



Planning,
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Environment

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Gateway determination report – PP-2022-328

Local heritage listing of 80 Boronia Parade, Lugarno.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal – 80 Boronia Parade Lugarno, March 2022
Heritage Assessment - 'Glenlee' 80 Boronia Parade Lugarno, GML Heritage, 6 January 2022
Heritage Inventory Sheet
Georges River Council Ordinary Council Meeting Minutes, 28 March 2022
Georges River Council Local Planning Panel Agenda, 17 February 2022

Georges River Council Local Planning Panel Minutes, 17 February 2022

Georges River Council Ordinary Council Meeting Minutes, 24 January 2022

Georges River Council Environment and Planning Committee meeting report, 14 March 2022

1 Planning Proposal

1.1 Overview and objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to list 80 Boronia Parade, Lugarno (the site) (also known as 'Glenlee') as a local heritage item in Part 1 of Schedule 5 in the Georges River Local Environmental Plan 2021 (GRLEP 2021).

The objectives of this planning proposal are clear and adequate.

The planning proposal is supported by the following report:

- Heritage Assessment - 'Glenlee' 80 Boronia Parade Lugarno, prepared by GML Heritage, dated 6 January 2022

Table 2 Planning proposal details

LGA	Georges River
PPA	Georges River Council
NAME	Local heritage listing of 80 Boronia Parade, Lugarno
NUMBER	PP-2022-328
LEP TO BE AMENDED	Georges River LEP 2021
ADDRESS	80 Boronia Parade, Lugarno
DESCRIPTION	Lot 1 DP 10359
RECEIVED	29/03/2022
FILE NO.	IRF22/1012
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Site description and surrounding area

'Glenlee' is located within the Georges River LGA at 80 Boronia Parade, Lugarno (**Figure 1**). The site comprises approximately 25,432 m² located at the northern end of Boronia Parade and has frontage to Georges River on the site's western boundary (**Figure 2**). The topography of the land slopes towards Georges River.

The site is a 'wedge shape' and contains remnant bushland, a channelled creek line, cultural plantings (including Palm trees, an orchard and vegetable gardens), a single storey cottage known as 'Glenlee', several outbuildings and sheds, a stone pathway to the river with retaining walls, two boatsheds and a slipway and a timber jetty extending into the Georges River (**Figure 3**). The

'Glenlee' cottage incorporates a 1950's addition and contains a number of movable items, such as family and personal artefacts, furniture and artwork. Other moveable items on the site include farm machinery and remnant irrigation components.

The property also contains several Aboriginal heritage sites, including midden deposit, grinding grooves, a water hole, and shell and bone materials. Refer to the following section of this report for details.

The curtilage or boundary to the site is defined by bushland and tree regrowth as well as the Georges River foreshore, which separate the land from the surrounding development.

The planning proposal and supporting heritage assessment report include several different years that 'Glenlee' cottage was originally constructed (note: the completion year was noted variously as '1910', '1900s', 'c1906' and 'c1910', etc.). A condition of Gateway has been recommended to clarify and correct this date in the planning proposal documents. Photographs of key site features are included at **Figure 4** to **Figure 11**.

