



PLANNING PROPOSAL

**Proposed amendment to Port Stephens
Local Environmental Plan 2000 /
Draft Local Environmental Plan 2013**

Proposal to list "Sketchley Cottage" on Schedule
2 – Heritage as an item of local significance

April 2013

Contacts

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Mr Peter Gesling

General Manager Port Stephens Council

PLANNING PROPOSAL – SKETCHLEY COTTAGE

Local Government area: Port Stephens Council

Address: Lot 1 DP 1093118, 1 Sketchley Street, Raymond Terrace

A locality plan and current zoning plan is shown at Attachment 1.

Background:

A heritage assessment of the site was undertaken by the Raymond Terrace historical Society and endorsed by Council's Heritage Advisor in accordance with the Heritage Office requirements and is included as Attachment 2.

The cottage was relocated to its current site in 1976 from Doribank Homestead, near Eagleton. The cottage is an ironbark slab cottage and was built by convicts in 1837 and formed part of the Doribank Homestead complex. *Sketchley Cottage* is named after William Sketchley, a founding convict, pioneer and lay preacher who took ownership of the homestead in 1857.

The cottage has rare cultural, social and historical significance due to its association with William Sketchley and it being convict built. The building also has the potential to provide insight and an understanding of the construction techniques of such buildings of the time. *Sketchley Cottage* is the only one of its type and age in the Raymond Terrace area.

PART 1 – Objective of the proposed Local Environmental Plan Amendment

The objective of the planning proposal is to recognise the local heritage significance of the building known as *Sketchley Cottage* and provide statutory protection for its conservation under the Port Stephens Local Environmental Plan 2000 or the draft Port Stephens LEP 2013.

PART 2 – Explanation of the provisions to be included in proposed LEP

The objective of the planning proposal will be achieved by:

1. Amending Schedule 2 – Heritage of the Port Stephens Local Environmental Plan 2000 by including a reference to the land at 1 Sketchley Street, Raymond Terrace and describing the item as *Sketchley Cottage*.

OR should the draft LEP 2013 be gazetted prior to the finalisation of the planning proposal, by:

2. Amending Schedule 5 Environmental Heritage of the draft Port Stephens LEP 2013 by including a reference to the land at 1 Sketchley Street, Raymond Terrace and describing the item as *Sketchley Cottage*; and
3. identifying the site at 1 Sketchley Street, Raymond Terrace on the draft Port Stephens LEP 2013 Heritage Map.

Note: The item will be inserted in alphabetical order, with a number being issued upon final adoption of the plan.

PART 3 – Justification for the Planning Proposal

SECTION A – Need for the Planning Proposal

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

The planning proposal is the result of intensive historical research undertaken by the Port Stephens Historical Society in conjunction with Port Stephens Council.

A copy of the Statement of Significance for the *Sketchley Cottage* is at Attachment 3.

2. 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 way of recognising the heritage status of the building and achieving the objective of the Planning Proposal, which is to secure statutory protection for the building in order to protect its heritage value.

Listing the building as an item of environmental heritage on the Local Environmental Plan –

- formally acknowledges its heritage significance,
- provides statutory protection and measures to manage its conservation, and
- informs interested parties of the property's heritage status.

3. Is there a community benefit?

Yes. The community will benefit by the protection of a building and site which have been identified as significant at a local level and appropriate for listing as a heritage item.

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)?

Lower Hunter Regional Strategy

The Lower Hunter Regional Strategy promotes the conservation of significant heritage items and directs Councils to ensure that all items of significance are included in the heritage schedules of the local environmental plans.

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

Community Strategic Plan

The Community Strategic Plan seeks to "preserve and promote multiculturalism and Port Stephens' heritage, arts and culture". The listing of a significant heritage building is consistent with this objective.

Port Stephens Planning Strategy

The Port Stephens Planning Strategy recognises the importance of listing sites of heritage significance in the Local Environmental Plan.

6. Is the planning proposal consistent with applicable state environmental planning policies?

State Environmental Planning Policies

The planning proposal involves listing *Sketchley Cottage* as a heritage item. It does not involve a change in land use zone nor is it intended to facilitate a particular development. Numerous state environmental planning policies apply to the land for the purpose of development. No State Environmental Planning Policy applying to the land prevents or restricts the listing of heritage items.

