

PLANNING PROPOSAL

To

Amend Schedule 5 - Environmental Heritage and the
Heritage Maps of Warringah Local Environmental
Plan 2011

Prepared by Warringah Council, April 2013



Introduction

The planning proposal seeks to update Council's list of local heritage items in Warringah Local Environmental Plan 2011 (WLEP 2011). This requires amendments to Schedule 5 - Environmental Heritage and also the Heritage Maps of WLEP 2011. The changes include correcting various errors, adding fourteen (14) new heritage items, expanding three (3) existing items, adding ten (10) existing State agency listings as well as removing two (2) existing items.

This planning proposal will refer to the following attachments:

Attachment 1 – Corrections, alterations and deletions of existing heritage listings in Schedule 5

Attachment 2 – New heritage items to be added to Schedule 5

Attachment 3 – Proposed Heritage Maps

Attachment 4 – Warringah Community Based Heritage Study Review

Attachment 5 – Council report and resolution.

1 Objectives or intended outcomes

The objective of the proposed draft local environmental plan is to update Council's list of local heritage items. The intended outcome is a heritage list which is more accurate and more comprehensive. In doing so, Council will be ensuring that more heritage is identified for the future benefit of the community. This is intended to be implemented by making changes to Schedule 5 - Environmental Heritage and the Heritage Maps of WLEP 2011, based on the recommendations provided by the Warringah Community Based Heritage Study Review.

2 Explanation of provisions

The planning proposal involves amendments to the Schedule 5 Environmental Heritage and the Heritage Maps of WLEP 2011.

The changes discussed in this planning proposal require the following:

- Attachment 1 contains corrections and alterations that need to be made to existing items in Schedule 5. It also contains two items that need to be removed from the list. Follow the instructions set out in Attachment 1.
- Attachment 2 contains the new items that need to be added to Schedule 5. Follow the instructions set out in Attachment 2.

Replace the existing Heritage Maps with the proposed maps in accordance with the table below. Attachment 3 contains the proposed maps.

The following map sheets are revoked:

Map Sheet	Map Identification Number
Heritage Map	
HER 001	1800_COM_HER_001_020_20110919
HER 007	1800_COM_HER_007_020_20110919
HER 008	1800_COM_HER_008_020_20110919
HER 008A	1800_COM_HER_008A_010_20110919
HER 009	1800_COM_HER_009_020_20110919
HER 010	1800_COM_HER_010_020_20110919
HER 010A	1800_COM_HER_010A_010_20110919

The following map sheets are adopted:

Map Sheet	Map Identification Number
Heritage Map	
HER 001	1800_COM_HER_001_020_20130423
HER 002	1800_COM_HER_002_020_20130423
HER 004	1800_COM_HER_004_020_20130423
HER 006	1800_COM_HER_006_020_20130423
HER 007	1800_COM_HER_007_020_20130423
HER 008	1800_COM_HER_008_020_20130423
HER 008A	1800_COM_HER_008A_010_20130423
HER 009	1800_COM_HER_009_020_20130423
HER 010	1800_COM_HER_010_020_20130423
HER 010A	1800_COM_HER_010A_010_20130423

3 Justification

Section A - Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

Yes, this planning proposal is a direct result of the recommendations of the Warringah Community Based Heritage Study Review, which was completed in February 2013. This Review was prepared during 2011/2012 and was supported by a \$ for \$ grant from NSW Heritage under the Local Government Heritage Grants Program.

Full details of the Review process are contained within the Review Report, which can be seen at Attachment 4. In summary the main stages were:

- **Review of existing heritage items** – This included consultation with all owners of existing items, reviewing listing details for accuracy as well as consulting other heritage registers (e.g. s.170 State Government agency registers). This identified a number of errors and anomalies in the current heritage list. It was also determined that there were 10 heritage items listed by State agencies, but not reflected in WLEP 2011. Two (2) owners of existing items requested that their properties be removed from the heritage list.
- **Identification of potential heritage items** – As this was a community based review, Council called for nominations from the community for new heritage listings between 9 April 2011 and 27 May 2011. In response to this call for community nominations a total of 69 submissions were received, some of which nominated multiple properties. In total, over 100 properties were nominated.
- **Assessment of nominated items** – All nominations were assessed in accordance with the criteria contained within the NSW Heritage publication “Assessing Heritage Significance”. Council used the heritage specialists on its Warringah Heritage Panel to assess each nomination and determine whether or not it met the criteria for heritage listing. During this process, all owners of properties nominated were consulted and provided with an opportunity to make a submission. Any submissions were taken into account in any reassessment of nominations.
- **Recommendations for new heritage items** – This nomination/assessment process resulted in a recommendation to list fifteen (15) new heritage items as well as expand the existing listing of three (3) items. The assessment process also recommended that two (2) existing items be removed.

