

Planning Proposal to amend the Great Lakes Local Environmental Plan 2014

Heritage Amendments

Prepared by:

MIDCOAST COUNCIL

Gloucester Office

PO Box 11

GLOUCESTER NSW 2422

T: +61 (2) 6538 5250

E: council@midcoast.nsw.gov.au

Version 1 / Date: March 2017

TABLE OF CONTENTS

INTRODUCTION.....	4
PART 1 - OBJECTIVES OR INTENDED OUTCOMES.....	5
PART 2 - EXPLANATION OF PROVISIONS.....	6
PART 3 - JUSTIFICATION.....	7
Section A – Need for the Planning Proposal	7
Section B – Relationship to Strategic Planning Framework	8
Section C – Environmental, Social and Economic Impact.....	10
Section D – State and Commonwealth Interests	11
PART 4 - MAPPING	12
PART 5 - COMMUNITY CONSULTATION.....	13
PART 6 - PROJECT TIMELINE.....	14
Appendix A – Officers Report to Strategic Committee Meeting Held on 10 May 2016	15
Appendix B – Minutes of Strategic Committee Meeting Held on 10 May 2016.....	31
Appendix C – Heritage Items to be added to Schedule 5 of the Great Lakes LEP 2014.....	33
Appendix D – Amended Schedule 5 Great Lakes LEP 2014	94
Appendix E – Consistency with State Environmental Planning Policies	101
Appendix F – Consistency with S117 Ministerial Directions	104
Appendix G – Heritage Map Sheets.....	107

Version	Purpose of Document	Author	Checked	Date
1	For Gateway Determination	AK	RB	23 March 2017

INTRODUCTION

The Planning Proposal has been prepared by the MidCoast Council in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning and Environment (Department) Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*

The Planning Proposal seeks to:

1. Amend Schedule 5 – Environmental Heritage within the Great Lakes Local Environmental Plan (GLEP) 2014 by making additions to Part 1 heritage Items.
2. Update and amend the LEP Heritage Map Sheets accordingly reflecting the additions to the heritage items schedule.

This Planning Proposal outlines the intended effect of, and justification for the proposed amendments to Great Lakes LEP 2014.

The proposed amendments were the subject of a report to the Strategic Committee of the former Great Lakes Council 10 May 2016. A copy of the agenda report, which discusses the background and need for the proposed amendment, is attached as Appendix A. A copy of the Minutes of the meeting, including Council's resolution to prepare the Planning Proposal and seek a Gateway Determination under section 56 of the EP&A Act, is attached as Appendix B. The report, annexures and resolution relevant to this Planning Proposal are available on MidCoast Council's website (<http://midcoast.greatlakes.nsw.gov.au/Minutes-Agendas>).

Council requests that the Department issue delegations to Council to make these amendments.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

(s.55(2)(a) A statement of the objectives or intended outcomes of the proposed instrument)

The objectives of the Planning Proposal are to

1. To identify, protect and conserve local environmental heritage in the former Great Lakes region.
2. To ensure that community expectations are met as they relate to heritage conservation in the former Great Lakes region.

The intention is to amend the Great Lakes Local Environmental Plan 2014 so that:

- A total of 55 new heritage Items are included in Part 1 of Schedule 5 – Environmental heritage;
- A total of twelve (12) heritage maps are amended where necessary incorporating the new heritage items in Schedule 5;
- An existing Item identified as a local heritage Item, namely “Quambi House” (Item No I46) is amended to be identified as a State heritage Item.

PART 2 - EXPLANATION OF PROVISIONS

(s.55(2)(b) An explanation of the provisions that are to be included in the proposed instrument)

The *Great Lakes Local Environmental Plan 2014 (LEP 2014)* currently contains 64 items of local heritage significance within Part 1 of Schedule 5 – Environmental Heritage. Many of these items were identified as being of heritage significance as a direct result of the Great Lakes Heritage Study 2007 (GLHS). These heritage items, in addition to Heritage Conservation Areas (HCA's) are covered by a total of 20 Heritage Map sheets in the LEP.

The former Great Lakes Council's commenced a review of its Heritage Study in March 2014. The purpose of the review was two-fold; firstly to ensure that heritage items listed within Council's 2007 Heritage Study were still relevant, and secondly to determine if any additional items, not already identified, should be considered for listing.

The Heritage Study Review was broken up into three (3) stages to enable items to be reviewed and considered in manageable parts. In summary the stages were as follows:

Stage 1 – items considered to be “readily list-able” e.g. owned or managed by Council

Stage 2 – items considered to be of “mid-range ease of listing”

Stage 3 – items considered to be “more difficult to list” or those where Council previously encountered some form of reluctance from property owners/mangers to have an item/s listed.

All three (3) Stages of the Heritage Study Review have now been completed and it is proposed that a total of 55 new heritage items be added to the existing 64 heritage items, for a total of 110 local heritage items. Consequently, as a result of an expansion to the heritage items a total of twelve (12) LEP Heritage Map Sheets will be required to be amended.

In addition to the new items resolved to be added to the heritage list, the 2014 Heritage Review also identified, in consultation with the NSW Department of Environment and Conservation (Heritage), one (1) heritage item, namely “Quambi House” in Stroud (Item No. 146) worthy of State, rather than local, Heritage recognition. The listing for this item will therefore also require an amendment to LEP 2014.

The full list of heritage items adopted for listing by Council as result of Stage 1, 2 and 3 investigations is contained in Appendix C.

The proposed new Schedule 5 of the *Great Lakes Local Environmental Plan 2014* is included in Appendix D.

The full amended compendium containing all 12 amended sheets is included in Appendix G.

PART 3 - JUSTIFICATION

(s.55(2)(c) Justification for the objectives or intended outcomes and the process for their implementation)

Section A – Need for the Planning Proposal

3.A.1 Is the Planning Proposal a result of any strategic study or report?

The 2007 Great Lakes Heritage Study was a thematic community based strategic document that assessed heritage against themes and identified particular items and conservation areas.

This Planning Proposal is a the result of the recommendations made by Council's Local Heritage Advisor following the completion of all three (3) Stages of the Great Lakes Heritage Review Program undertaken through a partnership with Council's Local Heritage Advisor and Council's Strategic Planning Section.

