



# Minutes

## Lithgow Local Heritage Advisory Committee 14 April 2015 4pm Hartley Building Meeting Room

Name of Committee	
Item Number	Agenda
1	Welcome/present/apologies/declaration of interests
2	Confirmation of Minutes from previous meeting 10 February 2015
3	Mt Victoria to Lithgow Great Western Highway Upgrade – Available Heritage Assessment Documentation
4	LEP Listing - Review
5	Managing Heritage in the Planning Process
6	Building Code of Australia (BCA) and Heritage Listed Properties
7	Disability and Discrimination Act (DDA) – Impact of Heritage listed properties
8	Update from LLHAC Working Party – Heritage Walk/Trail using Technology
9	Update of Comprehensive Development Control Plan – Heritage Chapter
10	General Business
11	Next meeting

**ITEM: 1 PRESENT AND APOLOGIES**

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**PRESENT:** Mayor Cllr M Statham; Cllr C Hunter; Cllr P Pilbeam; Dr H Clements; Mrs E Martin; Mr Steve Ring; Mr C Aitken

**APOLOGIES:** Mr M Wilson; Mr J Nichols;

**OFFICERS:** Mrs S Hanrahan; Mr A Muir; Mr J Sheehan (Invited Guest)

**DECLARATION OF INTERESTS:** Nil

**ITEM: 2 CONFIRMATION OF MINUTES FROM THE PREVIOUS MEETING**

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The minutes were endorsed by two members of the Committee being:

Dr Helen Clements  
Mr M Wilson

The minutes were presented to the Council on 23 March 2015.

**COMMITTEE ACTION**

**THAT** the Minutes of the meeting of 10 February be taken as read and confirmed.

**MOVED:** Cllr P Pilbeam      **SECONDED:** Dr H Clements

**ITEM 2 (a) MATTERS ARISING**

Prior to proceeding onto the Agenda items, with the permission of the Chair Mayor Cllr M Statham, Mr A Muir reminded the Committee of the adopted Terms of Reference, in particular the principal responsibilities of the Committee.

It was noted that the agenda items of this meeting may not fall completely within the Committee Terms of Reference however given that the Committee is in its infancy and that most items could be related broadly to Responsibility 4 of the Adopted Terms of Reference that discussion on the matters could proceed provided that actions/recommendations of this Committee related only to the adopted Terms of Reference.

The Committee was however advised that each future agenda item submitted must be able to be linked to one or more of these responsibilities and that such link should be made clear in any report or information presented.

**ITEM: 3 MT VICTORIA TO LITHGOW GREAT WESTERN HIGHWAY  
UPGRADE – AVAILABLE HERITAGE ASSESSMENT  
DOCUMENTATION**

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**SUMMARY**

Dr Helen Clements enquired as to what heritage assessment documents are available to the community in relation to the current safety upgrades works near Forty Bends Bowenfels.

The Committee received a report advising that RMS have undertaken extensive heritage assessments in relation to the heritage impacts of the proposed Great Western Highway Upgrades and Deviations as part of the Review of Environmental Factors for the project. Such reports are available on the RMS website for public viewing.

Mr A Muir also reminded the Committee that the monitoring of RMS works was outside the Terms of Reference of the Committee as adopted and amended 23 March 2015.

Dr H Clements would like the possibility of signposting sites in and around Bowenfels and the RMS work areas to highlight their heritage significance. Dr Clements will review RMS mapping and information and provide a map to a future meeting of the Committee referenced against the RMS documentation for consideration.

**COMMITTEE ACTION**

**THAT** That the information on the availability of heritage assessment documents for the Katoomba to Lithgow GWH Upgrade via the RMS website be received and noted.

**MOVED:** Clr P Pilbeam      **SECONDED:** Mr S Ring

**ITEM: 4 LEP LISTING - REVIEW**

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**SUMMARY**

The Committee received a report for discussion purposes prepared by Mr S Ring raising concerns regarding how Schedule 5 of the Lithgow Local Environmental Plan 2014 (LLEP2014) was arrived at; its compliance with the Standard LEP Template; the listing of a significant number of archaeological items and whether these complied with 2009 Heritage Act amendments; and the apparent lack of moveable heritage and Aboriginal heritage items within the Schedule.

