

Heritage listing of the former Menangle School Building and curtilage

Proposal Title : **Heritage listing of the former Menangle School Building and curtilage**

Proposal Summary : **To identify the former Menangle School Building and associated curtilage as a local heritage item under Wollondilly LEP 2011.**

PP Number : **PP_2012_WOLLY_005_00** Dop File No : **12/14214**

Planning Team Recommendation

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

S.117 directions : **2.3 Heritage Conservation
3.1 Residential Zones
4.2 Mine Subsidence and Unstable Land
6.2 Reserving Land for Public Purposes
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the Gateway agrees to the Planning Proposal, including the curtilage of the heritage item, and that the Proposal proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 28 days;

2. The timeframe for completing the local environmental plan is to be 9 months from the week following the date of the Gateway Determination;

Council should meet the following conditions prior to undertaking community consultation:

3. References to the DP number "745181" are incorrect and should be amended to read "795181";

4. Council is to determine the boundary of the curtilage;

5. Once Council has determined the boundary of the curtilage, it is recommended that Council be required to:

(i) if necessary, adjust the Proposal accordingly and include details of the curtilage (including a property description) and information on how it was determined;

**(ii) consult with the following agencies in relation to the Proposal:
* the Heritage Branch of the Office of Environment and Heritage, and
* the Federal Department of Sustainability, Environment, Water, Population and Communities;**

(iii) seek the views of the Department of Education and Communities on the Proposal;

6. Demonstrate consistency of the Proposal with section 117 Direction 2.3 Heritage Conservation, when submitting the final Proposal to the Department after exhibition; and

7. Consultation is required with the Mine Subsidence Board under section 117 Direction 4.2 Mine Subsidence and Unstable Land. Demonstration of the consistency of the Proposal with the Direction will be required when the final Proposal is submitted for approval.

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Supporting Reasons : **The Proposal will facilitate heritage conservation of items within an existing heritage conservation area.**

Panel Recommendation

Recommendation Date : **13-Sep-2012**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. It is noted that the DP number is incorrect and should read “795181” instead of “745181”. Council is to amend the planning proposal prior to exhibition to rectify all incorrect references to the DP number.**
- 2. It is noted that the Council report and resolution indicate that the curtilage relating to the former Menangle School Building may extend onto adjoining land, which contains adjoining buildings. Council is to clarify the boundary of the curtilage, including any additional property description and justify the inclusion of any additional land.**
- 3. In relation to the requirements of with S117 Direction 2.3 Heritage Conservation, Council is to demonstrate consistency with Local Planning Direction following consultation with the Heritage Branch of the Office of Environment and Heritage and prior to finalisation of the LEP.**
- 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 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).**
- 5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**
 - Department of Education and Communities**
 - Office of Environment and Heritage – Heritage Branch**
 - Mine Subsidence Board**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
- 6. Further to Condition 5 above, Council is to consult with the Mine Subsidence Board in relation to the requirements of 4.2 Mine Subsidence and Unstable Land. Council is to demonstrate consistency with Local Planning Direction prior to finalisation of the LEP.**
- 7. 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).**
- 8. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.**

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Signature: _____

Printed Name: _____ Date: _____