

Planning Proposal  
SSLEP2015 Minor Amendments: Heritage  
Items 2019

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## Part 1 – A statement of the objectives and intended outcomes of the proposed instrument

The purpose of this Planning Proposal is to amend the Sutherland Shire Local Environmental Plan 2015, Schedule 5 Environmental heritage (and associated mapping), to address a range of heritage issues identified during the operation of the plan:

### Heritage Changes (Council Resolutions: PLN007-17, PLN028-18 & PLN041-18)

1. **Remove Item 1057** ‘Cronulla Linear Cultural Exotic Planting of Rail Embankment’: Remove from Schedule 5 and associated LEP Mapping because this item has been removed.
2. **Amend Item 2016** at 119 Fowler Road, Illawong (Boat shed, house, wharf and stone waterfront): Update the listing address and amend the description to reflect the destruction of the house and the fact that the wharf is on an adjacent property and is not part of this item.
3. **Amend Item 0610** at 1 Eurabalong Road, Burraneer (House, boat shed and garden): Update the listing lot and address details and amend the mapping of the item following a recent subdivision.
4. **Amend Items 1205, 1206 and A1210** at 35B Waratah Road, Engadine (Bakery and Meat Trade Industry buildings, “The Boys Town”): Update the lot and address details following a recent subdivision.
5. **Amend Item 1017** fronting 144-146 Ewos Parade and 12 Orient Avenue, Cronulla (street trees): Update the mapping to show this item.
6. **Remove Item 1208** at 46-48 Waratah Road, Engadine: Remove the “Memorial Hospital grounds” from Schedule 5 and mapping, as it does not meet the required threshold of significance and duplicates another item.
7. **Amend Item 1027** at 28-30 Grosvenor Crescent, Cronulla (Garden): Update the address details and amend the description to “House and garden” to recognise the significance of the house to the item.
8. **Amend Item A1074** at Nicholson Parade, Cronulla (Gunnamatta Park, including dressing pavilion): Amend the mapping to show the item number in the correct location.
9. **Amend Item A4214** at Woronora River (Woronora Bridge): Correct mapping and listing coordinates to reflect the location of the original bridge, not the present one.
10. **Amend Item 3616** at Eton Street and Old Princes Highway, Sutherland (Forby Sutherland Gardens): Update the lot details and mapped area to match the extent of the gardens.
11. **Recognise New State Item: State Heritage Item Lucas Watermills Archaeological Sites** in Woronora Reserve, Engadine. Add this item to the LEP mapping and heritage schedule.
12. **Amend Item A2404** at Princes Highway and Oak Road, Kirrawee (Site of former brickworks, Sutherland Brick Company clay pits): Update the item to reflect the redevelopment of the site. Reduce the mapped area, description and details to reflect the “Pipe Kiln of the former Sutherland Brick Company” which is the only remaining heritage archaeology on the site.
13. **Create New Local Heritage Item: Maris Park – Sandstone Boundary Wall and Park** at 26, 36, 40 & 42 Turriell Point Road; and 2 Sandbar Place, Port Hacking: List this item where it is located on public and private property.
14. **Change the category of A1069** (Brick kerbing on road reserve) on Gerrale Street, Waratah Street, Ewos Parade, Parramatta Street and Richmount Street, Cronulla: List this item as a local heritage item, following advice from NSW Office of Environment and Heritage (OEH).

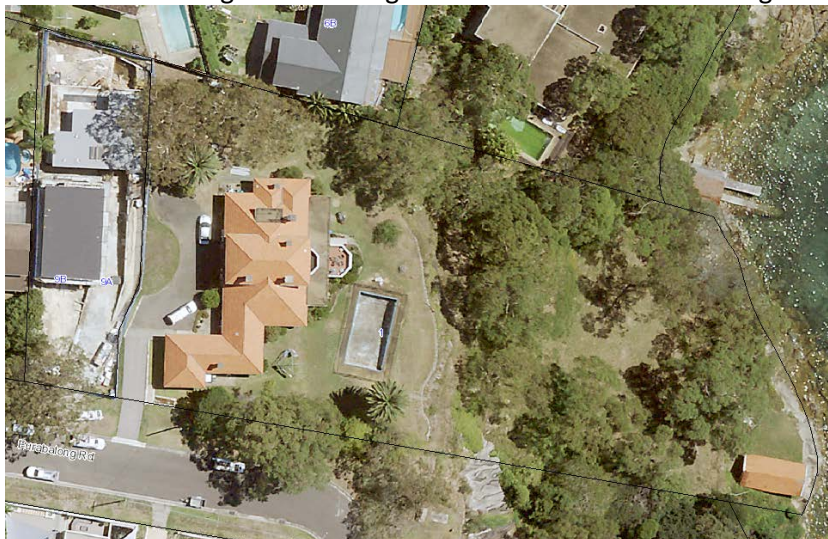
15. **Change the category of A0631** on Wolooware Road, Wolooware and Burraneer (Alignment of first road in Sutherland Shire): List this item as a local heritage item following advice from OEH.
16. **Change the category of A4114** on Wolooware Road, Wolooware (Alignment of first road in Sutherland Shire). List this item as a local heritage item following advice from OEH.
17. **Update mapping of 2204** at 25 Kangaroo Point Road, Kangaroo Point (House and front garden) to correct a heritage mapping anomaly which results from survey changes to the mean high watermark of the property.

Council is willing to exercise an authorisation to delegate the plan making function for this planning proposal, should such a delegation be issued as part of the Gateway determination. The evaluation criteria for the issuing of an authorisation is attached as Appendix 1.

## Part 2 – An explanation of the provisions that are to be included in the proposed instrument

SSLEP2015 is to be amended as follows:

LEP Provision	Amendment	Relevant Objective (from Part 1)																		
Schedule 5 – Environmental Heritage	Amend the heritage schedules for individual items as indicated below.																			
Schedule 5 – Environmental Heritage	<p><b>Remove Item 1057</b> ‘Cronulla Linear Cultural Exotic Planting of Rail Embankment’ (Linear cultural exotic planting of rail embankment, consisting of coral trees, End of Tonkin Street, between railway and oval - Lot 1, DP 1129292; Lot 7055, DP 1060600): Remove from Schedule 5 and heritage mapping as this item has been destroyed/removed.</p> <p>This item was a stand of large trees in the rail corridor near Cronulla Station. Unfortunately these trees were all removed by Sydney Trains during maintenance work. Council resolved to remove the item from LEP mapping and the heritage schedule because the item has been destroyed. See Section 4.13.</p> <p><b>OEH Heritage Register Link</b> <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440772">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440772</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	1																		
Schedule 5 – Environmental Heritage	<p><b>Amend Item 2016</b> at 119 Fowler Road, Illawong : Update the listing address and amend the description to reflect the destruction of the house and the fact that the wharf is on an adjacent property, does not warrant a separate listing, and is not part of this item.</p> <table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr><tr><td>Illawong</td><td>Boat shed and stone waterfront</td><td>119 Fowler Road</td><td>Lot 202, DP 1189575</td><td>Local</td><td>2016</td></tr><tr><td></td><td><del>Boat shed, house, wharf and stone waterfront</del></td><td><del>119-121 Fowler Road</del></td><td></td><td></td><td></td></tr></table> <p>A submission was received from the owner of an adjoining property noting that the house had been destroyed some years previously and that the wharf included in the text of the listing was actually on a different property. Council has confirmed this information and agreed to amend the listing in response.</p>	Suburb	Item name	Address	Property description	Significance	Item no	Illawong	Boat shed and stone waterfront	119 Fowler Road	Lot 202, DP 1189575	Local	2016		<del>Boat shed, house, wharf and stone waterfront</del>	<del>119-121 Fowler Road</del>				2
Suburb	Item name	Address	Property description	Significance	Item no															
Illawong	Boat shed and stone waterfront	119 Fowler Road	Lot 202, DP 1189575	Local	2016															
	<del>Boat shed, house, wharf and stone waterfront</del>	<del>119-121 Fowler Road</del>																		