In response Council officers provided the following information:

- Reference was made to the Item 4 report submitted to the Committee at its meeting of 10 February 2015. The heritage audit that was undertaken in 2009 was confirmed as a desktop assessment which involved no further ground truthing of the information.
- It is recognised the Heritage Study (2000), that the listings were based on, was undertaken over a decade ago and there is a need for a review. It was

also recognised that some heritage, such as moveable heritage (museums), are not represented and that Aboriginal Heritage is a data gap that is required to be filled as time and resources permit.

- There are a series of Inventory Sheets that sit behind the Schedule in the LLEP 2014 to provide further information in relation to each individual item and that those items that did not have such information were not listed at this time and are under review as part of a deferred list of items. Such data sheets are available on request by any member of the public and will in the future (end of 2015) be available on line through the Heritage Office website via a link from Councils website. Christo Aitken noted that there were Inventory Sheets for the other potential heritage items noted in the 1999 Heritage Study but not yet included on the LEP Schedule.  
The archaeological items appear to conform to new listing requirements post 2009 Heritage Act amendments (i.e. Definition of relic and significance assessment).
- Schedule 5 of the LLEP2014 was approved by Parliamentary Counsel and the Department of Planning and Environment and therefore meets the requirements of the Standard LEP Template.
- The Schedule is not static and items can be considered for listing through an LEP amendment process. Christo Aitken tabled a typical example of a SHI Inventory Sheet for information and reference.
- A position on the Committee is reserved for a community member representing the local indigenous community and that Council has and will continue to undertake every effort to actively fill this position.

## **COMMITTEE ACTION**

### **THAT**

1. The archaeological inventory sheets are to be provided to the community committee members for their information.
2. Council keeps under review, items in the deferred lists by referring to future Committee meetings.
3. Local Aboriginal groups are to be forwarded all agendas and minutes of the Committee to keep those groups informed until such time as the vacant position on the Committee can be filled.

**MOVED:** Mr S Ring

**SECONDED:** Mrs E Martin

## **ITEM: 5      MANAGING HERITAGE IN THE PLANNING PROCESS**

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### **SUMMARY**

The Committee received a report for discussion purposes prepared by Mr S Ring in relation to the issues of heritage listing and Council's regulatory planning processes and the impact and cost burden of such on landowners.

### **COMMITTEE ACTION**

**THAT** clear guidelines for heritage impact documentation and minimum development standards for heritage items and heritage conservation areas be provided in the Comprehensive Development Control Plan under preparation.

**MOVED:** Mr S Ring

**SECONDED:** Clr P Pilbeam

**ITEM: 6            BUILDING CODE OF AUSTRALIA (BCA) AND HERITAGE LISTED PROPERTIES**

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**SUMMARY**

The Committee received a report for discussion purposes prepared by Mr S Ring in relation to the issues of full compliance with the BCA affecting the potential and viability for adaptive reuse of heritage listed buildings.

Although Council is cognizant of the issues, Mr A Muir advised that neither this Committee nor Council can alter the requirements of the BCA.

What Council can do is to provide information and guidelines in the Comprehensive Development Control Plan currently under development that will assist landowners and developers/ investors to be aware of the BCA requirements and consider these as early in the development inception as possible.

Council officers are also available to assist in identifying what development will trigger certain BCA requirements and can offer advice on how best to meet these requirements in the early design phases of development.

**COMMITTEE ACTION**

**THAT** information and guidelines in relation to BCA requirements be included in the Comprehensive Development Control Plan under preparation.

**MOVED:** Clr P Pilbeam

**SECONDED:** Mr S Ring

**ITEM: 7            DISABILITY AND DISCRIMINATION ACT (DDA) – IMPACT OF HERITAGE LISTED PROPERTIES**

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**SUMMARY**

The Committee received a report for discussion purposes prepared by Mr S Ring in relation to the issues of compliance with the DDA potentially affecting the heritage significance and character of listed buildings as well as the financial viability of adaptive reuse of heritage listed buildings.

Although Council is cognizant of the issues, Mr A Muir advised that neither this Committee nor Council can alter the requirements of the DDA.