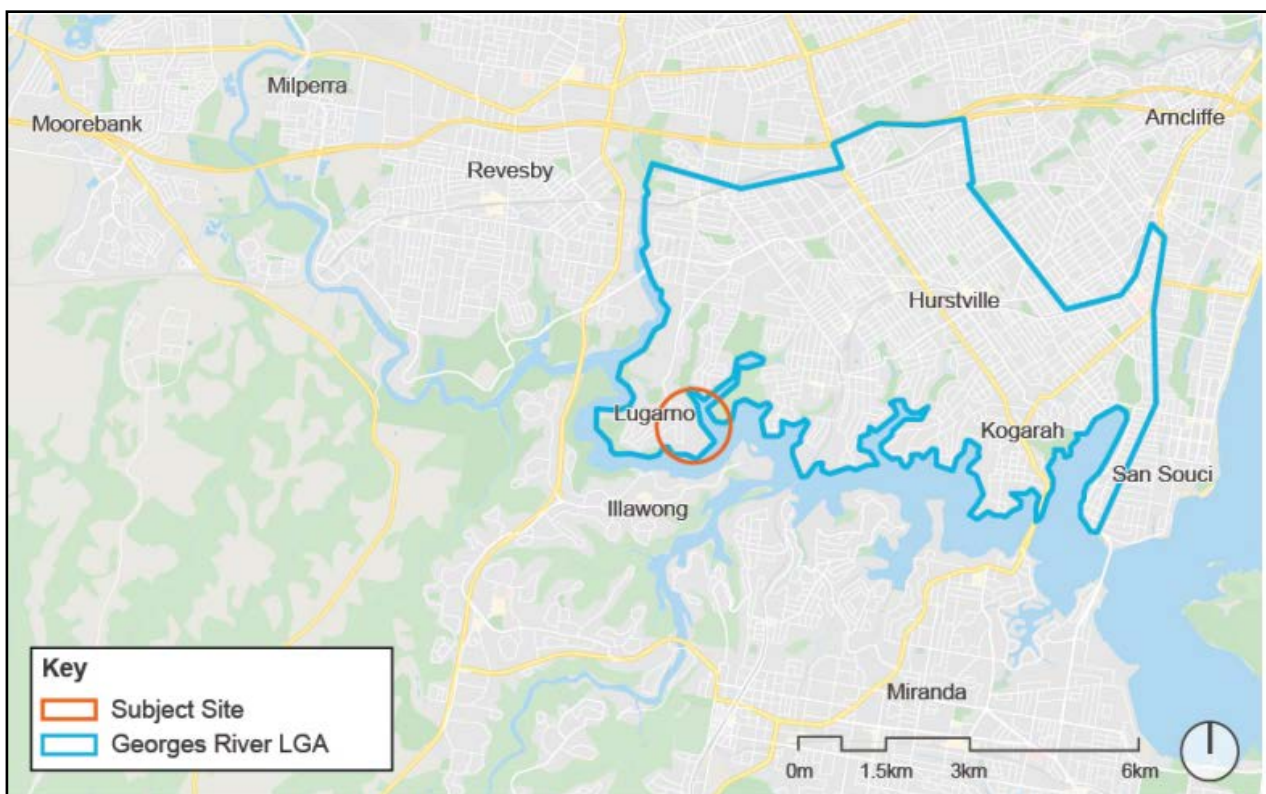


Figure 1 Site Context (source: GML Heritage)

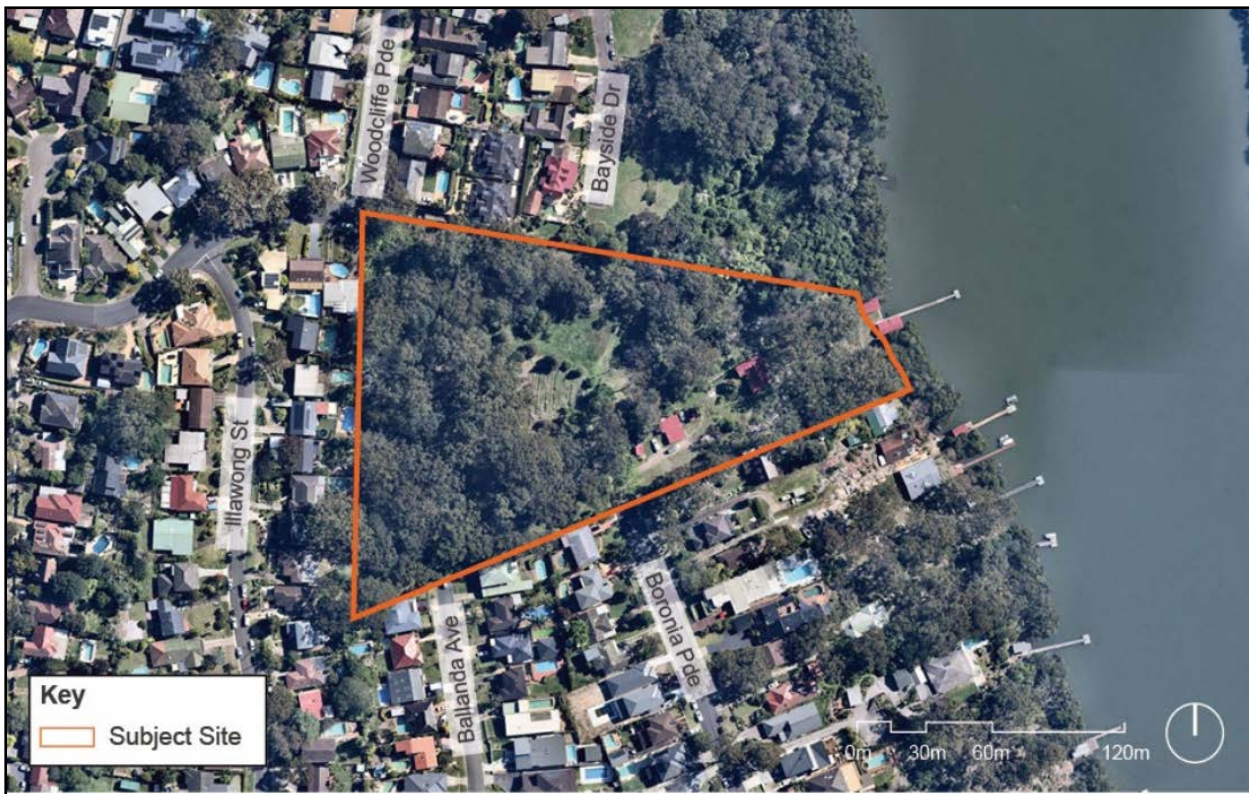


Figure 2 – The subject site, bounded in orange line (source: GML Heritage)



