

## Request for Initial Gateway Determination

### **Instructions to Users**

1. *When forwarding a planning proposal to the Minister under section 56(1), the relevant planning authority must provide the information specified in this form.*
2. *Please send this completed form and one (1) electronic copy and two (2) hard copies of the completed Planning Proposal and other information as applicable, to your local Regional Office.*
3. *This document is a locked word document, please check boxes and type directly into the hi-lighted grey area of this form.*

### **Relevant Planning Authority Details**

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**Name of Relevant Planning Authority:** Berrigan Shire Council

**Contact Person:** Camillus O'Kane

**Contact Phone and Email:** (03) 5888 5100 & camilluso@berriganshire.nsw.gov.au

### **Planning Proposal Details - Attachments**

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1. **LAND INVOLVED**  
13-19 Denison Street Finley 2713 – being Lot 1, Section 2, DP758412
2. **MAPS**  
See mapping in attached documentation
3. **PHOTOS and other visual material**  
See photos in attached documentation
4. **COMPLETE PLANNING PROPOSAL**  
See attached Planning Proposal
5. **PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL**

Council has supported the planning proposal and resolved to send the written planning proposal to the Department of Planning & Environment.

See attached resolution

**Signed for and on behalf of the Relevant Planning Authority**

**DATE** 12 November 2015

## PLANNING PROPOSAL

Inclusion of Scots Presbyterian Church, 13-19 Denison Street, Finley 2713 as a Heritage Item in Berrigan Local Environmental Plan 2013.

### 1. Objectives or intended outcomes

To include Scots Presbyterian Church, 13-19 Denison Street, Finley as an item of heritage on Berrigan Local Environmental Plan 2013.

### 2. Explanation of provisions

The proposed outcome will be achieved by:

- Amending Schedule 5 of Berrigan LEP 2013 to include Scots Presbyterian Church as a Heritage Item.
- Amending the Berrigan LEP 2013 Heritage Map.

### 3. Justification

The church is the subject of Interim Heritage Order No. 129 whereby a heritage assessment was required to be undertaken of the church and, if found to be of local heritage significance, a planning proposal was to be prepared to amend Berrigan LEP to reflect that status.

- Section 117 Directions
  - The Planning Proposal is consistent with the provision of Direction 2.3 - Heritage Conservation.

### 4. Community Consultation

The planning proposal is considered to be low impact however any community consultation will be in accordance with the provisions of section 56(2)(c) of the EP&A Act 1979. A guide to preparing local environmental plans (DPI, 2013) and pursuant to any conditions imposed by a gateway determination.

### 5. Project timeline

The anticipated timeline for processing the Planning Proposal is set out below:

- |                                       |         |
|---------------------------------------|---------|
| - Gateway determination               | 4 weeks |
| - Consultation                        | 4 weeks |
| - Consideration of public submissions | 2 weeks |
| - Preparation of report               | 2 weeks |
| - Parliamentary counsel opinion       | 1 week  |
| - Making of plan                      | 2 weeks |







## **ATTACHMENT 4 – EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS**

### **Checklist for the review of a request for delegation of plan making functions to councils**

**Local Government Area:** Berrigan

**Name of draft LEP:** Berrigan Local Environmental Plan 2013 (Amendment No. 2)

**Address of Land (if applicable):** 13-19 Denison Street Finley 2713

**Intent of draft LEP:** To include Scots Presbyterian Church as a Heritage Item on Schedule 5 of the Berrigan Local Environmental Plan 2013

**Additional Supporting Points/Information:** See attached documentation

| <b>Evaluation criteria for the issuing of an Authorisation</b><br><br><b>(Note: where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)</b> | Council response |              | Department assessment |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------|-----------------------|-----------|
|                                                                                                                                                                                                                                                      | Y/N              | Not relevant | Agree                 | Not agree |
| Is the planning proposal consistent with the Standard Instrument Order, 2006?                                                                                                                                                                        | Y                |              |                       |           |
| Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?                                                                                                                | Y                |              |                       |           |
| Are appropriate maps included to identify the location of the site and the intent of the amendment?                                                                                                                                                  | Y                |              |                       |           |
| Does the planning proposal contain details related to proposed consultation?                                                                                                                                                                         | Y                |              |                       |           |
| Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?                                                                                                | Y                |              |                       |           |
| Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?                                                                                                                                            | Y                |              |                       |           |
| Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?                                                                                                                                                 | Y                |              |                       |           |
| <b>Minor Mapping Error Amendments</b>                                                                                                                                                                                                                | Y/N              |              |                       |           |
| Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?                                                               |                  | X            |                       |           |
| <b>Heritage LEPs</b>                                                                                                                                                                                                                                 | Y/N              |              |                       |           |
| Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?                                                                                                      | N                |              |                       |           |
| Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?                                                                                                         | Y                |              |                       |           |
| Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?                                                                                              |                  | X            |                       |           |



