contains a collection of historic buildings set within an extraordinary landscape setting.

Tyalgum HCA brief history

Located at the confluence of Tyalgum and Pumpenbil Creeks, The Tyalgum Village location was known as “The Flat”. Early settlers and selectors, including Joshua Bray, Dick James, Den Guinea, Tom Ward, Jack Marks and Jim Hall, exploited the cedar resources of the area and established a Forest Rangers Hut where they collected goods delivered weekly from Murwillumbah.

Tyalgum has remained as a small village supported by the surrounding rural farming community through the 20th Century.

Tyalgum has become known for its annual Music Classic Festival, inaugurated in 1991 following the discovery of the impressive acoustics provided in the Hall. The annual Music Festival has expanded and attracts many visitors to the area and contributes to the unique identity of the village.

The views from the HCA to Wollumbin/Mt Warning and associated ranges contribute to the unique and inspirational qualities of the place.

6.2. Tyalgum HCA Key features

1. A prominent rural, park like landscape setting with the Lamington and Border ranges forming its backdrop;
2. The single sided streetscape creates an uninterrupted vista to world heritage landscape from the street and building frontages, across the fields. This is the defining character of Tyalgum;
3. The built form derives from a collection of small scale, consistent one and two storey timber buildings with strong roof forms creating a unifying rhythm;
4. The village scale and form is punctuated by the larger Tyalgum Buttery, Tyalgum Hotel and The Tyalgum Hall;
5. Commercial and residential uses are interspersed within the Coolman Street frontage. The legibility within this mix of uses is derived by commercial use buildings being built to the street frontage (most with awning over the footpath) and residences having a landscaped front boundary setback. The mix of forward and setback frontages is a key feature of the streetscape;
6. Consistent awnings with kerbside posts to commercial buildings, front doors and stairs addressing Coolman street providing pedestrian amenity and a rhythm in the built form.
7. Rear laneway addresses the parking and servicing needs of the majority of the HCA.
8. Consistency of materials, including lightweight timber cladding, timber trims and verandah detailing and corrugated metal roofing.
9. Consistent low front fencing of timber pickets or open wire mesh.
10. Buildings step with topography.

Intrusive elements which are not supported: Modern profile metal roofing, unsympathetic brick or render materials and reduced setbacks high or solid fences.

6.3. Tyalgum HCA Contributory Buildings and Views

The HCA is nestled within a panoramic rural landscape setting with the Lamington and Border Ranges providing the village backdrop. A significant feature of the Tyalgum Heritage Conservation Area is the adjacent farmland and sports field to one side of Coolman Street. This park like setting results in wider views and scenic mountain vistas that gives the village a sense of rural spaciousness inherent to the character of Tyalgum.

The HCA contains a number of heritage items and a significant consistency of contributory items as shown in Figures B6.2 and B6.3.

2 District views north over the rural landscape to the mountains



Figure B6.2 Contributory buildings, landscaping and views of the Tyalgum HCA

6.4. Objectives for the Tyalgum HCA

01. Promote an understanding of the significance of the heritage conservation area.
02. Ensure the heritage items are conserved.
03. Ensure the significance of the contributory items and landscaping are retained and maintained.
04. Protect and maintain the significant rural and mountain views and vistas from the village.
05. Protect and maintain the view of the village, its context within the valley topography and rural setting as you travel in and out of the HCA.
06. Conserve the historic fabric and minimise the collective impact on the significance of the heritage conservation area.
07. Ensure alterations, additions and infill development are carefully designed to sympathetically integrate with the streetscape and character of the heritage conservation area.
08. Encourage sympathetic, contemporary design of infill development that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character of the heritage conservation area.
09. Protect and encourage the mix of uses within the heritage conservation area including the mix of active street frontage commercial/retail premises with awnings and residential uses with landscaped setbacks.
010. Conserve the existing scale of the heritage conservation area with regard to subdivision patterns, topography and landscape.
011. Conserve the prominent rural, park like, landscape setting with the Lamington and Border ranges forming its backdrop.

Figure B6.3 The contributory village setting and building elements within the context of the sweeping rural and mountain vistas contribute to the character and significance of the Tyalgum Heritage Conservation Area



7. Uki Heritage Conservation Area

Uki is nestled at the foothills of Wollumbin (Mount Warning) with the green caldera as a backdrop. Uki sits alongside the Tweed River and Rowlands Creek and extends up the heavily vegetated hillsides. The Uki Conservation Area covers the land as shown in Figure B7.1 following:



Figure B7.1 Application of the Uki HCA



Uki commercial premises with footpath awnings



Uki commercial core with the mountains surrounding and as a backdrop to the village



Uki commercial premises with footpath awnings

7.1. Uki HCA Statement of significance

The Uki Heritage Conservation Area is significant as the area is considered important in meeting the following criteria:

Criteria (a) An item is important in the course, or pattern of the Tweed Shire Council's cultural or natural history.

Uki is significant as an example of surviving early villages important in representing of the pattern of settlement in the Tweed region. The European settlement pattern typically originates with the cedar-cutters followed by dairying and crop farming settlers.

The village of Uki Heritage Conservation Area is significant as a remarkably intact example of an early 20th century rural settlement, both in scale and in character. Uki is also important in the Tweed region for its early origins associated with the construction of the Town Hall in 1904 and the contribution the village makes to the history and the wider settlement of the region.

While the built character of the Uki HCA is typical of settlements in the Tweed and Northern NSW generally, the village form is representative of it's immediate local environment. Floods on the South Arm of the Tweed River are reflected in changes to the village form and its relationship to the river. Residential areas moved onto higher ground in the hills directly surrounding the village.

Criteria (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

The village is significant aesthetically for its surviving early buildings located on the eastern bank of the south arm of the Tweed River. The character of the Uki HCA is formed by its collection of early 20th century timber buildings set in the significant landscape featuring the spectacular back drop of Wollumbin/Mt Warning in close proximity.

The buildings within the HCA are significant for the contribution to the aesthetic of the town. The buildings are largely modest in scale with a recognisable local character. The survival of many of the village's original buildings provides an illustration of the working, social and cultural lives of the early dairy farming and forestry families, as well as the continuing history of the village and village life. While the village buildings are modest in scale and architectural detailing this typology is no longer commonplace in the Tweed Shire.

The buildings of the village also demonstrate the importance of the timber industry to the development of Uki and are representative of a locally developed style.

The Butter Factory provides significant evidence of the importance of the dairying industry to the growth and development of the village and is representative of the industrial processes used in the dairying industry in the early 20th century and their application within the Tweed valley.

The HCA's remarkably intact collection of timber architecture seen in utilitarian construction methods, yield an opportunity to further understand the development of timber building styles and constructional development within the Tweed Valley area.

Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area – Tweed Shire Council) for social, cultural or spiritual reasons.

These buildings provide physical evidence of the village of Uki growing and directly servicing the surrounding community in the early 20th century.

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places.

Uki is significant as a surviving example of a typical early village occurring on river banks and with spectacular views to Wollumbin/Mt Warning in the Tweed region. The village contains a collection of early historic buildings set within an extraordinary landscape setting. The views from the HCA to Wollumbin/Mt Warning and associated ranges contribute to the unique and inspirational qualities of the place.

Uki HCA brief history

Originally a staging area for stock, the village of Uki is located on the eastern bank of the South Arm of the Tweed River. The development of Uki as a village begins in 1904 with the construction of the Town Hall. The following year land sales began in the Town Hall and the village grew quickly to meet the needs of local industries and inhabitants.

Early 20th century development in Uki was focused on meeting the physical, economic and day to day requirements of farming and timber getting families. The construction of the Town Hall, in 1904, was closely followed by a school, sawmill and post office in 1908 and general store in 1909. As the dairy industry began to take hold and flourish, Norco built the Uki Butter Factory (1910) to service the surrounding farming areas.

Many of the buildings that contribute to the village of Uki, their uses and historical connotations continue today, retaining a long standing social identity for the village's current residents as they have for earlier local and surrounding area families.

The many surviving early 20th century buildings, including a variety of commercial, community and ecclesiastical timber buildings provide excellent individual examples of local timber building methods and character while providing a strong unified collection now rarely encountered. As a collection of buildings in a main street they contribute importantly to the aesthetics of the area and make an important contribution to the cultural heritage significance of the Tweed Valley.

The HCA is dominated by sweeping views of Mount Warning, (Wollumbin) whose presence and proximity defines the HCA as a place and provides a source of inspiration.

7.2. Uki HCA Key features

1. Wollumbin (Mt Warning) and surrounding mountain ranges combine with dense mature vegetation to dominate Uki's character and provide a sense of being enclosed and of being within a landscape rather than within a village.
2. Streets and dwelling patterns are restrained by topography resulting in an organic settlement pattern within the narrow valley.
3. Residential areas respond to the undulating topography and landscaped character and dwellings are commonly obscured by extensive vegetation cover where mountains and landscaping are visually prominent.
4. Within the village lies a legible town centre and retail core whose scale and form is representative of an early 20th century rural settlement and includes the Uki Buttery, Post Office, General Store, School, and Church.
5. The retail core is located on a flatter area of land within the HCA and runs parallel to the Tweed River.
6. Consistent verandahs, awnings, and entries along the retail core addressing Kyogle Road which provide a village main street form and pedestrian amenity and atmosphere.
7. Residential front and boundary "fencing" is frequently comprised of vegetation only, with a typically relaxed/informal entry sequence where the garden entry takes precedence as the 'front door'.
8. Consistency of material and lightweight construction approach.
9. Buildings step with topography.

Intrusive elements which are not supported: modern brick, render and tile; removal of trees and vegetation;



Figure B7.2 The backdrop of Wollumbin / Mount Warning, the Border Ranges and the heavily vegetated setting is a defining feature of the character and significance of the Uki HCA

7.3. UKI HCA Contributory Buildings and Views

The HCA is nestled within an enclosed valley with a landscaped setting defined by the Lamington and Border Ranges and Mount Warning. A significant feature of the Uki Conservation Area is the extent to which it is enclosed by mature vegetation and the surrounding topography. The setting is punctuated by views and scenic mountain vistas that occur as the topography folds and twists, as well as along streets that open up further vistas. These extraordinary views are inherent to the character of Uki.

The HCA contains a number of heritage items and a consistency of contributory buildings, and significant view and landscape features as shown in Figures B7.2 and B7.3.



