

**ITEM NO:** 20

**SUBJECT:** CONVERSION OF PERIOD HOUSING TO HERITAGE CONSERVATION AREAS

**FILE NO:** F11178 - 18/24798

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**Delivery Program Link**

*Principal Activity:* Using Land

*Service:* Land Use Management

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**Recommendation**

*That the Council endorses the enclosed planning proposal be sent to the Greater Sydney Commission requesting a Gateway Determination under s.56 of the Environmental Planning and Assessment Act 1979.*

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**Report by Director Development & Customer Service:****Reason for report**

Clause 6.18(7) of LEP 2015 is a sunset clause which has the effect of removing protections for Period Housing Areas (PHAs) as of 16 February 2019. To ensure protections for these areas are retained beyond this date, conversion of Period Housing Areas to Heritage Conservation Areas (HCAs) is required. The planning proposal (Enclosure 1) achieves this by adding 17 new HCAs to the heritage mapping and to Schedule 5 of LEP 2015. This will ensure protections for these areas are retained beyond 16 February 2019.

**Executive Summary**

During the preparation of the Standard Instrument LEP the Blue Mountains the Council was required by the Department of Planning and Environment (the Department) to convert existing Period Housing Areas into heritage conservation areas. However, due to the extent of work required for these areas to be meaningfully reviewed, and the time limit to prepare the LEP, this conversion could not occur as part of LEP 2015. Consequently, the Period Housing Area clauses were carried over into LEP 2015, with a sunset clause imposed by the Department that required the conversion of the period housing areas into heritage conservation areas by 16 February 2019.

To inform the conversion process, Council commissioned a pair of complementary reports, in 2014 and 2017, to assess the heritage value of the existing Period Housing Areas. The 2014 report found that the existing Period Housing Areas were substantially intact and had high values for conversion to heritage conservation areas. The 2017 report reviewed the previously-recommended boundaries for the proposed heritage conservation areas, and carried out extensive fieldwork to assess the contributory values of properties within the proposed boundaries.

The supporting studies commissioned by Council recommend the extension of the heritage conservation areas to include additional lots, beyond existing Period Housing Areas, due to the heritage values identified. This recommendation does not form part of the current proposal, but may be the subject of a future planning proposal at a later date.

Land deferred from LEP 2015 will continue to be regulated by LEP 2005, including Period Housing provisions in that LEP. This includes significant areas of land in the Living – Conservation zone under LEP 2005. The current proposal only relates to Period Housing Areas over land with within LEP 2015.

Following the submission of the draft planning proposal to the Department, Development Control Plan 2015 (DCP 2015) will be amended by making changes to Parts D1 *Heritage* and D2 *Period Housing*. This is likely to include contributory mapping to inform individual building contributions and to guide development. This will ensure DCP 2015 complements the new HCAs. DCP amendments will be the subject of a separate report to Council.

This report seeks Council's endorsement for a draft planning proposal to be submitted to the Department for the conversion of the existing PHA lots to new HCAs. Once Council is in receipt of the Gateway Determination, formal public exhibition of the changes can occur. The minimum consultation period for exhibition will be determined by the Department. The results of the exhibition will be reported back to Council.

### **Introduction**

The Blue Mountains identity and tourism is largely reliant on the interplay of scenic beauty and the charm of its historic villages. Heritage character underpins this tourism, thereby contributing to the local economy. Limited in supply, the rarity and authenticity provided by heritage places underscores the local identity. Listing and conservation of heritage places is a sign of the value attributed to these places by the community.

Council has an ongoing role in managing and protecting the environmental and cultural heritage of the Blue Mountains. The *Blue Mountains Community Strategic Plan 2035* is the local strategic plan. The conservation of cultural heritage is identified within key direction "Live – a liveable city", which seeks to ensure that "places of natural, cultural and historical significance are retained and enhanced by the active use of appropriate conservation methods." 'Live' Objective 4.3 includes Strategy 4.3.d, "to preserve, maintain and enhance the City's unique character, and its built, natural and cultural heritage and local history". This is accompanied by a Council response requirement to complete the Heritage Inventory Review for the Local Environmental Plan. The enclosed draft planning proposal is consistent with the strategic heritage work of updating Council's Local Environmental Plan to ensure adequate protections for items and areas identified as of heritage significance.