	<p><b>OEH Heritage Register Link</b> <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440026">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440026</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>													
<p><b>Schedule 5 – Environmental Heritage</b></p>	<p><b>Amend Item 0610</b> at 1 Eurabalong Road, Burraneer: Update the listing lot and address details of the item following a recent subdivision.</p> <table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr><tr><td>Burraneer</td><td>House, boat shed and garden</td><td>1 Eurabalong Road <del>1-9 Eurabalong Road</del></td><td>Lot 2, DP 1199493 <del>Lot 2, DP 623110</del></td><td>Local</td><td>0610</td></tr></table> <p>This item is a large heritage listed house which has recently been subdivided into two separate lots (1 Eurabalong Road – Lot 2 DP 1199493; and 9 Eurabalong Road Lot 1 in DP 1199493). The heritage listed house remains at 1 Eurabalong Road, but 9 Eurabalong Road has been redeveloped into a new dual occupancy. The heritage listing does not include the new dual occupancy, therefore the mapping of the heritage item should be restricted to the property at 1 Eurabalong Road.</p> <p>Aerial photography from 2018 shows the new dual occupancy at far left and the heritage house and garden at the centre of the image.</p>  <p><b>OEH Heritage Register Link</b> <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440265">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440265</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	Suburb	Item name	Address	Property description	Significance	Item no	Burraneer	House, boat shed and garden	1 Eurabalong Road <del>1-9 Eurabalong Road</del>	Lot 2, DP 1199493 <del>Lot 2, DP 623110</del>	Local	0610	3
Suburb	Item name	Address	Property description	Significance	Item no									
Burraneer	House, boat shed and garden	1 Eurabalong Road <del>1-9 Eurabalong Road</del>	Lot 2, DP 1199493 <del>Lot 2, DP 623110</del>	Local	0610									

Schedule 5 – Environmental Heritage	<b>Amend Items 1205, 1206 and A1210</b> at 35B Waratah Road, Engadine: Update the lot and address details following a recent subdivision.					4	
	Suburb	Item name	Address	Property description	Significance		Item no
	Engadine	Bakery Trade Industry building	35B Waratah Road <del>Waratah Road</del>	Lot 10, DP 1231293 <del>Lot 638, DP752033</del>	Local		1205
	Engadine	Meat Trade Industry building and brick fence	35B Waratah Road <del>Waratah Road</del>	Lot 10, DP 1231293 <del>Lot 4, DP1142162</del>	Local		1206
	Engadine	“The Boys Town”	35B Waratah Road <del>Waratah Road</del>	Lot 10, DP 1231293 Lots 1 & 2, DP 1190871 <del>Lot 638, DP752033; Lot 4, DP1142162</del>	Local		A1210
<b>OEH Heritage Register Links</b> Meat Trade Industry Building: <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440149">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440149</a> Bakery Trade Industry Building: <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440148">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440148</a> The Boys Town <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440147">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440147</a>  Scanned archaeological item inventories in Appendix 2. Heritage Inventory sheets for other items included in Appendix 3.							
Schedule 5 – Environmental Heritage	<b>Remove Item 1208</b> at 46-48 Waratah Road, Engadine: This item “Memorial Hospital grounds” has been recommended for removal from Schedule 5 and mapping as it does not meet the required threshold of significance and duplicates the more significant item 1207 “Memorial hospital and grounds” next door at 50-52 Waratah Road.  Aerial photography of the site taken in 1955 shows that the land at 46-48 Waratah Road has a perimeter defined by recently planted trees. These trees are the major defining feature of the hospital grounds as they existed. The Memorial hospital is shown on the adjacent lot at the left of this photograph.					6	





Aerial photography of the site taken in 1978 shows that the trees had matured and construction of school buildings had commenced. The trees which defined the hospital grounds remain substantially intact.



Aerial photography of the site taken in January 2018 shows that the trees which were present in 1978 have mostly been removed and the grassed fields at the centre of the site have been replaced with school buildings.





Following the recommendation of the 2013 Community Heritage Review the item would have been merged with the neighbouring Memorial Hospital item. However in light of the subsequent loss of trees and other features which characterised the memorial hospital grounds on this site, the heritage item does not meet the threshold of significance for listing and should be removed from Schedule 5 of the LEP and its heritage mapping.

**OEI Heritage Register Link**

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440151>

Heritage Inventory sheet included in Appendix 3.

**Schedule 5 –  
Environmental  
Heritage**

**Amend Item 1027** at 28-30 Grosvenor Crescent, Cronulla: Update the address details and amend the description to “House and garden” to recognise the significance of the house to the item.

Suburb	Item name	Address	Property description	Significance	Item no
Cronulla	House and garden	28-30 Grosvenor Crescent	Lots 13 & 14, DP 10350	Local	1027
	Garden	30 Grosvenor Crescent			

**OEI Heritage Register Link**

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440116>

Heritage Inventory sheet included in Appendix 3.

7

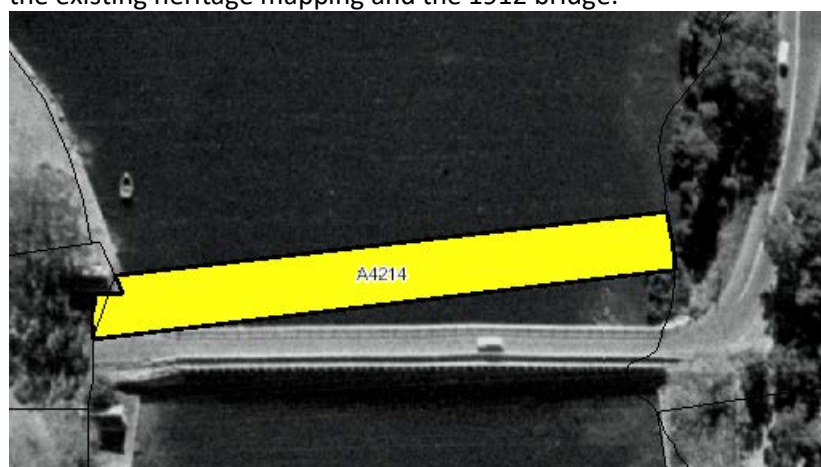
**Schedule 5 –  
Environmental  
Heritage**

**Amend Item A4214** at Woronora River: Correct mapping and listing coordinates to reflect the location of the original bridge, not the present one.

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Suburb	Item name	Address	Property description	Significance	Item no
Woronora	Woronora Bridge	Site of 1912 road bridge across the Woronora River, Menai Road	MGA Zone 56, 319889°E, 6233837°N <del>MGA Zone 56, 319990°E, 6233840°N</del>	Local	A4214

A 1970 aerial photograph demonstrates the misalignment between the existing heritage mapping and the 1912 bridge.



**OEI Heritage Register Link**

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440853>

Scanned archaeological item inventories in Appendix 2.

**Schedule 5 –  
Environmental  
Heritage**

**Amend Item 3616** at Eton Street and Old Princes Highway, Sutherland: Update the lot details and mapped area to match the extent of the gardens.

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Suburb	Item name	Address	Property description	Significance	Item no
Sutherland	Forby Sutherland Memorial Gardens	Eton Street and Old Princes Highway	Lot 1, DP 1087442, Lot 2, Sec 46, DP 802 <del>Lots A and B, DP 327716;</del> <del>Lots A and B, DP 336400;</del> <del>Lots 2 and 3, Section 46, DP 802; Lot 1, DP 1087442</del>	Local	3616

As shown in this aerial photograph, the gardens are only located on two of the lots currently within the heritage item. The heritage item will continue to be protected if the Council Administration building

and its car parks are excised from the area mapped for the heritage item. Proposed changes to the heritage mapping of this item are shown in section 4.7 of this planning proposal.



**OEH Heritage Register Link**

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440236>

Heritage Inventory sheet included in Appendix 3.

**Schedule 5 –  
Environmental  
Heritage**


**Recognise New State Item: State Heritage Item Lucas Watermills Archaeological Sites** in Woronora Reserve, Engadine. Add this item to the LEP mapping and heritage schedule.

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Suburb	Item name	Address	Property description	Significance	Item no
Engadine	Lucas Watermills Archaeological Sites	Woronora Reserve	Part Lot 820, DP 1011240, Part Lot 7038, DP 1027187, Part Lot 294, DP 8755, Part Lot 7314, DP 1147726	State	A1211

This item was State listed in the NSW Government Gazette No 96 of the 30<sup>th</sup> of August 2017. This planning proposal intends to recognise this listing by including it in Schedule 5 of the LEP and associated heritage mapping.