The listing of buildings as heritage items and sites is consistent with state environmental planning policies.

Section 117 Ministerial Directions

7. Is the planning proposal consistent with applicable Ministerial Directions?

An assessment of relevant s.117 Directions against the planning proposal is provided in the table below.

Table 1: Relevant s.117 Ministerial Directions

Ministerial Direction	Aim of Direction	Consistency and Implications
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Employment Zones	Encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.	Not applicable
1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Not applicable
1.4 Rural Lands	The objective of this direction is to protect the agricultural production value of rural land and facilitate the economic development of rural lands for rural related purposes.	Not applicable
2. ENVIRONMENT AND HERITAGE		
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	The planning proposal does not apply to land within an environmental protection zone.
2.2 Heritage Conservation	The objective of this direction is to ensure that items with identified heritage value are listed on a LEP in order to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The planning proposal aims to list the building as a heritage item. This will require amendments to Schedules 2 of the Port Stephens Local Environmental Plan 2000, or Schedule 5 of the draft Port Stephens Local Environmental Plan 2013. The existing heritage provisions within the LEP 2000

		and the draft LEP 2013 will not be altered and will assist with the conservation of the proposed item. The Planning Proposal meets the objectives of this Direction.
2.3 Recreation Vehicle Areas	The draft LEP amendment does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>).	Not applicable
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and minimise the impact of residential development on the environment and resource lands.	Not applicable.
3.2 Caravan parks and Manufactured Home Estates	The objective of this direction is to provide for a variety of housing types, and provide opportunities for caravan parks and manufactured home estates.	Not applicable
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low impact small businesses in dwelling houses.	Not applicable.
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs subdivision and street layouts achieve the sustainable transport objectives.	The planning proposal will not alter or remove the 6(a) General Recreation "A" Zone. The planning proposal is not inconsistent with the aims, objectives of this SEPP.
3.5 Development Near Licensed Aerodromes	The objectives of this direction to ensure the efficient and safe operation of aerodromes, ensure their operation is not compromised by incompatible future adjoining land uses	Not applicable.
3.6 Shooting Ranges	The objectives of this direction are to maintain appropriate levels of public safety and amenity, to reduce land use conflict and to identify issues that must be addressed when rezoning land adjacent to an existing shooting range,	Not applicable.
4. HAZARD AND RISK		
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils	Not applicable.

4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Not applicable.
4.3 Flood Prone Land	The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> , and that the provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.	Not applicable.
4.4 Planning for Bushfire Protection	The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, to encourage sound management of bush fire prone areas.	Not applicable.
5. REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The planning proposal is consistent with the Lower Hunter Regional Strategy, which promotes heritage conservation in the Lower Hunter.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	The objectives for managing commercial and retail development along the Pacific Highway.	Not applicable.
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Not applicable.
6.2 Reserving Land for Public Purposes	The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	The land on which this item is located is currently zoned 6(a) – General Recreation "A" Zone and is owned by Port Stephens Council. The planning proposal does not seek to rezone this land.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Not applicable.

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?

The proposal does not apply to land nor is it in the vicinity of land that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

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

The planning proposal will not result in any environmental effects.

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

A positive social effect is expected as the planning proposal aims to protect a building of local heritage significance.

SECTION D – State and Commonwealth interests

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

The planning proposal will not result in any additional demand for public infrastructure.

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

Due to the local level of significance of the potential heritage item, it is anticipated that the NSW Heritage Office is the only State Agency who will be consulted with on the Planning Proposal.

Part 4 – Details of Community Consultation

In accordance with part 4.5 of *A guide to preparing local environmental plans*, an exhibition period of 14 days is considered sufficient.

Exhibition material will be on display at Councils administration building located at 116 Adelaide Street, Raymond Terrace NSW between the hours of 8:30am to 5:30pm Monday to Friday. The exhibition material will also be made available on Council's website and at Council libraries.

Any further consultation shall be indicated within the Gateway Determination.

