

Heritage plays an important role in our community, enriching our local character by providing a connection to the past.

By protecting, preserving and maintaining items and places of heritage significance, we provide current and future generations with the opportunity to understand, appreciate and value important aspects of our social and cultural heritage.

Heritage listings are categorised into two main types: heritage items and heritage conservation areas. Council identifies places and items of heritage significance by listing them in the **Georges River Local Environmental Plan (LEP) 2021**.

How do I know if my property is heritage listed?

All heritage items and heritage conservation areas (HCAs) are listed within Schedule 5 of the [Georges River LEP 2021](#).

More information on the heritage item or HCA can be found on the [NSW Heritage Management System \(HMS\)](#) or you can contact Council's Strategic Planning team.

What is the difference between a heritage item and a heritage conservation area?

A heritage item can be a building, work, object, archaeological site, landscape or place that has either Aboriginal or European cultural significance. This significance can be at the local, State, national or international levels. The majority of heritage items and heritage conservation areas (HCAs) are significant at the



local level, that is, significant to the local community and area.

A HCA is a particular precinct, streetscape, suburb or group of buildings which has particular heritage values that distinguish it from other places. The various elements create a sense of place which is worth keeping. Council has three HCAs:

- Penshurst
- O'Briens Estate
- Kogarah South

What are the different categories within HCAs?

Items in heritage conservation areas (HCAs) in the Georges River area generally fall into one of three (3) categories:

- Contributory
- Neutral
- Intrusive

Further information on these categories and guidelines for development can be found in the [Georges River Development Control Plan \(GRDCP\) 2021 Appendices](#).

Why is my property heritage listed?

A building, work, place, relic, tree, object or archaeological site may be listed as a heritage item when it meets at least one of the significance criteria: historical, associative, aesthetic, social, research potential, rarity or representativeness. Not all items and HCAs will satisfy all 7 criteria.

A heritage item has heritage significance in which the streetscape may or may not contribute to its significance.

Information on the significance of a heritage item can be found on the [NSW State Heritage Inventory](#) or you can contact Council's Strategic Planning team.



Does a heritage listing for heritage items apply to the whole property?

Yes. A heritage listing is defined by the lot boundaries, and includes floor plan layouts, internal detailing as well as gardens, fencing and landscaping. Elements within the property will have varying degrees of significance.

A statement of significance for heritage items can be found on the [NSW State Heritage Inventory](#) or you can contact Council's Strategic Planning team.

Do I need approval to undertake maintenance and works?

Generally, most development works to a heritage item or properties within a HCA will require approval from Council through a Development Application (DA).

However, development consent may not be required for certain works that have a minor impact and do not directly affect the heritage significance of the item or place.

Clause 5.10(3) of the [Georges River LEP 2021](#) allows certain development that may be carried out to heritage items or properties within HCAs without the need for development consent.

The type of work that may apply to this clause is minor work such as re-painting a building in an original or appropriate colour scheme, replacing intrusive windows with appropriate timber framed windows or restoring details of a verandah to its original detail.

The [Development Consent Requirement Exemption Form](#) must be submitted to Council for approval for this type of heritage related work. For more information and to identify if a 'Heritage exemption' may apply to specific work, please contact Council's Strategic Planning team.

Can I obtain consent for a heritage property through the Complying Development Certificate (CDC) process?

For heritage items a CDC is not possible. A CDC is a combined planning and construction approval for straightforward developments.

For properties in a heritage conservation area (HCA) a CDC may be obtained only if the development is for a detached outbuilding, detached development (other than a detached studio) or swimming pool that meets the requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Are granny flats (secondary dwellings) allowed on heritage properties?

The *State Environmental Planning Policy (Housing) 2021* permits secondary dwellings (granny flats) of up to 60sqm on all land zoned residential.

A granny flat or secondary dwelling is a self-contained dwelling that:

- is established in conjunction with another dwelling (the principal dwelling), and
- is on the same lot of land as the principal dwelling, and
- is located within, or is attached to, or is separate from, the principal dwelling.

A Development Application (DA) is required for a granny flat on heritage listed properties and properties within a heritage conservation area.

Does Council offer guidance to property owners of heritage items or properties within a heritage conservation area?

Yes. Council offers a free heritage advisory service via the Strategic Planning team and Council's Heritage Advisor, who can provide advice to property owners of heritage items or properties within HCAs on maintenance, restoration and development proposals. For more



information, contact Council's Strategic Planning team.

Can I make internal alterations to my heritage property?

Heritage listed properties at the local level are defined by their property description (Lot and DP), which includes the interior and exterior of the building. Certain works may be undertaken through a DA or minor works exemption.