**OEH Heritage Register Link**

	<a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5063418">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5063418</a>													
	OEH State Heritage Inventory sheet included in Appendix 5.													
Schedule 5 – Environmental Heritage	<p><b>Amend Item A2404</b> at Princes Highway and Oak Road, Kirrawee:</p> <p>Update the item to reflect the near total redevelopment of the site. Reduce the mapped area, description and details to reflect the “Pipe Kiln of the former Sutherland Brick Company” which is the only remaining heritage archaeology on the site.</p> <table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr><tr><td>Kirrawee</td><td>Pipe Kiln of the former Sutherland Brick Company  <del>Site of former brickworks, Sutherland Brick Company clay pits</del></td><td>Part of 655-594 Princes Highway  <del>Princes Highway, Oak Road and Flora Street</del></td><td>Part of Lot 3 in DP1215830  <del>Lot 2, DP 589977</del></td><td>Local</td><td>A2404</td></tr></table> <p>A submission was received from consultants on behalf of the site owners requesting that the heritage item be restricted to the surviving archaeology of the pipe kiln.</p> <p>Aerial photography of the site from 2016 shows the site during its excavation phase. This demonstrates that aside from the immediate vicinity of the pipe kiln remains, all other areas of the site have been reworked and any archaeology removed.</p>  <p>Aerial photography of the site from January 2018 shows the site during later stages of construction. The circular shape of the pipe kiln is visible in the space between two of the buildings on the site. As this is the only surviving component of the archaeological site, it is</p>	Suburb	Item name	Address	Property description	Significance	Item no	Kirrawee	Pipe Kiln of the former Sutherland Brick Company  <del>Site of former brickworks, Sutherland Brick Company clay pits</del>	Part of 655-594 Princes Highway  <del>Princes Highway, Oak Road and Flora Street</del>	Part of Lot 3 in DP1215830  <del>Lot 2, DP 589977</del>	Local	A2404	12
Suburb	Item name	Address	Property description	Significance	Item no									
Kirrawee	Pipe Kiln of the former Sutherland Brick Company  <del>Site of former brickworks, Sutherland Brick Company clay pits</del>	Part of 655-594 Princes Highway  <del>Princes Highway, Oak Road and Flora Street</del>	Part of Lot 3 in DP1215830  <del>Lot 2, DP 589977</del>	Local	A2404									



proposed that the listing details be updated and mapped heritage item be restricted to apply only to this area.



#### OEH Heritage Register Link

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440847>

Scanned archaeological item inventories in Appendix 2.

#### Schedule 5 – Environmental Heritage

**Create New Local Heritage Item: Maris Park – Sandstone Boundary Wall and Park** at 26, 36, 40 and 42 Turriell Point Road with the intention of protecting the item where it is located on public and private property.

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Suburb	Item name	Address	Property description	Significance	Item no
Port Hacking	Maris Park – Sandstone Boundary Wall and Park	26, 36, 40 & 42 Turriell Point Road 2 Sandbar Place	Lot 27, DP 255250 Part of Lots 1, 2, 29 & 30, DP 255250	Local	3306

Council received an assessment of heritage significance from heritage consultants which concludes that the park and all extant sections of the wall should be heritage listed. This assessment is provided as an attachment in Appendix 4.

#### Schedule 5 – Environmental Heritage

**Change the category of A1069** on Gerrale Street, Waratah Street, Ewos Parade, Parramatta Street and Richmond Street, Cronulla. This item must be categorised as a local heritage item following advice from OEH. Apply new item no. and transfer from Part 2 Archaeological Sites to Part 1 Heritage items.

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	<table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr><tr><td>Cronulla</td><td>Brick kerbing</td><td>Gerrale Street, Parramatta Street, Richmond Street, Waratah Street and Ewos Parade</td><td>Located on road reserve</td><td>Local</td><td>1069 <del>A1069</del></td></tr></table> <p><b>OEH Heritage Register Link</b> <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440831">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440831</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	Suburb	Item name	Address	Property description	Significance	Item no	Cronulla	Brick kerbing	Gerrale Street, Parramatta Street, Richmond Street, Waratah Street and Ewos Parade	Located on road reserve	Local	1069 <del>A1069</del>	
Suburb	Item name	Address	Property description	Significance	Item no									
Cronulla	Brick kerbing	Gerrale Street, Parramatta Street, Richmond Street, Waratah Street and Ewos Parade	Located on road reserve	Local	1069 <del>A1069</del>									
<b>Schedule 5 – Environmental Heritage</b>	<p><b>Change the category of A0631</b> on Wolooware Road, Wolooware and Burraneer. This item must be categorised as a local heritage item following advice from OEH. Apply new item no. and transfer from Part 2 Archaeological Sites to Part 1 Heritage items.</p> <table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr><tr><td>Burraneer</td><td>Alignment of first road in Sutherland Shire</td><td>1–483 Wolooware Road</td><td>MGA Zone 56, 328230°E, 6229600°N</td><td>Local</td><td>0631 <del>A0631</del></td></tr></table> <p><b>OEH Heritage Register Link</b> <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440790">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440790</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	Suburb	Item name	Address	Property description	Significance	Item no	Burraneer	Alignment of first road in Sutherland Shire	1–483 Wolooware Road	MGA Zone 56, 328230°E, 6229600°N	Local	0631 <del>A0631</del>	15
Suburb	Item name	Address	Property description	Significance	Item no									
Burraneer	Alignment of first road in Sutherland Shire	1–483 Wolooware Road	MGA Zone 56, 328230°E, 6229600°N	Local	0631 <del>A0631</del>									
<b>Schedule 5 – Environmental Heritage</b>	<p><b>Change the category of A4114</b> on Wolooware Road, Wolooware. This item must be categorised as a local heritage item following advice from OEH. Apply new item no. and transfer from Part 2 Archaeological Sites to Part 1 Heritage items.</p> <table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property description</th><th>Significance</th><th>Item no</th></tr><tr><td>Wolooware</td><td>Alignment of first road in Sutherland Shire</td><td>1–483 Wolooware Road</td><td>MGA Zone 56, 328550°E, 6231580°N</td><td>Local</td><td>4114 <del>A4114</del></td></tr></table> <p><b>OEH Heritage Register Link</b> <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440789">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440789</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	Suburb	Item name	Address	Property description	Significance	Item no	Wolooware	Alignment of first road in Sutherland Shire	1–483 Wolooware Road	MGA Zone 56, 328550°E, 6231580°N	Local	4114 <del>A4114</del>	16
Suburb	Item name	Address	Property description	Significance	Item no									
Wolooware	Alignment of first road in Sutherland Shire	1–483 Wolooware Road	MGA Zone 56, 328550°E, 6231580°N	Local	4114 <del>A4114</del>									

The maps are to be amended as follows:

Amendment	Relevant Objective
<p><b>Heritage</b></p> <p>Remove item 1057 ('Cronulla Linear Cultural Exotic Planting of Rail Embankment') from the heritage map adjacent to the rail corridor at Cronulla</p> <p>This item was a stand of large trees in the rail corridor near Cronulla Station. Unfortunately these trees were all removed by Sydney Trains during maintenance work. Council resolved to remove the item from LEP mapping and the heritage schedule because the item has been destroyed. See Section 4.1.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440772">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440772</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	1
<p>Reduce the mapped area of item 0610 to just the property at 1 Eurabalong Road, Burraneer (House, boat shed and garden).</p> <p>This item is a large heritage listed house which has recently been subdivided into two separate lots (1 Eurabalong Road – Lot 2 DP 1199493; and 9 Eurabalong Road Lot 1 in DP 1199493 ). The heritage listed house remains at 1 Eurabalong Road, but the 9 Eurabalong Road has been redeveloped into a new dual occupancy. The heritage listing does not include the new dual occupancy, therefore the mapping of the heritage item should be restricted to the property at 1 Eurabalong Road. See Section 4.2.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440265">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440265</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	3
<p>Show item 1017 (street trees) on the mapping in the road reserve fronting 144-146 Ewos Parade and 12 Orient Avenue, Cronulla</p> <p>This item is listed already in Schedule 5, but the gazetted maps do not show it correctly. It is proposed to amend the maps to show the item correctly. See Section 4.3.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440107">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440107</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	5
<p>Remove item 1208 from the heritage map at 46-48 Waratah Road, Engadine Lot 361 DP 752033 (the "Memorial Hospital grounds");</p>	6



<p>Removal of this item from the heritage mapping is required as a result of removing the item from Schedule 5 of the LEP. Detailed explanation of this change is provided as part of the explanation of changes to the heritage schedule. See Section 4.4.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440151">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440151</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	
<p>Show the label of item A1074 (Gunnamatta Park, including dressing pavilion) in the correct location at Nicholson Parade, Cronulla</p> <p>This item is mapped beneath another heritage item, but no label is shown. The map must be amended to include the label of this item to indicate its presence and location. See Section 4.5.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440125">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440125</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	8
<p>Amend the mapped area of item A4214 (Woronora Bridge) to show the item on the location of the original bridge at Woronora River as mapped in part 4 of this planning proposal. See Section 4.6.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440853">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440853</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	9
<p>Amend the mapped area of item 3616 (Forby Sutherland Gardens) to cover the gardens only on Lot 1 DP1087442 and Lot 2, Section 46, DP802 as mapped in part 4 of this planning proposal. See Section 4.7.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440236">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440236</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	10
<p>Show the listed curtilage area for State Item: Lucas Watermills Archaeological Sites as gazetted on the State Heritage Register. See Section 4.8.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5063418">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5063418</a></p> <p>OEH State Heritage Inventory sheet included in Appendix 5.</p>	11

