

THE NATIONAL TRUST OF AUSTRALIA (NEW SOUTH WALES) POLICY ON HERITAGE PROPERTY ZONING

PREAMBLE

The NSW Heritage Act, 1977 defines “environmental heritage” as ‘those places, buildings, works, relics, moveable objects and precincts of State or local heritage significance.’ The Act then defines “State heritage significance” as meaning significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. The Act defines “local heritage significance as meaning significance to a (local government) area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

Listing on the State Heritage Register or on a local environmental plan heritage schedule is an ongoing process so it must be accepted that places not yet listed will be found to be places of environmental heritage.

The values which contribute to or identify items as part of our environmental heritage may be severely impacted by inappropriate zonings or permissible development carried out under such zonings, of either the item itself or the area adjoining the item forming its setting or in the vicinity of the item.

In commenting to local councils and on State Government authority proposals, the Trust has argued that heritage items should be zoned and Concept Plans should have zonings and proposed building heights that ensure the long term conservation of the item(s) Heritage values.

Heritage items are listed in gazetted Local Environmental Plans but zonings are often incompatible with those heritage listings.

Development Control Plans should provide design detail to support the zonings and land uses under the zoning. The Government has expressly amended the EP&A Act to make the relationship between LEPs and DCPs absolutely clear. There should be standardized Heritage Controls in DCPs as there is with Clause 5.10 in the Standard Instrument.

Further, the Trust has argued that appropriate buffer zones and sight lines should be established around the item(s) to protect the heritage values of the item.

There have been recent examples of ‘heritage items’ being removed from heritage lists on the spurious grounds that they are ‘out of character’ and scale with adjoining new development.

POLICY

1. The provisions of planning instruments, development control plans and concept plans must protect heritage items, their surroundings, sight-lines and view cones.
2. Zonings, floor space ratios, heights etc must respect listed heritage items (including Conservation Areas).
3. The National Trust will continue to promote the principle that the “environmental heritage” of New South Wales is much broader than the list of items included in Local Government Heritage LEP Schedules, Government Authority Section 170 Registers and on the State Heritage Register.
4. The National Trust will continue to produce and maintain the Trust Register as an important cornerstone for the Trust’s advocacy, in response to community values and to promote heritage recognition, protective legislation and heritage sensitive planning instruments.
5. The National Trust will promote the view that all levels of government, corporate entities and individual citizens have a role in the conservation of our “environmental heritage”.

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