Locality Plan



LOCALITY: RAYMOND TERRACE

COUNTY OF GLOUCESTER

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

DRAFT

PORT STEPHENS

AMENDMENT - Sketchley Cottage, Raymond Terrace

DRAWN BY: KG DATE: 22/03/2013

SUPERVISING DRAFTSPERSON: KG

PLANNING OFFICER: X

COUNCIL FILE No.: S9740-X

DEPT. FILE No.

CERTIFICATE PLAN No. DATED: X

PLAN PUBLISHED ON NSW
LEGISLATION WEBSITE ON:

STATEMENT OF RELATIONSHIP WITH OTHER PLANS

AMENDS PORT STEPHENS LEP 2000 PLANNING SCHEME

CERTIFIED IN ACCORDANCE
WITH THE ENVIRONMENTAL
PLANNING AND ASSESSMENT
ACT 1979 AND REGULATIONS
AS AMENDED

**AUTHORISED
COUNCIL EMPLOYEE**

DATE _____



ATTACHMENT TWO

Sketchley Cottage Statement of Significance

Port Stephens Council: Community Heritage Assessment Form for Items of Local Significance

Local name(s) of item/ tree (species) <i>Sketchley Cottage</i>		SHI number
Address of item <i>1 Sketchley Street, Raymond Terrace</i>		Lot / DP
Owner of item <i>Port Stephens Council</i>		GPS coordinates
Photo – Google Earth only	Street Directory or photo	Attachments eg photos
		Office Use Only

Category of Item			
☐ Large home ☒ Small home ☐ Government building ☐ School ☐ Commercial building ☐ Industrial building or site	☐ Church ☐ School of Arts/Public Hall ☒ Moveable object ☐ Monument ☐ Architectural style ☐ Archaeological Site	☐ Natural feature ☐ Tree ☐ Garden ☐ Place ☐ Precinct ☐ Chronological era	☐ Indigenous ☐ Relic ☐ Ruin ☐ Other (give details)

Property of			
☐ Freehold/private ☐ Crown Land ☐ State government ☐ RTA ☐ Dept Lands	☐ NP&WS ☒ Local government ☐ Forestry ☐ Church property ☐ Dept Education	☐ Energy provider ☐ Dept of Defence ☐ Maritime ☐ Community Managed ☐ Waterboard	☐ Other (give details)

Description of item, uniqueness & context Ironbark Slab Cottage. Originally the barn for the Homestead owned by William Sketchley, and a portion of the "Doribank" Homestead.
Context Local Historical Museum. Managed by the Port Stephens Historical Society.
When built, designer/builder, for whom Convict Built as part of the "Doribank" Homestead. William Sketchley took ownership in 1854. Building The home and kitchen buildings were destroyed in a fire in 1857. This building was thought to be the barn. There are 2 theories on the construction and age of the building: 1) That William Sketchley erected the buildings in order to provide a home for his wife in 1837, 2) That Convicts assigned to Col. Snodgrass, neighbour of Sketchley, erected the buildings to provide a home for he and his sons, while they erected Eagleton House. The building was relocated in 1976 from the New Line Road, Doribank, to Council owned land at Brennan Park, Raymond Terrace, for use as a local Museum.
Materials used Local timber, split slab (hand adzed) construction using hand made nails. Corrugated iron roof (present) may have been originally timber shingles. 12 glass panes, double hung, timber framed windows. Ledged and braced, timber panelled front door.
Original purpose Family Home/ Barn as part of Homestead Complex

Port Stephens Council: Community Heritage Assessment Form for Items of Local Significance

Present use Museum

Modifications An annex was constructed on the site in 1981 to house the Raymond Terrace Historical Society Records. Annex constructed from timber slabs (sourced from a Hinton Barn) and timber shingled roof.

Reason for nomination This cottage is the only one of its type and age still in use in the Raymond Terrace Area. The cottage has early convict connections. An historical theme is one of Pioneer Living.