<p>Amend the mapped area of item A4204 (Site of former brickworks, Sutherland Brick Company clay pits) to cover only the remains of the former pipe kiln on the site as set out in the explanation of the amendments to the heritage schedule above. Part of lot 3 in DP1215830 as mapped in part 4 of this planning proposal. See Section 4.9.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440847">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440847</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	12
<p>Create a new heritage item mapped across all of 36 Turriell Point Road, Port Hacking (lot 27 in DP255250) (Maris Park – Sandstone Boundary Wall and Park) and extending along the boundaries of the following lots that face Turriell Point Road:</p> <ul style="list-style-type: none"> <li>• 26 Turriell Point Road, Port Hacking – part lot 1 DP255250;</li> <li>• 40 Turriell Point Road, Port Hacking – part lot 29 DP255250;</li> <li>• 42 Turriell Point Road, Port Hacking – part lot 30 DP255250;</li> <li>• 2 Sandbar Place, Port Hacking – part lot 2 DP255250;</li> </ul> <p>See Section 4.10.</p> <p>Council received an assessment of heritage significance from heritage consultants which concludes that the park and all extant sections of the wall should be heritage listed. This assessment is provided as an attachment in Appendix 4.</p>	13
<p>Amend the mapping and label of item A1069 (Brick kerbing on road reserve) to reflect the change in category from Archaeological sites to Heritage items Road reserves of Gerrale Street, Waratah Street, Ewos Parade, Parramatta Street and Richmount Street, Cronulla. See Section 4.11.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440831">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440831</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	14
<p>Amend the mapping and label of item A0631 (Alignment of first road in Sutherland Shire) to reflect the change in category from Archaeological sites to Heritage items Road reserves of Wolooware Road, Wolooware and Burraneer. See Section 4.12.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440790">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440790</a></p> <p>Scanned archaeological item inventories in Appendix 2.</p>	15
<p>Amend the mapping and label of item A4114 (Alignment of first road in Sutherland Shire) to reflect the change in category from Archaeological sites to Heritage items Road reserve of Wolooware Road, Wolooware. See Section 4.13.</p> <p><b>OEH Heritage Register Link</b></p>	16

<a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440789">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440789</a>	
<p>Scanned archaeological item inventories in Appendix 2.</p>	
<p>Extend the mapped area of item 2204 to all of the property at 25 Kangaroo Point Road, Kangaroo Point, (House and front garden) Lot 1 DP 1218171</p> <p>This lot was resurveyed leading to a change to its mean high water mark. LEP layers need to be updated to ensure that consistent zoning and development standards apply across the entire lot. See Section 4.14.</p> <p><b>OEH Heritage Register Link</b>  <a href="https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440868">https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2440868</a></p> <p>Heritage Inventory sheet included in Appendix 3.</p>	<p>17</p>

## Part 3 – The justification for those objectives, outcomes and the process for their implementation

### Section A – Need for the planning proposal

#### **Q1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is not a result of a single strategic study or report. It responds to Council resolutions of (PLN007-17, PLN028-18, PLN037-18 & PLN041-18) to address outstanding heritage matters which have been raised by staff and members of the public in relation to the *Sutherland Shire Local Environmental Plan 2015*. The planning proposal is required to implement the decisions of Council to amend SSLEP2015 to resolve the identified issues. However, a study has been undertaken which has led to a specific element of the Planning Proposal.

#### **Heritage Amendment Item 1208 at 46-48 Waratah Road, Engadine – Sutherland Shire Community Based Heritage Review 2013**

One of the proposed amendments to the Heritage Schedule of the SSLEP2015 is the result of a comprehensive review of the Heritage items of the Sutherland Shire.

The 2013 Sutherland Shire Community Based Heritage Review, considered built heritage items, trees, landscapes and landforms. The review considered 289 Items listed in the LEP. This study informed the proposed removal of item 1208 (46-48 Waratah Road, Engadine “Memorial Hospital grounds”) from the heritage schedule, which forms part of this Planning Proposal.

#### **Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The planning proposal is the only means to achieve the intended outcome as amendments to SSLEP2015 are required.

### Section B – Relationship to strategic planning framework

#### **Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes, the proposed amendments aim to respect local heritage in accordance with *South District Plan* Planning Priority S6: Creating and renewing great places and local centre. And respecting the District’s heritage. The proposed changes are consistent with the broad policy directions contained within *The Greater Sydney Region Plan: A Metropolis of Three Cities*.

The amendments are predominantly administrative or minor in nature. The Planning Proposal aims to ensure quality outcomes for the long term benefit of the Sutherland Shire through ensuring the accuracy and consistency of its heritage planning controls.

#### **Assessment Criteria**

##### **a) Does the proposal have strategic merit? It is:**

- *Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*
- *Consistent with a relevant local council strategy that has been endorsed by the Department; or*
- *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

The proposed amendments intend to more appropriately protect heritage items. The amendments reflect new circumstances and are largely minor amendments.

##### **b) Does the proposal have site specific merit, having regard to the following:**

- *The natural environment (including known significant environmental values, resources or hazards) and*
- *The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The proposed amendments are intended to better protect the heritage values of the Shire.

#### **Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

Council's Community Strategic Plan: *Our Community Plan* endorses the following priorities which this planning proposal seeks to pursue:

- *4.1 Create and strengthen community connections through shared cultural experiences.*  
By updating and improving the quality of information contained in the Heritage schedule of SSLEP2015, the planning proposal helps to protect the cultural heritage of the Sutherland Shire. This preserves opportunities for the community to connect to the history of the Sutherland Shire as part of its shared culture. This planning proposal seeks to better implement existing legislative requirements to protect heritage by addressing non-compliances and anomalies within the heritage schedule. Although largely minor and administrative, this planning proposal will make a contribution to preservation of the heritage of the Sutherland Shire.

- *4.1.1 Identify and appreciate places, spaces and stories that contribute to our Sutherland Shire identity.*  
By updating the heritage schedule to add and recognise new heritage items, the planning proposal is identifying places and spaces which contribute to the identity of the people of the Sutherland Shire.

This planning proposal is therefore consistent with the Community Strategic Plan.

#### **Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes the planning proposal is generally consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs.

The planning proposal does seek to facilitate suburban residential boundary fences and pool fences as exempt development in the E4 zone which are matters that are presently regulated by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The Codes SEPP contains provisions which may be interpreted to deactivate any LEP exempt provisions that directly conflict with its own, however it is considered that the proposed LEP exempt development provisions are targeted specifically enough that they can coexist with the Codes SEPP provisions. An alternative method to achieve the same policy outcome could be the amendment of the Codes SEPP itself, however Council has not chosen to request this.

<b>SEPP</b>	<b>Relevance to Planning Proposal</b>	<b>Planning Proposal Consistency with SEPP?</b>
<b>State Environmental Planning Policy No 1—Development Standards</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy No 19—Bushland in Urban Areas</b>	None. No provisions of the Planning Proposal affect the protection of urban bushland.	N/A
<b>State Environmental Planning Policy No 21—Caravan Parks</b>	None. No provisions of the Planning Proposal affect development for the purposes of caravan parks.	N/A
<b>State Environmental Planning Policy No 30—Intensive Agriculture</b>	None. No provisions of the Planning Proposal affect development for the purposes of intensive agriculture.	N/A

<b>State Environmental Planning Policy No 33—Hazardous and Offensive Development</b>	None. No provisions of the Planning Proposal affect development for the purposes of hazardous or offensive development.	N/A
<b>State Environmental Planning Policy No 36—Manufactured Home Estates</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy No 44—Koala Habitat Protection</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy No 47—Moore Park Showground</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy No 50—Canal Estate Development</b>	None. No provisions of the Planning Proposal affect development for the purposes of Canal Estates.	N/A
<b>State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy No 55—Remediation of Land</b>	Provides a Statewide approach to regulation of contaminated land and its remediation. Specific requirements for consideration of planning proposals which seeks to rezone contaminated lands. The Planning Proposal does not seek to materially change the development potential of any land which is known to be contaminated.	N/A