Background views west to Wollumbin / Mount Warning that form a significant backdrop to the village

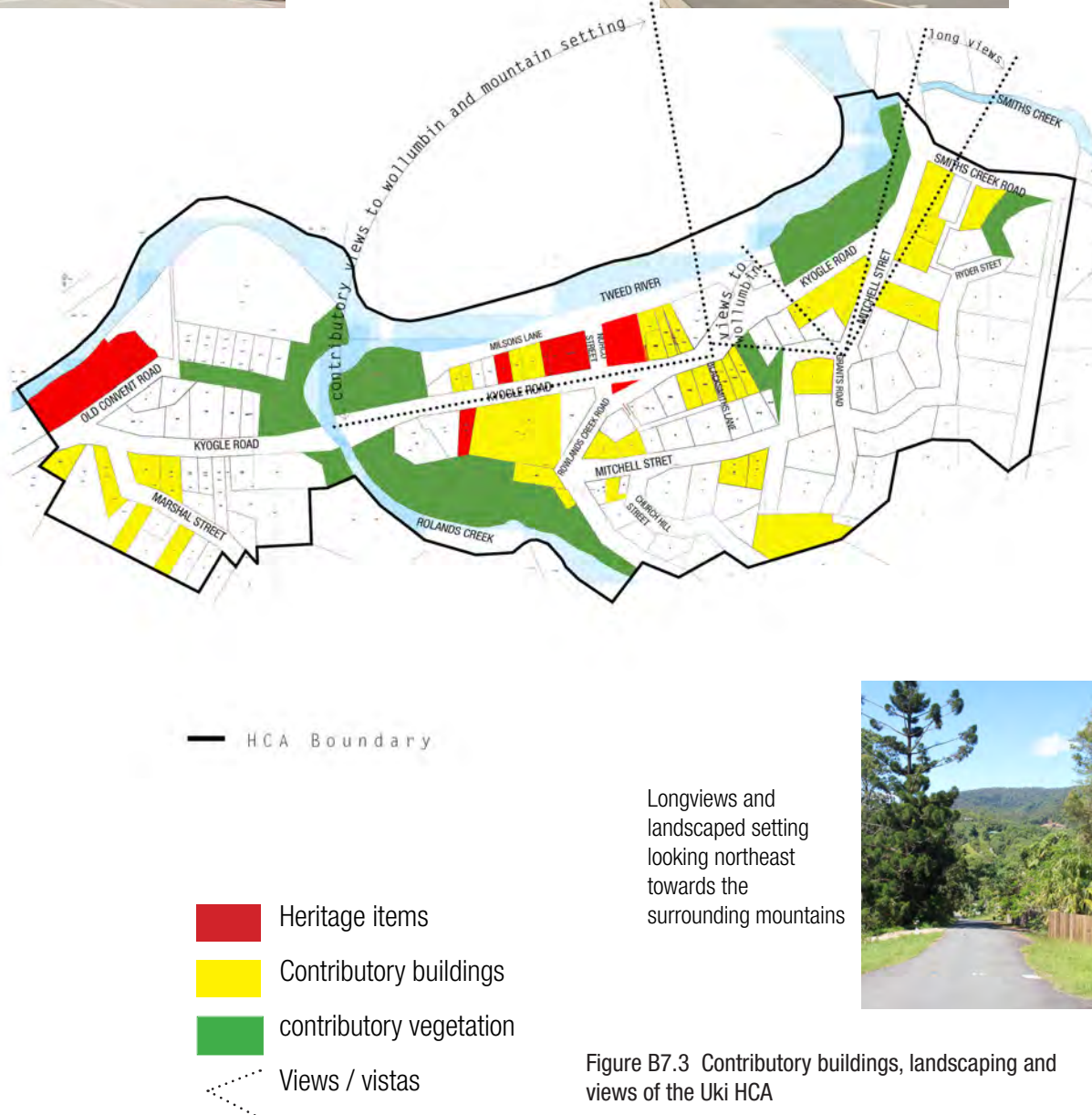


Figure B7.3 Contributory buildings, landscaping and views of the Uki HCA

7.4. General Objectives of the Uki HCA

01. Promote an understanding of the significance of the heritage conservation area.
02. Ensure the heritage items are conserved.
03. Ensure the significance of the contributory items, landscaping and views are retained and maintained.
04. Conserve the historic fabric and minimise the collective impact on the significance of the heritage conservation area.
05. Ensure alterations, additions and infill development are carefully designed to sympathetically integrate with the streetscape and character of the heritage conservation area.
06. Encourage sympathetic, contemporary design of infill development that preserves the grain of the prevailing pattern of development, characteristic building form, materiality and style evident in the streetscape character of the heritage conservation area.
07. Protect and encourage the mix of residential and village commercial/retail uses within the HCA including ensuring that retail premises continue to provide a fine grained built form and a range of services with active street frontages.
08. Respect the scale and rural character of the built form within Uki village that has evolved in response to topography, subdivision patterns, and the significant landscape setting.

PART C

HERITAGE DESIGN GUIDELINES

1. Statement of Heritage Impact Assessment

Heritage items and conservation areas are listed and mapped within the relevant Tweed Local Environmental Plan (LEP) Schedule 5.

Development on land in association with a heritage item or within a heritage conservation area and that triggers the need for consent generally also requires an assessment of the potential impacts on heritage significance, whether positive or negative. This is known as a *Statement of Heritage Impact* (SOHI).

Objectives

01. Ensure that the potential impacts of development on the significance of a heritage item or conservation area are considered and minimised.
02. Ensure the sensitive use and development of heritage items.

Controls

- C1. A *Statement of Heritage Impact* (SOHI) must be prepared and submitted with any development application for works to a heritage item or within a heritage conservation area.
- C2. As a matter of best practice, applications for development in the vicinity of a heritage item or HCA must have regard to the principles contained within this DCP.
- C3. A *Statement of Heritage Impact* (SOHI) may be required for development in the vicinity of a heritage item where there is the potential to impact on the item's heritage significance.
- C4. A Conservation Management Plan (CMP) may be required for a heritage item where major changes are proposed affecting the heritage significance and/or fabric.

ADVISORY NOTE:

Development in the vicinity of a heritage item or heritage conservation area will be referred to Council's Heritage Advisor. The Heritage Advisor will advise if there is potential impact requiring on the item or area requiring a SOHI.

Similarly Council's Heritage Adviser will advise proponents where changes are significant or major requiring a CMP.

Applicants are advised to discuss their proposals with the Heritage Advisor early in the design process.

Sources of additional information:

The Tweed Shire Council Heritage Information Series Fact Sheets: provide the legislative context; a framework to understand maintenance, exempt and minor development; and practical information to assist preparation of a development application and a Statement of Heritage Impact and should be read in conjunction with this Section of the DCP. These are available on Council's website at www.tweed.nsw.gov.au/Heritage.

The Office of Environment and Heritage guideline "Statements of Heritage Impact" can be found on their website under [Heritage Publications](#).

2. Streetscape character, siting and setbacks

It is important that alterations, additions and infill development are designed sympathetically to respect the significance of the item or heritage conservation area. This may be achieved by first understanding the context and significance of the item, heritage conservation area and/or streetscape and then to reflect this understanding in the sensitive design of the alterations, additions or new buildings. The siting and setback play a key role in the streetscape character.

Character is defined by the combination of the particular characteristics or qualities of a place. The design of development should aim to ensure a sympathetic blend of old and new. This may be achieved by: designing in keeping with the surrounding established building form and scale; siting and setbacks; and materials and finishes; without being overly imitative.

Objectives

General - all items and HCAs

01. Development maintains the established rhythm of buildings and spaces and the existing streetscape patterns.
02. Ensure that the heritage curtilage and the setting of the heritage item is retained.
03. Maintain the front, rear, side and laneway setbacks which are key features of the heritage conservation area.
04. Retain significant architectural features to heritage items and contributory buildings.
05. Design of development should achieve a sympathetic blend of new with the old, whereby the boundaries between old and new can be 'read' as distinct periods.
06. Significant street facades are a key component of the streetscape presentation and should be retained and conserved.
07. Infill development pays careful consideration to the identification of the elements which make up the character of the heritage conservation area.
08. Ensure that alterations, additions and infill development respects and complements the established pattern of settlement: including subdivision patterns; allotment layout and setbacks; and the architectural or significant character and style of the heritage item and/or the heritage conservation area.

Heritage conservation areas

09. Condong: Protect and maintain the narrow lot pattern, landscaped front setbacks and mix of high and low set, small scale buildings that characterise the residential form of the village north of the Sugar Mill Complex (Precinct A).

ADVISORY NOTE:

See also Section 3
- Scale, form and
height

- 010. Condong: Protect and maintain the ad hoc nature of the Sugar Mill industrial complex and precinct, its mix of high and low set, varying scale buildings that characterise the form of the Sugar Mill Complex (Precinct D).
- 011. Condong: Protect and maintain the larger lot pattern, landscaped setting and mix of high and low set, small scale buildings that characterise the residential form of the village south of the Sugar Mill Complex (Precincts B and C).
- 012. Condong: Ensure new development respects and maintains the existing grain by conforming to the established alignments and setbacks of the historic settlement pattern.
- 013. Hartigans Hill: Maintain and reinforce the existing streetscape rhythm characterised by the pattern of building to a consistent street alignment, prominent corner lot or narrow lot width, generally consistent front setback, lowset one and two storey building scale with prominent traditional roof forms and lightweight materials, proportions, details and fences.
- 014. Murwillumbah Main Street: Maintain the existing rhythm of the Churches and Educational precinct streetscape formed by the building and street alignment, the established setbacks, the established landscaped frontages, fencing and materials.
- 015. Murwillumbah Main Street: Within the Retail Precinct maintain the existing rhythm of the streetscape formed by zero building/street setback, the established shop frontages (width), shopfront entryways, display windows, footpath awnings, setbacks and materials as these contribute to the main street retail precinct's streetscape character and significance.
- 016. Murwillumbah Main Street: Within the Courthouse Precinct retain and preserve the landscaped front and side setbacks and low set semi-open front fencing of the Courthouse Precinct.
- 017. Tumbulgum: Maintain and reinforce the existing streetscape rhythm characterised by the pattern of consistent building setbacks, narrow lot width and proportions, generally consistent building setback, highset two storey building form with front verandah and lightweight materials.
- 018. Tyalgum: Protect and maintain the rectangular lot shape and pattern, landscaped streets and setbacks and mix of small scale, residential and commercial buildings that characterise the form of Coolman Street.
- 019. Uki: Maintain and reinforce the existing streetscape rhythm characterised by the pattern of building to street alignment, narrow lot width, generally consistent front setback, lowset one and two storey building form and lightweight materials, details and fences that characterise the form of the village.

Controls - all items and HCAs

General

- C1. Any alteration addition or infill development must be consistent with the front setbacks of the neighbouring heritage or contributory items.

Example solutions for alteration and addition locations which minimise the impact on the heritage significance

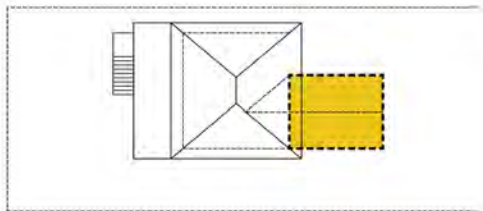


Figure 2.1 Addition to the rear of a building and lower than the established ridge height

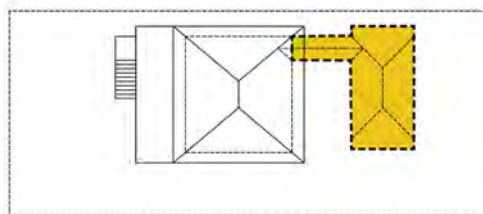


Figure 2.2 Addition to the rear of a building linked as a new pavilion lower than the established ridge height

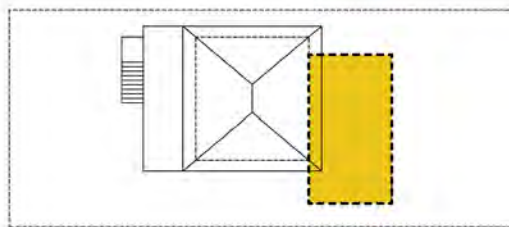


Figure 2.3 Addition to the rear of a building that is visible from the street should be consistent with the overall massing and form and not dominate the existing buildings and lower than the established ridge height

- C2. Faux historic details should not be replicated or applied as they will not be of any heritage value and can confuse the understanding of 'new' and 'old'.
- C3. Zero side lot boundaries are not appropriate for any residential heritage item or conservation area.
- C4. Maintain existing side driveway access where this is a feature.
- C5. Outbuildings may be located in the side or rear setbacks where this is consistent with the siting pattern of the heritage conservation area.

Alterations and additions:

- C6. Alterations and additions should not result in the destruction of highly visual and significant elements such as verandahs, awnings, fenestration, chimneys, windows, doorways, gables, parapets or other roof forms or architectural detailing.
- C7. Alterations and additions should not mimic design features and materials and should be recognisable as new work of a different period.
- C8. No additions are permitted forward of the established building line. Notwithstanding, new decks or verandahs may be considered to the front of dwellings where they are sympathetic with the character of the heritage item or heritage conservation area and align with the predominant front setback of decks and verandahs in the immediate vicinity.
- C9. Generally alterations and additions should be located at the rear of the building, lower than the established ridge height and not significantly alter or dominate the street facade, as shown in figure 2.4.
- C10. Additions to the side of a building are only appropriate where they do not compromise the ability for driveway access to the rear, where this is part of the established pattern.