Cultural heritage conservation is also identified as a key direction within 'Thrive – an economically sustainable city'. 'Thrive' Objective 6.2 seeks to create for the Blue Mountains "a strong identity that builds on the natural and built heritage".

### **1. Background to Period Housing Areas, and Recent Studies**

Blue Mountains City Council has had an ongoing program of reviewing heritage and character areas since the early 1980s and updating relevant LEPs as required. In 2002, the Residential Character Study by Blue Mountains City Council was carried out to support draft LEP 2005. The study identified areas of housing stock from the Victorian, Edwardian, Federation, and Inter-War periods, and considered these to be contributing to distinctive townscapes that were maintained and largely unchanged over a significant period of time.

These areas were given protection under Council's Period Housing Area clauses in LEP 2005. The Period Housing Area clauses were part of a wider suite of planning protections in LEP 2005 that sought to protect local established character. The Period Housing controls operated in conjunction with the Living-Conservation zone, which sought to protect "dominant landscape setting, visually significant streetscapes, and garden settings", and also the town centre precincts that formed Schedule 1 of LEP 2005. The suite of planning provisions in

LEP 2005 included protections in the form of specific development controls to ensure preservation of heritage buildings, mature landscapes and garden character.

The introduction of LEP 2005 also saw the creation of the existing 19 heritage conservation areas. These areas are diverse; from the commercial town centres of Katoomba and Leura, to small cottage groups, to natural scenic places such as the Jamison Valley and the remote landscape environments of the Mounts.

#### 2014 Period Housing Review Report

During the process of preparing the new Standard Instrument LEP, Council commissioned a study to determine whether the conversion of Period Housing Areas to heritage conservation areas was justified. The study assessed the values of the Period Housing Areas in terms of the standard NSW heritage criteria of the NSW Heritage Council. The Period Housing Review Report by Paul Davies and Associates Heritage Consultants in 2014 confirmed that the overall values of the existing Period Housing Areas were ideal for conversion to new heritage conservation areas. A small number of minor existing Period Housing Areas were identified in the study as not meeting the criteria for heritage conservation areas. These were removed from LEP 2015 during the finalisation of that plan.

The 2014 study did not involve an assessment of individual contributions values of each lot. The study made preliminary recommendations for the inclusion of additional areas beyond the Period Housing Area boundaries PHA boundaries to larger new HCAs. The final 2014 report can be found at enclosure 4.

As the conversion work was not completed as part of LEP 2015 due to timing constraints, and the Department instead allowed the carrying over of the Period Housing provisions into Clause 6.18 *Period housing* of LEP 2015, and provided a 'sunset clause', giving Council three years to complete the conversion to HCAs. This clause has an expiry date of 16 February 2019.

#### 2017 Period Housing Review Report

In 2017, as part of the ongoing work of the Heritage Review and updating of Council's heritage inventory, Council commissioned a follow-up study on the values of the Period Housing Areas, to be carried out by the consultants who prepared the 2014 report. This report sought to provide on-the-ground confirmation that any development in the intervening three years had not altered the areas recommended for conversion to heritage conservation areas. It also assessed the contributions values of the individual properties. This work was an extension of the existing report, intended to fulfil current best heritage practice by providing property owners with an explanation of individual property values.

Extensive fieldwork identified the contributory values of each property within the Period Housing Areas recommended for conversion, and reviewed the accuracy of the tentative recommendations for extended boundaries for the proposed new HCAs. This information will inform an amendment to DCP 2015 and will be specific and helpful in understanding values and guiding development. This is consistent with the approach taken by a number of other Sydney councils with large and/or significant heritage conservation areas, including North Sydney, City of Sydney, Woollahra and Ku-ring-gai Councils. Further detail on likely future updates to the DCP is provided below.

The study methodology has drawn on the documentary investigation and research carried out in the earlier report to assess and confirm HCA values, and as such, the 2017 report should be read in conjunction with the 2014 study. Both can be viewed at enclosure 4 and 5. The supporting material attached to the summary report includes proposed HCA boundary mapping, contributions mapping, and draft heritage inventory sheets.