<b>State Environmental Planning Policy No 62—Sustainable Aquaculture</b>	None. No provisions of the Planning Proposal affect development for the purposes of Sustainable Aquaculture.	N/A
<b>State Environmental Planning Policy No 64—Advertising and Signage</b>	None. No provisions of the Planning Proposal affect development for the purposes of Advertising and Signage.	N/A
<b>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</b>	None. No provisions of the Planning Proposal affect development for the purposes of Residential Apartments.	N/A
<b>State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)</b>	None. No provisions of the Planning Proposal affect development for the purposes of affordable housing.	N/A
<b>State Environmental Planning Policy (Affordable Rental Housing) 2009</b>	None. No provisions of the Planning Proposal affect development for the purposes of affordable rental housing.	N/A
<b>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</b>	None. No provisions of the Planning Proposal affect the environmental performance characteristics of residential dwellings.	N/A
<b>State Environmental Planning Policy (Coastal Management) 2018</b>	None. No provisions of the Planning Proposal seek to introduce controls which would conflict with the Coastal Management SEPP.	N/A
<b>State Environmental Planning Policy (Educational Establishments)</b>	None. No provisions of the Planning Proposal affect development for the purposes of educational establishments or child care facilities.	N/A

<b>and Child Care Facilities) 2017</b>		
<b>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</b>	This planning proposal does recommend changes to heritage items including changes to heritage mapping and items. These changes will affect the rights of land owners to undertake exempt and complying development.	Yes – The restrictions on exempt and complying development applied by the SEPP are intended to protect the integrity of heritage items. The proposal seeks to better reflect the significance of the affected heritage items within the LEP and resulting impacts on exempt and complying development rights are considered to be acceptable.
<b>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</b>	None. No provisions of the Planning Proposal affect development for the purposes of housing for seniors or people with a disability.	N/A
<b>State Environmental Planning Policy (Infrastructure) 2007</b>	None. No provisions of the Planning Proposal affect development for the purposes of infrastructure.	N/A
<b>State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (Kurnell Peninsula) 1989</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</b>	None. No provisions of the Planning Proposal affect development for the purposes of mining, petroleum production and extractive industries.	N/A
<b>State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007</b>	None. No provisions of the Planning Proposal affect development for the purposes regulated under this SEPP.	N/A

<b>State Environmental Planning Policy (Penrith Lakes Scheme) 1989</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (Rural Lands) 2008</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (State and Regional Development) 2011</b>	None. No provisions of the Planning Proposal affect development classed as State Significant Development or Regional Development.	N/A
<b>State Environmental Planning Policy (State Significant Precincts) 2005</b>	None. No provisions of the Planning Proposal affect projects or sites regulated under this SEPP.	N/A
<b>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</b>	None. No provisions of the Planning Proposal affect projects or sites regulated under this SEPP.	N/A
<b>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (Three Ports) 2013</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (Urban Renewal) 2010</b>	None - Does not apply to land under SSLEP2015	N/A

<b>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</b>	None – Does not affect provisions around tree removal under SSLEP2015.	N/A
<b>State Environmental Planning Policy (Western Sydney Employment Area) 2009</b>	None - Does not apply to land under SSLEP2015	N/A
<b>State Environmental Planning Policy (Western Sydney Parklands) 2009</b>	None - Does not apply to land under SSLEP2015	N/A
<b>Sydney Regional Environmental Plan No 9— Extractive Industry (No 2— 1995)</b>	None. No provisions of the Planning Proposal affect development for the purposes of extractive industries.	N/A
<b>Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment</b>	None. No provisions of the Planning Proposal materially affect development in the Georges River Catchment.	N/A

**Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 and s.9.1 directions)?**

Yes the planning proposal is generally consistent with the applicable s9.1 Ministerial Directions. Relevant Directions are discussed in detail below:

**2.2 - Coastal Management**

This direction applies to all planning proposals affecting land within the coastal zone.

This planning proposal gives effect to the objectives and mandatory outcomes of the direction because it:

- Does not seek to affect the management of coastal areas of NSW.
- Does not seek to make changes which are relevant to the Coastal Management Act 2016, NSW Coastal Management Manual, NSW Coastal Design Guidelines 2003 or any Coastal Zone Management Plan under the former act.

- Does not rezone land to facilitate more intensive land uses within a coastal vulnerability area and does not seek to amend any of the maps contained within the Coastal Management SEPP 2018.

### **2.3 - Heritage Conservation**

This direction applies to all planning proposals.

This planning proposal gives effect to the objective and mandatory outcomes of this direction because it:

- Facilitates the conservation of heritage items through improving the quality of information contained within the LEP on the affected heritage items and listing new heritage items where expert advice has been provided.

It is proposed to remove two heritage items from Schedule 5 Environmental heritage, of SSLEP2015. The specific circumstances of each item are discussed below:

Item 1057 'Cronulla Linear Cultural Exotic Planting of Rail Embankment': This item was a stand of trees within the railway corridor at Cronulla. These trees were removed by Sydney Trains as part of maintenance work and nothing remains which justifies continued listing of this item.

Item 1208 at 46-48 Waratah Road, Engadine: This item "Memorial Hospital grounds" was recommended to be merged in the Sutherland Shire Community Heritage Review 2013, as it does not meet the required threshold of significance and duplicates the more significant item 1207 "Memorial hospital and grounds" next door at 50-52 Waratah Road. However in light of the subsequent loss of trees and other features which characterised the memorial hospital grounds on this site, the heritage item does not meet the threshold of significance for listing and should be removed from Schedule 5 of the LEP and its heritage mapping.

The removal of these items from the heritage schedule is consistent with the direction that items of heritage and significance are protected. These items no longer demonstrate the required standard of heritage significance to justify their continued listing.

### **4.1 - Acid Sulfate Soils**

This direction applies to all planning proposals that will affect land with a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.

The planning proposal does not materially affect the development potential of land at risk of acid sulfate soils and is therefore compliant with this direction.

### **4.3 - Flood Prone Land**

This direction applies to all planning proposals that will affect land at risk of flooding.

The planning proposal does not materially affect the development potential of land at risk of flooding and is therefore compliant with this direction.

#### **4.4 - Planning for Bushfire Protection**

This direction applies to all planning proposals that will affect land which is mapped as bushfire prone.

The following matters in the planning proposal will trigger this direction:

- Minor amendments to heritage items on Bushfire Prone Land

Some of the heritage item amendments affect land which is currently bushfire prone. These changes are generally intended to correct or update the heritage schedule to better reflect reality. These changes will not have any effect on bushfire safety.

#### **5.10 - Implementation of Regional Plans**

This direction applies to land to which a Regional Plan has been released by the Minister for Planning.

The matters in this planning proposal are minor in nature and do not trigger or conflict with the provisions of the Greater Sydney Region Plan: A Metropolis of Three Cities.

#### **7.1 - Implementation of a Plan for Growing Sydney**

This direction applies to planning proposals affecting land in a Council area within Greater Sydney.

The matters in this planning proposal are minor in nature and do not trigger or conflict with the provisions of A Plan for Growing Sydney or any of the subsequent strategic plans for Greater Sydney.

### **Section C – Environmental, social and economic impact**

**Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The proposed changes are minor or administrative in nature.

**Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. The proposed changes are minor or administrative in nature and are unlikely to result in any environmental effects.

**Q9. Has the planning proposal adequately addressed any social and economic effects?**

The planning proposal is not anticipated to have any negative social or economic impacts. The planning proposal aims to ensure that SSLEP2015 is accurate and consistent with Council's strategic policy direction.

## Section D – State and Commonwealth interests

### **Q10. Is there adequate public infrastructure for the planning proposal?**

This proposal is unlikely to have any impacts on infrastructure provision.

### **Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

The views of any relevant State and Commonwealth agencies will be sought through consultation following receipt of the Gateway Determination.



Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

4.1 1057 – *Linear cultural exotic planting of rail embankment, consisting of coral trees*  
Remove item 1057 from the heritage map adjacent to the rail corridor at Cronulla

Objective 1



Existing: Item 1057	Proposed: None

#### 4.2 0610 – *House, boat shed and garden*

Reduce the mapped area of item 0610 to just the property at 1 Eurabalong Road, Burraneer

Objective 3



Existing: Item 0610 on 1 and 9 Eurabalong Road, Burraneer	Proposed: Item 0610 only on 1 Eurabalong Road, Burraneer



#### 4.3 1017 – 4 street trees

Show item 1017 on the mapping in the road reserve fronting 144-146 Ewos Parade and 12 Orient Avenue, Cronulla

Objective 5



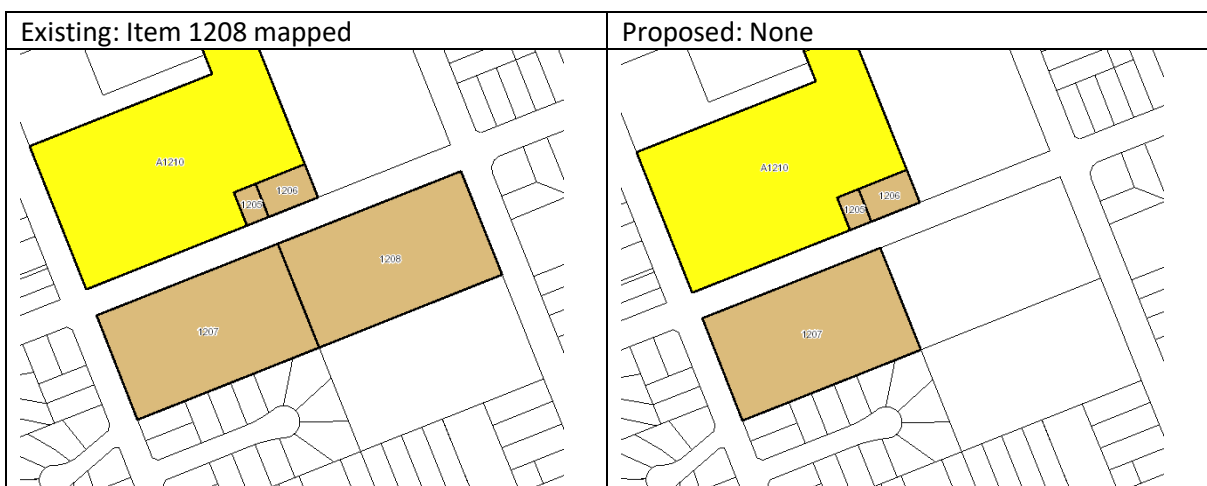
Existing: Item 1017 not mapped	Proposed: Item 1017 mapped

#### 4.4 1208 – *Memorial Hospital grounds*

Remove item 1208 from the heritage map at 46-48 Waratah Road, Engadine

Lot 361 DP 752033;

Objective 6





#### 4.5 A1074 – Gunnamatta Park, including dressing pavilion

Show the label of item A1074 in the correct location at Nicholson Parade, Cronulla

Objective 8

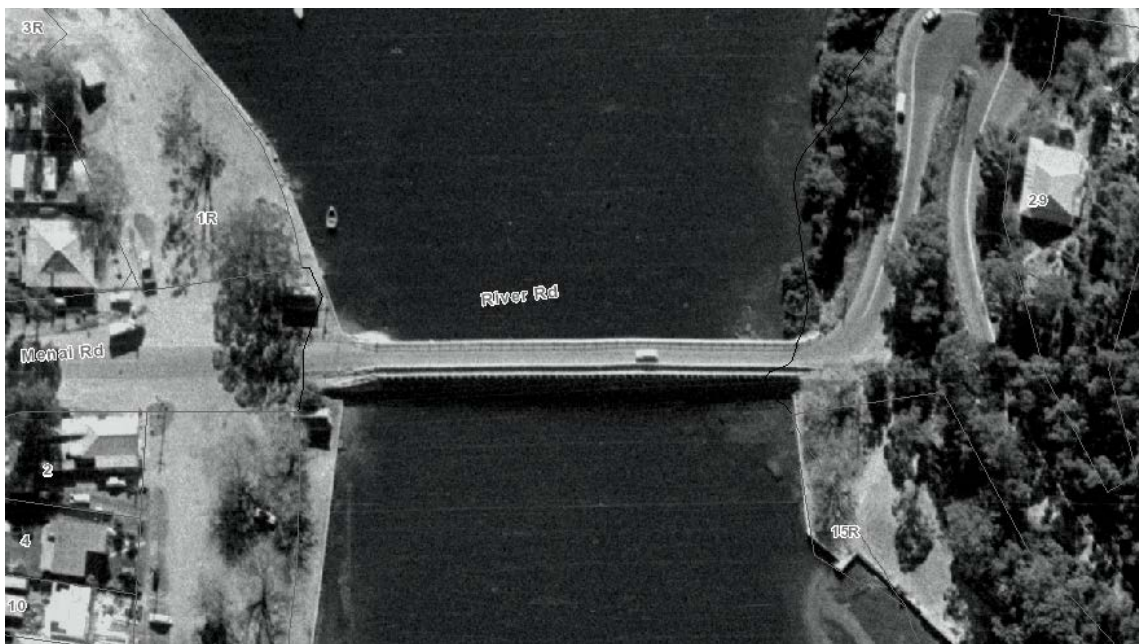


Existing: Label for A1074 not shown	Proposed: Label for A1074 shown

#### 4.6 A4214 – Woronora Bridge

Amend the mapped area of item A4214 to show the item on the location of the original bridge at Woronora River.

Objective 9



Existing: Item A4214 mapped to align with modern bridge	Proposed: Item A4214 mapped to align with 1912 bridge.
A map showing a yellow polygon labeled 'A4214' representing the mapped area of the bridge. The polygon is elongated and slightly curved, following the alignment of the modern bridge.	A map showing a yellow polygon labeled 'A4214' representing the mapped area of the bridge. The polygon is more rectangular and straight, following the alignment of the original 1912 bridge.



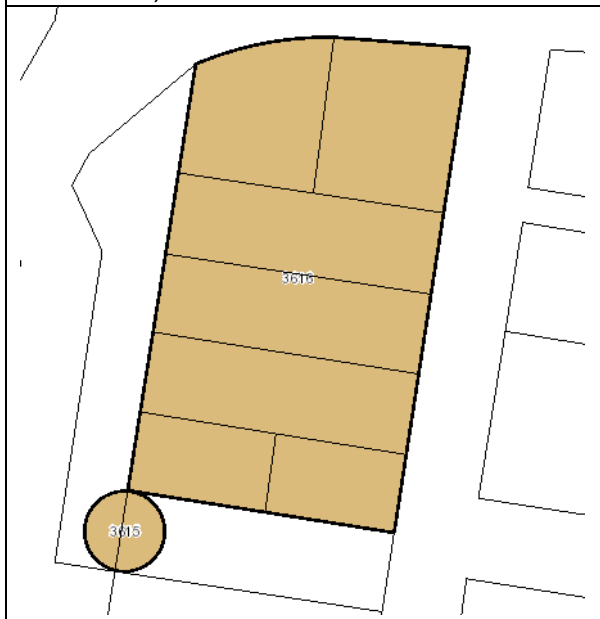
#### 4.7 3616 – *Forby Sutherland Memorial Gardens*

Amend the mapped area of item 3616 to cover the gardens only on Lot 1 DP1087442 and Lot 2, Section 46, DP802.

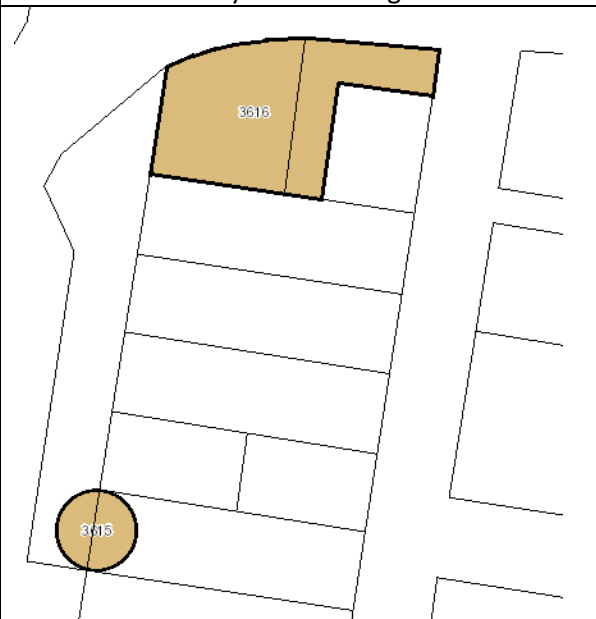
Objective 10



Existing: Item 3616 mapped to all lots at 4-20 Eton Street, Sutherland





Proposed: Item 3616 mapped only to the extent of the Forby Sutherland gardens.





Show the listed curtilage area for State Item: Lucas Watermills Archaeological Sites, proposed to be listed in this planning proposal.

An aerial photograph of a wooded area with several land parcels outlined in white. A large parcel in the center-right is outlined in red and labeled "624". Other parcels are labeled with addresses such as "607-609", "603-605", "611-629", and "611-629611-629". A road labeled "Old Mawarra Rd" runs diagonally across the lower-left portion of the image. The terrain is covered in dense green trees and vegetation.