| Reclassifications                                                                                                                                                                                                                                                                | Y/N |   |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---|--|--|
| Is there an associated spot rezoning with the reclassification?                                                                                                                                                                                                                  |     | X |  |  |
| If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?                                                                                                                                                                           |     | X |  |  |
| Is the planning proposal proposed to rectify an anomaly in a classification?                                                                                                                                                                                                     |     | X |  |  |
| Will the planning proposal be consistent with an adopted POM or other strategy related to the site?                                                                                                                                                                              |     | X |  |  |
| Will the draft LEP discharge any interests in public land under section 30 of the Local Government Act, 1993?                                                                                                                                                                    |     | X |  |  |
| If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?                                                                  |     | X |  |  |
| Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land? |     | X |  |  |
| Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?                                                                                                                                    |     | X |  |  |
| Spot Rezonings                                                                                                                                                                                                                                                                   | Y/N |   |  |  |
| Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?                                                                                                                      |     | X |  |  |
| Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?                                                                                                                       |     | X |  |  |
| Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?                                                                        |     | X |  |  |
| If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?                                                                                                                                                                  |     | X |  |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |   |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--|--|
| Does the planning proposal create an exception to a mapped development standard?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | X |  |  |
| <b>Section 73A matters</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |   |  |  |
| <p>Does the proposed instrument</p> <p>a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?;</p> <p>b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or</p> <p>c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land?</p> <p>(NOTE – the Minister (or Delegate) will need to form an Opinion under section 73(A(1)(c) of the Act in order for a matter in this category to proceed).</p> |  | X |  |  |

#### NOTES

- Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance.
- Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.



|                        |            |
|------------------------|------------|
| BERRIGAN SHIRE COUNCIL |            |
| 15 JUN 2015            |            |
| FILE                   | _____      |
| REFER TO               | <u>CPA</u> |
| COPY TO                | _____      |
| ACTION / CODE          |            |
| ACKNOWLEDGE Y / N      |            |

Contact: Mary Ann Hamilton  
Telephone: 02 9873 8565  
Email: Maryann.hamilton@environment.nsw.gov.au  
File: EF15/3305

Mr Rowan Perkins  
General Manager  
Berrigan Shire Council  
PO Box 137  
Berrigan NSW 2712

Dear Mr Perkins

**Re: Finley Presbyterian Church—19 Denison Street, Finley**

As you are aware the Minister for Heritage, the Hon Mark Speakman SC MP has, following advice from the Heritage Council of NSW, made an Interim Heritage Order (IHO NO. 129) under Section 24 of the *Heritage Act 1977* (NSW) over the item identified above. The Order was gazetted on 7 May 2015 in NSW Government Gazette No. 41.

The Minister may make an interim heritage order for a place, building, work, relic, moveable object or precinct that the Minister considers may, on further inquiry or investigation, be found to be of state or local heritage significance.

In providing advice to the Minister the Heritage Division noted Berrigan Council's letter of support of the making of an IHO over Finley Presbyterian Church to allow for further investigation of the heritage significance of the church. The Interim Heritage Order is in place for twelve months.

This letter seeks confirmation from Council that it is in the process of doing a heritage assessment of the church and subject to the findings of such an assessment would make relevant recommendations.

The heritage assessment should be completed within the first 6 months. If it is found that the Finley Presbyterian Church is of local heritage significance, this would allow Council a period of 6 months to prepare a planning proposal to amend the Berrigan Shire Local Environment Plan.

Should you have any enquiries regarding this matter, such as the scope of the heritage assessment or advice about the type of consultant qualified to conduct this work, please contact Mary Ann Hamilton, Listing Officer at the Heritage Division, Office of Environment and Heritage on 9873 8565 or maryann.hamilton@environment.nsw.gov.au

Yours sincerely



09-06-2015

Dr Siobhan Lavelle OAM  
Manager, Listings  
Heritage Division  
Office of Environment & Heritage



Office of  
Environment  
& Heritage

Mr Rowan Perkins  
General Manager  
Berrigan Shire Council  
PO Box 137  
Berrigan NSW 2712

BERRIGAN SHIRE COUNCIL

Contact Mary Ann Hamilton  
Telephone: 02 9873 8565  
Email: maryann.hamilton@heritage.nsw.gov.au  
File: EF15/3305

20 APR 2015

FILE

REFER TO CM / DM

COPY TO

ACTION / CODE

ACKNOWLEDGE Y / N

Dear Mr Perkins

**Re: Section 136 Order made over Finley Presbyterian Church (including its interior, church furniture and organ), 19 Denison Street, Finley**

I am writing to inform you that the Minister for Heritage, the Hon Mark Speakman SC MP, has made an order under Section 136 of the *Heritage Act 1977 (NSW)* in respect of the abovementioned item.

The order took effect on **2 April 2015**, when it was attached to the building. A copy of the order is enclosed for your information.

The order prevents any work being carried out on the exterior and interior of the building or the removal of church furniture or organ for a period of 40 days from the date of effect.

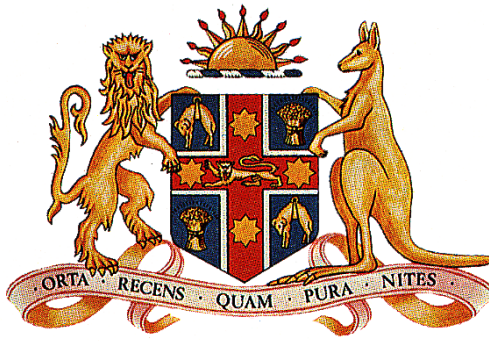
Prior to the expiry of the order the Heritage Council of New South Wales will report to the Minister with respect to the making of an interim heritage order over the item, or the revocation of the Section 136 order.

Yours sincerely

17 April 2015

**DR TRACEY AVERY**  
**Director**  
**Heritage Division**

encl



# *Government Gazette*

of the State of  
New South Wales

**Number 41**  
**Thursday, 7 May 2015**

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The *New South Wales Government Gazette* is the permanent public record of official notices issued by the New South Wales Government. It also contains local council and other notices and private advertisements.