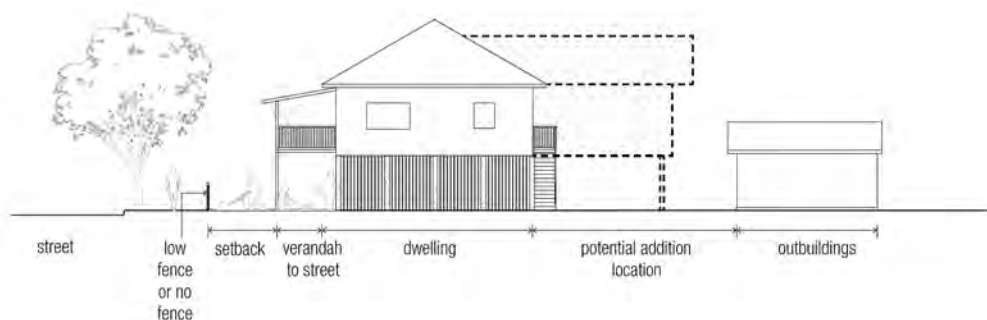


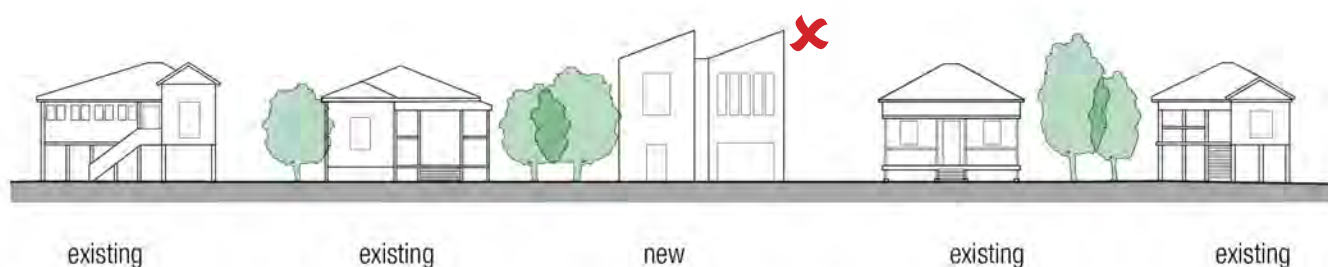
Figure 2.4 Additions are generally suitable to the rear where they do not alter the significant elements of the streetscape. Roof ridge heights should be lower than the existing roof ridgeline



Design of New Buildings – Residential Infill—Consistent Solution



Design of New Buildings – Retail/Commercial Infill— Consistent Solution



Design of New Buildings – Residential Infill—Inconsistent Solution



Design of New Buildings – Retail/Commercial Infill— inconsistent Solution

Figure 2.5 The top 2 images illustrate how infill development can complement the built form character of the streetscape in terms of scale, siting and setback patterns and dominant height features.

The bottom two images illustrate how infill development is inconsistent with the scale, form, siting and setback patterns and dominant height features with the established pattern.

Image reference: Ipswich City Council

Infill development:

- C11. Infill development within the vicinity of a heritage item or within a conservation area should respect and complement the built form character of those items in terms of scale, siting and setback patterns, dominant height features, external materials, colours and finishes.
- C12. Infill development on the site of a heritage item, object or place shall provide a curtilage suitable to the significance of that item, object or place.

Additional Controls - Specific to the HCAs

Condong HCA

- C13. All residential building work is to maintain and reinforce the existing streetscape rhythm characterised by the pattern of building to street alignment, narrow lot width and consistent building setback.
- C14. Any alteration, addition or new development must be consistent with the established characteristic front setback pattern of the specific precinct within the HCA.
- C15. New development must follow the established building setback pattern of the elements of the building such as verandahs and walls.
- C16. Any enclosure of the undercroft that will be visible from the street must occur behind the upper level verandah line, be consistent with the overall building massing and form, provide depth and layering of detail and not dominate the existing building, and as shown in Figure 2.6

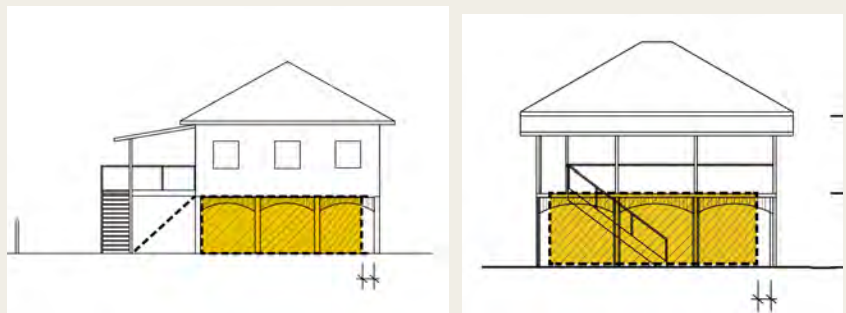


Figure 2.6 Any enclosure of the undercroft must occur behind the upper level verandah line and be consistent with the overall building massing.

Hartigans Hill HCA

- C17. Any enclosure of the undercroft that will be visible from the street must occur behind the upper level verandah line, be consistent with the overall building massing and form, provide depth and layering of detail and not dominate the existing building, and as shown in Figure 2.6
- C18. Maintain the established setback pattern to street frontages, lane ways and side boundaries.
- C19. Outbuildings may be located in the side or rear setbacks where consistent with the existing outbuilding siting patterns in the HCA.

Murwillumbah Main Street HCA - Churches and Educational Precinct

- C20. Retain the Churches and Educational Precinct's setting and curtilage maintaining the established building and street alignments, setbacks, landscaped frontages, fencing and building materials.
- C21. Any development of Tafe site is to provide pedestrian connection north - south through the site maintaining the landscaped fingers that are characteristic of the precinct.
- C22. A minimum landscaped setback of 3 metres is to be provided to the Murwillumbah Street and Nullum Street frontages of the Tafe site as shown in Figure 2.7.



Figure 2.7 A landscape buffer of 3 metres is required to the Murwillumbah and Nullum Street frontages of the Tafe site

ADVISORY NOTE:

Further requirements and guidelines for the Retail Precinct and Proudfoots Lane are outlined in Part 13 - Commercial Development and 14 - Accessibility

Murwillumbah Main Street HCA - Retail Precinct

- O23. The fine grained, narrow fronted, retail streetscape and active shopfront pattern of the retail precinct is to be retained.
- O24. Walk through pedestrian connections between Murwillumbah Street and Proudfoots Lane are to be retained.
- C25. Alterations and additions shall respect and be consistent with the appropriate building typology and contributory features.
- C26. Additions to a building above two storeys must be setback behind the parapet line.
- C27. Adaptive uses of a building shall suit the size of the building and not require substantive additions, amalgamations or changes. The zero front and side setback pattern which characterises the retail precinct is functional in terms of pedestrian amenity, weather protection, intensity of retail development and commercial viability is vital for active shop frontages and should be retained.

Murwillumbah Main Street HCA - Proudfoots Lane

- C28. Create shared service and active pedestrian laneway with interesting and interactive spaces in Proudfoots Lane.

ADVISORY NOTE:

DCP Section A3 Flooding includes limitations to the area of undercroft which may be enclosed, and should be read in conjunction with this part.

- C30. Side and Rear setbacks within the Proudfoots lane precinct are to ensure natural light and ventilation to proposed work and maintain amenity for neighbouring buildings.

Tumbulgum HCA

- C31. Development should maintain the consistent streetscape character by integrating with the established height features, including floor level, verandah articulation, window proportions and roof heights and forms.
- C32. Alterations and additions conserve original elements such as front verandahs, roof form, legible front stairs to upper level entry door and light weight materials.
- C33. Infill development must follow the established setback pattern of the building elements such as verandahs and walls.
- C34. Any enclosure of the undercroft that will be visible from the street must occur behind the upper level verandah line, be consistent with the overall building massing and form, provide depth and layering of detail and not dominate the existing building, and as shown in Figure 2.6

Tyalgum HCA

- C35. Commercial uses maintain and reinforce the existing streetscape rhythm characterised by the zero shop front setback to Coolman street and footpath awnings with posts to the kerbside.
- C36. Residential uses reinforce the park-like streetscape setting by maintaining consistency with the established front landscaped and low front fencing pattern.

Uki HCA

- C37. Residential development reinforces the organic settlement pattern and landscaped character of the hill slopes by maintaining the generous landscaped separation between dwellings, existing setbacks, light weight building materials and fencing character.
- C38. Commercial uses maintain and reinforce the existing streetscape rhythm characterised by zero shop front setback to Kyogle Road and footpath awnings with posts to the kerbside.

Sources of additional Information:

The NSW Office of Environment and Heritage guideline “Designing in Context: Guidelines for infill Development in the Historic Environment” can be found on their website under [Heritage Publications](#).

3. Scale, form and height

The composition and proportion of building facades often form a pattern or rhythm, which gives the streetscape its distinctive character. Traditionally older buildings up to the 1930s used vertical proportions, reflecting the structural technology of the period. Modern technology allows for greater spans and often leads to a horizontal design emphasis. The shape, size, proportion and placement of openings in walls are important elements in the appearance of a building.

Objectives

ADVISORY NOTE:

See also Section 2- Streetscape character, siting and setbacks

01. Ensure that alterations, additions and infill development respect the scale and form of the building, the conservation area and/or the streetscape.
02. Integrate infill development through appropriate scale, form and height of new buildings, referencing the following design features:
 - i. the main ridge-line heights and floor levels of original surrounding buildings or structures;
 - ii. natural ground or street levels;
 - iii. ensuring different parts of the building are in scale with the whole;
 - iv. ensuring the scale and height levels of verandahs, parapets and other elements relate to and integrate with the scale of those in adjacent buildings.
03. Infill development does not dominate its surroundings nor is it significantly smaller.
04. Condong HCA: Retain and reinforce the maximum two storey, highset, streetscape character with visually unobtrusive undercroft parking.
05. Hartigans Hill HCA: Retain and reinforce the predominant one and two storey, low set, streetscape character that steps with topography.
06. Murwillumbah Main Street HCA: Reinforce the topographical characteristic of the established taller buildings on the ridge line.
07. Murwillumbah Main Street HCA: Retain and reinforce the fine grained retail pattern of traditional narrow shop fronts.
08. Murwillumbah Main Street HCA: Retain and reinforce the predominant mix of one and two storey with parapet character within the streetscape.
09. Tumbulgum HCA: Retain and reinforce the predominant two storey, highset, streetscape character with visually unobtrusive undercroft parking.
010. Tyalgum HCA: Retain and reinforce the predominant one and two storey, streetscape character.
011. Tyalgum HCA: Ensure that the scale of the village is retained and the landscape setting remains the dominant feature.
012. UKI HCA: Ensure that the scale of the village is retained and the landscape setting remains the dominant feature.

Controls - all items and HCAs

Alterations and additions:

- C1. Shall be of a scale or proportion which does not overwhelm or dominate the existing heritage item or heritage conservation area, substantially change or destroy its identity, or change its contribution and importance in its surrounds.
- C2. Where alterations or additions are proposed higher than existing built form, new development shall be setback from the street frontage and behind the significant roof ridge line to maintain the streetscape scale and form.
- C3. Alterations, additions and infill development should integrate with the established height features, including floor level, verandah articulation, parapet levels, window proportions and roof heights.
- C4. Shall not alter the scale and proportions of windows, doors, materials and other key features.
- C5. Adaptive uses of a building should be chosen which suit the size of the building and not require substantive additions or changes.
- C6. Larger additions can be successful when treated as a separate entity to retain the character of the original building in its own right.
- C7. Any additions within the roof spaces are not visible from the street and must be consistent with the overall massing and roof form.