What Council can do is to provide information and guidelines in the Comprehensive Development Control Plan currently under development that will assist landowners and developers/ investors to be aware of the DDA requirements and consider these as early in the development inception as possible. CA noted that the Department of Environment and National Trust have in the past prepared guidelines for improving access to heritage buildings. Also, that the NSW Heritage Council offered the input

of their Fire safety, Access and Services Panel (FASAP) for advice on important issues relating to significant buildings.

Council officers are also available to assist in identifying what development will trigger certain DDA requirements and can offer advice on how best to meet these requirements in the early design phases of development.

#### **COMMITTEE ACTION**

**THAT** information and guidelines in relation to DDA requirements be included in the Comprehensive Development Control Plan under preparation.

**MOVED:** Cllr P Pilbeam

**SECONDED:** Mr S Ring

#### **ITEM: 8      UPDATE FROM LLHAC WORKING PARTY – HERITAGE WALK/TRAIL USING TECHNOLOGY**

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##### **SUMMARY**

The Committee received the notes from the inaugural meeting of the LLHAC working party that met to further explore the use of technology such as Phone Apps to promote heritage walks and trails.

The information and the fact that the working party will be meeting again to investigate further was noted.

Mayor Cllr M Statham advised that she had received an offer from Mr Graham Pryor to meet with representatives of Council to share his knowledge, work and experience in working with the Illawarra Heritage Trail project. This would tie in nicely with the work of the LLHAC working party and Council's Tourism Division.

#### **COMMITTEE ACTION**

##### **THAT**

1. The notes of the LLHAC working party be received and noted.
2. Council's Cultural Development Officer and member of the LLHAC working party, Wendy Hawkes, be asked to arrange a meeting with Mr Graham Pryor and Council's Tourism Division to discuss the experiences and work associated with the Illawarra Heritage Trail project and report the outcomes back to the next meeting of this Committee.

**MOVED:** Mr S Ring

**SECONDED:** Dr H Clements

#### **ITEM: 9      UPDATE COMPREHENSIVE DEVELOPMENT CONTROL PLAN- HERITAGE CHAPTER**

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##### **SUMMARY**

The Committee received a brief report on the progress of the preparation of the Heritage Chapter of the Comprehensive Development Control Plan and reviewed a draft annotated contents page.

## **COMMITTEE ACTION**

**THAT** The information update on the development of the Heritage Chapter of the Comprehensive Development Control Plan is received and the draft annotated contents page presented at the meeting be distributed to members of the Committee.

**MOVED:** Clr P Pilbeam

**SECONDED:** Dr H Clements

## **ITEM 10: GENERAL BUSINESS**

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### **SUMMARY**

Three matters of general business were briefly discussed:

- Notice of new State Heritage Listing of Cox's Road (1814-15) and Early Deviations (1820's) - Four Precincts within Blue Mountains City Council and Lithgow City as gazetted in Government Gazette No 27 on 25 March 2015. The listing on the State Heritage Register (SHR) recognizes that the items are of particular significance to NSW and enrich the community's understanding of the State's history.  
Copies of the listing notification will be provided to the Committee members.
- Members of the Committee raised the issue that many items of heritage within the LGA would have state significance and that this Committee should be pursuing more state listings. Mr C Aitken advised that the inventory sheets in many cases has identified if the item has assessed state significance as separate from endorsed state significance and that it could be investigated as to whether a list could possibly be generated from the Heritage database of all those items identified as state assessed significance for Committee members to review.
- The need for promotion of heritage issues through the use of a series of media releases and workshops/forums. It was agreed that a general media release will be prepared followed up by a full engagement program as part of the Comprehensive DCP rollout.

## **COMMITTEE ACTION**

### **THAT**

1. The Committee note the new SHR listing information for the "Cox's Road and Early Deviations"
2. An investigation of the Heritage database be undertaken to extract a report of all local items that have been assessed as having state significance. If such a list can be generated that it be forwarded to members of the Committee for their review.
3. A general media release be prepared to inform and promote the listing of local heritage items within the LEP; advise of where and how to obtain further information and to advise of the establishment of this Committee and its roles and responsibilities.

**MOVED:** Mr S Ring

**SECONDED:** Mr A Muir

**ITEM 11: NEXT MEETING:**

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**Next Meeting:** 9 June 2015 at 4pm  
Hartley Building Meeting Room

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**There being no further business the meeting closed at 6.15pm**