Heritage themes represented by the item

☐ Aboriginal Culture/Contact	☐ Mining, Quarrying	☐ Townships/streetscapes	☐ Migration
☐ Exploration/survey/land tenure	☐ Environment/biophysical change	☐ Transport/networks	☐ Industrial cycles
☒ Convict Era	☐ Use/misuse of resources	☐ City/rural divide	☐ Life Cycle
☐ Agriculture (cultivation)	☐ Economic cycles	☐ Government/Administration	☐ Manufacturing
☐ Pastoral (grazing)	☐ Housing/building change	☐ Law and Order	
☐ Defence, war memorials		☐ Cultural/social/religious life	

Historical notes/ Trees: Reason for nomination: ☐ Botanical ☒ Heritage ☐ Other (give reason)

William Sketchley was born on the 4th December in Hinckley Leicestershire. His trade was as a stockinger (weaver). On 11th January 1830 Sketchley was tried at Leicester for Stealing and having a previous conviction of 9 months, was sentenced to 7 years and transported to Australia, arriving on the *Marquis of Huntley* in August 1830. He was assigned to John Richardson on the Hunter River and appears to have remained in the area. He received his Ticket of Leave in July 1835 and his Certificate of Freedom in October 1842.

In March 1837 he was married in Newcastle to former convict Mary Shutt (Nee Cross). He and Mary had six children, four of whom survived. In the same year he was assigned two convicts to work for him.

He is listed in the 1841 Hunter River Directory (Eliz. Guildford 1987) as "farmer Seaham". In 1854 William Sketchley purchased Lot 4, comprising 85 acres as part of the Doribank Estate, on which was erected dwelling house, large barn and granary. In April 1857, the homestead burnt down. In June 1857 over 70 residents and friends subscribed to aid William Sketchley in his time of need. The total amounted to £43/15/6. With this money Sketchley was able to convert the barn, which had been saved "only with great difficulty", to a liveable condition. It was this building that the family remained in until the late 1960's. In 1975 the cottage was donated to the Raymond Terrace Historical society and moved to its **present** site in 1976.

Categories of heritage significance

☒ Historic Significance, cultural or natural	☒ Research potential or educational significance
☒ Historical associations	☐ Rarity
☐ Aesthetic or technical significance	☐ Representative significance
☒ Social significance	

Statement of heritage significance of item

Associated with founding convict, Pioneer and lay preacher in the Wesleyan Church: William Sketchley. The cottage has rare cultural, social and historic significance. The building also has the potential to provide in insight into the construction of such buildings of the time and provide an understanding of construction techniques of the time. An important educational facility for schools and researchers alike.

Does the item have heritage significance beyond the present local government boundaries? Explain
Nil

References used and bibliography pertaining to the item

<http://www.sketchleycottage.org.au/>
NSW Heritage Branch State Heritage Inventory

Port Stephens Council: Community Heritage Assessment Form for Items of Local Significance

Person making nomination...*Moir*a *Saunders*on
Supported by Lillian Cullen, Port Stephens Council Heritage Advisor
Signature...L.Cullen..... Date...21/03/2013
Address & Phone Number (BH)
Relationship to nominated item. ie owner, neighbour etc

ATTACHMENT THREE

Land owner (Port Stephens Council) concurrence



116 Adelaide Street, Raymond Terrace NSW 2324
PO Box 42, Raymond Terrace NSW 2324

DX 21 406 | ABN 16 744 377 876



Memo

From: Jason Linnane
Date: 28 March 2013
File No: PSC2006-0073
Subject: Sketchley Cottage heritage listing

Details:

As landowner, the Planning Proposal to list Sketchley Cottage as an item of Environmental Heritage on the Port Stephens Local Environmental Plan 2000 is supported, subject to the heritage listing applying only to the portion of the lot on which the cottage is located.



 Jason Linnane
Facilities & Services Group Manager

Ext:222

Communication method

- ☐ Post on myPort
- ☐ Post on PSC website
- ☐ Memo to section managers
- ☐ Presentation to SLT
- ☐ Snapshot article
- ☐ All staff memo from General Manager
- ☐ 2 way conversation with Councillors
- ☐ Councillors weekly PS newsletter
- ☐ Report to Council
- ☐ Media release
- ☐ Other _____

Document12

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OPTIONS

- 1) Adopt the recommendations of this Report to submit the Planning Proposal to the Department of Planning and Infrastructure requesting a Gateway determination. This is the first step in the plan making process;
- 2) Amend one or more of the provisions of the Planning Proposal prior to submitting the Planning Proposal to the Department of Planning and Infrastructure for a Gateway determination;
- 3) Reject the recommendations of this Report and not proceed with the rezoning process. The consequences of this option may be that Council's ability to protect a recognized heritage item will be impeded.