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal – see [Gazette Information](#).

## Planning and Environment Notices

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### HERITAGE ACT 1977

#### INTERIM HERITAGE ORDER NO 129

##### Finley Presbyterian Church

In pursuance of section 24 of the *Heritage Act 1977* (NSW), I, the Minister for Heritage, do, by this my order:

- (i) make an interim heritage order in respect of the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the interim heritage order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

MARK SPEAKMAN, SC MP

Minister for Heritage

Sydney, 7th Day of May 2015

#### Schedule "A"

The property known as Finley Presbyterian Church, situated at 19 Denison St, Finley on the land described in Schedule "B".

#### Schedule "B"

All those pieces or parcels of land known as Lot 1, Section 2, DP 758412 in Parish of Finley, County of Denison shown on the plan catalogued HC2691 in the office of the Heritage Council of New South Wales.

By Authority

ISSN 2201-7534

JILL WAYMENT, Government Printer



1 July 2015

The Manager  
Berrigan Shire Council  
PO Box 137  
BERRIGAN NSW 2712

|                        |              |
|------------------------|--------------|
| BERRIGAN SHIRE COUNCIL |              |
| - 3 JUL 2015           |              |
| FILE                   | _____        |
| REFER TO               | <u>GM</u>    |
| COPY TO                | <u>DM/TP</u> |
| ACTION / CODE          |              |
| ACKNOWLEDGE Y / N      |              |

Dear Sir/Madam

Re:

- **Scot's Presbyterian Church, Finley**

I am pleased to advise that the above item has been listed by the National Trust of Australia (NSW) on the Trust Register.

The Register lists those buildings, sites, areas, and items which, in the Trust's opinion, fall within the following definition:

*"Those places which are components of the natural or the cultural environment of Australia, that have aesthetic, historical, architectural, archaeological, scientific, or social significance or other special value for future generations, as well as for the present community."*

Listing by the National Trust does not have any legal force. It is however, recognized as an authoritative statement of the historical, architectural importance or other value of a building, site, item, or area, and by listing such items in its Register, the Trust hopes to advise the public of the value of Australia's national heritage.

The Trust does not advocate rigid and unnecessarily restrictive development controls with regard to listed items or places. However, it recommends that their significance as part of the national, state or local heritage should be conserved through controls that allow, where necessary, for new and compatible development and associated works, all of which respect the character of the place or item through enhancement rather than conflict. The Listing Reports are attached for your information.

Yours sincerely,



Graham Quint  
Director, Advocacy

## NATIONAL TRUST REGISTER LISTING REPORT

| CITY/SUBURB/TOWN | NAME OF IDENTIFICATION           | ADDRESS OR LOCATION           |
|------------------|----------------------------------|-------------------------------|
| <b>FINLEY</b>    | <b>Scots Presbyterian Church</b> | <b>13 - 19 Denison Street</b> |

|            |                                       |                    |                                     |
|------------|---------------------------------------|--------------------|-------------------------------------|
| LGA:       | Berrigan Shire Council                | ABORIGINAL NATION: | Yorta Yorta Nation                  |
| POSTCODE:  | 2713                                  | LOT/DP:            | Lot 1, Sec 2 DP758412               |
| COMMITTEE: | Built Heritage Conservation Committee | GRID:              | Lat: -35.638909<br>Long: 145.577315 |
| AUTHOR:    | Graham Quint                          | LISTING DATE:      | <b>24 June 2015</b>                 |

### STATEMENT OF SIGNIFICANCE:

The Scots Presbyterian Church at 13-19 Denison Street, Finley is architecturally significant as a fine example of Interwar Classical Style architecture.

The Church building together with part of the front fence and memorial gateway fronting Denison Street is relatively intact, with only minor modifications to the original fabric.

Scots Presbyterian Church also stands as an important building in the suite of community buildings that form the main civic and religious centre within the Township. Together with the Catholic Church, the School of Arts and the former Masonic Building they collectively form part of the community infrastructure of the Town.

Scots Church Finley is now the only remaining original Presbyterian Church building within the Shire.

The building is historically significant for its associations with the early expansion of the Presbyterian movement as it developed throughout the Southern Riverina during the later part of the 19th Century and early 20th Century.

Scots Church is socially significant as it has direct associations with the Pastoralists of Scottish descent who were proactive in the settlement of the local area, and the establishment of community infrastructure. Associations with Myrtle Park and the McAllister family played an important role in the establishment of education and the Presbyterian Church within the District.

The establishment of a permanent Church building on a prominent site in Finley has social significance within the local area as it is reflection of the important role that worship and fellowship played in the local Community.



## DESCRIPTION:

A brick church with corrugated iron roof, the entrance to the church is defined by a flat roof with a parapet designed to give the appearance of a fortress/ balcony. All detail is in white, with mouldings around all windows. The brick and steel fence is a fine feature.

The Building together with the original portion of fence and the primary entrance gate is in very good condition with a very high degree of original fabric.

Minor repair and maintenance works have been carried out on the building including new roof sheeting, new windows to the west elevation of the building, new guttering to the vestry and the replacement of part of the front fence, however the overall integrity of the building is very high.

## HISTORY:

The foundation stone for the Finley Scots Presbyterian Church at 13 – 19 Denison Street, Finley was laid on 29 October 1919, by Mrs Charles McAllister of Myrtle Park. The church was erected under the supervision of Mr J T Close who supplied most of the building material at cost and the church was built by a local builder, Mr Ron Lewis. Lewis also built the house, "Kismet House", in Denison Street, and many other houses.