<p>Existing: State heritage Item Lucas Watermills Archaeological Sites is not shown</p> 	<p>Proposed: State heritage Item Lucas Watermills Archaeological Sites is shown</p> 
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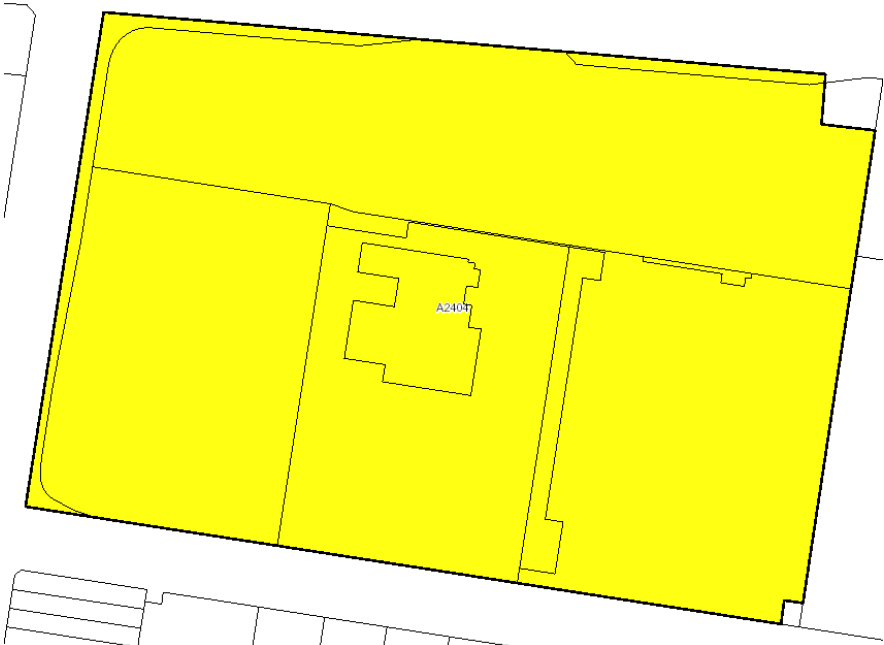

#### 4.9 A2404 – Site of former brickworks, Sutherland Brick Company clay pits

Amend the mapped area of item A2404 to cover only the remains of the former pipe kiln on the site.

Part of lot 3 in DP1215830.

Objective 12



Heritage	
Existing: Archaeological Site A2404 mapped to all lots.	Proposed: Archaeological Site A2404 mapped only to the pipe kiln and curtilage as shown.
 <p>This map shows the existing mapping of Archaeological Site A2404. The site is highlighted in yellow, covering a large area that includes a central building and surrounding land. The label 'A2404' is visible within the yellow area.</p>	 <p>This map shows the proposed mapping of Archaeological Site A2404. The site is highlighted in yellow, covering a much smaller area than the existing mapping, specifically the pipe kiln and curtilage. The label 'A2404' is visible within the yellow area.</p>



#### 4.10 New Local Item: 3306 – *Maris Park – Sandstone Boundary Wall and Park*

Create a new heritage item mapped across all of 36 Turriell Point Road, Port Hacking (lot 27 in DP255250) and extending along the boundaries of the following lots that face Turriell Point Road:

- 26 Turriell Point Road, Port Hacking – part lot 1 DP255250;
- 40 Turriell Point Road, Port Hacking – part lot 29 DP255250;
- 42 Turriell Point Road, Port Hacking – part lot 30 DP255250;
- 2 Sandbar Place, Port Hacking – part lot 2 DP255250;

#### Objective 13



Existing: None	Proposed: New local heritage item 3306 mapped to the extant stone wall and Maris Park.

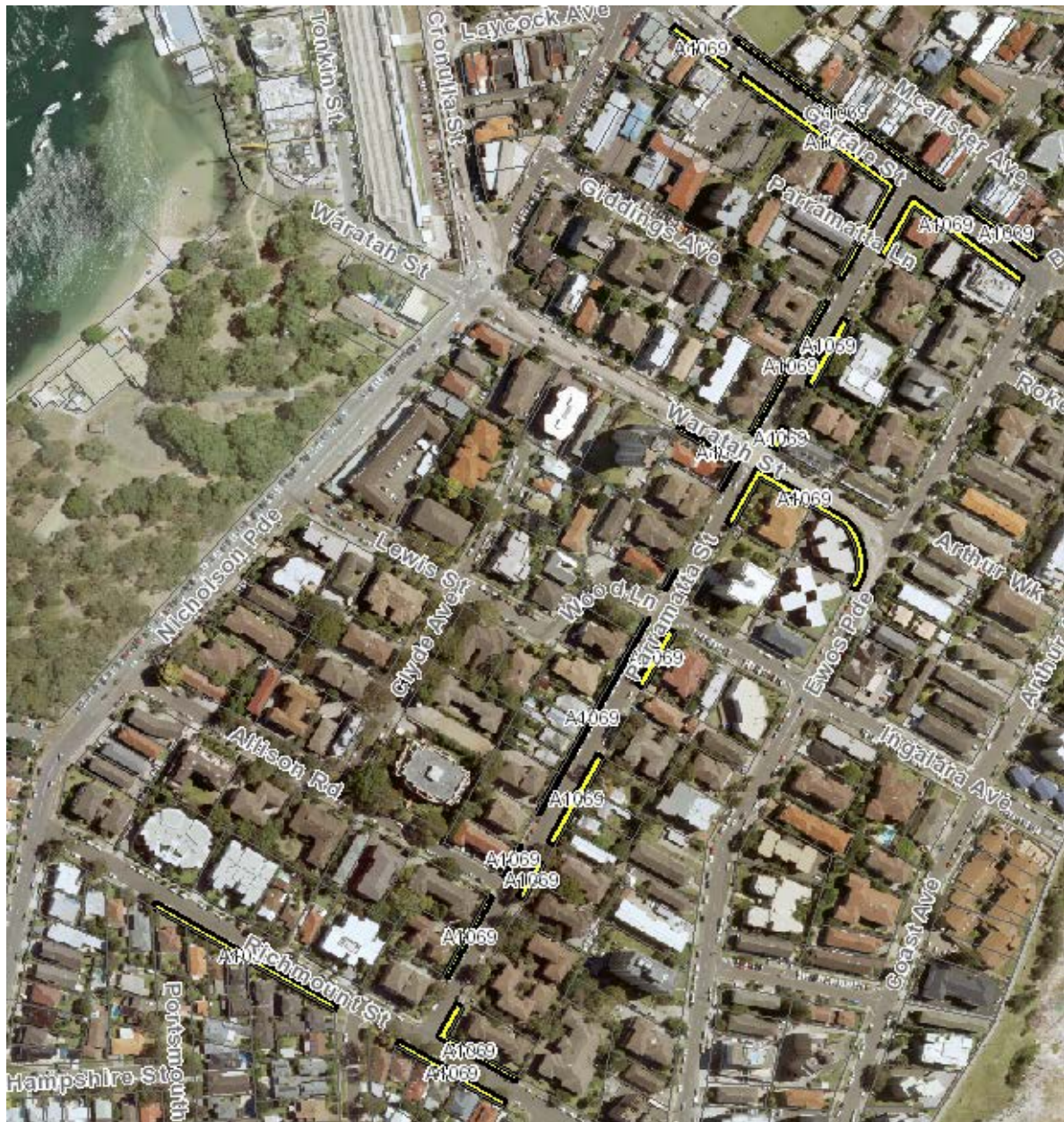


#### 4.11 A1069 – *Brick kerbing*

Amend the mapping and label of item A1069 to reflect the change in category from Archaeological sites to Heritage items

Road reserves of Gerrale Street, Waratah Street, Ewos Parade, Parramatta Street and Richmond Street, Cronulla.