The comprehensive Review carried out in three (3) stages resulted in 56 potential new heritage items being identified by Council for inclusion in Schedule 5 of the LEP along with associated mapping. Council also supported the amendment of an existing item to identify it as State heritage significance.

3.A.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal represents the best means of conserving and protecting new identified items of heritage significance in a local government area.

A Planning proposal is the only means of amending Schedule 5 of a LEP and any associated LEP maps. Items included in Schedule 5 will require Development Consent to demolish, remove or alter the interior or exterior of heritage items and will require a Development Application to be submitted for Council's consideration. The application will be assessed against the Part 8 Heritage component of the Great Lakes Development Control Plan 2014. Whilst it is acknowledged that there will be increased development controls and requirements for the owners of heritage items, Council will continue to provide the services of its heritage advisor to assist landowners of heritage items with the submission of Development Applications and to consider the impacts on heritage significance.

This Planning Proposal will enable Council to provide more expansive and definitive conservation measures for environmental heritage on the former Great Lakes area.

Section B – Relationship to Strategic Planning Framework

3.B.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The applicable regional strategy in place for the Midcoast Council area is the *Hunter Regional Plan 2036*.

The *Hunter Regional Plan 2036* sets out the vision to create the Hunter Region as a leading regional economy in Australia with a vibrant new metropolitan city at its heart. To achieve this vision, the Plan sets out a number of regionally focused goals. In particular, Goal 3 of the Plan, Thriving Communities, states that:

“The Hunter is home to some of the most diverse communities in NSW and their distinctive character is a significant competitive advantage for the region.....

Protecting built heritage values through revitalisation will create thriving communities that are great places to live.”

Direction 19 of this Goal aims to Identify and protect the region’s heritage.

It is considered this Planning Proposal is consistent with the objectives and actions contained in the *Hunter Regional Plan 2036*. Identifying new heritage items is aimed at continuing to protect heritage in the Great Lakes Region, reinforcing the character of communities and contributing to the local economy.

3.B.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Great Lakes 2030 Community Strategic Plan (GL 2030) is a future planning document which aligns the community’s vision with a clear strategic direction for the Great Lakes region over the long term. The plan provides a blueprint for Council to ensure the delivery of infrastructure and services to meet the needs of the community.

A key direction of GL 2030 is for Council to be a leader within the community. Specifically, Objective 9 provides for the need to “Plan for sustainable growth and development”. To achieve this,

Strategy 9.2 states that Council must:

“Manage urban development and ensure it respects the character of the area in which it is located.”

The planning proposal responds to the community expectations for conserving and protecting items of local heritage significance ensuring that development is carried out in a sustainable manner that respects the contribution heritage places have to the community and maintaining the linkages of these places to the past and people. Through this Planning Proposal, Council is demonstrating its leadership by ensuring the protection of these identified local heritage places.

Overall, this Planning Proposal is consistent with the Key Directions of the Great Lakes Community Strategic Plan 2030 and the associated Objectives and Strategies therein.

3.B.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

The Planning Proposal is considered to be consistent with applicable state environmental planning policies.

A summary of the Planning Proposal's consistency with applicable State Environmental Planning Policies is provided in Appendix E of this Planning Proposal.

3.B.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is considered to be consistent with applicable S.117 Ministerial Directions.

A summary of the Planning Proposal's consistency with relevant s.117 Ministerial Directions is provided in Appendix F of this Planning Proposal.

Section C – Environmental, Social and Economic Impact

3.C.1 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?

This Planning proposal will have no effect on critical habitat or threatened species, populations or ecological communities, or their habitats.

3.C.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There will be minimal environmental effects as result of this Planning Proposal. The introduction of new heritage items in the LEP will require Council to consider the impact by development on the heritage significance of local heritage places. Such assessment will be carried out in accordance with Clause 5.10 – Heritage Conservation in the *Great Lakes Local Environmental Plan 2014* and Chapter 8 of the *Great Lakes Development Control Plan* identifying additional site and building controls for development on land that includes a heritage item.

3.C.3 Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal is expected to have minimal social and economic effects. The addition of new heritage items in the LEP will to have positive outcomes in the community through heritage conservation and by further encouraging community ownership of local heritage in the Great Lakes region.

Section D – State and Commonwealth Interests

3.D.1 Is there adequate public infrastructure for the planning Proposal?

There are no public infrastructure implications with the Planning Proposal.

3.D.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Consultation has not yet been undertaken with State and Commonwealth agencies.

It is proposed to consult with the NSW Office of Environment and Heritage during public exhibition in order for the update to the NSW Heritage Database.

PART 4 - MAPPING

(s.55(2)(d) Maps to be adopted by the proposed instrument)

The Planning Proposal seeks to amend a total of twelve (12) of the Heritage Map Sheets within the *Great Lakes Local Environmental Plan 2014*, referenced as follows:

HER_004

HER_004A

HER_004B

HER_005A

HER_008A

HER_009

HER_010D

HER_011

HER_011A

HER_011C

HER_011D

HER_012

HER_012A

The amended Heritage Map Sheets are included in Appendix E.

PART 5 - COMMUNITY CONSULTATION

In accordance with Section 56(2)(c) and 57 of the *Environmental Planning and Assessment Act* 1979, this Planning Proposal will be made publically available for a minimum of 28 days.

In accordance with Council's adopted consultation protocols the following will also be undertaken:

- Notices in the local newspaper;
- Direct mail notification to affected land owners/trustees of the heritage items to be added;
- Exhibition material and all relevant documents will be available at Council's Administrative and District Offices;
- Exhibition material and all relevant documents will be available on Council's website.

Any further consultation required by the Gateway Determination will also be undertaken.

PART 6 - PROJECT TIMELINE

In accordance with the Department of Planning and Environment guidelines, the following timeline is provided, which includes the tasks deemed necessary for the making of this local environmental plan.