All timber in the floor was milled at Myrtle Park and donated free by Charles McAllister senior. He also donated the varnished ceiling timber. The Church was officially opened simultaneously by Mrs J T Close and Miss Christina McAllister.

The church played host to the Methodists until their own church was constructed.

The Presbyterian Movement was flourishing during the later part of the 19th Century as concerted efforts were made to establish the Presbyterian Ministry throughout Southern New South Wales.

Initiated from the Victorian Presbyterian Movement, the Jerilderie Parish was established in 1880 and encompassed an extensive area which included outlying townships and settlements. The Movement grew quickly and as a result of subsequent charges, new Parishes were formed. The Berrigan Charge in 1898 included the Finley and Tocumwal charge, which subsequently broke away to become individual Parishes within these townships.

Church services in Finley were initially held in a timber church moved to a site in Denison Street north of the existing Manse between 1901 – 1904. The Finley School of Arts Building was used by the congregation from 1904 until Scots Church was opened in 1920. The timber Church known as the Thomas Fulton Memorial Church was subsequently moved to its present location at South Coree.

A Building Committee was formed in 1918 to facilitate the construction of a new permanent church building. Land was selected, funds were raised and the architects Laird and Buchan were instructed to prepare plans.

The Church was built by local builder N. Lewis with the assistance of volunteers from the local community. Lewis built other significant buildings and several homes in Finley. Construction of the

Church was supervised by J T Close, a local Engineer and owner of the Foundry, who also supplied building materials for the project. Other dedicated members of the community including Messrs Learmonth and Matthews assisted.

The building fabric consists of locally sourced bricks and timbers harvested from Myrtle Park, a significant property in the Finley area and home of the McAllister family.

The McAllister family were an important family within the Finley area as they were responsible for the establishment of a school at Myrtle Park, were strong advocates for the Finley Charge and the construction of Scots Church.

The Foundation Stone was laid by Mrs C McAllister in 1919 and the opening in 1920 was celebrated by members of the Presbyterian and Methodist congregation who had also contributed funds to the construction of the Church.

Scots Church is a red brick building with a galvanised corrugated roof. The pointed arch windows are glazed with diamond lead lighting. Decorative rendered detailing occurs at the window sill and head, plinth around the building, the tops of the buttresses and on the castellated parapet detail at the entry.

It is sited on a prominent allotment in the Township of Finley amongst other important buildings including the former Masonic Hall, Catholic Church and the School of Arts.

A Section 136 Order under the Heritage Act (40 day order) was placed on the church on 2<sup>nd</sup> April, 2015.

#### **BIBLIOGRAPHY:**

*Looking Back on Finley*, Norman McAllister, 1978

*Scots Presbyterian Church Finley Heritage Report*, Realm Building Design, March 2015

#### **BOUNDARY OF LISTING**

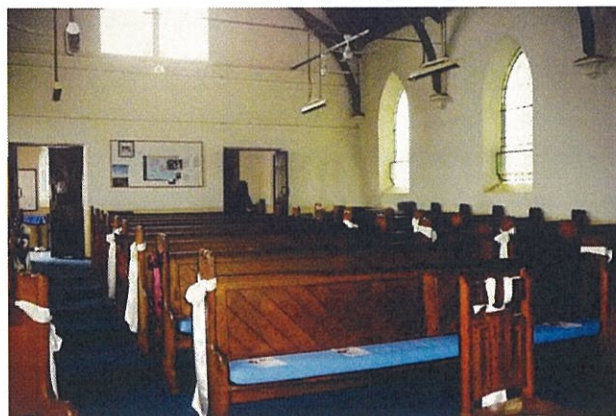
The boundary of the listing is the boundary of Lot 1, Sec 2 DP758412

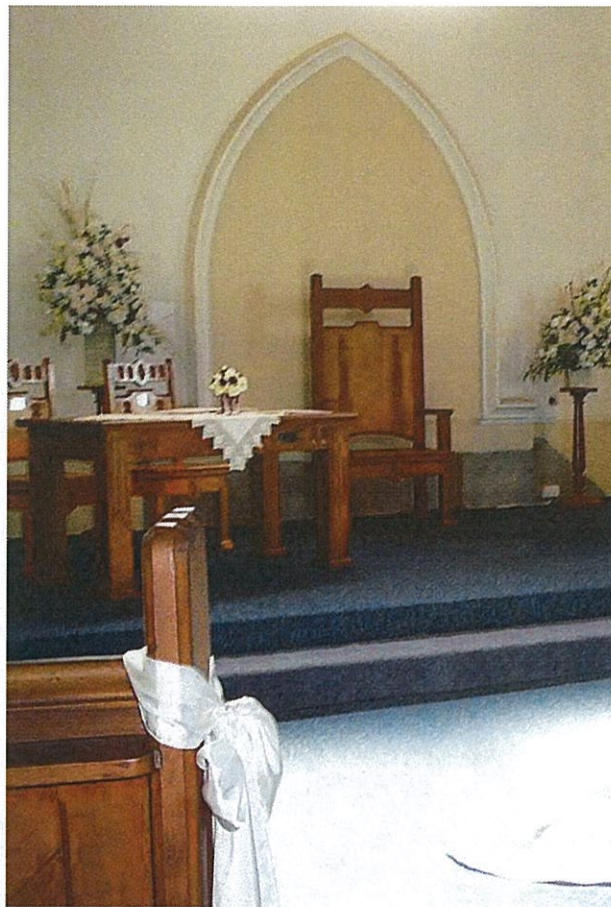
#### **SITE PLAN:**





**PHOTOGRAPHS:**









Charles & Christina McAllister, 1887

Items requiring Council Resolution

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**5.5 PLANNING PROPOSAL – AMENDMENT OF  
BERRIGAN LEP – FINLEY PRESBYTERIAN  
CHURCH**