Infill development:

- C8. Design of infill development within a conservation area shall be sympathetic to the scale, form, and rhythm of the established development and not be overwhelming in its built form.
- C9. In main street and village conservation areas infill development shall be consistent with key height features, including floor, parapet and verandah levels.
- C10. Height and scale of infill development should not obscure or dominate an adjoining or adjacent heritage item.

ADVISORY NOTE:

See also Section 2 - Streetscape character, siting and setbacks and Part B Views



Figure 3.1 showing the established parapet and awnings levels of the Murwillumbah Main Street which are a key consideration for integrating an infill building's scale, form and height

Controls - Specific to the HCAs

Condong HCA

- C11. Where a building is to be raised it must maintain a proportional relationship with the overall height. This area may be a maximum of 2.4m clear or 80% of the first floor to ceiling height whichever is greater as shown in figure 3.2.

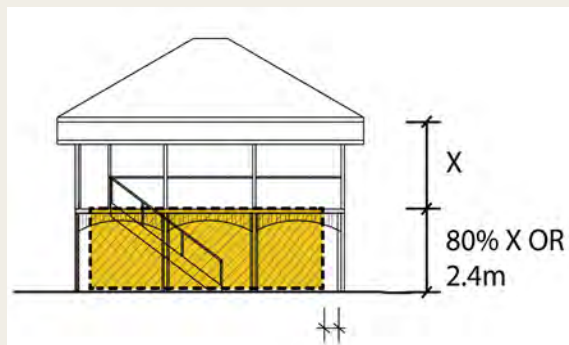
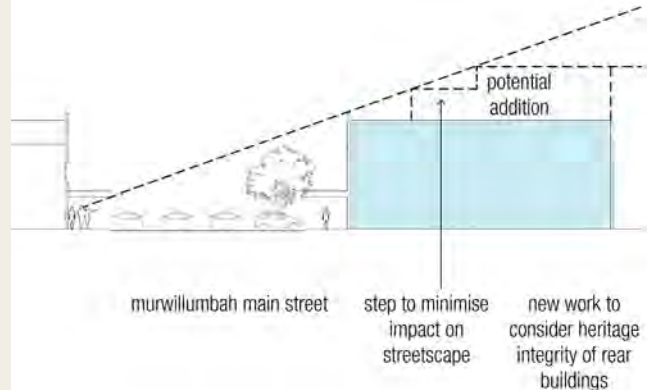
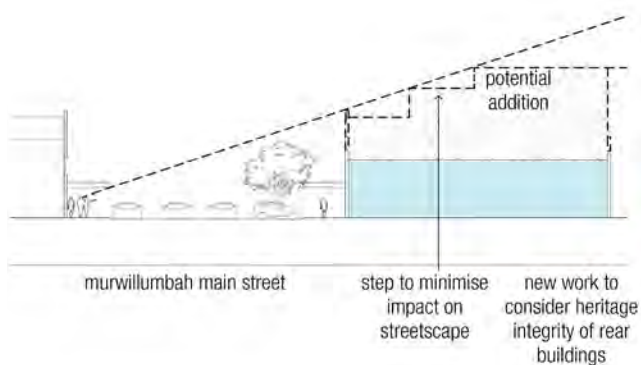


Figure 3.2 Raising of the building to extend the height of the undercroft is to be limited to a ratio of a maximum of 80% of the first floor height or 2.4 metres, whichever is the greater.

Murwillumbah Main Street HCA

- C12. The height of buildings within the precinct must not obscure the prevailing roof forms and spires of the churches and associated buildings.
- C13. Alterations, additions and infill development above the current two storey height will must be setback behind the angle of the topmost part of the parapet when viewed from the other side of the street, as shown in Figures 3.3 and 3.4 to retain the two storey streetscape character.
- C14. Maintain the larger scale of ecclesiastic and educational buildings with a landscaped setting to the front and sides of buildings facing Murwillumbah Street, Nullum Street, Mooball Street, Byangum Road and Queensland Road.
- C15. Alterations, additional or infill development within the retail precinct must be of a scale or proportion which does not overwhelm or dominate an existing heritage item or contributory item, substantially change or destroy its contribution and importance within the streetscape and should generally occur at the rear of the building having regard to the setback requirements for rear laneways.
- C16. Alterations, additions and infill development is behind the roof ridge lines to minimise any impact on the scale, form and height of the roof forms within the retail precinct.



Figures 3.3 (right) and 3.4 Additions above the established 1 and 2 storey building parapet typologies to be setback behind the building angle as viewed from the opposite side of the street.

Tumbulgum HCA

- C17. Where a building is proposed to be raised it must maintain a proportional relationship with the overall height. The undercroft area may be the maximum of 2.4m clear or 80% of the first floor to ceiling height whichever is greater as per Figure 3.2.

Tyalgum HCA

- C18. Retain and reinforce the predominant one and two storey streetscape character. Higher development be set back and designed in accordance with the principles of Figure 4.3 and 4.4.

Uki HCA

- C19. Retain and reinforce the predominant one and two storey, lowset, streetscape character. Higher development be set back and designed in accordance with the principles of Figure 4.3 and 4.4.

4. Roofs, chimneys and parapets

Roof forms and details vary according to building type, period and architectural style. This variety makes an important contribution to the significance and visual complexity of heritage items and understanding of the heritage conservation areas.

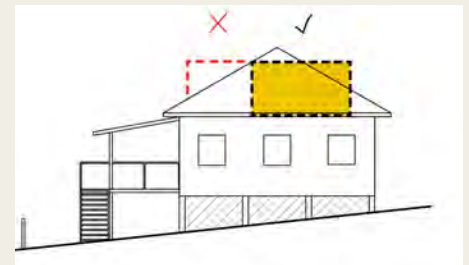
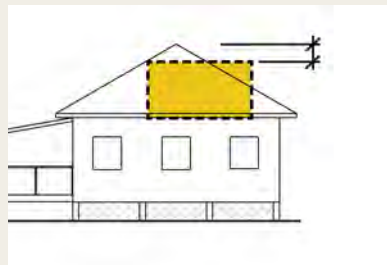
Objectives - General

01. Retain the characteristic roof forms, elements and materials on heritage items and within heritage conservation areas.
02. Retain the character, scale and detail of original and significant parapets within the HCA streetscapes.

Controls - all items and HCAs

Alterations and additions:

- C1. Roofs of alterations and additions should be carefully designed so that they relate to the existing roof in pitch, eaves, ridge height, and materials.
- C2. If the building's significance requires that the roof remains unaltered, additional rooms may be added in a detached pavilion form located to the rear of the building, or side where appropriate.
- C3. Additions within the roof spaces are not to be visible from the street and must be consistent with the overall massing and roof form.



Figures 4.1 (above left) and 4.2 (above right) Additions within the roof space maintain the existing roof form as viewed from the street

- C4. New roof elements such as dormer windows and skylights should not be located where they are visually prominent.
- C5. Chimneys should be retained where possible.
- C6. Traditional stepped flashings, roof vents, gutter moulds and rainwater heads should be used where appropriate.
- C7. Guttering and downpipes should reflect the style and materials of the period. Quad, half round and ogee gutters are the most appropriate profiles depending on the original details.



Roof and chimney elements

The images above and below illustrate some of the important features of roofs and chimneys, such as: materials; pitch; style; and verandah and post styling; which provide evidence of architectural style and age.



ADVISORY NOTE:

This section should be read in conjunction with the Heritage Series Fact Sheet 5A - Galvanised steel and Colorbond roofs.

- C8. Plastic downpipes are not appropriate for heritage items and should not be used in visually prominent locations.

Infill development:

- C9. Infill buildings within a conservation area should be designed sympathetically with the predominant roof forms and materials of the area.

Controls - Specific to the Heritage Conservation Areas

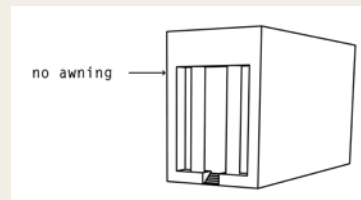
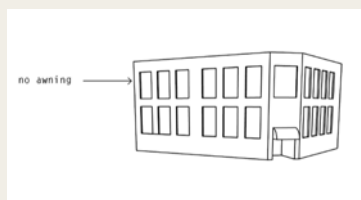
Condong HCA, Hartigans Hill HCA, Tumbulgum HCA, Tyalgum HCA, Uki HCA

- C10. Existing patterns and rhythms of traditional roof forms within groups of contributory buildings are to be retained.
- C11. Existing iron materials within contributory groups are to be retained.

Murwillumbah Main Street HCA

Parapets define and offer continuous a built form which contributes to aesthetic significance of the Main Street streetscape. Roof forms to the laneway are expressed (not hidden behind a parapet) and respond to the need for daylight, ventilation and amenity. These roofs often express a sawtooth form.

- C12. New roofs and parapets are to be respect the building typologies of the HCA and integrate with the appropriate typology as illustrated in Figures 4.3 - 4.7



Figures 4.3 (above left) and 4.4 (above right) Landmark/civic buildings have no parapet or awning

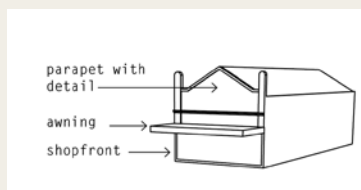
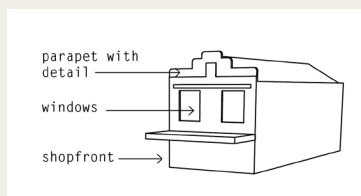


Figure 4.5 Single storey Main Street with gable parapet style and awning



Figures 4.6 Two storey Main Street expressed art deco parapet style and awning

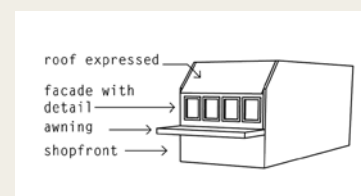


Figure 4.7 Two storey Main Street with expressed roof style and awning

- C13. Retain the expressed roof form pattern to Proudfoots Lane.

5. Access, garages and carports

Garages, whilst a functional requirement or desire of modern living, were rarely included in historic buildings. The addition, design and location of garages and carports to heritage items and within heritage conservation areas needs careful consideration.

Objectives

- O1. Garages and carports are designed to be unobtrusive to a heritage item or building within a heritage conservation area rather than becoming a dominate feature.
- O2. Ensure that garages and carports are sensitively designed and located to respect the character of the heritage item and/or conservation area.
- O3. Murwillumbah Main Street HCA: Improve the pedestrian access to the Southern side of Murwillumbah Street within the Churches and Educational Precinct.
- O4. Murwillumbah Main Street HCA: Maintain the limited car access to and from premises on Murwillumbah Street to maintain an active retail frontage.
- O5. Murwillumbah Main Street HCA: Proudfoots Lane provides the Primary access for retail precinct loading and car parking. This role is balanced and integrated with safe pedestrian access through mid block connections.
- O6. Tumbulgum HCA: Encourage sensitive design of garages and car parking that are visually sympathetic to and respect the characteristic car parking pattern of the Tumbulgum HCA

Controls - all items and HCAs

Alterations and additions:

- C1. Retain original garages, carports and sheds wherever possible where they contribute to the character of conservation areas.
- C2. Locate new garages and carports towards the rear of the allotment, where this is the dominant pattern, or setback a minimum of 1 metre from the front building line or verandah house junction where there is a verandah.
- C3. Garages and carports should be designed detached from the main building.
- C4. Garages and carports located forward of the building line in the front setback are not appropriate and will not be supported.
- C5. Roof pitch, form and materials should be compatible with the main building.
- C6. The ridge-line of a garage should be lower and less dominant than that of the main building.
- C7. Respect vertical proportions and avoid double width garage doors where vertical proportions are the character.
- C8. A simple carport of compatible materials is generally preferable to a garage as this has less visual intrusion.