Task	Responsibility	Timeframe	Date (approximate)
Council resolution to support the Planning Proposal	Council	-	Council Resolution 10 May 2016
Lodgement of Planning Proposal for Gateway Determination	Council	-	March 2017
Gateway Determination Issued	Minister for Planning	-	April 2017
Consultation with Public Authorities in accordance with Gateway Determination	Council	Minimum 21 days	May 2017
Public exhibition of Planning Proposal	Council	Minimum 28 days	June 2017
Report to Council	Council	-	August 2017
Lodgement of Planning Proposal (with any amendments as a result of submissions)	Council	-	September 2017
Making of local environmental plan	Minister for Planning	6 – 8 weeks	November 2017

1 PES - Heritage Review Program

Index: SP-PROG-2; Heritage Review Program

Author: Strategic Planner - Rebecca Underwood

Strategic Committee Meeting: 10 May 2016

SUMMARY OF REPORT:

Council's Heritage Advisor has completed Stage three (3) of Council's Heritage Review Program. Stage three (3) represents the final stage of the review program.

This report presents the recommendations from Stage three (3). It also recommends that Council prepare a Planning Proposal to list those items adopted in Stage one (1), Stage two (2) and Stage three (3) of the Heritage Review Program within Great Lakes Local Environmental Plan 2014 (GLLEP14).

SUMMARY OF RECOMMENDATION:

That Council:

- A. Endorse the recommendations from Stage 3 of the Heritage Review Program made by Council's Heritage Advisor, as contained within Annexure A and Annexure B.
- B. Prepare a Planning Proposal in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 to include those items recommended for listing as part of Council's Heritage Review Program within 'Schedule 5 – Environmental Heritage of Great Lakes Local Environmental Plan 2014', as contained in Annexure A and Annexure C.
- C. Once prepared, submit the Planning Proposal to the Minister of NSW Planning and Environment for a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
- D. Request written authorisation from the Minister of NSW Planning & Environment to exercise its plan making delegations for the Planning Proposal in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.
- E. In the event that NSW Planning & Environment issue a Gateway Determination to proceed with the Planning Proposal, undertake consultation with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination.

FINANCIAL/RESOURCE IMPLICATIONS:

The Heritage Review Program is being partly accommodated within the existing budgetary provisions for the Heritage Advisor. Applications for further funding will be made the NSW Heritage Office as the opportunity arises.

POLICY IMPLICATIONS:

The Heritage Review Program will result in amendments to Great Lakes Local Environmental Plan 2014.

LEGAL IMPLICATIONS:

Nil.

LIST OF ANNEXURES:

- A: Table 1: Items recommended for listing by Council's Heritage Advisor as part of Stage three (3) of the Heritage Review Program.
- B: Table 2: Items identified in the Heritage Study not recommended for heritage listing as part of Stage three (3) of the Heritage Review Program. No further action required.
- C: Table 3 and Table 4: Items adopted for listing as part of Stage one (1) and Stage two (2) of the Heritage Review Program (included for information purposes only).
- D: Table 5: Items contained in the Heritage Study and already protected as a heritage item or in a Heritage Conservation Area by Great Lakes LEP 2014 - No further action required (included for information purposes only).

LIST OF ATTACHMENTS:

Nil.

REPORT:

Background

Council's commenced a review of its Heritage Study in March 2014. The purpose of the review was two-fold; firstly to ensure that heritage items listed within Council's 2003 Heritage Study were still relevant, and secondly to determine if any additional items, not already identified should be considered for listing.

The Heritage Study Review was broken up into three (3) stages to enable items to be reviewed and considered in manageable parts. In summary the stages were as follows:

Stage 1 – items considered to be “readily list-able” e.g. owned or managed by Council

Stage 2 – items considered to be of “mid-range ease of listing”

Stage 3 – items considered to be “more difficult to list” or those where Council previously encountered some form of reluctance from property owners/mangers to have an item/s listed.

Stage one (1) and Stage two (2) of the Heritage Review Program have been completed.

Recommendations from Stage one (1) and Stage (2) were adopted by Council at its Strategic Committee meeting of March 2014 and December 2014 respectively. The full list of heritage items already adopted for listing as part of Stage one (1) and Stage two (2) are contained within Annexure C.

Annexure D contains items where no further action is required e.g. items that already listed in Great Lakes Local Environmental Plan 2014 or that are already located in an existing Heritage Conservation Area (HCA). These items were progressively identified through each stage of the heritage study review.

Stage 3 – Heritage Review Program

Council's Heritage Advisor and Strategic Planner have now completed the final Stage three (3) of the Heritage Review Program. Stage three (3) was undertaken over a period of sixteen (16) months.

Considerable time and effort has been taken to complete Stage three (3) of the review program. This was considered critical to ensure that identification, assessment and consultation with property owners was transparent and robust.

A full list of the recommendations from Stage three (3) is contained within Annexure A and Annexure B.

The methodology for Stage three (3) is outlined below:

Stage 3 – Methodology

Stage three (3) included an assessment of all outstanding items from the 2003 Heritage Study which were not covered in Stage one (1) or two (2). It also included a number of items carried over from previous stages.

Initially Council's Heritage Advisor checked the remaining heritage items in Stage three (3) against GLLEP14 and the NSW Office of Environment and Heritage (OEH) database to determine their status as either adopted, locally heritage listed or as potentially new items.

Crosschecking was undertaken to determine the need or otherwise of reviewing the item if the item was already State or locally heritage listed or if the item was owned by a state agency that may already be responsible for the listing of the heritage item.

A number of site visits were undertaken to properties not previously visited during Stages one (1) and two (2). No private land was accessed during site visits without the express permission of the property owner and where necessary items were only assessed by viewing from public areas or roadside locations.

Letters were sent out to all property owners of those items being assessed as part of Stage three (3) on two (2) separate occasions. These letters provided a background on the Heritage Review Program and canvassed the idea of a local heritage listing for the item in question. More recently, a final letter was sent out advising that Stage three (3) of the Heritage Review Program had been finalised and that a report would be considered at Council's May Strategic Committee meeting. This letter also contained a full list of the items considered and the Heritage Advisors recommendation in each instance, as documented in the Annexures A, B and D to this report.

Summary – Items recommended for listing – Stage 3

A total of twenty seven (27) items have been recommend for local heritage listing as part of Stage three (3) of the Heritage Review Program. A list of these items is contained within Annexure A. A summary of these items is provided below.

Private dwellings - Ten (10) private dwellings have been nominated for local heritage listing. These dwellings are located in Booral, Nabiacy, Stroud, Tea Gardens and Telegraphy. Each of the dwellings were assessed for their heritage significance by Council's Heritage Advisor who has taken into consideration the condition of the dwelling, street presentation and character, the age of the building and its level of intactness.

