

Tenterfield LEP 2013 - Amendment No 2 - Heritage Matters

Proposal Title : **Tenterfield LEP 2013 - Amendment No 2 - Heritage Matters**

Proposal Summary : **It is proposed to amend Tenterfield LEP 2013 by;**
*** Including 3 Heritage Conservation Areas,**
*** Adding 11 additional items to Schedule 5 Environmental Heritage; and**
*** Correcting errors contained within the existing Schedule 5 Environmental Heritage.**

PP Number : **PP_2013_TENTE_002_00** Dop File No : **13/20389**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **2.3 Heritage Conservation**

Additional Information : **It is recommended that:**

- 1) The Planning Proposal be supported subject to conditions;**
- 2) The Planning Proposal be exhibited for a period of 28 days;**
- 3) The Planning Proposal should be completed within 9 months;**
- 4) The Planning Proposal be amended prior to exhibition to:**
 - include revised mapping of the heritage conservation areas and the 11 additional items to be included in the Schedule 5 Environmental Heritage;**
 - amend the proposal to more clearly clarify the differences between the proposed Town Centre Heritage Conservation Area and the Tenterfield Shire Heritage Management Plan 2002;**
 - amend Part 5 of the Planning Proposal to accommodate a 28 day public exhibition period and notification of the proposal on Council's webpage;**
 - include a revised project time line (that addresses the Gateway determination date and consultation with public authorities);**
- 5) Consultation with the following agencies and organisations should be required prior to public exhibition:**
 - NSW Office of Heritage and Environment - Heritage Branch; and**
- 6) Than an authorisation to exercise plan making delegations be issued to Council.**

Supporting Reasons : **The Planning Proposal is needed to recognise and provide appropriate heritage protection to the proposed conservation areas and items and to correct errors in the existing LEP heritage schedule.**

Panel Recommendation

Recommendation Date : **24-Jan-2014** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

- 1. Prior to undertaking public exhibition, Council is to ensure that the planning proposal includes maps prepared at an appropriate scale that clearly identify the Heritage Conservation Areas and the additional heritage items.**
- 2. Prior to undertaking public exhibition, Council is to update the planning proposal to explain the rational behind the proposed enlargement of the Town Centre Heritage Conservation Area and its relationship to the Tenterfield Shire Heritage Management Plan 2002.**
- 3. Prior to undertaking public exhibition, Council is to update the planning proposal to reflect public exhibition and timeframe for completing the LEP as required by this Gateway determination.**

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4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

5. Consultation is required with the NSW Office of the Environment and Heritage – Heritage Branch (S117 Direction 2.3 Heritage Conservation) under section 56(2)(d) of the EP&A Act. NSW Office of the Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has requested to be issued with delegation for this planning proposal. Council should be issued with plan making delegation because the proposal is considered to be a matter of local planning significance.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

29/1/14