

FACT SHEET

ARMIDALE HERITAGE CONSERVATION AREAS

What is a Heritage Conservation Area?

The current Heritage Conservation Areas in Armidale have been identified as having local heritage significance and have been included in Council's Local Environmental Plans since 1993. They include a substantial number of places of heritage significance. By identifying whole areas it is possible to protect the setting of these places and the streetscapes in which they are located. Not all buildings in a heritage conservation area will necessarily have heritage significance, however they do contribute to the overall character of the area and additional development controls usually apply to these properties in order to protect that character.

Where are the Armidale Heritage Conservation areas Located?

The Armidale Regional Local Environmental Plan 2012 (LEP) identifies four 'Heritage Conservation Areas'. These areas, shown green on the map, comprise most of the Central Business District and the established residential area on South Hill; The Armidale School; O'Connor Catholic College and the Armidale Showground. The implications for the owners of properties identified in one of these areas in the LEP are explained in the sections which follow. The relevant planning controls apply to development in the Heritage Conservation Areas, regardless of the significance of a specific building.



What do I have to do if I own Property in a heritage Conservation Area

The Council's LEP requires owners/developers of properties in Heritage Conservation Areas, and those that are individually listed as Heritage Items, to consult with Council before carrying out the following types of work:

- any proposed new development, excavation or subdivision;
- any external alterations or additions (including solar panels, fences, and changes to external finishes);
- any structural alterations to the interior of a heritage item;
- any signage;
- total or partial demolition or dismantling, defacement, removal/moving of a heritage item or of a building, work, tree, relic or place in a Heritage Conservation Area;
- disturbing or excavating a place of Aboriginal heritage significance or 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.

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As part of consulting with Council, you will be advised whether a development application will be required to carry out the proposed work or whether the work can be carried out under a "Minor Works" application and any matters that should be addressed. Where it is established that a Minor Works approval is appropriate, applications can be submitted free of charge and can generally be dealt with by Council staff in a short timeframe. The important thing is that property owners do consult with Council before undertaking works in heritage conservation areas. Penalties can be applied to persons undertaking development without consent in places of heritage significance.

(The Environmental Planning and Assessment Act 1979 allows penalties to be applied to persons undertaking development without consent in places of heritage significance).

How do I use design to complement the heritage conservation Areas?

When working in a heritage conservation area, emphasis at the design stage should be given to harmonising with the surrounding area, streetscapes and building styles. It is not necessary to replicate other buildings; however, designs which fail to reinforce the character of the conservation area may be difficult to support. At the design stage, refer to Chapter 2.3 European Heritage of the Development Control Plan 2012. The Development Control Plan complements the Local Environmental Plan heritage provisions, and provides more detailed advice about design considerations when undertaking building projects in a Heritage Conservation Area, or on a heritage item. Any proposed demolition within a heritage conservation area will need to be supported by a Heritage Assessment of the existing building item and accompanied by detailed plans of any proposed replacement.

The Development Control Plan 2012 is available on Council's website www.armidaleregional.nsw.gov.au/ArticleDocuments/290/2.3_European_Heritage.pdf.aspx

Exempt development in a heritage conservation area

Heritage items and interim heritage orders

Exempt Development is development that may be carried out without development consent. Exempt Development must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Exempt development is not applicable on Heritage Items or in Heritage Conservation Areas. However, in certain instances, where development is considered 'Minor Works' they can be assessed by Council using the Minor Heritage Works pathway, which is a free service and has a quick turnaround time.

Heritage Conservation Areas

Under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Exempt Development cannot occur on or in a heritage item or a draft heritage item.

Complying development in a heritage conservation area

Heritage items and interim heritage orders

Complying development is development that requires approval but is considered to have low environmental impact and meets specific complying development criteria outlined in the State Environmental Planning Policy (Exempt and Complying Development) 2008. Generally complying development is not able to be carried out on land that is identified as a heritage item, a draft heritage item or is subject to an interim heritage order.



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Heritage Conservation Areas:

Only certain specific types of development may be carried out as complying development within a Heritage Conservation Zone. For development to be considered complying development, it must be undertaken in accordance with certain 'codes'. In effect, complying development in heritage conservation zones is limited to detached outbuildings, detached development (other than a detached studio) or swimming pools, which must meet a strict set of criteria. For more information on whether your development may be able to be undertaken as complying development, please speak with one of Council's building surveyors.

Definitions

- **Heritage conservation area** means an area of land that is shown as a green area on the Armidale Heritage Conservation Areas map (including any heritage items or archaeological items situated on or in that conservation area).

- **Heritage item** means a building, work, or archaeological items, site, tree, place or Aboriginal object specified in an inventory of heritage items that is available at the office of the Council and the site and nature of which is described in Schedule 5 of the Armidale Dumaresq Local Environmental Plan 2012.

- **Heritage impact statement** means a document consisting of:

- a statement demonstrating the heritage significance of a heritage item, archaeological site or heritage conservation area, and
 - an assessment of the impact that proposed development will have on that significance, and
 - proposals for measures to minimise that impact.
- demolish in relation to a heritage item, or a building, work, relic or tree in a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, or the building, work, relic or tree.

Legislation applying to Heritage in NSW

Environmental Planning and Assessment Act 1979
NSW Heritage Act 1997
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 – the 'Codes SEPP';
State Environmental Planning Policy (Transport & Infrastructure) 2021;
Armidale Regional Local Environmental Plan 2012;
Armidale Regional Development Control Plan 2012 – Chapter 2.3 European Heritage

Contacts for heritage issues

Contact Council's planning team in person 9am - 12 noon, Monday to Thursday at the Armidale Office, or phone Council on 1300 136 833 or email council@armidale.nsw.gov.au A meeting with Council's Heritage Advisor can also be arranged upon request by using the above contact details.

Armidale Central Business District and South Hill Residential Area



O'Connor Catholic College

Armidale Showground

The Armidale School

Armidale Heritage Conservation Areas