

# Heritage Items, Places and Heritage Conservation Areas

*Our Place...  
Our Future*

The listing of heritage items and heritage conservation areas within the Draft LEP 2013 is how the Lithgow local government area acknowledges the important contribution that our cultural heritage plays in connecting our rich and vibrant past to the present. By protecting, preserving and maintaining our heritage assets, we provide future generations with the opportunity to learn from, enjoy and value the important aspects of our social and cultural heritage.

Heritage listings are categorised into two main types: heritage items and heritage conservation areas. A heritage item is as a building, work, archaeological site, tree or place that has heritage significance. A Heritage Conservation Area is a geographic area containing many different elements which collectively have heritage significance.

Heritage items identified in Schedule 5 of the draft Lithgow LEP 2013 are administered under the Heritage Act 1977 and the Environmental Planning and Assessment Act, 1979. In addition, any known Aboriginal sites, places and relics are identified in the Aboriginal Heritage Information Management System (AHIMS) Register and are administered under the National Parks and Wildlife Act 1974.

## Changes to the Heritage Schedule

There are currently 90 items of European heritage significance in the Lithgow LGA, which are protected through heritage listing under Lithgow Local Environmental Plan (LEP) 1994. In 2000, Council completed a LGA wide heritage review. As a consequence, an additional 380 heritage items were recommended for heritage listing, and these have been incorporated into draft Lithgow LEP 2013, bringing the total number of protected heritage items to 470.

Importantly, further analysis of our proposed heritage listings as part of the development of Council's Heritage DCP Study 2010, recommended the inclusion of 13 heritage conservation areas across the LGA. These have been brought forward through the Lithgow Land Use Strategy 2010-2030, and are recommended for inclusion in the Draft Lithgow LEP 2013.

Please refer to Schedule 5 of the Draft LEP for details of the items proposed for listing and the proposed heritage conservation areas.

## Frequently Asked Questions

The Draft LEP 2013 proposes to adopt one out of the possible three special purpose zones of the Standard Instrument as outlined below.

Please refer to the **Land Use Matrix** for quick reference of the permissibility of all land uses and to compare between zones. A definition of all land uses referred to is available at the back of the Draft LEP 2013 written instrument.

This zone is outlined below:

### Is my property heritage listed?

To find out what properties are proposed to be listed under Draft LEP 2013 please refer to Part 1, Schedule 5 of the written plan and the supporting Heritage Maps.

Individual land owners of heritage items proposed to be listed in the Draft Lithgow LEP 2013 will be consulted within the exhibition period and will receive written notification from Council.

### Is my property located in a Heritage Conservation Area?

To find out if your property is proposed to be covered by a Heritage Conservation Area, please refer to Part 2 of Schedule 5 of the written plan and the supporting Heritage Maps.

Individual land owners of properties within proposed Heritage Conservation areas, identified within the Draft Lithgow LEP 2013, will be consulted within the exhibition period and will receive written notification from Council.

The written plan and Heritage Maps are available on line at [www.lithgow.com/lep/map.html](http://www.lithgow.com/lep/map.html) or can be viewed at any of the public exhibition displays available at Council's Administration Centre or town libraries.

### **Does Council have any information as to why this property is heritage listed?**

The proposed local heritage listings and heritage conservation areas have been informed by the Lithgow 2000 Heritage Study, Rylstone Heritage Study and the Lithgow Heritage DCP Study 2010.

Each individual heritage item has a Heritage Inventory Sheet detailing the known heritage significance of the item.

Each heritage conservation area has been extensively detailed and mapped within the Lithgow Heritage DCP Study, 2010.

Copies of individual Heritage Inventory Sheets can be made available upon request from Council.

### **What planning controls govern heritage items listed under the Draft Lithgow LEP 2013?**

The Standard Instrument Clause 5.10 of the draft Lithgow LEP 2013 relates to requirements for development applications involving heritage items or land within a heritage conservation area. These compulsory provisions are set by the State Government's Standard LEP Instrument and cannot be altered by Council.

Further detailed local requirements are contained in the draft Heritage DCP Study 2010, which will be incorporated into Council's Comprehensive Development Control Plan when finalised.

### **What are my obligations as an owner of a heritage listed property?**

The owners of Local Heritage Items are not required to do any greater degree of maintenance on their property than that of non heritage listed property owners. However, as with all properties, Council can require that appropriate maintenance is undertaken where issues such as public safety are a concern.

### **I want to carry out development on a heritage item under draft Lithgow LEP 2013. What do I need to do?**

Refer to Clause 5.10 of draft Lithgow LEP 2013 and SEPP (Exempt and Complying Development Codes) 2008 to determine if a development application (DA) is required. Where a DA is required, a heritage impact statement (HIS) will need to be submitted addressing the heritage significance of the item and the potential impacts of the proposed development. The HIS should be prepared by a suitably qualified consultant. A list of consultants can be obtained from the NSW Heritage Branch website.

### **What effect will a heritage listing have on my property?**

The effects of heritage listing are summarised as follows:

- Heritage significance is recognised by law;
- Brings greater certainty that future changes will be sympathetic;
- Physical changes may need approval;
- Conversion to new uses can be approved;
- Does not alter ownership;
- Does not oblige owners to restore or open their place to the public;
- No approval is needed to sell or lease the place;
- Owners can apply for heritage grants.

### **What are the benefits of heritage listing?**

The benefits of heritage listing can provide:

- A means to promote a unique town and area profile;
- A means to recognise, understand and appreciate the LGA's history and beginnings;
- Enhanced long-term growth of Town Centres and rural areas through heritage tourism;
- Potential higher resale values as the item grows in rarity over time;
- Potential impetus for revitalising areas as a result of adaptive reuse projects;
- LEP incentive clauses for land-use flexibility;
- Access to government funding.

### What kind of assistance can Council provide?

A Heritage Advisor is available at Council to assist with heritage enquiries, and application requirements.

### Does Council offer any financial incentives for heritage items?

Financial incentives currently offered by the NSW Heritage Branch are available to owners of items listed on the State Heritage Register. For the locally listed items, non-monetary incentives under clause 5.10 of draft Lithgow LEP 2013 provide land-use flexibility where this will assist in the preservation of heritage items.

### Are Aboriginal Cultural Heritage items/sites protected and managed under Council controls?

Clause 5.10(8) of the draft Lithgow LEP 2013 requires Council to consider Aboriginal heritage significance where relevant. However, items of aboriginal cultural significance are listed and protected under the National Parks and Wildlife Act 1974, and the Office of Environment and Heritage is the responsible authority for the administration of this Act and the protection of these items.

## For information

Further information on this or any other aspect of Draft LEP 2013 can be obtained:

- Online at [www.lithgow.com/lep/](http://www.lithgow.com/lep/); or
- By contacting a Council Planner on 0263549906 or 0263549920; or
- Emailing [lep@lithgow.nsw.gov.au](mailto:lep@lithgow.nsw.gov.au)

**Please note: this document has been prepared to assist you in understanding the Draft Lithgow LEP 2013 and should not be relied on in preparing a formal submission. Any submission should be based on the formal exhibition material and documents exhibited at Council's Administration Centre, town libraries or online at [www.lithgow.com/lep/](http://www.lithgow.com/lep/).**