Schools - Four (4) schools have been nominated for local heritage listing. The schools in question are located in: Booral, Bungwahl, Nabiacy and Stroud Road. Each school site contains buildings that are considered to be outstanding in their condition and appearance. The Department of Education have been contacted and in each case an agreement has been reached regarding which buildings should be listed. For each school the most significant buildings have been recommended for listing based on their age, condition, appearance, character and social significance.

Churches and cemeteries – A total of eight (8) churches, rectory buildings and cemeteries have been recommended for local heritage listing as part of Stage three (3). The items in question are located at Bulahdelah, Bungwahl, Nabiacy, Tea Gardens and Tiona. Council's Heritage Advisor has assessed the items in this group and taken into consideration the condition of the building or cemetery, its presentation, the age of the building/cemetery and its level of intactness.

A total of five (5) remaining items have been recommended for local heritage listing as part of Stage three (3) including: the School now Museum at Tuncurry, an Old Brick Kiln at Stroud Road, Memorial Park at Tea Gardens, three (3) Norfolk Island Pine Trees at Winda Woppa and the Stroud Road Community Hall.

The Stroud Road Community Hall has been carried over from Stage (1) as the property owner was incorrectly recorded in Council's data management system. The correct property owners have been contacted and their endorsement has been sought regarding a local heritage listing. No reply was received.

Of the items proposed to be listed as part of Stage three (3) two (2) property owners have indicated they are opposed to a local heritage listing. The items where the owners have opposed listing are: 7 Jacob Street, Tea Gardens and 36-38 The Anchorage at Winda Woppa (Norfolk Island Pine Tree x3).

The owners of 7 Jacob Street have advised Council that it is their opinion that the house should not be locally heritage listed for the following reasons:*'the house has undergone extensive renovations and changes that have completely altered its structure and façade. The property has also been subdivided*

and a separate dwelling now exists at the rear'.... Council's Heritage Advisor has visited the property, taken the comments from the property owner into consideration and has made the following comments: 'Sufficient original form and detail remain from the dwelling's original design and its presentable appearance in the streetscape clearly demonstrates an attractive heritage style dwelling. The recommendation for local heritage listing of this property is maintained'.

The property owner at 36-38 Winda Woppa (Norfolk Island Pine Tree x3) has advised Council that it is his opinion that the Norfolk Island pine trees on the site are dying. Council's Parks and Tree Management Officer has provided the following advice: *'I have been visiting the above site and talking to the property owner for several months regarding the health of these highly significant Norfolk Island pine trees. The trees are showing signs of decline which could be caused by a number of factors, but they are still worthy of a higher level of protection as in a heritage listing'.*

In regards to the two (2) items listed above Council has taken the owners comments into consideration and is still recommending that both be locally heritage listed within GLLEP14.

The owners of the remaining buildings, parks, memorials and properties on which other trees nominated for heritage listing are located, have all been contacted and advised of the proposed heritage listing. Heritage information has also been provided in each instance.

Summary – Items not recommended for listing – Stage 3

There were a total of fifty four (54) items assessed by Council's Heritage Advisor which were not recommended for heritage listing. A list of these items is contained within Annexure B. A summary of these items is provided below.

Private dwellings

Nineteen (19) out of the fifty four (54) items not recommended for listing were private dwellings.

The nineteen (19) dwellings included on this list have been assessed for their heritage significance. This has included taking into account information provided by owners who have requested that listing not proceed for one or more of the following reasons:

The building/item does not exhibit heritage characteristics because the exterior/interior has been substantially modified to the point where it has changed dramatically in appearance

The building/ item is not considered to have heritage character and is similar to other residences or properties in the general area. Owners have given examples, including photographs, where this has occurred.

Where the dwelling has been approved for demolition or may cause major financial hardship if reconstructed repaired e.g. dwellings in Stroud that were flood affected.

Items on National Parks land

A total of six (6) items were identified as being located on National Parks land. The items in question are: a Former Weir at Markwell, an Old Village Site, Well for Sawmill, Boiler, Old Wharf site and other remains at Nerong and Former Stockyards, home site and burials at Tiona.

Council has contacted National Parks regarding the above items. National Parks have advised that they maintain their own heritage register known as the Historic Heritage Information Management System (HHIMS). HHIMS is a catalogue of heritage items and places managed by the Office of Environment and Heritage (OEH), such as collections of heritage items and individual buildings, most of which are located in national parks and reserves. National Parks have recommended that Council remove the items located on National Parks land from its Heritage Study as their listing within the HHIMS provides them with an adequate level of protection.

Given the advice provided by National Parks, Council's Heritage Advisor has removed the items located on National Parks land from the Heritage Review Program. Council has provided OEH with full details of the items in question and has encouraged them to list these within the HHIMS.

Maritime items

A total of five (5) items were identified as heritage items of maritime significance. These items were either located within waterways, on crown land or on land under the care and management of Great Lakes Council. The items in question are:

Remains of droghers (multiple), Witt Island, Myall River
Ballast remains of wharf timbers, eastern bank of Myall River, Hawks Nest
Boiler and remains of the single paddle Patterson, Myall River, Hawks Nest
Remains of the twin side paddle drogher Breeza, Myall River, Hawks Nest
Remains of Brighton and unidentified vessels, Pindimar

Council has notified NSW Trade & Investment, NSW Maritime, OEH (Maritime Heritage), and the relevant sections of Council as to the presence of these items.

The Maritime Heritage branch of OEH has advised that they maintain their own Heritage and Conservation Register in accordance with S170 of the NSW Heritage Act. The Heritage and Conservation Register identifies properties, infrastructure and assets that are owned or managed by OEH that have been identified as having maritime heritage significance.

Based on this advice, Council's Heritage Advisor has provided full details of the heritage items identified in the Great Lakes Heritage Study which are of maritime significance to the Maritime branch of OEH. Council's Heritage Advisor has encouraged OEH to list these items within their own register. OEH have advised they would be happy to add any additional items from Council's Heritage Study which are not already identified. It is considered that these maritime items are now adequately protected and as such have been removed from Council's Heritage Review Program.

Items of Aboriginal Cultural Heritage

One (1) item is considered to be of Aboriginal cultural heritage significance. This item is Mammy Johnson's Grave site, Stroud Road.