Importantly, while the study nominates larger, extended areas that meet the criteria to be included in a heritage conservation area (and these are identified with the 2014 and 2017 studies) the immediate requirement is to convert existing Period Housing Areas to Heritage Conservation Areas under LEP 2015. This report and the attached Planning Proposal document this work.

#### Deferred land to LEP 2015

Certain land is currently excluded from LEP 2015 (the proposed R6 zone) and remains under LEP 2005 for the regulation of development. Amendment 2, which seeks to introduce the new R6 zone, is currently under consideration by the Department and the finalisation for the Amendment remains uncertain.

Significant numbers of properties identified as Period Housing are therefore deferred from LEP 2015. These properties retain their protection under the Period Housing provisions of LEP 2005. These protections will remain until Amendment 2 is resolved.

Therefore, land currently deferred does not form part of the current planning proposal to amend LEP 2015, but will be incorporated into the new heritage conservation areas with the finalisation of Amendment 2.

## **2. Definition of heritage conservation areas**

*The following explanation is from 'Conservation Areas – Guidelines for Managing Change in Heritage Conservation Areas' by the Heritage Office, 1996.*

Heritage conservation areas can be precincts, streetscapes, suburbs, landscapes, towns or groups of buildings, recognised as having distinguishing features distinct from their surroundings. These values are rooted in historical values such as subdivision patterns or the way they demonstrate a significant or key historical period of development. Their values are generally a mixture of historical, aesthetic and representative qualities. They may also have urban design and neighbourhood amenity qualities.

Heritage conservation areas are more than a collection of individual heritage items. They are areas in which the historical origins and relationships between the various elements create a sense of place that is worth keeping.

Conservation areas are not museum pieces, but generally functioning parts of urban or rural areas, alive with community activities and therefore in a continual process of change. Statutory protection is required for conservation of these areas, to control demolition and ensure new development fits in with old.

## **3. The conversion process**

It is proposed to include seventeen (17) new HCAs to the heritage schedule of LEP 2015 replacing existing Period Housing Areas. These areas largely align with the existing Period Housing Areas, confirming that these areas meet the state standard criteria for heritage conservation areas. Where the study identified that certain lots did not or no longer fulfilled the criteria for inclusion in a heritage conservation area, these lots were generally excluded. The 2014 study foreshadowed these exclusions and these were confirmed in the 2017 fieldwork.

With reference to road reserves, these are generally included in heritage conservation areas depending upon the streetscape values. Various road reserves have been identified as contributing to streetscape and to the character of the proposed heritage conservation areas and are intended to be included in the new HCAs.

#### 4. LEP 2015 and DCP 2015 heritage conservation area provisions

The proposed new heritage conservation areas will come under the heritage provisions of Clause 5.10 *Heritage conservation* of LEP 2015. The heritage provisions outline the requirements for heritage conservation area management, and are a standard statewide responsibility for all local councils. Heritage management occurs through listing items of significance (including HCAs) in the Council's LEP, both within the heritage schedule (Schedule 5) and in the accompanying LEP heritage mapping.

Part 2 of Schedule 5 of LEP 2015 contains the list of heritage conservation areas, which are identified on the heritage mapping by red hatched areas and through an individual identifier or local ID unique to the Blue Mountains LGA. The heritage mapping clarifies the lots or areas that are affected.

The heritage conservation provisions of the LEP are supported by guidelines and controls in the Blue Mountains Development Control Plan 2015, which contains existing provisions in Part D1 *Heritage*.

#### 5. Proposed changes to LEP 2015

The following changes are proposed to LEP 2015:

##### *Written instrument*

1. The existing Clause 6.18 *Period housing area* is to be deleted in accordance with the provisions of the sunset provisions (subclause 7) in that clause.
2. Seventeen (17) new heritage conservation areas are proposed to be added to Schedule 5 *Environmental heritage*, Part 2 *Heritage conservation areas* as described below in Table 1.
3. Two (2) existing heritage conservation areas appearing in Schedule 5 *Environmental heritage*, Part 2 *Heritage conservation areas* are proposed to be modified (by name) as described below in Table 2.