ADVISORY NOTE:

The front building line is the outer most edge of the wall of the building elevation. Entry features, porticos, verandahs, balconies and the like are elements of articulation and not the building line.

- C9. Prefabricated metal sheds with low pitch roofs are not compatible with heritage items and heritage conservation area streetscapes and are not supported.

Paving and driveways

- C10. Paired wheel strips for driveways are preferable to solid concrete or paved driveways where this is characteristic.
- C11. Modern stencil concrete or pebble-crete is not suitable for heritage items and/or heritage conservation areas and will not be supported.

Infill development

- C12. The design and placement of garages and carports in infill development is sympathetic to the established garaging and access pattern of the heritage conservation area.

Controls - Specific to the Heritage Conservation Areas**Condong HCA**

- C13. Garages to the undercroft area are to be setback a minimum of 1 metre from the front building line or verandah house junction where there is a verandah, as shown in figure 5.1.
- C14. Garages to the side of the dwelling are to be setback a minimum of 1 metre from the front building line or verandah house junction where there is a verandah, as shown in figure 5.2.

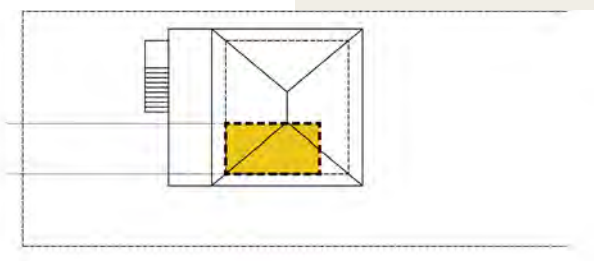


Figure 5.1 Garages to the undercroft are setback behind the junction of the house and verandah

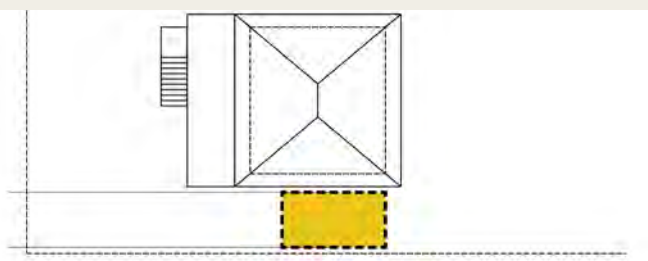


Figure 5.2 Garages to the side of the dwelling are behind the junction of the house and verandah

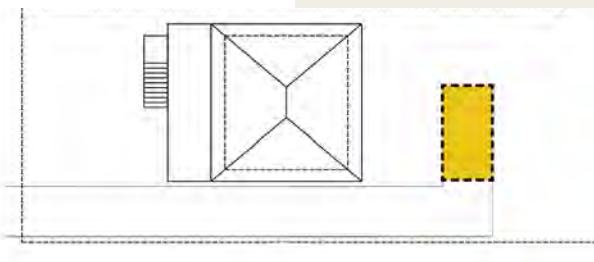


Figure 5.3 Garages may be located to the rear behind the dwelling

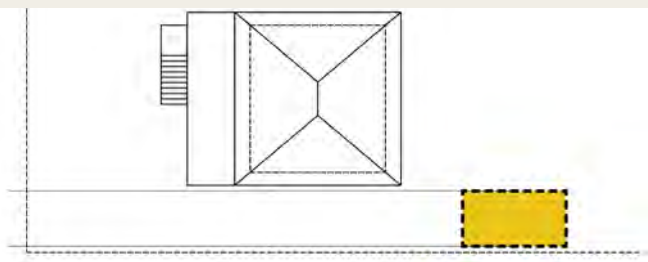


Figure 5.4 Garages may be located to the rear in the driveway space

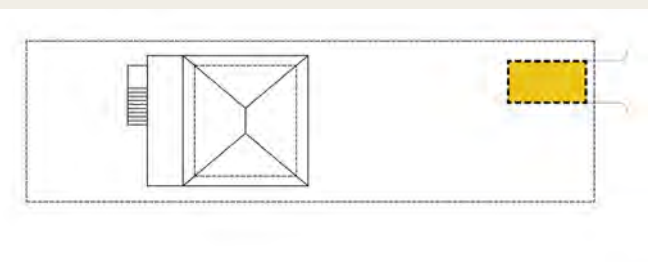


Figure 5.5 Garages should be located to the rear laneway where provided

Hartigans Hill HCA

- C15. A rear lane way, where available, shall be the primary access for vehicle access and parking.
- C16. Rear lane way garaging may be provided by an outbuilding garage or carport setback 1 metre from the rear boundary.
- C17. In circumstances where rear lane access is not available parking may be accommodated in one of the locations as shown in figures 5.1 - 5.4.
- C18. Garaging to the street frontage integrates with the streetscape as a visually unobtrusive undercroft or outbuilding.

Murwillumbah Main Street HCA - Churches and Educational Precinct

- C19. Vehicle access will only be permitted from Murwillumbah Street where it is demonstrated this is the only accessible location.
- C20. Any development on the Tafe site shall provide accessible compliant pedestrian access along Murwillumbah Street and Nullum Street.
- C21. Access and parking to the Tafe site shall be from the lower topography allowing at grade pedestrian access from Murwillumbah Street.

Murwillumbah Main Street HCA - Retail Precinct

- C22. Vehicular access to the retail precinct may only be from the rear lane to maintain the active retail frontage within the retail precinct.
- C23. Existing pedestrian access ways between Murwillumbah Street and Proudfoots Lane are to be retained.
- C24. New pedestrian access ways between Murwillumbah Street and Proudfoots Lane are to be encouraged where provided as part of an active store frontage.

Murwillumbah Main Street HCA - Courthouse Precinct

- C25. All vehicle access to be from Police Lane or Church Lane

Murwillumbah Main Street HCA - Proudfoots Lane Precinct

- C26. Maintain rear lane service and parking access to the retail precinct from Proudfoots Lane.
- C27. Integrate safe pedestrian accessibility.

Tumbulgum HCA

- C28. The preferred parking location is in the undercroft as shown in Figure 5.1. Where this is not possible, parking may be provided in the locations as shown in Figures 5.2 - 5.4.

Tyalgum HCA

- C29. The rear laneway, where available, shall be the primary access for parking and garaging.
- C30. Where a rear laneway is not available, parking may be accommodated in one of the locations as shown in figures 5.1 - 5.4.

Uki HCA

- C31. Within the retail core the rear laneway shall be the primary access for vehicle servicing and parking.



Garaging to the undercroft is visually unobtrusive and integrated with the dwelling design and materials.



Garaging is located to the rear of the property with driveway access alongside the dwelling. This pattern is to be retained where this is a feature of the HCA.

6. Verandahs

Verandahs are an essential element in many traditional Australian sub-tropical buildings. They are an important design element as well as being functional for cooling and providing shaded outdoor living areas.

Objectives

- 01. Encourage conservation of original verandah form and detailing.
- 02. Ensure new development respects the style, proportions and the streetscape rhythm of verandahs.
- 03. Ensure continuity, character and scale of verandahs to heritage conservation areas.

Controls - all items and HCAs

General

- C1. Verandah materials are typically timber. Glass balustrades or metal pool style fencing to front verandahs is not characteristic of the heritage conservation area and will not be supported.

Alterations and additions:

- C2. Conserve verandahs and original timber detailing such as posts, brackets and balustrades, where possible.
- C3. Verandah styles should reflect and respect the typical design of the architectural period of the subject heritage item or HCA.
- C4. Alterations and additions should retain open verandah design, where typical of the HCA, to ensure streetscape character is maintained and suitable solar moderation is achieved
- C5. Opening up verandahs that have been enclosed and reinstating missing details is encouraged.
- C6. Prefabricated metal verandahs and awnings are not compatible with heritage items or conservation area streetscapes and are not supported.

Infill development:

- C7. No replication or new introduction of historic features, such as bullnose verandahs, decorative fretwork of ironwork on infill buildings within a conservation area as this lacks historic context. These features may be reinstated to a historic building, where it can be shown they previously existed.
- C8. Verandahs in association with infill development are sympathetic with the scale, form, height and materials of the conservation area features.

ADVISORY NOTE:

The Heritage Conservation Areas should be read in conjunction with the Commercial Development Controls for Awnings.

Controls - Specific to the Heritage Conservation Areas**Condong HCA**

- C9. Development in association with elevated workers cottages will respect the typical smaller scale front verandah which is in line with the front building setback and serving as a covered entryway.
- C10. Development in association with former managers residences will respect the original front verandah fabric and form.

Hartigans Hill HCA

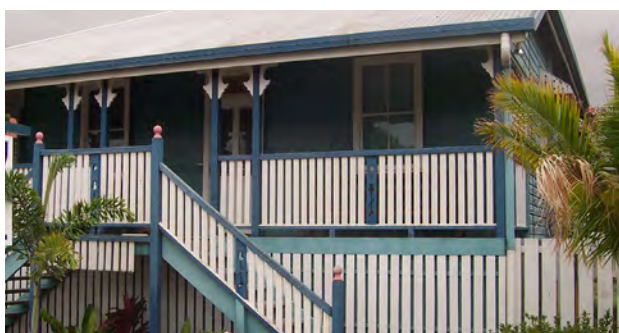
- C11. Development will respect the typically smaller front verandah form which is in line with the front building setback and serving as a covered entryway.
- C12. Front verandahs may be wrap around, where this is the original character.

Tumbulgum HCA

- C13. Development will respect the typically full width front verandah to the first floor which serves as an extension of the living space and provides an outlook to the river and scenic vistas.

Tyalgum HCA

- C14. Development will respect the typically smaller front verandahs which are in line with the front building setback and serving as a covered entryway.



Understanding verandah detail is important - timber is the most typical material of older buildings. Styles vary as shown in the verandah balustrading above, which is vertical, and left, which is horizontal. Horizontal detailing may be found in association with older dwellings in the Condong and Tumbulgum HCAs.

7. Doors, windows and skylights

When a building is designed there is generally a consistent approach to the details such as window frames, sills, skirtings, verandah posts and brackets. These details provide the architectural character and should be retained where possible. Repair and conservation of the details is preferred. Replacement of original detail with like detail is only supported where necessary.

The majority of walls in heritage buildings are load bearing. Complete removal of internal walls is generally not recommended as this can impact on the structural stability of the building in addition to its integrity and character. Evidence of original wall locations can be read through retaining nib walls at each end and installing a bulkhead between.

Objectives

- O1. Encourage the preservation of original doors, windows, frames and related features which are typical design characteristics of a heritage item or heritage conservation area.
- O2. Ensure that alterations and additions to a heritage item or building within a heritage conservation area respect the positioning, proportions and materials of door and window details.
- O3. Ensure that infill development within a heritage conservation area respects the positioning, proportions, styling and materials of door and window details that are characteristic of the HCA.
- O4. Ensure removal of internal walls to a heritage item minimises the impact on the heritage features and significance.

Controls - all items and HCAs

General

- C1. Externally mounted block roller shutters will not be supported on heritage items or within heritage conservation areas.

Alterations and additions:

- C2. Original external doors, windows, window hoods and door or window hardware should be retained wherever possible and reused in their original configuration and dimensions.
- C3. Where unable to be retained, doors and windows of the same proportions and materials are to be used.
- C4. Original window styling, such as sash, casement or awning should be retained.
- C5. New door and window openings visible to the street shall be appropriate in position, form, materials, and proportions for the style of the building as shown in figure 7.1.
- C6. New doors and windows shall be of materials characteristic to the original building. Replacement of existing timber windows and doors with modern aluminium windows is not supported.



Sample window hoods common in Tweed

The images above and below illustrate some of the typical original window hood designs of the Tweed.