**AUTHOR:** Development Manager

**STRATEGIC OUTCOME:** Sustainable natural and built landscapes

**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our natural  
resources and built landscapes

**FILE NO:** PF

**RECOMMENDATION:** that a Planning Proposal be prepared and submitted to The NSW Department of Planning and Environment for a Gateway Determination to amend Berrigan Local Environmental Plan 2013 to include the Finley Presbyterian Church as a Heritage Item in Schedule 5 of the Plan

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**REPORT:**

In response to public concern regarding the proposed demolition of the Finley Presbyterian Church the Minister for Heritage, following advice from the Heritage Council of NSW, made an Interim Heritage Order (IHO NO. 129) under Section 24 of the *Heritage Act 1977* (NSW) over the church building and which was gazetted on 7 May 2015 in the Government Gazette No. 41.

The IHO is in place for a period of 12 months. The Office of Environment & Heritage has requested that Council prepare a heritage assessment and then submit a planning proposal to the Department of Planning and Environment to include the church as a heritage item on Berrigan Local Environmental Plan 2013.

In this regard the Heritage Division has noted that Berrigan Council has previously provided a letter of support for the retention of the church and including the building as a heritage item on the LEP. It should be noted that the church has now been listed by the National Trust of Australia (NSW) on the Trust Register. Whilst this listing does not have any legal force it does carry significant weight in supporting any proposal for inclusion as a heritage item on a local plan.

Council is in receipt of a number of reports, including the statement of significance undertaken by the National Trust, which would provide sufficient information to compile a heritage assessment of the church building to support a planning proposal.

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**Items requiring Council Resolution**

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It is considered that the preparation of a heritage assessment and a planning proposal would not have a significant impact on Council resources and it is therefore recommended that the request of the Office of Environment & Heritage to undertake this activity be supported.

RESOLUTION



**Min. No.**

**5.4 SURRENDER OF LEASE – TOCUMWAL VISITOR  
INFORMATION CENTRE**

**AUTHOR:** General Manager

**STRATEGIC OUTCOME:** Diverse and resilient business

**STRATEGIC OBJECTIVE:** 4.3 Diversify and promote local  
tourism

**FILE NO:** 05.005.7

- 213**      **RESOLVED** Crs: Morris and O'Neill that the Council sign and seal the surrender of lease to the Tocumwal Chamber of Commerce and Tourism for the Tocumwal Visitor Information Centre – Lot 42 DP 1122397

**5.5 PLANNING PROPOSAL – AMENDMENT OF BERRIGAN  
LEP – FINLEY PRESBYTERIAN CHURCH**

**AUTHOR:** Development Manager

**STRATEGIC OUTCOME:** Sustainable natural and built  
landscapes

**STRATEGIC OBJECTIVE:** 1.1 Support sustainable use of our  
natural resources and built  
landscapes

**FILE NO:** PF

- 214**      **RESOLVED** Crs: O'Neill and Hannan that a Planning Proposal be prepared and submitted to The NSW Department of Planning and Environment for a Gateway Determination to amend Berrigan Local Environmental Plan 2013 to include the Finley Presbyterian Church as a Heritage Item in Schedule 5 of the Plan.

**5.6 INVESTMENT POLICY**

**AUTHOR:** Director Corporate Services

**STRATEGIC OUTCOME:** Good government

**STRATEGIC OBJECTIVE:** 2.2 Ensure effective governance  
by Council of Council operations  
and reporting

**FILE NO:** 12.024.2

- 215**      **RESOLVED** Crs: Bruce and Jones that the Council:

- Revoke the "Investment Policy" adopted on 17 September 2014; and
- Adopt the Investment Policy set out below.



## **Scots Presbyterian Church Finley**

**Item Details**

|                         |                                  |
|-------------------------|----------------------------------|
| <b>Name of Item</b>     | Scots Presbyterian Church        |
| <b>Other names</b>      | Finley Presbyterian Church       |
| <b>Type of Item</b>     | Built                            |
| <b>Group/collection</b> | Religion                         |
| <b>Category</b>         | Church                           |
| <b>Location</b>         |                                  |
| <b>Primary Address</b>  | 13-19 Denison Street Finley 2713 |
| <b>Local Govt Area</b>  | Berrigan                         |

**Description**

|                          |                            |
|--------------------------|----------------------------|
| <b>Year Constructed:</b> | 1919                       |
| <b>Officially opened</b> | 1920                       |
| <b>Style</b>             | Interwar Free Classical    |
| <b>Significance</b>      | Local                      |
| <b>Architect</b>         | Laird and Buchan (Geelong) |

|                         |                                      |
|-------------------------|--------------------------------------|
| <b>Historical Theme</b> | Developing Australia's cultural life |
|                         | Religion                             |

*Local themes Activities associated with particular systems of faith and worship  
Church, monastery, convent, rectory, presbytery, manse, parsonage, hall,  
chapter house, graveyard, monument, church organ, synagogue, temple,  
mosque, madrasa, carved tree, burial ground*



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**Scots Presbyterian Church****Finley**

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**Statement of Significance****What is significant?**

The Presbyterian Movement was flourishing during the later part of the 19<sup>th</sup> Century as concerted efforts were made to establish the Presbyterian Ministry throughout Southern New South Wales.