Council has contacted OEH regarding this item. OEH has advised that due to the sensitive nature of Aboriginal cultural heritage items, Council should remove the item from the Great Lakes Heritage Review Program. They have recommended that the appropriate location for the item to be listed is within the Aboriginal Heritage Information Management System (AHIMS) maintained by OEH. The AHIMS is a list of Aboriginal objects and places which have been reported to the Director General, Department of Premier and Cabinet or which have been declared by the Minister for the Environment to have special significance with respect to Aboriginal cultural heritage.

In line with the recommendation Council has forwarded all available information for Mammy Johnsons Grave, including photographs to OEH and has encouraged them to list the Aboriginal cultural heritage item in question. Council's officers will follow up to encourage OEH to list the item in the AHIMS database.

Other remaining items not to be listed

A number of items have not been recommended for local listing as they are either compromised with alterations and/or additions or are not in good condition. The remaining items are either located in neighbouring LGA's, are not locatable, have been demolished or have been approved (by Council) for demolition. These items are included in Appendix B.

Considerable time and effort has been taken to ensure that assessments undertaken as part of Stage three (3) have been conducted in a transparent and robust manner. All effort has been made to contact property owners and take into account their views along with their aspirations for their properties.

The final list of recommendations for the items assessed as part of Stage (3) of the Heritage Review Program, as made by Council's Heritage Advisor, are now presented to Council for endorsement.

RECOMMENDATION:

That Council:

- A. Endorse the recommendations from Stage 3 of the Heritage Review Program made by Council's Heritage Advisor, as contained within Annexure A and Annexure B.
- B. Prepare a Planning Proposal in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 to include those items recommended for listing as part of Council's Heritage Review Program within 'Schedule 5 – Environmental Heritage of Great Lakes Local Environmental Plan 2014', as contained in Annexure A and Annexure C.

- C. Once prepared, submit the Planning Proposal to the Minister of NSW Planning and Environment for a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
- D. Request written authorisation from the Minister of NSW Planning & Environment to exercise its plan making delegations for the Planning Proposal in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.
- E. In the event that NSW Planning & Environment issue a Gateway Determination to proceed with the Planning Proposal, undertake consultation with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination.

ANNEXURES:

- A: Table 1: Items recommended for listing by Council's Heritage Advisor as part of Stage three (3) of the Heritage Review Program.

Annexures for Council Report – Heritage Study Review

ANNEXURE A

Table 1 - Items RECOMMENDED for local heritage listing in Great Lakes Local Environmental Plan 2014 (Stage 3)

Locality	Item	Study Code
Allworth	Remains of Allworth Wharf	AI01
Booral	Booral Public School including former residence, 2300 Bucketts Way NSW Department of Education and Communities has asked that the following buildings on the site be included in the listing: B00A, 1883, Classroom and former residence. This includes the brick capped well at the rear of the building.	Bo08
	Two dwellings south-eastern corner Buladelah Rd & Bucketts Way, 2755 Booral Road	Bo09
Buladelah	Catholic Church and school group including presbytery (list only certain buildings) The Catholic Church have agreed to the following buildings being included in the listing: St Bridgids Church 1927 and St Joseph's convent 1926	Bu06
Bungwahl	Bungwahl Public School (list only certain buildings) NSW Department of Education and Communities has asked that the following buildings on the site be included in the listing: B00A, 1916, former residence now Classroom/ Administration	Bw02
	St James Anglican Church (list only certain buildings)	Bw03
	Bungwahl Cemetery	Bw05
Monkerai	Monkerai Bridge	Mo01
Nabiac	Nabiac Public School, Clarkson cnr Hoskins (list only certain buildings) NSW Department of Education and Communities has asked that the following buildings on the site be included in the listing: B00A, 1884, Administration and B00B, 1912, Classroom.	Na09
	St Paul's Anglican Church	Na10
	St Paul's Rectory	Na11
	Dwelling, former Dr George Parramore's House, 9 Showground Lane	Na26
	Nabiac Uniting Church	Na27
Stroud	Dwelling, 39 Berkeley Street	St26
	Dwelling, 46 Berkeley Street	St27
	Dwelling, 51 Berkeley Street	St28
	Dwelling, 27 Cowper Street	St34
Stroud Road	Stroud Road Public School (list only certain buildings) NSW Department of Education and Communities has asked that the following buildings on the site be included in the listing: B00A, 1918, Classroom and B00B, 1918, Weather	Sd04

	Shed	
	Stroud Road Community Hall, 8 The Bucketts Way	SD03
	Old Brick Kiln, 520 The Bucketts Way	SD11
Tea Gardens	Dwelling 181 Myall Street and Former Anglican Church at rear of 181 Myall Street	TG02, TG03
	Dwelling, 7 Jacob Street	TG18
	Dwelling, 9 Jacob Street	TG19
	Tea Gardens Memorial Park	TG36
Telegherry	Dwelling, former Telegherry school site, 501 The Bucketts Way	Te01
Tiona	The Green Cathedral including adjacent wharf remains	Ti01
Tuncurry	First School now Museum, 1 Capel Street, Tuncurry	Tu21
Winda Woppa	Norfolk Island Pines x3, 36-38 The Anchorage	Hn06

- B: Table 2: Items identified in the Heritage Study not recommended for heritage listing as part of Stage three (3) of the Heritage Review Program. No further action required.