- C7. Aluminium windows, with a suitable frame size and proportions may be considered as part of new additions.
- C8. Original window hoods should be repaired and retained. The profile, detail and material is to be retained if they are to be replaced.
- C9. If a large area of glass is required, vertical mullions should be used to suggest vertical orientation, where this is characteristic.
- C10. Coloured glazing, imitation glazing bars and arched tops are not encouraged unless they are characteristic of the building' period or architecture, for example churches and civic buildings.
- C11. Skylights are not to be visible from the street.

Infill development:

- C12. Infill development shall respect the scale, proportions and dimensions of door and window features that are characteristic of the HCA.

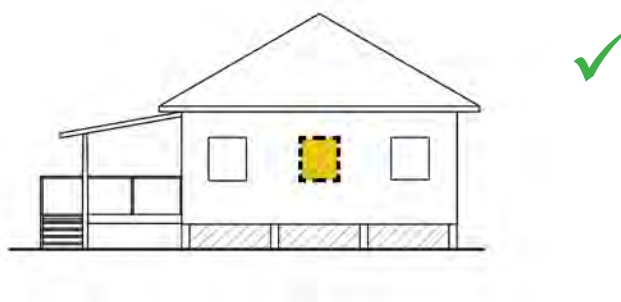
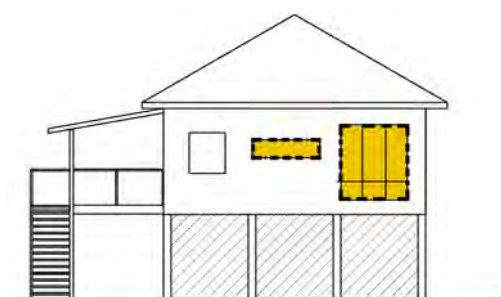
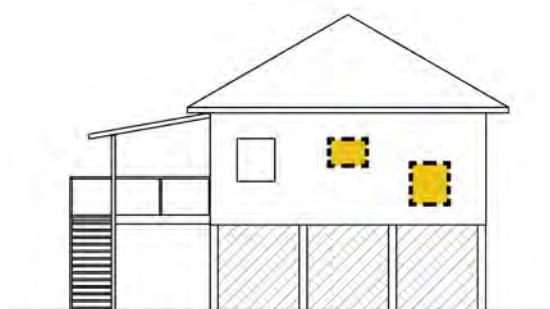


Figure 7.1 New window openings respect the location, scale and proportions of the original features.



✗



✗

Figures 7.2 (above left) and 7.3 (above right) New window openings in these examples do not respect the location, scale and proportions of the original features and would not be supported

ADVISORY NOTE:

The Heritage Conservation Areas should be read in conjunction with the Commercial Development Controls for Shopfronts.

8. Materials, finishes and colours

It is important to use the right materials to maintain the integrity and character of heritage buildings and streetscapes. Heritage conservation areas reflect a period in time and are characterised by materials of the era.

The painting of heritage items in appropriate colours can reinforce their historic character.

As a general rule of principle alterations and additions to a heritage item could reflect the significance either by:

- a contemporary form with traditional materials; or
- a traditional form with modern materials.

Objectives

01. Encourage maintenance and repair of significant fabric and materials rather than replacement.
02. Infill development identifies the characteristic materials and details and interprets these in new buildings.
03. Ensure materials and colours used on alterations, additions and infill development respect the significance and character of the existing building and surrounding areas through continuity of design quality, materials and detail finishes.

ADVISORY NOTE:

This section should be read in conjunction with the Heritage Series Fact Sheet 5 - Maintenance and Minor Development, which outlines appropriate maintenance and material principles.



Exterior walls

The images above and below illustrate significant tiled or brick facades, which should not be covered, rendered or painted.



Controls - all items and HCAs

Alterations and additions:

- C1. Repair and reinstate significant fabric and materials rather than replacing.
- C2. Original face brickwork or stonework should not be rendered, painted or bagged as this detracts from the heritage significance.
- C3. Tiled facades should not be covered, rendered or painted as this detracts from the heritage significance.
- C4. Imitation timber cladding is not acceptable for additions to timber heritage items.
- C5. Original timber detailing should preferably be repaired and replaced only where necessary.
- C6. Modern materials, such as glass balustrades, metal pool fencing, insulated metal wall or roof panelling are not characteristic of heritage items or heritage conservation areas and will not be supported.
- C7. Colour details will be required with any development application.



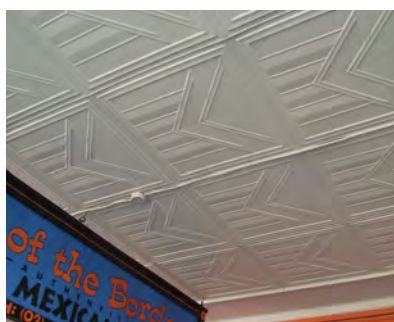
Colour schemes

The images above and below illustrate colour schemes which respect the historic significance of the building.



Significant architectural elements

The images above and below illustrate significant architectural materials and elements, including art deco shopfront entries and pressed metal awnings, which are to be conserved.



- C8. Colour schemes suitable to the period of the building should be used. Researching the original colour scheme may involve stripping existing layers of paint in a small sample area.
- C9. The painting of heritage items in appropriate colours and/or tones is encouraged as this can reinforce their historic character.

Infill development:

- C10. Infill development must not replicate period details of original buildings but rather demonstrate respect for the material suite, design detailing and colours to ensure new development is sympathetic and integrates within the heritage conservation area.
- C11. The use of typical colour schemes for infill development within a conservation area may be used where appropriate. Where not appropriate colours may be representative of the current period whilst respecting the traditional scheme composition.
- C12. Colour and tone are effective as a unifying element to interpret characteristic heritage conservation area materials and colour within infill development.

Controls - specific to the HCAs

General

- C13. Retain the character of each HCA by using materials and colours sympathetic to the characteristic materials and colours described in Part B.

Murwillumbah Main Street HCA - Proudfoots Lane Precinct

- C14. Maintain and conserve contributory materials on intact significant buildings.
- C15. New face brick work should complement the existing significant brickwork in colour, texture, type, jointing and mortar colour. Obtaining second hand bricks to match the original is encouraged.
- C16. Historic painted signs are to be retained and conserved to maintain the legibility and history of the laneway.

9. Fences

Front and return fences are important for defining the public and private spaces and add significant character to historic areas.

Traditional front fences were common in historic areas. They are generally characterised by a variety of materials typical to architectural periods, however, are most always low in height.

Objectives

- O1. Retain as much of the original fence material as possible to be reused and/or to inform the replacement design.
- O2. Encourage sensitively designed front and return fences which integrate with the heritage item and/or conservation area and streetscape character.

Controls - all items and HCAs

- C1. Retain original fences where possible.
- C2. New front and return fences should be simply styled and consistent with the traditional fences in the streetscape.
- C3. Front and return fence styles and materials should be compatible with the age and style of the dwellings heritage significance, and consistent with established fence heights, forms, transparency and materials.
- C4. Metal panel fences, pool fencing, aluminium lace panels and painted, bagged or rendered masonry fences are out of character with historic areas and not supported for front or return fences.
- C5. Front and return fences shall not exceed 1.2 metres forward of the building line.
- C6. Other forms of boundary delineation through landscaping and hedging are encouraged within the Hartigans Hill, Tumbulgum, Tyalgum and Uki HCAs.

ADVISORY NOTE:

Return fence is that part on a side boundary between the front building line and the front boundary.

Controls - Specific to Heritage Conservation Areas

Condong HCA

- C7. Fencing to the river foreshore should integrate with the scenic amenity of the location and be sympathetic in height, form, transparency and materials traditional to the conservation area.

Murwillumbah Main Street HCA - Churches and Educational Precinct

- O8. Fencing must be consistent with the established height, materials, stepped form and landscaped character of fencing within this precinct.

Murwillumbah Main Street HCA - Courthouse Precinct

- O9. Fencing must be consistent with the established height, materials and style and retain the landscaped frontage characteristic of the precinct .

Common fencing styles and periods of the Tweed

Timber picket fences and paling fences(1880-1920)

These fences are built with timber pickets fixed to horizontal rails spanning between posts. The spacing of the pickets is usually the same as the width of the picket.

The pickets for fences to Victorian houses usually have a shaped top. Common shapes for pickets in Victorian fences include pointed, half round, and acorn. Picket fences for Federation houses are more likely to have square tops and chamfered edges. Posts for picket fences are often shaped in a design that relates to the shape of the pickets. Federation period houses might also have pickets combined with brick piers and low brick panels.

Gates for picket fences are made of either matching pickets or might be framed with boarded timber panels. The height of picket fences varies from 900 to 1200 mm high, usually depending on the length of the street boundary.



Timber and wire mesh (1920-1950)

Variations of woven wire fencing were used in most periods. Wire mesh was fixed to a simple frame of post and rails to provide a simple fence. Earlier examples are rare and often have the wire finished in decorative loops at the top. Later examples use chain wire with timber framing. Privacy was usually achieved by planting a hedge behind the wire mesh. Woven wire fences are rarely more than 900 mm high.



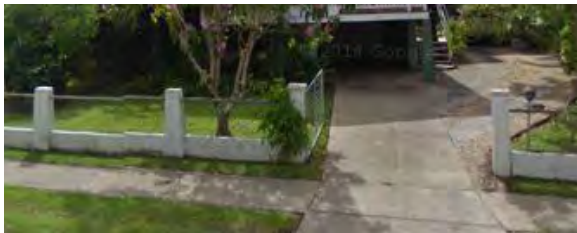
Retaining walls

Retaining walls are used on steep sites and sometimes topped with a low style or picket fence. They are usually incorporated into the garden design. Historically materials are stone.



Masonry pier

Masonry pier and panel fences are found with both Federation and Inter-War period houses. They are usually built with low panels of face brickwork between brick piers up to 900 mm high. A single pipe rail or panel of wrought metalwork spans between the brick piers.



Solid masonry (1930-1960)

Solid masonry fences are designed with panels of solid masonry up to 900 mm high between slightly taller piers. The materials are usually face brick or stone, depending on the materials used in the design of the house.

Solid masonry fences are usually much lower for Inter-War and Post WWII housing with panels up to 450 mm high.



10. Gardens and landscaping

Gardens are often an integral feature of the significance of heritage buildings and their setting. The gardens are a key contributing factor to the significant vistas of the heritage conservation areas. Gardens soften and enhance the views of the house and screen out unsympathetic alterations and additions.

Objectives

General

01. Gardens are considered as an integral part of the heritage item or conservation area.
02. Maintain the rhythm of gardens, open spaces and tree planting in a heritage streetscape.
03. Ensure that planting does not compromise important views to, from and within conservation areas.
04. Maintain the significant landscape character of the locality in any new development.

Heritage Conservation Areas

05. Condong: Maintain the landscaped character of the streetscape and setting.
06. Hartigans Hill: Maintain and enhance the landscaped character comprising street trees, generous landscaped boundary setbacks and low front yard fences.
07. Hartigans Hill: Maintain the sense of spaciousness and internal suburban views afforded by low front fences and consistent front setbacks.
08. Hartigans Hill: Maintain the landscaped character of the rear laneways.
09. Murwillumbah Main Street: Maintain the landscaped frontage to the buildings within the Courthouse Precinct.
010. Tumbulgum: Maintain and enhance the street trees, landscaped streetscapes and side boundary setbacks and plantings.
011. Tyalgum: Maintain and enhance the landscaped streetscape which sits within a scenic rural context.
012. Uki: Maintain the existing landscape character comprising street trees and landscaped boundary setbacks within the retail core.
013. Uki: Maintain and enhance the strongly vegetated character comprising street trees and generous landscaped boundary setbacks on the hill slopes.



Streetscape and garden elements

The images above and below illustrate some of the important features, such as: verandahs, fencing, materials and gardens, which are an integral part of the significance and visual importance of a heritage item and streetscape.



