

Attachment 3

Summary of the key changes to the draft Local Environmental Plan and Heritage Conservation Area Plan for Catherine Hill Bay

The following development matters are specifically addressed in the revised draft Area Plan.

Heritage Items, contributory and non-contributory items

The draft Area Plan identifies heritage items, contributory items and non-contributory items. This allows future infill development to reduce or reverse the impact of non-contributory items on the collective character of the cottages and non-residential buildings in each village and can be defined as:

- Contributory 1 buildings make a significant contribution to the character of the HCA. They are normally highly intact or with reversible alterations, and date from key development periods. In the HCA they generally originate from the period when the mining companies still owned and managed the area (Company Era) or the period following the mid-1960s mining company auction of cottages and land to the mine workers (Post Company Era).
- Contributory 2 buildings do not contribute to or detract from the significant character of the heritage conservation area. They include buildings that are connected to the area's historic development but have been substantially altered, as well as new, sympathetic development. They are defined as buildings, which are from:
 - a) a significant historical period layer, altered in form, unlikely to be reversed;
 - b) a new sympathetic layer or representative of a new layer; or
 - c) a non-significant historical period layer.

It may be possible to remove unsympathetic alterations and additions to improve the contribution of contributory 2 buildings to the heritage conservation area. Depending on the building's context and heritage significance, it is preferable to retain and restore contributory 2 buildings.

- Non-contributory items have a negative impact on the heritage values of the area and are intrusive to the streetscape because of inappropriate scale, bulk, setbacks, setting or materials. Sites containing non-contributory buildings are often suited to redevelopment and provide an opportunity for development to reinforce the context of the area.

Non-contributory items include:

- a) Site allotments that do not follow the original subdivision pattern.
- b) New buildings, extensions, and alterations that do not relate to the predominant height, form, or scale of the miner's cottages.
- c) New buildings that are not orientated towards the street.
- d) New buildings that are not located on the street front.
- e) Sites with changed landforms, including excavation, retaining walls and mounding.
- f) Exotic trees in the public domain which are not cultural plantings.

Heritage and Local Character

The draft Area Plan includes a précis of the Aboriginal and European history of the locality as well as a detailed character statement for both Catherine Hill Bay and Middle Camp villages. This provides a comprehensive background for the development objectives and controls that follow.

Significant Views and Landscape

The villages of Catherine Hill Bay and Middle Camp are physically and visually separated by a low vegetated ridge. Each village is surrounded by natural heathland and low coastal forest and has its own landscape (the area visible to an observer standing in a central location of the village).

The draft Area Plan includes objectives and controls to protect the character of each landscape and significant views with controls preventing visually intrusive development. A visual impact assessment will be required for any development proposal within the HCA, in accord with the Scenic Management Guidelines contained in the DCP 2014.

The beach front area is highly visible from Catherine Hill Bay and Flowers Drive and future development needs to be carefully managed. The intention of the draft Area Plan is to provide controls for development of beachfront infrastructure including the replacement of existing recreation facilities, such as the Surf Club, and car park infrastructure. The existing road and street infrastructure have minimal pavement, grass drainage swales, limited sections of kerb and gutter, minimal signage and traffic control devices.

Landscape Character

The original miners' cottages were built to the street boundary, with large side and rear setbacks. Many lots were unfenced and there was little or no garden planting. Similarly, street verges were grassed without tree planting.

The draft Area Plan has comprehensive objectives and controls to support and maintain this open grassed character.

Scale and Setbacks

The traditional cottages of Catherine Hill Bay and Middle Camp are built up to the street boundary with wide side setbacks. Infill development should respect the existing pattern and have similar setbacks to the original cottages.

For additions to existing cottages, the draft Area Plan requires a building scale and form that reflects the original cottage. Side setbacks must be similar to the original cottage.

The draft Area Plan includes a section and plan view of a typical lot to show clearly the appropriate areas for habitable floorspace, garages and ancillary development.

Subdivision

The historic subdivision of Catherine Hill Bay dates from the mining company era and is largely intact. Several of the road reserves in Catherine Hill Bay are not constructed roads. These open grassed areas contribute to the character of the villages and provide protection from bushfires.

The draft Area Plan aims to maintain this character and the existing lot and road boundaries. Where development involves an existing building that encroaches on an adjacent lot (or road reserve) the draft Area Plan supports using a licence arrangement or easement to avoid boundary adjustments.

The draft Area Plan supports subdivision for the purposes of dual occupancy (attached) only or a subdivision that would be consistent with the historic subdivision pattern within the two historic villages.

The current minimum lot size for subdivision in LEP 2014 is 450 square metres – this would potentially allow each existing lot (some 1,000 m²) to be subdivided into two lots. Under Clause 4.1A of the LEP, subdivision of a dual occupancy development is permissible to 250 square metres, and the subdivision of land into 3 or more lots that each have frontage to a road for a

dwelling or a semi-detached dwelling if the resulting lot from the subdivision is at least 300 square metres but no more than 450 square metres.

An amendment to the LEP 2014 applying to the residential zone of the two villages in the HCA is proposed to exclude subdivision associated with dual occupancy (detached) development and increase the minimum lot size from 450 square metres to 1,000 square metres, as there are no services (sewer or water connections) to the existing lots. This is consistent with the average lot size of properties in Catherine Hill Bay and Middle Camp and would maintain and ensure consistency with the heritage character of the historic villages.

Dual Occupancy Development

The draft Area Plan recognises that the scale and form of dual occupancy development could be unsympathetic to the local character of Catherine Hill Bay and Middle Camp. The draft Area Plan provides guidance for the location and design of an attached (dual occupancy) or a secondary dwelling to ensure that the overall built form would be similar to an extension on an existing dwelling.

Height of Buildings

The current DCP 2014 provides specific controls for development in Catherine Hill Bay. It indicates development should appear as single storey from the street and that two-storey development may be achievable at the rear of lots. However, given the open landscape quality of the villages, the wide setbacks around cottages, the absence of landscape screening, and the gentle sloping topography, any two-storey development proposal would be highly visible and intrusive.

The draft Area Plan provides controls to reduce development height to 4.5m in Catherine Hill Bay and 5m in Middle Camp, which would allow single storey development.

An amendment to the LEP 2014 is proposed to amend the Height of Building map to reflect the heights proposed in the Area Plan.

Carports Garages and Driveways

To limit the bulk, scale and visual impact of a development the draft Area Plan recommends single carports and garages only, with access by a gravel driveway or concrete wheel strips.

Fences

Many of the early cottage lots were unfenced. Fences are not desirable, if they are necessary they should be constructed of plain wire and timber posts or simple unpainted rectangular timber pickets.