Name of Heritage Conservation Area	Identification on Heritage Map	Significance
Blackheath Village and Setting	Shown in red hatching and marked 'BH212'	Local
Hat Hill Road	Shown in red hatching and marked 'BH213'	Local
Blackheath West	Shown in red hatching and marked 'BH214'	Local
Lookout Hill	Shown in red hatching and marked 'BH215'	Local
Katoomba South	Shown in red hatching and marked 'K168'	Local
Crown Village	Shown in red hatching and marked 'K169'	Local
Grimley Estate	Shown in red hatching and marked 'K170'	Local
Norths Estate	Shown in red hatching and marked 'K171'	Local
Leura North	Shown in red hatching and marked 'LA105'	Local

Leura South	Shown in red hatching and marked 'LA106'	Local
Village of Brasfort	Shown in red hatching and marked 'WF119'	Local
Westbourne Avenue	Shown in red hatching and marked 'WF120'	Local
Hays Nature Reserve Link	Shown in red hatching and marked 'LN083'	Local
Railway Parade East	Shown in red hatching and marked 'H028'	Local
Moorecourt Avenue	Shown in red hatching and marked 'SP071'	Local
Macquarie Road West	Shown in red hatching and marked 'SP072'	Local
Glenbrook	Shown in red hatching and marked 'G061'	Local

*Table 1. Proposed new heritage conservation areas*

<b>Name of Heritage Conservation Area</b>	<b>Identification on Heritage Map</b>	<b>Significance</b>
Macquarie Road <u>East</u>	Shown in red hatching and marked 'SP056'	Local
Railway Parade <u>West</u>	Shown in red hatching and marked 'H008'	Local

*Table 2. Existing heritage conservation areas to be modified (by name)*

#### *Mapping*

##### Built Character maps

The Built Character maps are proposed to be amended by the deletion of Period Housing proposed to be converted to HCAs (currently shaded in brown fill on the Built Character map).

##### Heritage Conservation maps

The Heritage Conservation maps will be amended by the addition of red boundary polygons with red hatching to the proposed new heritage conservation areas. This mapping convention is the standard mapping for heritage conservation areas and is consistent with the standard requirements of the Department.

Two (2) existing heritage conservation areas are proposed to be modified, by amending the mapping extents for the conservation area.

<b>Name of Heritage Conservation Area</b>	<b>Identification on Heritage Map</b>	<b>Significance</b>
Central Mount Victoria	Shown in red hatching and marked 'MV023'	Local
Macquarie Road <u>East</u>	Shown in red hatching and marked 'SP056'	Local

*Table 3. Existing heritage conservation areas to be modified (by mapping)*



*Preliminary LEP map set*

The above changes have been prepared for ease of reference on one map set (Enclosure 2) that indicates the existing conditions and proposed changes.

The map set is preliminary. The LEP 2015 standard format map tiles, containing the same information, will be submitted with the final submission to the Department,

**6. Heritage inventory sheets**

Draft heritage inventory sheets are provided for each proposed new heritage conservation area (Enclosure 3). Each inventory sheet describes the area, its history, and provides an assessment of heritage values. These values are set out by the NSW Heritage Council within the NSW Office of Environment and Heritage (OEH). This is summarised in a 'statement of significance', which provides a summary of values or significance under the seven set criteria. These seven criteria are: historical significance, historic associational significance, social significance, aesthetic significance, technical significance, representative value and rarity value. Condition (integrity and intactness) of an area is also assessed. The inventory sheet information is non-statutory, although it can be used for development assessment, court proceedings, or as a resource for owners and prospective developers.

The inventory sheets for Blue Mountains' existing heritage conservation areas are available for public viewing on the NSW Office of Environment and Heritage website at <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>.

The draft heritage inventory sheets were prepared as part of the 2017 Period Housing Report study. Research gathered and assessment carried out in the 2014 study was used to inform the draft inventory sheets. The fieldwork in the 2017 study confirmed the values and contributed further detail to the assessments of values in the inventory sheets. In some cases, sub-precincts with particular values were identified within proposed broader areas.