ADVISORY NOTE:

*This section
should be read in
conjunction with
Part B Views.*

Controls - all items and HCAs

- C1. When designing new gardens, reference should be made to surviving plants, which indicate the basic garden structure, to be incorporated into new designs.
- C2. Garden structures should be appropriate to main buildings in terms of scale, style and materials.
- C3. Important contributory landscape characteristics such as canopy cover or boundary plantings should be retained where possible in new development.
- C4. Original surfaces such as stone flagging, quarry or mosaic tiles should be retained and reused where possible.

Additional Information:

The NSW Office of Environment and Heritage maintenance guideline “Maintenance of Heritage Gardens and Grounds” can be found on their website under [Heritage Publications](#).

11. Incorporation of new utilities

Structures, such as solar panels, skylights and satellite dishes, placed on the roof of a heritage item or within a heritage conservation area can be intrusive. Similarly air conditioning units placed in windows or to the facade of a building can impact on the heritage significance.

Care needs to be taken to ensure that placement of solar panels is well considered to ensure efficiency of the panels whilst respecting the heritage significance.

Objectives

- O1. Ensure solar panels, skylights and other roof or window mounted structures do not detrimentally impact upon the significance of the heritage item or conservation area.

Controls - all items and HCAs

- C1. Modern utilities should be located to minimise their visibility from the street and their impact on the streetscape.
- C2. Installation must not damage the significant elements of the building. For example windows should not be blocked out or concealed by air-conditioning units and wall ventilators should not be damaged and used for cable ducts.
- C3. New wiring and fittings used are unobtrusive to the heritage fabric and character of the place and installed where the fixings will not damage significant heritage fabric.
- C4. Installation of pipes or cabling is within existing floor/wall penetrations and cavities.
- C5. New pipes or cables enter the building at the lowest possible level and through a mortar joining rather than through heritage fabric.

Solar panels, skylights and roof mounted structures

- C6. Locate solar panels, skylights and other roof mounted structures away from visually prominent roof planes and front and/or street elevations, where possible.
- C7. Alternatively, locate on lower pitch roofs (less than 10 degrees) so to reduce the visual impacts.

Air conditioning, gas hot water units

- C8. Must not be located on or in front of any primary or secondary street facade.
- C9. If located above the roof line must not be visible from the principle streetscape.

12. Fire upgrades

Older buildings do not always meet contemporary building regulations. This is particularly so with many heritage buildings. It is important that these older buildings are upgraded to ensure the safety of their occupants. Whilst some minor upgrades may constitute exempt or complying development, some will also require development consent.

Objectives

- O1. Ensure that buildings are constructed to an appropriate standard to ensure the safety of its occupants, whilst retaining heritage significance.

Controls - all items and HCAs

- C1. Proposed fire upgrades to heritage buildings are to be accompanied by a heritage impact analysis carried out by a suitably qualified person.
- C2. Fire and other upgrades are to be consistent with the heritage significance applicable to the property. Upgrades and replacement of balconies, stairs, timber windows and other elements are to be sensitive to the significance of the fabric.
- C3. Fire and other upgrading works need to balance the fire safety and other compliance needs with protecting heritage significance. In order to achieve the most appropriate outcome, applicants may need to utilise alternate solutions to meet BCA compliance issues.

Sources of additional Information:

The NSW Office of Environment and Heritage maintenance guideline "Fire and Heritage", provide practical solution to fire safety issues and can be found on their website under [Heritage Publications](#).

13. Commercial development

Infill development adjacent to heritage items and within conservation areas containing commercial development should not slavishly replicate an architectural style, rather it should be sympathetic and integrate into the streetscape though sensitive consideration of the significant features, based on an understanding of the design criteria of this Section and the following Planning Principles.

Planning Principles

- P1. The height of buildings should reinforce the desired scale and character of the area and streetscape.
- P2. Service structures, plant and equipment should be an integral part of the design to minimise visual intrusion.
- P3. Vehicular access should be from a rear lane, which does not break the active streetscape.
- P4. New buildings respect and are consistent with established floor levels, parapets, awnings and other horizontal elements characteristic of the area and surrounding buildings.
- P5. New buildings respect and are consistent with door and window proportions and openings, architectural fenestration and other vertical elements characteristic of the area and surrounding buildings.
- P6. Where there is a prevailing pattern of roof forms, verandahs, and/or awnings new development is compatible in shape, pitch and materials.

ADVISORY NOTE:

This criteria should also be read in conjunctions with the other criteria of Part C.



The varied single and two storey parapet design of the Murwillumbah Main Street



Consistent two storey streetscape showing awning, height and window level consistency and the absence of awnings to civic buildings such as the bank.

13.1. Shop fronts and awnings

The quality and characteristics of shop fronts is of great importance as they reflect the quality, characteristics and architectural styles of the buildings and the streetscape and enhance the pedestrian experience of the retail/commercial areas.

Retaining original shop fronts is particularly important in traditional main streets and heritage conservation areas. The shop fronts offer complementary eye level appreciation of the architectural features of the building. Historic shop fronts in a main street setting are usually fine grained, with narrower frontages and provide an active streetscape, usually unbroken by service entries or driveways.

Modern shop fronts are frequently built to the front boundary without recessed entries producing a uniform and less attractive footpath space and entry to the shops.

The reinstatement of shop fronts in keeping with the original design is encouraged.

Objectives

01. Original shop fronts, features and material should be retained where possible.
02. New shop fronts are compatible with:
 - i. the shop front door and window proportions and configuration, including highlight windows above display windows and doors, step-in entry ways, of the building and the streetscape;
 - ii. the frontage (width) of the shop fronts within the streetscape;
03. Materials are appropriate to the architectural style of the building;
04. Modern cladding and/or advertising is not used to cover-up the significant features.
05. Lighting to the shop front and under the adjacent awning invites pedestrians.
06. Sun protection shades do not contain advertising and do not block the visibility and invitation to the shop front.
07. Disability access is a desired outcome for all commercial premises and its inclusion should be sympathetic to the character, style and materials and, where possible, does not intrude on the significant fabric.
08. Retain significant and contributory shop fronts in traditional main street or conservation areas.
09. Ensure new shop fronts complement the significance of the building or streetscape.

Controls - all items and HCAs

Alterations or additions:

- C1. Alterations and additions do not alter the materials, scale and proportions of the original window displays of heritage or contributory items. This may include highlight and/or leadlight windows, tiled facades, step in entryways, display windows, significant material and architectural elements.

- C2. Alterations and additions maintain and conserve key levels for floors, window, door, awning, and parapet heights and roofs. Even slight changes to the levels may result in significant intrusion to the heritage fabric and significance.
- C3. Significant material or architectural elements of shopfronts are to be reinstated where there is evidence or the presence of the original style of detailing on the building or within the row or group.
- C4. Reinstating previously removed awnings is encouraged, and should be based on historical or physical evidence of typical styles of the period and/or conservation area.

Infill development:

- C5. Infill development may be contemporary in style with design considerations based on the Planning Principles in Section 13 *Commercial Development*.

General

- C6. Unless contradictory to the heritage significance, awnings must be setback 600 mm from the kerbface.
- C7. Solid non-transparent security shutters are not characteristic of heritage items or heritage conservation areas and are not supported.

Controls - Specific to the Heritage Conservation Areas

Murwillumbah Main Street HCA

- C8. Within the retail precinct shopfronts must maintain an active shop frontage and display windows.
- C9. Contributory and heritage items within the retail precinct are to retain and conserve the traditional step-in pattern as appropriate to the architectural style, as shown in Figure 13.1.

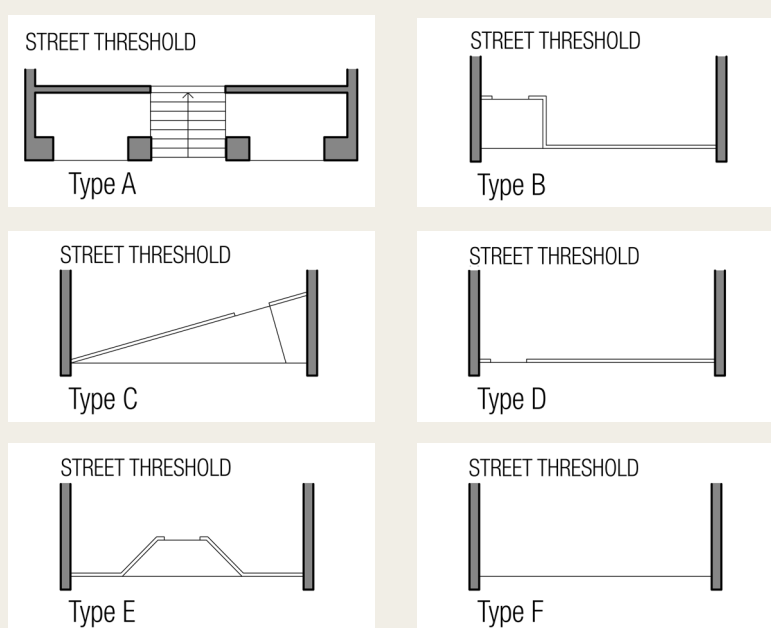


Figure 13.1 Typical step in shop thresholds within the Murwillumbah Main Street HCA.

- C10. Awnings within the HCA retail precinct are to be retained as they provide visual continuity and pedestrian amenity. Awnings are not suitable for landmark buildings (ecclesiastic, civic, banks).
- C11. Where replacement or infill development occurs, the scale, form, height, depth and materials of the awning are to be sympathetic with the heritage item or heritage conservation area. Replacement awnings are to be consistent with the appropriate typology typical of the HCA as illustrated in Figure 13.2.

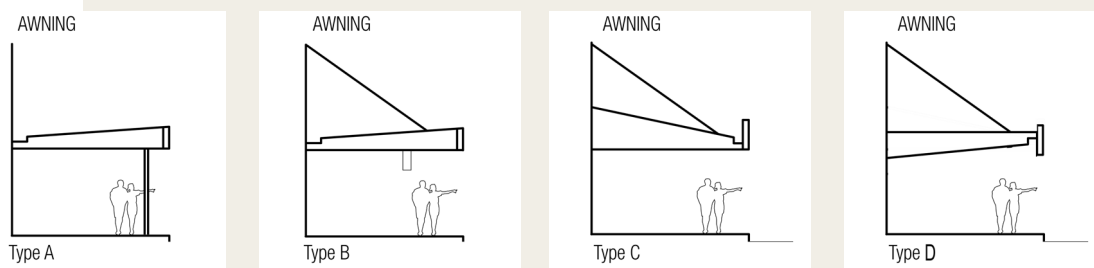


Figure 13.2 Typical awnings styles within the Murwillumbah Main Street HCA.

- C12. Pressed metal ceilings to awnings are to be retained and repaired. Comprehensive removal of these features will not be supported.
- C13. Lighting to awning undersides is encouraged. The lighting and cabling is to be provided discretely to ensure minimal impact on the awnings material.
- C14. Where post supported awnings are proposed and historically appropriate, the posts must also be setback 600 mm from the kerbface and be designed to be self supporting incase of vehicle impact with posts.
- C15. Parapets are an important features of the HCA and give continuity to the streetscape. Parapets and their detailing are to be retained. Infill development is to be consistent with the parapet levels, scale, form and detailing as illustrated in *Section Scale, Form and Height*.

Tyalgum HCA

- C16. Commercial premises are to retain the built to boundary with low single pitch to the street footpath awnings and kerbside posts characteristic to the HCA.

Uki HCA

- C17. Commercial premises are to retain the built to boundary with awnings and kerbside posts characteristic to the HCA.



Shopfronts - Murwillumbah

Step in shopfronts and significant materials, such as tiling, glass or window framing, pressed metal ceilings and architectural detailing as illustrated above and below are to be retained.