If the house is not heritage listed but in a HCA, there is also potential for sympathetic changes to be made internally through a DA or minor works exemption.

What is the Development Application process for heritage properties?

DAs are required to be submitted by applicants electronically via the NSW Planning Portal (a NSW Government online system).

Once the DA is lodged and received by Council, a referral is sent to Council's Heritage Advisor and reviewed by Council's Heritage Liaison Officer. Council's Heritage Advisor will assess the proposal against Council's planning controls (i.e. the LEP and DCP) and heritage inventory sheet and may visit the site. Council's Heritage Advisor will then provide comments to inform the

assessment of the DA and any conditions that may apply. These comments are forwarded to Council's DA assessment officer for consideration in the determination of the DA.

Applicants are encouraged to speak to Council's Duty Planner and utilise the Heritage Advisory Service and DA pre-lodgement process prior to lodging a DA to ensure issues can be identified and addressed early in the process.

More information can be found on Council's website at

<https://www.georgesriver.nsw.gov.au/Development/Development-Applications/The-DA-process>

What is Council's policy relating to the installation of solar panels?

Under the [State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#), solar energy systems may be exempt development in certain circumstances. The requirements are set out under sections 2.20(2) and 2.41(4) of the SEPP.

If your solar energy system is NOT exempt development under the SEPP, solar panels will be supported in HCAs and to heritage items only where they are not expressly visible from the street and do not involve the removal of important features. You will need to submit the [Development Consent Requirement Exemption Form](#) to Council for approval.

Can I have my property removed as a heritage item?

Any removal of a heritage item would require a Planning Proposal to amend the list of heritage items in Schedule 5 of the [Georges River Local Environmental Plan 2021](#).

A Planning Proposal is a document which requests changes to Council's Local Environmental Plans.

Council generally does not support requests to remove items from Schedule 5 unless there are



extenuating circumstances and the item no longer meets the criteria for listing.

Does Council provide any grants for heritage items and where can I find out more information?

The Heritage Building Grants Program aims to provide financial support to help conserve heritage listed buildings. Owners of heritage listed properties are eligible for financial assistance for specific restoration or conservation works. Where works are supported, Council will fund up to 50% of the cost of a project (up to a maximum value of \$10,000). More information can be found in Council's [Heritage Grants Program Guideline](#).

Priority will be given to projects involving minor external works to heritage items such as:

- Tuck-pointing/repainting of brickwork
- External painting in traditional heritage colour schemes
- Reconstruction of original elements such as roof and timber trimmings
- Restoration/repair of windows; and
- Repair of tessellated floor tiles (where visually dominant, particularly from the public domain).

When will the next Heritage Building Grants Program be run?

The 2021/22 Heritage Building Grants Program is now closed for submissions. The Program was not funded in the 2022/23 or 2023/24 financial years due to budget. It is hoped the Program will be funded in 2024/25 (subject to Council resolution).

Council will write to all heritage item property owners inviting them to submit an application for the next funding round.

Can you receive a grant if your house is in a heritage conservation area and is a contributory item?

No, due to the limited budget, only owners of heritage listed properties are eligible to apply for funding under the Heritage Building Grants Program.

When Council extended the invitation to owners of contributory items in Council's three HCAs in 2019/20, the Heritage Building Grants Program saw an over 50% increase of applications, and Council's allocated budget of \$50,000 was too limited to fund such a large number of applications. Council was required to limit the amount of funding offered per successful application, which in many cases was not economically viable for the successful applicants to fund the majority of the proposed work themselves. Feedback received from landowners was that the amount of funding was too low and did not encourage owners to do the works.

Prioritising funds to heritage items will allow a considerable amount of grant money to facilitate the preservation and restoration of these items.

Will you advise unsuccessful grant applicants?

Yes – Council advises all applicants in writing if they are successful or unsuccessful.



How do you ensure that the heritage grants are fairly allocated?

Council's [Heritage Grants Program Guideline](#) outlines the criteria that all applications are assessed against. The criteria includes:

- Whether all documents have been provided;
- Whether the property is a Heritage Item pursuant to Schedule 5 (Environmental Heritage) of the Georges River LEP 2021; and
- Whether the proposed works comply with Council's eligibility criteria in Section 2 of the Guideline.

Grant applications will be given priority for funding based on the work proposed and the benefit it has to conserving the heritage item.

The Guidelines are available on Council's website at

<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Heritage-Conservation>

Who can I contact for more information?

Please contact Council's Strategic Planning Team on (02) 9330 6400 or email mail@georgesriver.nsw.gov.au

Thank you for helping to preserve our local heritage.