

Common themes from the submissions

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval.

New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation.

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh.

Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to recognise and protect Ku-ring-gai's unique garden suburbs. The up-zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development.

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A10**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The “blanket” approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona Vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed is the Robertson and Hindmarsh study did not

undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and the history of change to include those areas that best represent the history and heritage of Ku-ring-gai.