ATTACHMENTS

- 1) Planning Proposal to list *Sketchley Cottage* as an item of Environmental Heritage.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Listing the building as an item of environmental heritage on the Local Environmental Plan:

- formally acknowledges the building's heritage significance;
- provides statutory protection and measures to manage its conservation;
- informs interested parties, as a matter of public record, of the property's heritage status; and
- helps to raise the profile and status of Sketchley Cottage.

The community will benefit from the planning proposal as it will facilitate the protection of a building and site which have been identified as significant at a local level and which is appropriate for listing as a heritage item.

There will be no changes to the use of the site as a result of this Planning Proposal and as such there will be no environmental impacts.

CONSULTATION

Consultation has been undertaken with the Port Stephens Historical Society, the Port Stephens Heritage Advisory Committee and Council's Facilities and Services Group Manager, who is the asset owner. Landowner concurrence is included with the Planning Proposal.

Government Agency Consultation

Due to the local level of significance of the potential heritage item, it is anticipated that the NSW Heritage Office is the only State Agency who will be consulted with on the Planning Proposal.

Public consultation

In accordance with part 4.5 of '*A guide to preparing local environmental plans*', an exhibition period of 14 days is considered sufficient.

Exhibition material will be on display at Council's administration building located at 116 Adelaide Street, Raymond Terrace NSW between the hours of 8:30am to 5:30pm Monday to Friday. The exhibition material will also be made available on Council's website and at Council libraries.

Any further consultation shall be indicated within the Gateway Determination.

A heritage assessment undertaken on *Sketchley Cottage* indicates that the site is of local heritage significance set out by the NEW Heritage Office criteria. The Planning Proposal is consistent with the s117 Direction, to list the item in the Local Environmental Plan in order to facilitate its conservation.

Port Stephens Local Environmental Plan 2000

The proposal seeks to amend the Port Stephens Local Environmental Plan 2000, and any consequential amendments to the Draft Port Stephens Local Environmental Plan 2012 by amending Schedule 2 – Heritage of the Port Stephens Local Environmental Plan 2000 by including a reference to the land at Lot 1 DP 1093118, 1 Sketchley Street, Raymond Terrace and describing the item as *Sketchley Cottage*.

The LEP contains provisions which seek to protect heritage items by specifying the types of development that require consent, ensuring development in the vicinity of heritage items considers the heritage item and providing conservation incentives for the protection of heritage items.

Draft Port Stephens Local Environmental Plan 2013

Should the Draft Port Stephens LEP 2013 be made prior to this amendment, the plan will be amended by:

- 1) Including a reference to the land at Lot 1 DP 1093118, 1 Sketchley Street, Raymond Terrace and describing the item as *Sketchley Cottage*; and
- 2) Identifying the site at Lot 1 DP 1093118, 1 Sketchley Street, Raymond Terrace on the Port Stephens draft LEP 2013 Heritage Map.

The risks associated with progressing the Planning Proposal are minimal.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the community may lose a heritage significant building	Low	List the building as an item of Environmental Heritage on the LEP.	Yes
There is a risk that the Planning Proposal does not proceed	Low	Ensure that planning issues are identified during the Planning Proposal process are addressed efficiently and effectively.	Yes

ORDINARY COUNCIL – 23 APRIL 2013

Office requirements and is included in the Planning Proposal (**ATTACHMENT 1**). The building meets the Heritage Office criteria for heritage listing.

The cottage was relocated to its current site in 1976 from Doribank Homestead, near Eagleton. The cottage is an ironbark slab cottage and was built by convicts in 1837 and formed part of the Doribank Homestead complex. *Sketchley Cottage* is named after William Sketchley, a founding convict, pioneer and lay preacher who took ownership of the homestead in 1857.

The cottage has rare cultural, social and historical significance due to its association with William Sketchley and it being convict built. The building also has the potential to provide insight and an understanding of the construction techniques of such buildings of the time. *Sketchley Cottage* is the only one of its type and age in the Raymond Terrace area.