Initiated from the Victorian Presbyterian Movement, the Jerilderie Parish was established in 1880 encompassed an extensive area which included outlying townships and settlements. The Movement grew quickly and as a result of subsequent charges, new Parishes were formed. The Berrigan Charge in 1898 included the Finley and Tocumwal charge, which subsequently broke away to become individual Parishes within these townships.

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A Building Committee was formed in 1918 to facilitate the construction of a new permanent church building. Land was selected, funds were raised and the architects Laird and Buchan was instructed to prepare plans.

The Church was built by local builder N. Lewis with the assistance of volunteers from the local community. Lewis built other significant buildings and several homes in Finley. Construction of the Church was supervised by JT Close, a local Engineer and owner of the Foundry, who also supplied building materials for the project. Other dedicated members of the community including Messrs Learmonth and Matthews assisted.

The building fabric consists of locally sourced bricks and timbers harvested from Myrtle Park, a significant property in the Finley area and home of the McAllister family.

The McAllister family were an important family within the Finley area as they were responsible for the establishment of a school at Myrtle Park, were strong advocates for the Finley Charge and the construction of Scots Church.

The Foundation Stone was laid by Mrs C McAllister in 1919 and the opening in 1920 was celebrated by members of the Presbyterian and Methodist congregation who had also contributed funds to the construction of the Church.

Scots Church is a red brick building with a galvanised corrugated roof. The pointed arch windows are glazed with diamond lead lighting. Decorative rendered detailing occurs at the window sill and head, plinth around the building, the tops of the buttresses and on the castellated parapet detail at the entry.

It is sited on a prominent allotment in the Township of Finley amongst other important buildings including the former Masonic Hall, Catholic Church and the School of Arts.

### **How is it Significant?**

Scots Presbyterian Church is architecturally, historically and socially significant to the local area.

### **Why is it significant?**

Scots Presbyterian Church is architecturally significant at a local level as a fine example of Interwar Classical Style architecture.

The Church building together with part of the front fence and memorial gateway fronting Denison Street are relatively intact with only minor modifications to the original fabric.

Scots Presbyterian Church also stands as an important building in the suite of community buildings that form the main civic and religious centre within the Township. Together with the Catholic Church, the School of Arts and the former Masonic Building they collectively form part of the community infrastructure of the Town.

Scots Church Finley is now the only remaining original Presbyterian Church building within the Shire.

The Building is historically significant for its associations with the early expansion of the Presbyterian movement as it developed throughout the Southern Riverina during the later part of the 19<sup>th</sup> Century and early 20<sup>th</sup> Century.

Scots Church is socially significant as it has direct associations with the Pastoralists of Scottish descent who were proactive in the settlement of the local area, and the establishment of community infrastructure. Associations with Myrtle Park and the McAllister family played an important role in the establishment of education and the Presbyterian Church within the District.

The establishment of a permanent Church building on a prominent site in Finley has social significance within the local area as it is reflection of the important role that worship and fellowship played in the local Community.

### **Building Condition and Integrity**

The Building is in very good condition with a very high degree of original fabric. Together with the original portion of fence and the primary entrance gate

Minor repair and maintenance works have been carried out on the building including new roof sheeting, new windows to the west elevation of the building, new guttering to the vestry and the replacement of part of the front fence, however the overall integrity of the building is very high.





## Building Condition Report



MARCH 11, 2015  
REALM BUILDING DESIGN  
531 High Street, Echuca VIC 3564

## **Introduction**

The following report has been commissioned to examine the building to identify areas of concern with the structure, the fabric and the overall condition of the building.

## **Inspection**

The building was inspected on Thursday 5th March 2015. The visual inspection was undertaken to establish the general condition of the building and the integrity of the building fabric.

## **Observations**

The building is located on a corner allotment within the Finley Township. The site has Street frontage to Woolmai and Denison Streets.

The building shares the site with an additional building which consists of a hall and amenities.

The site is relatively flat with area around the immediate perimeter of the building footprint paved in concrete. The remainder of the site comprises of maintained lawn area to the north and natural ground area to the south and west of the building. Established trees are present to the south side of the building. The site is well maintained.

## **Description**

The Church building was constructed in 1919 and is an example of solid masonry (brick) construction with decorative features and detailing, external brick buttresses, stepped castellated parapet, pointed arch leadlight windows and corrugated galvanised roofing.

Steel bracing has been placed on the exterior of the building.

The interior of the building consists of large exposed timber trusses, pine lining boards to the ceiling, timber flooring and plaster render to the interior face of the walls.

The floor level of the building is slightly elevated above the natural ground and paving level. Sub floor and wall ventilators are present in the building around the perimeter.

## **Exterior**

The building presents as a well constructed and maintained building. The original building fabric remains largely intact, with some later works detected. Generally, the building remains in true alignment with minimal signs of deflection of the structure and only minor deterioration of the building fabric.

## Roofing and Roof

A recent corrugated roof is present on the building which appears to be well fixed and flashed. Overall the flashings and gutters are present and intact, however there are signs of water damage to the brickwork due to deterioration of the down pipes, inadequate downpipe capacity, inadequate number of downpipes and concentration of water run off.at the roof – parapet junctions.

Some downpipes have been replaced or partly replaced with pvc pipes, with all down pipes presently set into a concrete surround at the base of the wall.