ANNEXURE B

Table 2 – Items NOT RECOMMENDED for local heritage listing including reason (Stage 3)

Locality	Item	Reason (where applicable)	Study Code
Booral	Remains of Karri and Jarrah Company Simsville to Allworth Railway	The railway site cannot be positively identified and includes a number of private properties. As such, the railway will not be listed. Only the Allworth wharf site, AI01 will be listed.	Bo07
Buladelah	Dwelling, 22 Crawford Street	Typical of type, not in good condition, not worthy of listing	Bu23
	Dwelling & Shop, 35 Stroud Street	Building has been compromised with recent alterations, not worthy of listing	Bu25
	Dwelling, 9 Stroud Street	Building has been compromised with recent alterations, not worthy of listing	Bu36
Failford	Failford Cemetery	In Greater Taree LGA	Fa03
	Former Failford School	Not locatable	Fa04
Forster	Tudor House	Demolished	Fo00
	Former Courthouse Group	Demolished	Fo01
	School of Arts	Demolished	Fo03
	Presbyterian Church	Church has been compromised with alterations over time and is not in good condition, not worthy of listing	Fo04
	Reynolds Hill, 190 Cape Hawk Drive	Residential buildings that are of recent construction age	Fo17
Hawks Nest & Winda Woppa	Dwelling, timber cottage	Could not locate. Suspect to be demolished.	HN01
	Ballast, remains of wharf timbers, eastern bank of Myall River	Marine item. To be listed with Maritime NSW	HN03
	Boilder and remains of the single paddle drogher Patterson	Marine item. To be listed with Maritime NSW	HN04
	Remains of the twin side paddle drogher Breeza	Marine item. To be listed with Maritime NSW	HN05
	Dwelling, 10 Booner Street	Dwelling has been compromised with recent alterations and additions, not worthy of listing	HN07
	Dwelling, 50 Moira Parade	Internal alterations have been undertaken. Not worthy of listing	HN08
	Dwelling, 14 Yamba Street	Dwelling has been compromised with recent	HN09

		alterations and additions, not worthy of listing	
Markwell & Upper Myall	Former school & Residence at Former School	Dwelling has been compromised with recent alterations and additions, not worthy of listing	Ma01 & Ma02
	Dwelling, 17 Barry's lane	Dwelling has been compromised with recent alterations and additions, not worthy of listing	Ma03
	Former Weir	On Nation Parks land. To be included in National Parks Register	Ma04
	Upper Myall former Public School,		Ma08
Nabiac	First police station & lockup, 47 Clarkson Street	Typical of type, not in good condition, not worthy of listing	Na12
	Roman Catholic Church	Not in good condition, not worthy of listing	Na28
	Dwelling, 12 Donaldson Street	Compromised, not worthy of listing	Na35
	Former Aerodrome & Concrete Shelter		Na41
	Former Clarkson's Crossing	In Greater Taree LGA.	Na42
Nerong	Old Village Site, Well for Sawmill, Boiler and other remains, Old Wharf site & remains	On Nation Parks land. To be included in National Parks Register	Ne01 -Ne04
Pindimar	Remains of Brighton and unidentified vessels	Marine item. To be listed with Maritime NSW	Pi01
Stroud	Dwelling, 9 Mill Creek Road	Approved for demolition	St33
	Dwelling, 31 Cowper Street	Dwelling has been compromised with recent alterations and additions, not worthy of listing	St35
	Dwelling, 37 Cowper Street	Flood damaged, do not list	St36
	Dwelling, 49 Cowper Street	Flood damaged, do not list	St37
Stroud Road	Railway Bridge	Already listed under Australian Rail Track Heritage Register.	Sd09
	Mammy Johnsons Grave site	Aboriginal heritage item. Should be listed with OEH under the Aboriginal Heritage Information Management System	Sd10
Tea Gardens	Dwelling, , Former Fisherman's Hut, 215 Myall Street	Demolished	TG01
	Dwelling, 97 Marine Drive	Demolished	TG07
	Dwelling, 169 Myall Street	New house on this site	TG08
	General Store, 83 Marine Drive	Demolished	TG23
	Remains of Droghers, Witt Island	Marine item. To be listed with Maritime NSW	TG29
	Dwelling, 50 Witt Street	Not worthy of listing due to many examples that are	TG53

		typical of this type of dwelling in this area.	
	Shed, 20 Jacob Street	Building is compromised in that it has undergone structural changes. Not worthy of listing	TG57
	Dwelling, 21 Illuka Street	Not worthy of listing due to many examples that are typical of this type of dwelling in this area.	TG60
Telegherry	Former Telegherry Church	Dwelling/s have been compromised with recent alterations and additions, not worthy of listing	Te02
	Dwelling, 'Telegherry' Telegherry Nursery	As above	Te03
	Former Telegherry shearing shed site	Location not clearly known	Te04
Tiona	Former Stockyards, home site & burials	On Nation Parks land. To be included in National Parks Register	
Tuncurry	Keepsake Cottage Group	Relocated	Tu04
	Methodist Church	Church has been compromised with alterations and additions over time, not worthy of listing	Tu12
Wards River	Wards River former School & Residence	Dwelling/s have been compromised with recent alterations and additions, not worthy of listing	WR01

- C: Table 3 and Table 4: Items adopted for listing as part of Stage one (1) and Stage two (2) of the Heritage Review Program (included for information purposes only).

ANNEXURE C

Table 3 – Items previously adopted for local heritage listing as part of Stage 1 of the Heritage Review Program (March 2014)

Locality	Item	Study Code
Booral	Three Concrete Bridges, The Bucketts Way south of Booral	Bo11
Buladelah	War Memorial	Bu19
Forster	Waterfront – Little Street incl. Wharf	Fo05
	Forster War Memorial (Little Street Waterfront)	Fo06
	Angel Close Cemetery	Fo07
	Forster Breakwater	Fo08
	Pilot Hill	Fo09
	Forster Baths	Fo10
	Old ferry Wharf Site (Forster side)	Fo18
Hawks Nest & Winda Woppa	Old ferry approach (north of Singing Bridge)	Hn02
Nabiac & Wallamba River	War Memorial	Na05
	Mill & Bullock Wharf site	Na33 & 34
Nerong	Well for sawmill	Ne02
Tea Gardens	Large Fig Tree (in road reserve at front of 59 Marine Drive)	TG17
	Slipway (Marine Drive foreshore reserve)	TG30
	War Memorial (Marine Drive foreshore reserve)	TG31
	Norfolk Island Pine Tree x2 (road reserve in front of 45-47 Marine Drive)	TG34
Tuncurry	John Wright Park	Tu08
	Slipway (John Wright Park)	Tu09
	Canary Island Palm Trees (road reserve Taree Street, near Tokelau)	Tu10
	Norfolk Island Pine Trees x2 (at front of 18 Manning Street)	Tu11
	Forster – Tuncurry Bridge	Tu13
	Memorial Park & former Ferry Crossing (former Ferry Crossing south of bridge, Tuncurry side)	Tu14
	Rotunda (entrance to former baths incl. BBQ area)	Tu15
Smiths Lake	Pyramids	SI01
Stroud	War Memorial, Memorial Ave	St38
Stroud Road	Railway Bridge	Sd09

Table 4 – Items previously adopted for local heritage listing as part of Stage 2 of the Heritage Review Program (December 2014)

Locality	Item	Study Code
Booral	Booral Soldiers Memorial Hall, 2296 The Bucketts Way	Bo10
Bungwahl	Bungwahl Community Hall & Roll of Honour, 2512 The Lakes Way	Bw04

Nabiac	Willow Point Cemetery	Na43
Stroud	Stroud Showground	St32
Stroud Road	Stroud Road Community Hall, 8 Bucketts Way	Sd03

- D: Table 5: Items contained in the Heritage Study where no further action is required (included for information purposes only).