The overall values identified in the heritage inventory sheets inform the identification of individual property values as 'contributing to the values of the area' (*contributory* elements), 'of neutral contribution, neither contributing nor detracting' (*neutral* elements), or 'inconsistent with the values of the area, and uncharacteristic' (*uncharacteristic* elements). This detail is separately mapped (Enclosure 3) and will be explained further in Council's DCP in order to guide development. Proposed changes required to the DCP are summarised below.

**7. Proposed changes to DCP 2015**

As mentioned above, Blue Mountains Development Control Plan 2015 (DCP 2015) contains the guidelines and provisions to support the heritage conservation clauses of LEP 2015. These appear in the DCP in Part D *Heritage*. Part D consists of two parts: Part D1 *Heritage* and Part D2 *Period Housing*.

As part of the proposed conversion of existing PHAs to HCAs, the DCP is proposed to be updated. The updated information will include specific detail on individual contributory values to assist development and an understanding of individual values. The updates will incorporate the additional information collected in the 2017 fieldwork.

It is important to note that not all properties, buildings or elements within the boundaries of a conservation area will have contributory values. Particularly where larger areas are established by a boundary some elements within the area may be neutral or inconsistent with the values. By identifying where contributions occur and where they are partially present or not present, the DCP mapping will indicate where there is either development opportunity or where conservation is the more important driver.

The full detail of the proposed DCP changes will be reported separately to Council. It is intended that these DCP changes will be prepared prior to the statutory exhibition of the proposed LEP changes. The draft DCP updates can then be included in the public exhibition of the draft planning proposal.

#### **8. Comparisons between PHA and HCA - values, development opportunities and submission requirements**

##### *Values*

The Period Housing objectives seek to “retain and conserve traditional streetscapes and character of older residential areas incorporating Victorian, Edwardian, Federation, Inter-War or Art Deco building styles that are an important contributor to the town character of the Blue Mountains”. The objectives seek to preserve housing stock from pre-1946 from demolition and ensure that new development complements the traditional streetscape character of the surrounding area.

The scope of values of the new HCAs includes these Period Housing values. The proposed new HCAs demonstrate significant historical subdivision patterns, historical significance, representative architectural values (traditional built forms) and aesthetic qualities, including high quality streetscapes with mature gardens. HCAs provide evidence of the early patterns of settlement and evolution of the villages and towns of the Blue Mountains as a place of retreat, relaxation, recreation and residence.

The protection of traditional built forms, streetscape and character required by the Period Housing Area objectives and controls translates seamlessly into the objectives for protection of those values in Clause 5.10 of LEP 2015, which seeks to “conserve the heritage significance of heritage conservation areas.” The historical and representative significance of the buildings within the existing PHAs is an important part of the overall values required to be conserved by the Standard Instrument heritage provisions. The heritage conservation provisions of LEP 2015 will provide for preservation of elements of significance, and for sympathetic new development.

The new HCAs will continue to work in conjunction with the existing Living-Conservation zones of LEP 2005 (where land is deferred) and the town centre precinct objectives of Part 7 of LEP 2015.

The translation of the Period Housing suite of provisions to the statutory protections for heritage conservation areas under the Standard Instrument and supporting DCP provisions will provide a consistent and seamless protection for the values of the existing Period Housing Areas as new HCAs.

It is noted that since the Period Housing Areas were first identified in 2002 and then afforded protection in 2005, they have retained their generally intact condition. The integrity of the Period Housing Areas has continued to remain remarkably intact due to historically low development pressures in the Mountains. However, we note that in recent years development pressures such as gentrification and increasing property prices are starting to create additional pressure for development and incremental change in Period Housing Areas and town centres generally which may affect the heritage values if not appropriately managed.

##### *Development opportunities*

Demolition of properties within the new HCAs will require development consent. This is consistent with the original intention of the Period Housing Areas. This will provide ongoing protection for elements of significance to the HCA. Where built elements within a new HCA are considered inconsistent with the heritage values of that area, there will be identified opportunities for new infill development. The proposed identification of individual



contributions in the planned DCP amendments will allow these opportunities to be identified early and transparently in the development process. The current DCP Part D1.9.8 contains guidelines for infill development in HCAs. This part will be updated to link with the recent work of identification of contributory values.

Controls for HCAs include a focus on the retention of existing original fabric, but also streetscape qualities such as setbacks, gardens and street tree plantings that contribute to the overall character of the area. Consideration of these matters is consistent with considerations required within existing PHAs.