## Eaves and Linings

These elements appear to be in reasonable condition.



## Brickwork

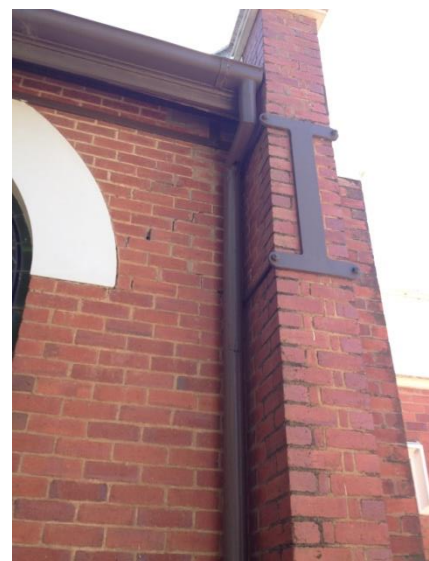
The brick walls are straight and true with defects occurring mainly in the jointing.

Overall the bricks themselves are sound and do not display evidence of damp, decay or delamination.

Some minor cracking is present in the wall faces which is consistent with a solid masonry structure of this age. The cracking generally occurs around the window and door openings which can be areas of concentrated stresses in the brickwork or at the interface of two differing materials or changes in configuration of the building elements. In this case, at the window sills and where the window arches meet the walls.

A building of this age has no articulation joints present to control the location and extent of such cracking.

There is a consistent pattern of cracking within each wall 'bay' on the south elevation of the building. Cracking emanates from the apex of the Gothic arch and from the external sill through the centre of the panel beneath the window. The cracking observed here is minor and no deflection in the wall face was detected. Cracking is confined to the mortar joints with no damage occurring to the brickwork in these locations.



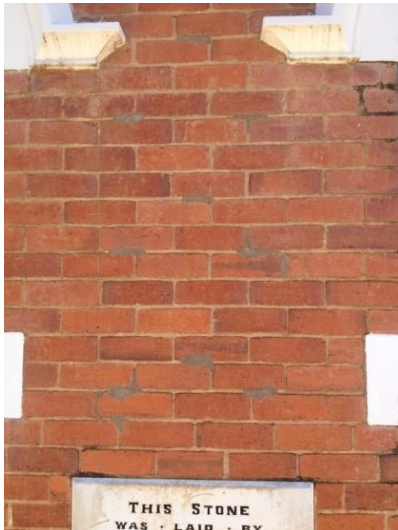
More severe cracking is present in the brickwork where it is exacerbated by the presence of water and failure in the footing beneath. The two locations where this occurs would also have a concentration of load at each of the extremities of the front parapet wall on the north east and south east corners of the main part of the building.

At these points there are 2 additional supporting buttresses in place to support the front wall of the building. While these buttresses support the wall they may also contribute to additional weight and stress on the footing system in these locations. As the brickwork of the buttresses is tied to the original wall and no articulation is present, stresses are likely to occur at these points.





Some cracking is present in the front wall of the entry and the main building. Minor repair has been undertaken to the pointing using an unsuitable cement based mortar.



Minor cracking and delamination of the render to the plinth at the base of the building occurs in some locations. This varies from very minor cracking to more severe cracking and loss of render at the rear of the building on the south west corner.





The southwest corner of the building shows evidence of damage which could be attributed to the damp conditions present here due to overflow from the gutter above.

Evidence of damp and mould on the brickwork suggests that this has been a problem for some time and would manifest in deterioration of the render below.

### **Wall Bracing**

Wall bracing and ties are visible on the exterior of the building. It is unknown if these elements were part of the original fabric or they were introduced at a later date. The walls appear to be straight and in good alignment.

### **Discussion**

Some key factors have contributed to the defects that are present in the building.

These occur due to the construction method used, the age and some inadequacies in the building due to accepted practice for construction at the time. It should also be noted that this building was constructed at the end of the Great War when building materials were in short supply, however the quality of this build remains high.

Unarticulated brickwork is always at risk of cracking, particularly when large wall expanses of brickwork are present in a building.

The effect of the presence of water to a building can damage the fabric and undermine the foundations. Changes in moisture conditions as we see in this instance can be demonstrated when comparing the north and the south elevations of the building. The north side of the building displays less cracking than the south side which may be attributed to the presence of a maintained lawn on the north side as compared to an unmaintained area with established trees on the south side. The trees can contribute to changes in the moisture levels present as well as create problems for the building due to the root system.

Also evident in this building is the lack of adequate roof drainage. There are no rain heads to capture water during a storm event, limited down pipes and small capacity of the downpipes that are present.

The integrity of the sub ground storm water system and the ability to carry water away during a storm event is unclear and has not been assessed.

## **Conclusion**

It is my opinion that the Church building appears to be in good condition considering the age of the building and the method of construction.

The building has been well constructed and has been improved and maintained since that time.

I believe that the defects noted in this report indicate relatively minor problems that can be repaired and rectified with minor works.

The building is suitable for adaption and/or additional building works to be undertaken on the site.