ANNEXURE D

Table 5 – Items contained within Great Lakes Heritage Study or within existing Heritage Conservation Area (HCA) where no further action is required (including reason).

Locality	Item	Reason	Study Code
Buladelah	Plough Inn Hotel, Stroud Street	In existing Heritage Conservation Area (HCA)	Bu07
	IGA Supermarket (old section)	In existing HCA	Bu08
	Post Office	In existing HCA	Bu09
	Dwelling, 84 Stroud Street (Café)	In existing HCA	Bu10
	St John's Anglican Church	In existing HCA	Bu15
	School of Arts,	In existing HCA	Bu17
	Buladelah RSL,	In existing HCA	Bu18
Tuncurry	Tuncurry-Forster TAFE	In existing HCA	Tu05
	Tuncurry Memorial Hall	In existing HCA	Tu06
	St Joseph's Convent	In existing HCA	Tu07
Nabiac	Police Station, 70 Clarkson Street	In existing HCA	Na06
	Dwelling, 69 Clarkson Street	In existing HCA	Na08
Tea Gardens	Dwelling, 159 Myall Street	In existing HCA	TG04
	Fisherman's Hut, 109 Marine Drive	In existing HCA	TG05
	Dwelling, 103 Marne Drive	In existing HCA	TG06
	Dwelling, 161 Myall Street	In existing HCA	TG38
	Dwelling, 189 Myall Street	In existing HCA	TG39
	Dwelling, 191 Myall Street, former post office	In existing HCA	TG40
	Dwelling, 9 Engel Street	In existing HCA	TG41
	Dwelling, 11 Engel Street	In existing HCA	TG42
	Dwelling, 1 Witt Street	In existing HCA	TG43
	Dwelling, 3 Witt Street	In existing HCA	TG44
	Dwelling, 5 Witt Street	In existing HCA	TG45
	Dwelling, 15 Witt Street	In existing HCA	TG46
	Dwelling, 13 Witt Street	In existing HCA	TG47
	Dwelling, 11 Witt Street	In existing HCA	TG48
	Group of eight dwellings in Witt and Ogden Streets	In existing HCA	TG49
	Dwelling, 40 Witt Street	In existing HCA	TG49A
	Dwelling, 38 Witt Street	In existing HCA	TG49B
	Dwelling, 36 Witt Street	In existing HCA	TG49C
	Dwelling, 32 Witt Street	In existing HCA	TG49E
	Dwelling, 3 Ogden Street	In existing HCA	TG49G
	Dwelling, 5 Ogden Street	In existing HCA	TG49H
	Dwelling, 167 Myall Street	In existing HCA	TG50
	Dwelling, 177 Myall Street	In existing HCA	TG51
	Dwelling, 3-5 Hough Street	In existing HCA	TG52

	Dwelling, 73 Marine Drive	In existing HCA	TG54
	Dwelling, 81 Marine Drive	In existing HCA	TG56
	Dwelling, 37 Marine Drive	In existing HCA	TG58
	Dwelling, 39 Marine Drive	In existing HCA	TG59
Booral	Dwelling 'Alderly House'	In existing LEP – NFA	Bo01
	Dwelling 'Booral House'	In existing LEP – NFA	Bo02
	Dwelling 'Gundayne' Millbrook Road	In existing LEP – NFA	Bo03
	Booral Wharf, Karuah River	In existing LEP – NFA	Bo04
	St Barnabas Church and Cemetery	In existing LEP – NFA	Bo05
	Dwelling, 'The Gables'	In existing LEP – NFA	Bo06
Buladelah	General Cemetery	In existing LEP – NFA	Bu01
	Tramline Trestle Bridge	In existing LEP – NFA	Bu02
	Former Courthouse, Crawford Street	In existing LEP – NFA	Bu03
	Buladelah Mountain	In existing LEP – NFA	Bu04
Bungwahl	Old Bungwahl Cemetery	In existing LEP – NFA	Bw01
Carrington	Carrington Cemetery	In existing LEP – NFA	Ca01
	Former St Andrews Church	In existing LEP – NFA	Ca02
	Former soldiers' barracks cottage	In existing LEP – NFA	Ca03
	Carrington Boat Harbour and limekiln	In existing LEP – NFA	Ca04
	Tahlee House Estate	In existing LEP. Combine items Ca05-Ca11 under one listing	Ca05
Coolongolook	Morris property graves	In existing LEP - NFA	Co01
Darawank	Former Darawank Public School	In existing LEP - NFA	Da01
Failford	Dwelling 'The Old Brock House'	In existing LEP - NFA	Fa01
	Dwelling, Failford House, Failford Road	In existing LEP - NFA	Fa02
Forster	General Cemetery	In existing LEP - NFA	Fo02
Monkeri	Monkeri Hall	In existing LEP - NFA	Mo01
Nabiac	Former Hancocks store	In existing LEP - NFA	Na01
	Nabiac Neighbourhood Centre	In existing LEP - NFA	Na02
	Former ES&A bank	In existing LEP - NFA	Na03
	Dwelling with mature Canary Island palms		Na04
	Shop and dwelling, 77 Clarkson Street	In existing LEP – NFA	Na07
	Dwelling, 77A Clarkson Street	Incorrectly identified in Heritage Study. For future investigation – NFA at this time	Na04
	Nabiac Showground	In existing LEP – NFA	Na25
Nerani Head	Nerani Head Cemetery	In existing LEP – NFA	NH01
Seal Rocks	Lighthouse	In existing LEP – NFA	SR01
	The Lighthouse Keepers two residences	In existing LEP – NFA	SR02
	Ancillary group	In existing LEP – NFA	SR03
Stroud	AA Cottages (Berkeley Street)	In existing LEP – NFA	St02-St06
	'Thornleigh'	In existing LEP – NFA	St07
	St Columbanus Catholic Church	In existing LEP – NFA	St08
	Baptist Church	In existing LEP – NFA	St09
	Former Council Chambers	In existing LEP – NFA	St10
	Former Bank of New South Wales	In existing LEP – NFA	St11