Council, at its meeting held on 26 March 2013, resolved to remove one item from the list and make changes to another item, leaving a final list of fourteen (14) new heritage items. Council adopted the final report of the Warringah Community Based Heritage Study and resolved to prepare a planning proposal to implement the recommendations, subject to changes to the final list. A copy of the Council report and resolution can be seen at Attachment 5.

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

Yes, the planning proposal is the best means of achieving Council's intended outcomes, for the following reasons:

- The changes to Schedule 5 - Environmental Heritage and the Heritage Maps require an amendment to WLEP 2011.
- LEP amendments, such as that proposed, can only be achieved through a planning proposal.

3. Is there a net community benefit?

Yes. Heritage is what we inherit from previous generations; it forms the basis for the identified of people, communities and nations. History can represent the past and identify how a place has developed into what it is today. Preserving the important European heritage items in the attached list will achieve this benefit.

Section B - Relationship to strategic planning framework.

4. 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 planning proposal is consistent with the objectives and actions within the relevant regional and sub-regional strategies.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the Strategic Community Plan 2012 in that the updating of the heritage list in WLEP 2011 was a listed action for the 2012-2016 period.

6. Is the planning proposal consistent with applicable state environmental planning policies (SEPP's)?

The following table provides an assessment of the planning proposal with the relevant SEPP's:

SEPP title	Consistency
State Environmental Planning Policy No 6 – Number of Storeys in a Building	The planning proposal is consistent with this SEPP and does not contain provisions that contradict or hinder the application of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The planning proposal is consistent with this SEPP. It is noted that a heritage listing prevents the complying development codes from applying to a property
State Environmental Planning Policy (Infrastructure) 2007	The planning proposal is consistent with this SEPP and does not contain provisions that contradict or hinder the application of this

	SEPP.
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7. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

The following table provides an assessment of the planning proposal with the relevant s117 Directions:

s117 Direction	Consistency
Direction 2.3 Heritage Conservation	The planning proposal is consistent with this direction, as the changes to the Schedule 5 Environmental Heritage and the Heritage Maps of WLEP 2011 will conserve items, areas, objects and places of environmental heritage significance.

Section C - Environmental, social and economic impact.

8. 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 threatened species, populations or ecological communities, or their habitats have been identified as being impacted by this planning proposal.

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

There are no likely environmental effects as a result of the planning proposal.

10. How has the planning proposal adequately addressed any social and economic effects?

The purpose of the planning proposal is to update the heritage listings within Warringah. The social benefits related to the preservation of European heritage include a link to the history of Warringah and its community, and identifying how Warringah has changed into what it is today.

The economic effects of the planning proposal will be minimal. The development potential of the listed properties will be affected, however, a heritage listing does not prohibit redevelopment, a listing just necessitates the requirement for an appropriate design.

Section D - State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

Yes. The planning proposal does not generate any need to upgrade or improve public infrastructure.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Council has not consulted with any State or Commonwealth public authority regarding this planning proposal. Council will engage any such public authority in accordance with the Gateway Determination

4 Community consultation

Council notified all owners of properties that were nominated, several times during the Community Based Heritage Study Review process. At each stage these owners were given the opportunity to provide submissions. The owners were invited to provide supporting documentation with their submissions if they wished.

In accordance with State Government legislation as well as Council's community engagement policy and community engagement matrix, Council will undertake community consultation by giving notice of the public exhibition of the planning proposal in the Manly Daily newspaper, on Council's website, by email to community groups and by notification to appropriate land owners.

Conclusion

A Planning Proposal to make amendments to Schedule 5 - Environmental Heritage and the Heritage Maps of Warringah Local Environmental Plan 2011 is an appropriate course of action to improve the operation of WLEP 2011 and its interrelationship with other strategic planning documents.