Janita Norman  
Director

BA (Indus Des) Grad Dip Cultural Heritage  
*ICOMOS Associate*

RBP DP-AD394

# Berrigan Heritage Inventory

|                                                                                   |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
|-----------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------|
| <b>Item Name</b> <b>Scots Presbyterian Church</b>                                 |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | <b>SHI Number</b> <b>1120119</b>          |
| <b>Other Names/s</b> NA                                                           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | <b>Assessed Significance</b> <b>Local</b> |
| <b>Group Name</b> NA                                                              |  | <b>Local Government Area/s</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                                           |
| <b>Location</b> 13-19 Denison Street Finley 2713                                  |  | <b>Berrigan</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Corner location</b> NA NA                                                      |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Item Type</b> Built                                                            |  | <b>Statement of Significance</b><br><br>A fine example of a inter-war free classical style church in a rural town. With substantial brick and steel fence and well established grounds. An important building in the religious precinct in the town.                                                                                                                                                                                                                                                                                                                                                       |  |                                           |
| <b>Sub Type</b> Church                                                            |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>State Theme/s</b><br>Religion                                                  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Study Theme/s</b>                                                              |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Property description</b> Lot 1, Section 2, DP 258412                           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Owner</b> Religious Organisation                                               |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Current Use</b> Church                                                         |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Former Use</b> Church                                                          |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Years</b> 1919      1920      Circa    No                                      |  | <b>Physical Description</b><br><br>Brick church with corrugated iron roof. The entrance to the church is defined by a flat roof with a parapet designed to give the appearance of a foretress/ balcony. All detail is in white, with mouldings around all windows. The brick and steel fence in a feature in itself.                                                                                                                                                                                                                                                                                       |  |                                           |
| <b>Designer</b> Buchan and Laird                                                  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Builder</b> J & T Close                                                        |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Physical Condition and/or Archaeological Potential</b> Good physical condition |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |
| <b>Modification Dates</b> NA                                                      |  | <b>Historical Notes</b><br><br>The foundation stone for Scots Church was laid on 29 October 1919, by Mrs Charles McAllister of Myrtle Park. The church was erected under the supervision of Mr J T Close who supplied most of the building material as cost. All timber in the floor was milled at Myrtle Park and donated free by Charles McAllister senior. He also donated the varnished ceiling timber.<br><br>The church was officially opened simultaneously by Mrs J T Close and Miss Christina McAllister.<br><br>The church played host to the Methodists until their own church was constructed. |  |                                           |
| <b>Further Information</b> NA                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                           |

Date: 19/05/2007

Date First Entered 04/05/2007

Date Updated: 17/05/2007

Status: Partial

Page: 1



# Berrigan Heritage Inventory

|                                            |                                    |                           |
|--------------------------------------------|------------------------------------|---------------------------|
| Item Name <b>Scots Presbyterian Church</b> |                                    | SHI Number <b>1120119</b> |
| Other Names/s NA                           |                                    |                           |
| Group Name NA                              | Local Government Area/s            |                           |
| Location 13-19 Denison Street Finley 2713  | Berrigan                           |                           |
| Corner location NA NA                      | Assessed Significance <b>Local</b> |                           |

| <b>Images</b><br><br><br><br><b>Caption</b><br><br><b>Copyright:</b><br><b>Image by:</b> Berrigan Shire<br><b>Date:</b><br><b>Number:</b>            | <b>Listings</b>                                                                                                                                                                                                                |                        |       |      |                   |                        |      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------|------|-------------------|------------------------|------|
|                                                                                                                                                                                                                                       | <b>References</b><br><table border="1"> <thead> <tr> <th>Author</th> <th>Title</th> <th>Year</th> </tr> </thead> <tbody> <tr> <td>Norman McAllister</td> <td>Looking Back on Finley</td> <td>1978</td> </tr> </tbody> </table> | Author                 | Title | Year | Norman McAllister | Looking Back on Finley | 1978 |
|                                                                                                                                                                                                                                       | Author                                                                                                                                                                                                                         | Title                  | Year  |      |                   |                        |      |
|                                                                                                                                                                                                                                       | Norman McAllister                                                                                                                                                                                                              | Looking Back on Finley | 1978  |      |                   |                        |      |
| <b>Studies</b>                                                                                                                                                                                                                        |                                                                                                                                                                                                                                |                        |       |      |                   |                        |      |
| <b>Assessment Degree Criteria</b><br><b>Rarity</b> NA<br><br><br><br><br><br><br><br><br><br><b>Representative</b> NA<br><br><br><br><br><br><br><br><br><br><b>Intactness / Integrity</b><br><p style="text-align: center;">Good</p> |                                                                                                                                                                                                                                |                        |       |      |                   |                        |      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment Criteria</b><br><b>Historical Significance</b> NA<br><br><br><br><br><br><br><br><br><br><b>Aesthetic Significance</b> A fine example of a inter-war free classical style church in rural NSW<br><br><br><br><br><br><br><br><br><br><b>Social Significance</b> An important building for the Presbyterians and Methodist of the Finley area. Also important for its association with the T J Close and Myrtle Park.<br><br><br><br><br><br><br><br><br><br><b>Technical/ Research Significance</b> NA |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                           |
|-------------------------------------------|
| <b>Recommended management</b> List in LEP |
|-------------------------------------------|

# ***Berrigan Heritage Inventory***

|                 |                                  |                         |                       |                |
|-----------------|----------------------------------|-------------------------|-----------------------|----------------|
| Item Name       | <b>Scots Presbyterian Church</b> |                         | SHI Number            | <b>1120119</b> |
| Other Names/s   | NA                               |                         |                       |                |
| Group Name      | NA                               |                         |                       |                |
| Location        | 13-19 Denison Street Finley 2713 | Local Government Area/s |                       |                |
| Corner location | NA NA                            | Berrigan                | Assessed Significance | <b>Local</b>   |