	Post Office	In existing LEP – NFA	St12
	School of Arts	In existing LEP – NFA	St13
	Former court house	In existing LEP – NFA	St14
	St John the Evangelist Anglican Church and cemetery	In existing LEP – NFA	St15
	St Johns Rectory	In existing LEP – NFA	St16
	St Johns Parish Hall	In existing LEP – NFA	St17
	Quambi House	In existing LEP – NFA	St18
	Stroud House	In existing LEP – NFA	St19
	Central Hotel	In existing LEP – NFA	St20
	School and residence (Erin Street)	In existing LEP – NFA	St21
	St James Presbyterian Church	In existing LEP – NFA	St22
	Underground grain silos and cannons	In existing LEP – NFA	St23
	Stroud Uniting Church	In existing LEP – NFA	St24
	Dwelling (Bridge Street)	In existing LEP – NFA	St25
Stroud Road	Uniting Church	In existing LEP – NFA	SD01
	Washpool	In existing LEP – NFA	SD02
Tea Gardens	Police Residence & Court House, 51-53 Marine Drive	In existing LEP - NFA	TG15/16
	Cemetery	In existing LEP - NFA	TG37
	Shops, 89 Marine Drive (Universal Store)	In existing LEP but demolished. However to remain listed - NFA	TG25
Tuncurry	'Tokelau', 2 Manning Street	In existing LEP - NFA	Tu01
	Reorganised Church of Jesus Christ of Latter Day Saints	In existing LEP - NFA	Tu02
	Tuncurry House, 143 South Street	In existing LEP - NFA	Tu03
Weismantels	Former Weismantels Inn & Wine Salon	In existing LEP - NFA	We01

1 PES - Heritage Review Program

Index: SP-PROG-2; Heritage Review Program

Author: Strategic Planner - Rebecca Underwood

Strategic Committee Meeting: 10 May 2016

RECOMMENDATION:

That Council:

- A. Endorse the recommendations from Stage 3 of the Heritage Review Program made by Council's Heritage Advisor, as contained within Annexure A and Annexure B.
- B. Prepare a Planning Proposal in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* to include those items recommended for listing as part of Council's Heritage Review Program within '*Schedule 5 – Environmental Heritage of Great Lakes Local Environmental Plan 2014*', as contained in Annexure A and Annexure C.
- C. Once prepared, submit the Planning Proposal to the Minister of NSW Planning and Environment for a Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*.
- D. Request written authorisation from the Minister of NSW Planning & Environment to exercise its plan making delegations for the Planning Proposal in accordance with Section 59 of the *Environmental Planning and Assessment Act 1979*.
- E. In the event that NSW Planning & Environment issue a Gateway Determination to proceed with the Planning Proposal, undertake consultation with the community and government agencies in accordance with Section 57 of the *Environmental Planning and Assessment Act 1979* and any directions of the Gateway Determination.

(Moved L Roberts/Seconded C McCaskie)

Endorse the recommendations from Stage 3 of the Heritage Review Program made by Council's Heritage Advisor, as contained within Annexure A and Annexure B with the following amendments:

- A. 7-9 Jacobs Street, Tea Gardens, not be heritage listed at this stage and further investigated.
- B. The Norfolk Pines not be listed and instead included in Council's Significant Tree Register.
- C. Prepare a Planning Proposal in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* to include those items recommended for listing as part of Council's Heritage Review Program within '*Schedule 5 – Environmental Heritage of Great Lakes Local Environmental Plan 2014*', as contained in Annexure A and Annexure C.
- D. Once prepared, submit the Planning Proposal to the Minister of NSW Planning and Environment for a Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*.
- E. Request written authorisation from the Minister of NSW Planning & Environment to exercise its plan making delegations for the Planning Proposal in accordance with Section 59 of the *Environmental Planning and Assessment Act 1979*.

- F. In the event that NSW Planning & Environment issue a Gateway Determination to proceed with the Planning Proposal, undertake consultation with the community and government agencies in accordance with Section 57 of the *Environmental Planning and Assessment Act 1979* and any directions of the Gateway Determination.

An amendment was moved by L Gill, seconded J Weate that:

Endorse the recommendations from Stage 3 of the Heritage Review Program made by Council's Heritage Advisor, as contained within Annexure A and Annexure B with the following amendment:

- A. The Norfolk Pines not be listed and instead included in Council's Significant Tree Register.
- B. Prepare a Planning Proposal in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* to include those items recommended for listing as part of Council's Heritage Review Program within 'Schedule 5 – Environmental Heritage of Great Lakes Local Environmental Plan 2014', as contained in Annexure A and Annexure C.
- C. Once prepared, submit the Planning Proposal to the Minister of NSW Planning and Environment for a Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*.
- D. Request written authorisation from the Minister of NSW Planning & Environment to exercise its plan making delegations for the Planning Proposal in accordance with Section 59 of the *Environmental Planning and Assessment Act 1979*.
- E. In the event that NSW Planning & Environment issue a Gateway Determination to proceed with the Planning Proposal, undertake consultation with the community and government agencies in accordance with Section 57 of the *Environmental Planning and Assessment Act 1979* and any directions of the Gateway Determination.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a Council or committee meeting. Accordingly, the Chairperson called for a division in respect of the amendment, the results of which were as follows:

FOR VOTE - Cr L Gill, Cr J Weate

AGAINST VOTE - Cr J McWilliams, Cr J Morwitch, Cr L Roberts, Cr C McCaskie, Cr A Summers, Cr K Hutchinson, Cr L Vaughan

The amendment was lost.

Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

The results of this division were as follows:

FOR VOTE - Cr J McWilliams, Cr J Morwitch, Cr L Roberts, Cr C McCaskie, Cr A Summers, Cr K Hutchinson, Cr L Vaughan

AGAINST VOTE - Cr L Gill, Cr J Weate

The motion was therefore carried.