Shopfronts - Tyalgum

Shopfronts in Tyalgum are general lightweight timber with a footpath awnings, kerbside posts and a simple angled awning.



Shopfronts - Uki

Shopfronts are general lightweight timber with a footpath awnings with kerbside.

13.2. Signage

Modern signage in heritage areas has the potential to overwhelm the significance and features of the heritage item and/or conservation area. Signage needs to be appropriate in style and carefully considered to minimise impact on the building.

The Murwillumbah retail precinct is characterised by a variety of signage approaches commonly associated with awnings. Signage associated with building façade is limited and non-contributory. New commercial signage which is appropriate to the building form, its geometry and architectural features, will help preserve the building character and enhance the vibrancy of the area. Signage which obscures large areas of street level window glass and established highlights is not appropriate.

Objectives

- O1. The location of signage does not detract from the significance of the heritage item.
- O2. Signage design is appropriate in style, colours and size.
- O3. Original painted signage is preserved.

Controls - all items and HCAs

- C1. The colour, lettering and style of signage should compliment the architectural style and colour of the heritage item.
- C2. Signage must not obscure significant elements of the building, such as highlight windows or architectural detailing.
- C3. Cumulative impacts of signage must be a carefully considered. Details of the entire signage suite are to be submitted with any development application.
- C4. Roof or roof mounted signage is not permitted.
- C5. Illuminated and fluorescent signage is not appropriate in the heritage context and would only be considered under particular circumstances. Back lit below awning signage on a commercial building may be acceptable.
- C6. Hanging signage under awning is limited to one per tenancy.
- C7. Third Party advertising or signage on canvas pull down blinds and umbrellas is inappropriate in the heritage context and will not be supported.
- C8. Corporate branding of buildings (front, rear and side facades) is inappropriate in the heritage context and will not be supported.
- C9. Lifestyle signage is inappropriate in the heritage context and will not be supported.
- C10. Where there is original signage related to the building's history it should be retained and preserved to provide evidence of past uses.

Controls - Specific to the Heritage Conservation Areas

Condong HCA

- C11. Signage is limited to the commercial premises.
- C12. Signage above the awning, as shown in Figure 13.5 may be permitted where the signage is in keeping with the architectural style of the building.

Murwillumbah Main Street HCA Churches and Educational Precinct:

- C13. Business signage does not dominate the established churches character.
- C14. Business signage shall not obscure the predominant views of the churches, roof forms and spires or important architectural features.
- C15. Business signage is to be integrated with the building design and to minimise any impact on the significance of the buildings.
- C16. Neon style signage is not permitted.

Murwillumbah Main Street HCA Retail and Proudfoots Lane Precincts:

- C17. Signage above the awning or on the roof is inappropriate for heritage items and the HCA and will not be supported.
- C18. Signage is appropriate to the building form, its geometry and architectural features, respects the building character and significance and enhances the vibrancy of the area.
- C19. Signage should not alter or dominate contributory shopfronts and architectural features.
- C20. Signage to the face of the awning and hanging under awning is permitted as shown in figure 13.3
- C21. Signage will not be permitted to be installed above the awning or over highlight windows as shown in Figure 13.4.

Tumbulgum HCA

- C22. Signage is limited to the commercial premises.

Tyalgum HCA

- C23. Signage is limited to the commercial premises.
- C24. Signage above the awning, as shown in Figure 13.5 may be permitted where the signage is in keeping with the architectural style of the building.

Uki HCA

- C25. Signage is to be limited to buildings within the retail core.
- C26. Signage above the awning, as shown in Figure 13.5 may be permitted where the signage is in keeping with the architectural style of the building.

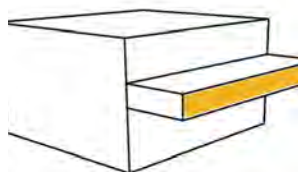


Figure 13.3 Face of awning and under awning signage, as above, are appropriate in the heritage context.

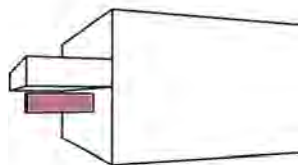


Figure 13.4 Signage above the awning or covering of highlight windows is not appropriate in the Murwillumbah Main Street heritage context and will not be supported.

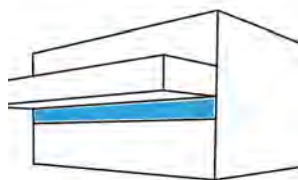


Figure 13.5 In the rural villages of Condong, Tyalgum and Uki where this form of signage is typical due to the awning structure, above awning signage may be used.

14. Accessibility

Shopfronts within historic main street areas, as well as community/civic halls and buildings were built to different pedestrian standards and frequently prior to the introduction of cars.

Modern accessibility standards require that commercial and publicly accessible community/civic premises meet access requirements when there is an application for the approval for certain building work. This has the potential to significantly impact on the heritage fabric and significance of historic shopfronts and conservation area.

Protecting the heritage significance whilst meeting universal access requirements is the desired outcome and care needs to be taken when designing accessibility modifications to ensure that the impact on the heritage significance is minimised. Good practice examples are available to assist with design solutions.

Objectives

- O1. Provide universal access solutions which are sympathetic with and minimise impacts on the elements of significance.
- O2. Design of access modifications to traditional shopfronts seek solutions that are compatible with significant elements of the shopfront style, features, materials, windows and doors, display areas and proportions while meeting the requirements for access such as path of travel into and throughout the building, door width and door opening mechanism, display areas and location and proportions.

Controls - all items and HCAs

- C1. In order to protect the integrity and significance of heritage properties evidence of the following four steps, prepared by a heritage expert, shall be submitted with a development application
 - i. review the significance of the place and the elements of greatest significance;
 - ii. undertake an access audit to determine the levels of accessibility;
 - iii. evaluate access options within a conservation context;
 - iv. prepare an access action plan outlining how the principles of universal design are achieved addressing how any impact on the significant elements has been minimised or addressed.

Additional Information:

The Australian Heritage Commission and the National Trust together have prepared a Guideline to Improving Access to Heritage Buildings (1999) on the [Department of Environment](#) website.

Access for all to Heritage Places: (Technical Leaflet) by Eric Martin with Jim Gardner for the Technical Advisory Committee of the Heritage Council of Victoria 2008. Endorsed and published by the Heritage Council of Victoria November 2008. Revised December 2008

15. Subdivision and lot amalgamation

The subdivision of land upon which a heritage building is located has the potential to isolate a heritage item from its setting, thereby reducing its significance. The setting of a heritage building is often referred to as the curtilage and may include the immediate garden, mature trees, original allotment boundaries, outbuildings, paddocks, fencing, archaeological sites, views/vistas or any other feature or space which allows a greater understanding of its historical context. Therefore, the protection of the curtilage surrounding the heritage building is essential for retaining and interpreting the heritage significance of that building.

In considering the impacts of a proposed subdivision on a heritage site, it is essential to consider the potential impacts of future development that may occur within the subdivision. For this reason, Council may require additional information for subdivision proposals in heritage environments to allow for full consideration of these future potential impacts.

Objectives

- O1. Ensure that the significance and character of any heritage item is not adversely affected through subdivisions or lot amalgamation.

Controls - all items and HCAs

- C1. Any Development Application lodged for a proposed subdivision or amalgamation of land containing a heritage item will require a supporting site plan, subdivision plan and a Heritage Impact Statement or Conservation Management Plan prepared by a suitably qualified heritage consultant.
- C2. The subdivision plan must be prepared by a registered surveyor and must show the exact dimensions of the proposed subdivision lots and the location of the heritage item.
- C3. The required site plan must show the location of the existing heritage item and the proposed subdivision lot boundaries, including dimensions of the proposed curtilage surrounding the heritage item.
- C4. The Heritage Impact Statement (SOHI) must define an appropriate curtilage for any affected heritage item upon the subject site.
- C5. In determining the curtilage of a heritage building, consideration is to be given to the following:
 - i. Original form and function of the heritage item: The type of structure that constitutes the heritage item should be reflected in the curtilage. For example it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building;
 - ii. Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment;
 - iii. Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and retained within the curtilage;

- iv. Access points and orientation: In order to maintain the historic association of a heritage building with its locality, it is desirable to retain where possible the original access arrangements to the site. The manner in which a heritage building is orientated in respect to public roads contributes to its significance. Creating new street frontages at the rear or side elevations of a heritage building is not desirable;
 - v. Visual links: The significance of many heritage sites includes important visual links from the item to a particular feature such as the street frontage, garden settings, important vegetation, outbuildings, stables, water features, or distant topographical features. Where possible, these linkages should be retained within the curtilage and should not be obscured by new work; and
 - vi. Historic subdivision pattern in the locality.
- C7. In certain cases, Council may require the proposed subdivision plan to show the proposed building envelopes for each proposed lot, in order to determine whether or not the proposed curtilage of the heritage item is appropriate, in order to maintain the significance of the item and to maintain any views to or from the heritage item.
- C8. Council may impose restrictions upon the title of a proposed lot that is within the vicinity of a heritage site, to ensure that the development of the adjoining land does not adversely affect the cultural significance of a heritage site. This may include (but not necessarily be limited to) height limitations, building setbacks, access arrangements, building orientation, and presentation to the street.

ADVISORY NOTE:

This Criteria should also be read in conjunction with the DCP Subdivision Section A5

16. Demolition

The demolition of a heritage item or contributory building within a conservation area is contrary to the intent of the heritage listing, the objectives of this Part and should be treated as a last resort.

Council will not support “wilful neglect”. Owners of heritage items are required to maintain their buildings in a manner that does not result in structural defect and to a similar minimum standard of maintenance and repair as other buildings in relation to: weatherproofing; fire protection; security; and essential maintenance.

In assessing an application for the demolition of a heritage item or a contributory building, Council will consider:

1. The heritage significance of the item or structure;
2. The structural condition;
3. Comparative analysis of options; and
4. The contribution the item or building makes to the streetscape.

Objectives

- O1. Encourage the preservation of heritage items and contributory buildings.
- O2. Ensure, where a heritage item cannot be retained, that the history is appropriately recorded.

Controls - all items and HCAs

- C1. If the structural capability of the building is in question, Council may request the submission of a report by a structural engineer with heritage experience to determine whether the building, is, or is not, structurally capable of reasonable and economic use.
- C2. Where consent is granted to demolish a heritage item, an archival recording must be submitted to Council prior to the commencement of works. The Archival recording is to be prepared in accordance with the document “*How to Prepare Archival recordings for Heritage Items*”
- C3. An archival recording may be requested prior to demolition of a contributory building within a conservation area.
- C4. The Archival Recording shall include documented history of the site and buildings and, as a minimum historic and current photographs with negatives or slides as appropriate. All photographs should be keyed to a plan of the building(s). In some cases measured drawings will also be required. These shall illustrate all elevations of the building(s) and the site, plans, sections and details of decorative or architectural features of the building(s).

ADVISORY NOTES:

The applicable Local Environmental Plan (LEP) encourages the adaptive reuse of heritage buildings through conservation incentives. This option should be explored prior to considering any demolition.

Sources of additional Information:

The NSW Office of Environment and Heritage guideline “How to Prepare Archival Recordings for Heritage Items” can be found on their website under [Heritage Publications](#).

17. Adaptive reuse of a heritage item

The original use of a heritage building is generally the most appropriate. It is recognised, however, that circumstances may change.

In instances where maintenance and conservation of a heritage item may be better achieved through other uses the provisions of the adaptive uses clause 5.10(10) of the applicable LEP may be used.

Objectives

- O1. Enable flexibility of uses to ensure care, maintenance and conservation and ongoing economic viability of a heritage item.

Controls - all items and HCAs

- C1. A Conservation Management Plan (CMP) is required with any development application for an adaptive reuse of a heritage item.
- C2. The CMP must clearly demonstrate through assessment that the new use is consistent and sympathetic to the heritage significance and conservation policy for the item.