FINANCIAL/RESOURCE IMPLICATIONS

The Planning Proposal will be progressed using existing budget allocations. Rezoning fees were not collected for this planning proposal as it is being done on behalf of the Heritage Advisory Committee.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	\$2,000	Existing budget allocation
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The Planning Proposal is to be progressed in a manner consistent with statutory and policy requirements under the Environmental Planning and Assessment Act 1979. The Planning Proposal was developed at the request of the Raymond Terrace Historical Society, who lease the site from Council for a museum. The proposal will not change the way in which the site is used. Council's Facilities and Services Group Manager, representing the interests of the land owner, has no objection to the planning proposal.

Section 117 Direction No 2.3 – Heritage Conservation

Section 117 Direction No 2.3 – Heritage Conservation states that a draft LEP shall contain provisions that facilitate the conservation of:

- (a) *items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area*

ORDINARY COUNCIL – 23 APRIL 2013

	location.
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MOTION

102	Councillor Ken Jordan Councillor Sally Dover
	It was resolved that the recommendation be adopted.

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Bruce MacKenzie, Crs Peter Kafer, Ken Jordan, Chris Doohan, Geoff Dingle, John Nell, John Morello and Sally Dover.

Those against the Motion: Nil.

MATTER ARISING

103	Councillor Ken Jordan Councillor Sally Dover
	It was resolved that a report be provided to Council with respect to bringing all documents held by Council relating to Aboriginal significance into one location.

BACKGROUND

The purpose of the Planning Proposal ("the Proposal") is to amend the Port Stephens Local Environmental Plan 2000 or the draft Port Stephens Local Environmental Plan 2012 (whichever is in force at the time of the making of the plan) in order to list the building known as *Sketchley Cottage* as an item of Environmental Heritage.

Proposal details

Planning Proposal:	To list <i>Sketchley Cottage</i> as an item of Environmental Heritage under LEP 2000 or draft LEP 2012 as outlined in (ATTACHMENT 1)
Subject land:	Lot 1 DP 1093118, 1 Sketchley Street, Raymond Terrace
Proponent:	Raymond Terrace Historical Society
Current zone:	6(a) – General Recreation "A" Zone
Owner:	Port Stephens Council

A locality plan showing the land subject to the Planning Proposal is contained in the Planning Proposal **(ATTACHMENT 1)**.

A heritage assessment of the site was undertaken by the Raymond Terrace Historical Society and endorsed by Council's Heritage Advisor in accordance with the Heritage

ATTACHMENT FOUR

Council report and minutes dated 23 April 2013

ORDINARY COUNCIL – 23 APRIL 2013

ITEM NO. 5

FILE NO: PSC2006-0073

PLANNING PROPOSAL TO LIST SKETCHLEY COTTAGE AS AN ITEM OF ENVIRONMENTAL HERITAGE SIGNIFICANCE

REPORT OF: **BRUCE PETERSEN – COMMUNITY PLANNING AND ENVIRONMENTAL SERVICES SECTION MANAGER**

GROUP: **DEVELOPMENT SERVICES**

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the Planning Proposal at (**ATTACHMENT 1**) to amend the Port Stephens Local Environmental Plan 2000 or the draft Port Stephens Local Environmental Plan 2013 in order to list the building known as *Sketchley Cottage* as an item of Environmental Heritage;
- 2) Submit the Planning Proposal to the Minister under section 56 of the Environmental Planning and Assessment Act 1979 for a Gateway determination; and
- 3) Request Written Authorisation to Exercise Delegation under section 59 of the Act in the making of the draft Local Environmental Plan.

ORDINARY COUNCIL MEETING – 23 APRIL 2013

COMMITTEE OF THE WHOLE RECOMMENDATION

	Councillor Ken Jordan Councillor John Nell
	That the recommendation be adopted.

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Bruce MacKenzie, Crs Peter Kafer, Paul Le Mottee, Ken Jordan, Chris Doohan, Geoff Dingle, John Nell, John Morello and Sally Dover.

Those against the Motion: Nil.

MATTER ARISING

	Councillor Peter Kafer Councillor Geoff Dingle
	That a report be provided to Council with respect to bringing all documents held by Council relating to Aboriginal significance into one