Development standards such as forms, heights, setbacks, subdivision patterns, colour, materials and details can be dealt with under the existing objectives and controls in DCP 2015. Some updates to the DCP will ensure the controls are better tailored to the new HCA characteristics and the individual contributions values.

#### *Minor works*

The statutory framework for heritage conservation areas is included in various state government State Environmental Planning Policies (SEPPs), including particularly the Exempt and Complying Development Codes ('the Codes SEPP').

The Codes SEPP allows many forms of development that comply with the standards in the SEPP to be carried out as exempt or complying development. These exempt works are considered to be of minor impact. The SEPP also allows for such works within heritage conservation areas, although the development standards for these works are often different. For example, exempt works including air-conditioning units, satellites, carports et, ordinarily have standards requiring that the location of these elements be at the rear or not visible. Minor building alterations that are considered exempt under the Codes SEPP cannot be carried out in heritage conservation areas.

The alternate path for such approvals can be the heritage minor works clause 5.10(3) of LEP 2015. This clause allows for the carrying out of minor or maintenance works with development consent. Written notification to the Council is required; the extent of the works is then considered, and a written reply provided to confirm that the works are within the limit of the clause. A Heritage Impact Statement is generally not required. Refer to DCP 2015 Part D1.6.1 for full details.

#### *Submission requirements*

Submission requirements for development within an existing Period Housing Area include the need for a character statement/analysis. The conversion to heritage conservation areas would require that a heritage impact statement be prepared instead. Heritage impact statements are standard documents, and guidelines for their preparation apply statewide. In this way, the conversion will bring documentary requirements in line with standard practice.

The heritage impact statement provides an understanding of what is significant (through historical investigation and fabric analysis), thus identifying what needs to be retained. This adds transparency to the works proposed as part of an application.

Council is currently preparing a proforma Heritage Impact Statement for simple applications to assist applicants in meeting the submission requirements. The DCP guide to submission requirements will also be updated accordingly.

### **9. Staging of components of ongoing heritage review**

The conversion of PHAs to HCAs under LEP 2015 is part of the Heritage Review. Council resolved to continue the Period Housing work in conjunction with the Heritage Review following the exhibition of DLEP 2013 (Minute No. 316 of Extraordinary Council meeting of

17 July 2014). This division and staging of components was again noted in the 25 October 2016 report to Council on the Heritage Review.

Due to the size, scope and complexity of the Review, the Period Housing component has been considered as a separate component dealing with heritage conservation areas rather than heritage items. Thus Part 1 of Schedule 5 (Heritage items) is being updated concurrently through the Heritage Review process, and Part 2 of Schedule 5 (heritage conservation areas) is being updated through this conversion exercise.

The timing constraints of the sunset clause for the existing Period Housing Areas have required that the conversion of the existing PHAs be prioritised, despite the larger areas recommended in the 2014 and 2017 studies. This is a positive staged approach to the recommendations of the study, ensuring that the existing protections are maintained by the conversion prior to proceeding with any expansion of the areas. This staging is also consistent with the requirement of the Standard Instrument conversion, a straightforward translation of the existing Period Housing Areas.

It is envisaged that the study recommendations to implement extensions to existing areas will form a further planning proposal at a future date. These extensions will be considered as part of a further stage of HCA review which will incorporate other matters relating to existing heritage conservation areas deferred due to timing, information availability and resources.

#### **Community consultation on the planning proposal**

The attached planning proposal (Enclosure 1) will be submitted to the Department for a Gateway Determination. The Department will advise the minimum period for community consultation via a public exhibition process. Public exhibition is anticipated to occur in the first half of 2018. Information will be made available to the public as follows:

1. Council report of February 2018;
2. Draft planning proposal document;
3. Proposed mapping – preliminary map set of LEP changes;
4. Supporting heritage inventory sheets for new HCAs;
5. Supporting studies:
  - a. Period Housing Review 2014;
  - b. Period Housing Report 2017.

Letters will be sent to all owners of properties nominated for conversion from Period Housing Area to heritage conservation area. This correspondence will contain detail of how further information can be accessed, and contact information for relevant staff.