Objective 14







#### 4.12 A0631 – *Alignment of first road in Sutherland Shire*

Amend the mapping and label of item A0631 to reflect the change in category from Archaeological sites to Heritage items

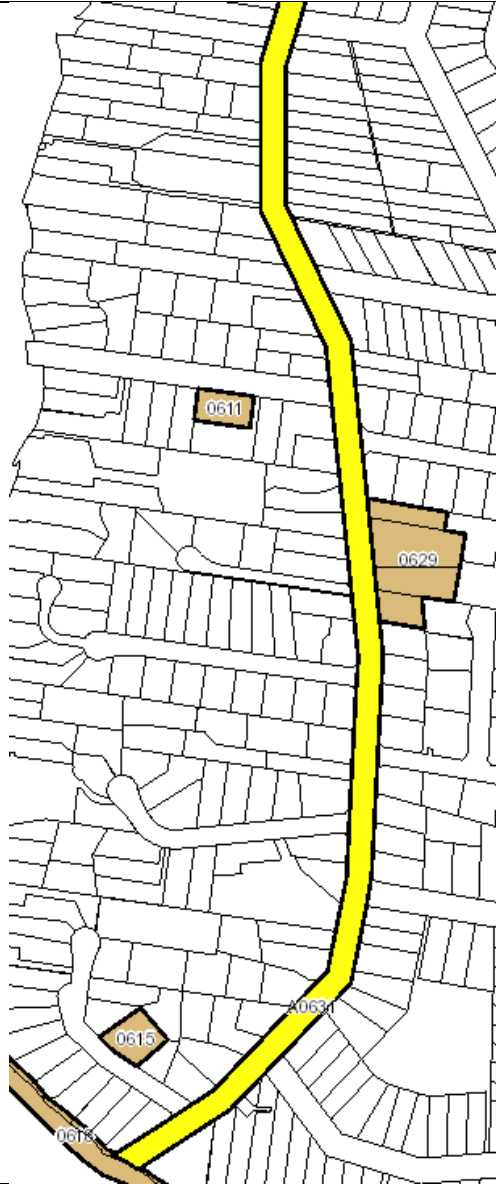
Road reserves of Wollooware Road, Woollooware and Burraneer

Objective 15

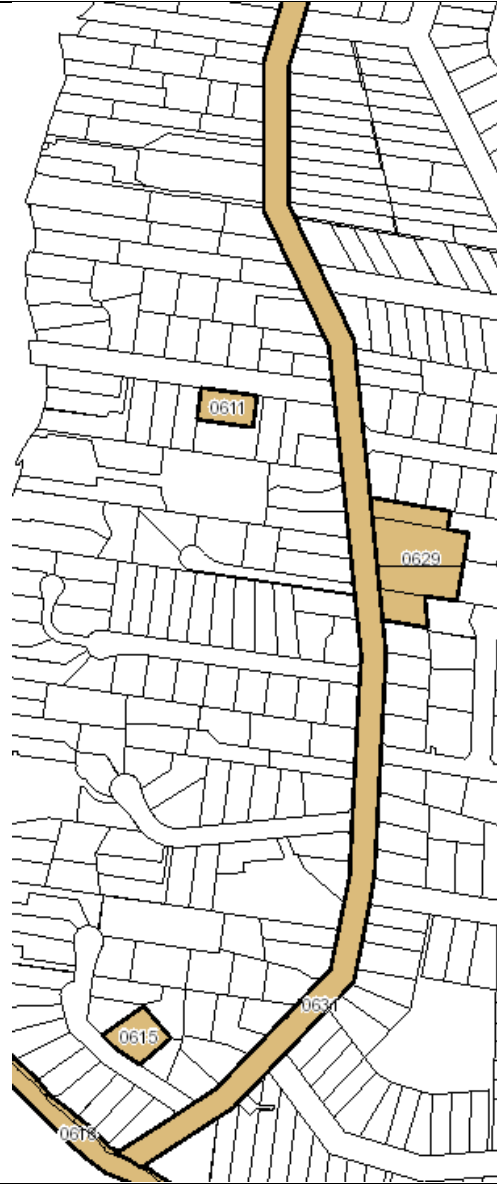




Existing: Item A0631 mapped as an archaeological site.



Proposed: Item 0631 mapped as a local heritage item.



#### 4.13 A4114 – *Alignment of first road in Sutherland Shire*

Amend the mapping and label of item A4114 to reflect the change in category from Archaeological sites to Heritage items

Road reserve of Woollooware Road, Woollooware

Objective 16



Existing: Item A4114 mapped as an archaeological site.



Proposed: Item 4114 mapped as a local heritage item.



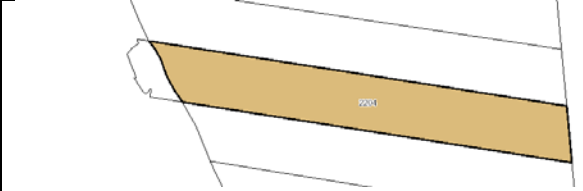
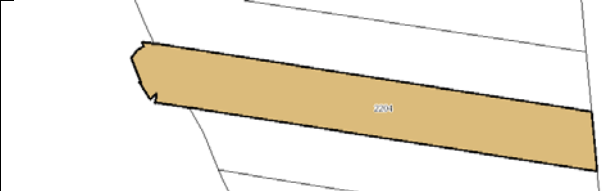
#### 4.14 2204 – *House and front garden*

Rezone part of the property at 25 Kangaroo Point Road, Kangaroo Point from W1 Natural Waterways to E3 Environmental Management to correct a mapping anomaly.

Lot 1 DP 1218171

Objective 17



Heritage	
Existing: Part Applied Item 2204	Proposed: Full Applied Item 2204
	

## Part 5 – Details of the community consultation that is to be undertaken on the planning proposal

In accordance with “A Guide to Preparing Local Environmental Plans” prepared by the Department of Planning and Environment (2016), the Planning Proposal will be exhibited for a period of 28 days. It is proposed that the exhibition will include:

### **Advertisement in local newspaper**

An advertisement will be placed in the Council page in the St George and Sutherland Shire Leader and The Liverpool City Leader identifying the purpose of the planning proposal and where the planning proposal can be viewed.

### **Consultation with affected owners and adjoining landowners**

A letter will be sent to landowners whose land is affected by the planning proposal, and adjoining landowners. Opportunities for one-on-one consultations to discuss the proposals will be offered to interested parties.

### **Displays at the Council Administration Building and local libraries**

The planning proposal will be displayed at the Council Administration Building, 4-20 Eton Street, Sutherland and in all branch libraries (located in Bundeena, Caringbah, Cronulla, Engadine, Menai, Miranda, Sutherland and Sylvania).

### **Advertisement on the Council website**

The planning proposal will be exhibited on the Council consultation website ([jointheconversation.sutherlandshire.nsw.gov.au](http://jointheconversation.sutherlandshire.nsw.gov.au)) with links from the home page. It is anticipated that the mapping changes will be available through Shire Maps (Council’s interactive online mapping system) which will be especially beneficial for the public to compare the existing and proposed changes for any property.

### **Direct contact**

Interested parties will be able to contact the Strategic Planning Unit of Council directly through a telephone hotline and through a dedicated email address.

## Part 6 – Project Timeline

<b>Milestones</b>	<b>Timing</b>
Gateway Determination	February 2019
Exhibition Start	March 2019
End Exhibition	April 2019
Review and Consideration of Submissions	May/June 2019
Report to Committee on Submissions	July 2019
Council Meeting	August 2019
Request for Draft Instrument to be Prepared	August 2019

## Conclusion

The Planning Proposal seeks to rectify a number of heritage schedule anomalies and mapping issues that have been identified since SSLEP2015 came into force.

The Planning Proposal is generally consistent with relevant State and local legislation, directions, policies and strategic documents and will have a minimal environmental, social and economic impact.

## Appendix 1: Criteria for Delegation of Plan Making Functions

**Local Government Area:** Sutherland Shire

**Name of draft LEP:** SSLEP2015 Minor Amendments: Heritage Items 2019

**Address of land (if applicable):** Multiple

**Intent of draft LEP:** To amend SSLEP2015 to address a range of heritage issues (mapping and schedule 5) which have been identified during the operation of the plan.

**Additional Supporting Points/information:**

- Appendix 2 – Combined Archaeological Items Inventory Sheets
- Appendix 3 – Sutherland Shire Local Heritage Item Inventory Sheets
- Appendix 4 – Maris Park Assessment of heritage Significance
- Appendix 5 – Lucas Watermills OEH State Heritage Inventory Sheet

Evaluation criteria for the issuing of an Authorisation				
(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)	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?	Y			



Heritage LEPs	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?	Y			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N			
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?	N			

Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		N/A		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		N/A		
Is the planning proposal proposed to rectify an anomaly in a classification?		N/A		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		N/A		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?		N/A		

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?		N/A		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		N/A		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		N/A		

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?		N/A		
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?		N/A		
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?		N/A		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		N/A		
Does the planning proposal create an exception to a mapped development standard?		N/A		

Section 73A matters				
<p>Does the proposed instrument</p> <ul style="list-style-type: none"> <li>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?;</li> <li>b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or</li> <li>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?</li> </ul> <p>(<b>NOTE</b> – 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>		N/A		

## Appendix 2: Scanned Archaeological Heritage Inventory Sheets

## Appendix 3: Sutherland Shire Local Heritage Inventories

## Appendix 4: Consultants Report on Maris Park

## Appendix 5: Lucas Watermills OEH State Heritage Inventory Sheet