#### ***Access to Information***

The information package as detailed above will be provided at the following locations:

- Council's website (Have Your Say platform);
- Council offices (Katoomba and Springwood); and
- Council libraries (Katoomba, Springwood, Blaxland).

#### ***Submissions***

The community will have the opportunity to make submissions via email and the Have Your Say website.

Other communication opportunities will be available with the relevant Council staff to ask questions and discuss concerns, by phone and in person. It is possible that meetings and site visits may occur with Council's heritage advisor and/or relevant Council staff following initial communication with a property owner or other stakeholder.

**Sustainability Assessment**

<b>Effects</b>	<b>Positive</b>	<b>Negative</b>
Environmental	Advancing the overall protection of items and areas of environmental and cultural heritage by clarifying the significance of Period Housing Areas, and granting statutory protection to new heritage conservation areas.	Nil
Social	The community consultation will provide an opportunity for transparent communication and interaction with the community, and the opportunity to reinforce the importance of heritage as a key element of the identity of the Blue Mountains. This will facilitate an increased awareness of the heritage significance of the Blue Mountains within the community.	Nil
Economic	Clarification of heritage significance and additional detail of contributory values of properties provides greater certainty around development and management of heritage values and provides for more efficient application processes.	Nil
Governance	Finalising the conversion of the Period Housing Areas ensures Council is pursuing the priorities set out in the Community Strategic Plan and expressed within the aims of the LEP, to protect the environmental heritage of the Blue Mountains.	Nil

**Financial implications for the Council**

The financial implications of the report recommendations are associated with the preparation of documentation for public exhibition, which necessitates staff resourcing and use of approved operational budgets for 2017-2018, aligned with the outcomes of the 2017-2018 operational plan.

**Legal and risk management issues for the Council**

The conversion of PHAs to HCAs under LEP 2015 seeks to retain legal protections for these important areas. If the conversion were not to occur prior to the 16 February 2019, as stipulated by clause 6.18(7) of LEP 2015, there is a significant risk that piecemeal demolition and adverse and unsympathetic alterations will occur. Such changes over time would diminish the coherence and presentation of the areas, leading to a potentially substantial loss of character deleterious to the heritage charm of many Mountains villages.

There is a risk that some community members may object to perceived changes in the statutory status of their property. Early contact and good communication of the conversion exercise and explanation of issues will reduce owner concerns and offset negative reactions to some degree. Active communication will also address any perceptions that the initiative may unreasonably restrict development.

**External consultation**

Initial contact has been made with the Department of Planning and Environment in regard to Council's intention to progress the conversion of the Period Housing Areas. Consultation will continue with the Department regarding statutory requirements for public exhibition as part of the Gateway Determination process and finalisation requirements.

Consultation with the Office of Environment and Heritage will occur as part of the public exhibition process.

**Conclusion**

To ensure protections for areas of character housing are retained in the Blue Mountains, conversion of Period Housing Areas to Heritage Conservation Areas is required by the 16 February 2019 deadline imposed by the Department of Planning and Environment.

This report and enclosures details of the conversion process, and confirms that due to the high quality and intactness of these areas, they in the vast majority, meet the statewide criteria for heritage conservation areas. The conversion process is in line with best practice, and the proposed updates and improvements to the schedule conform to the industry standards for heritage management.

The draft changes to Schedule 2 of LEP 2015 and the accompanying maps, inventory sheets and other supporting material are proposed to be exhibited to the community for comment following receipt of a gateway determination from the Department.

**ATTACHMENTS/ENCLOSURES**

<b>1</b>	Enclosure 1 - Conversion of Period Housing to Heritage Conservation Areas	18/29686	Enclosure
<b>2</b>	Enclosure 2 - Conversion of Period Housing to Heritage Conservation Areas	18/29687	Enclosure
<b>3</b>	Enclosure 3 - Conversion of Period Housing to Heritage Conservation Areas	18/29840	Enclosure
<b>4</b>	Enclosure 4 - Conversion of Period Housing to Heritage Conservation Areas	18/32921	Enclosure
<b>5</b>	Enclosure 5 - Conversion of Period Housing to Heritage Conservation Areas	18/32925	Enclosure

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