Figure 3 Key elements on the subject site (source: GML Heritage)



Figure 4 Remnant Blackbutt Forest on the site (source: GML Heritage)



Figure 5 Vegetable Gardens (source: GML Heritage)



Figure 6 Former Laundry (source: GML Heritage)



Figure 7 Orchard (source: GML Heritage)



Figure 8 Cable Pulley Engine shed (source: GML Heritage)



Figure 9 'Glenlee' House front (left) and rear (right) (source: GML Heritage)



Figure 10 Channelled creek line on the site (source: GML Heritage)



Figure 11 Boatsheds (left) and Jetty (right) (source: GML Heritage)

1.2.1 Heritage Context

No part of the site is currently listed in the Georges River LEP 2021 as an item of local heritage significance (**Figure 12**), or on the State Heritage Register. The site is not located in a Heritage Conservation Area (HCA) under the LEP.

The site is currently classified by the National Trust of Australia (NSW) as an item of high cultural heritage significance and forms part of the Lugarno Early Settler Precinct Landscape Conservation Area. This listing is not statutory.

The following local heritage items are located in vicinity of the site:

- *Stone wharf, walls, path and setting* (in 'Heinrich Reserve') (Item I211) located to the north of the subject site.
- *Stone house 'The Hermitage' (remnant) and setting* (Item I212), also located to the north.
- *Victorian house 'Woodcliff' and setting* (Item I219) located further north at 12 Woodcliff Parade.
- *Oatley Park and Baths* (Item I233), located across the Georges River to the east.



Figure 12 Map - Surrounding Heritage Context (source: GML Heritage)

The Heritage Report notes that the NSW Aboriginal Heritage Information Management System (AHIMS) identifies four Aboriginal heritage sites on the subject property. These include a midden deposit, grinding grooves, a water hole, and shell and bone material. These sites, and any yet to be identified Aboriginal objects, are subject to statutory protection under the *National Parks and Wildlife Act 1974*.

The Department notes Figure 5.4 in the Heritage Report includes an image that shows the location of these sites. To protect these sensitive sites from harm, the Department has recommended a condition that a revised heritage assessment report be prepared with this image removed for the purposes of exhibition.

2 Proposal

2.1 Explanation of provisions

The planning proposal seeks to amend the Georges River LEP 2021 to:

- Insert a local heritage listing for 80 Boronia Parade, Lugarno, with the item name 'Glenlee' in Part 1 (Heritage items) of Schedule 5 (Environmental heritage); and
- Amend the Heritage Map (Sheet HER_003) of the GRLEP 2021 to identify 80 Boronia Parade, Lugarno, as a heritage item.

The proposed heritage listing does not elaborate on the significant elements on the site. The property has a considerable land area of approximately 2.5 hectares, and the Heritage Assessment report identifies a number of natural, European and Aboriginal cultural heritage

elements that contribute to the significance of the site. In light of the above, the Department considers that the planning proposal should be amended, prior to exhibition, to further explain in the 'Explanation of Provisions' section the elements that should form part of the local heritage listing. A condition of Gateway has therefore been recommended to the above effect. This would allow more specific details to be included in the item description under schedule 5 of the LEP.

The planning proposal also includes an item number (being I317). A Gateway condition is recommended to require inclusion of an advisory that this item number is indicative and will be subject to confirmation at the finalisation stage.

2.2 Background

The following background is relevant to the planning proposal:

- 6 May 2021 – A Development Application (DA – Council's reference DA2021/0181) was submitted to Council for the demolition of the existing cottage and outbuildings at the site, Torrens Title subdivision into 31 lots, construction of new roads, drainage and tree removal. This DA is currently subject to a court appeal with the NSW Land and Environment Court.
- 11 May 2021 – Council considered preliminary heritage advice from its in-house Heritage Advisor which concluded the site had potential heritage significance.
- 13 August 2021 – An Interim Heritage Order (IHO) over the site was gazetted. Council made the IHO under Section 25 of the Heritage Act 1977 on the basis that the site was likely to have heritage significance and a 'threat of harm' was substantiated by the above-mentioned Development Application for the site. The IHO was intended to allow time for further heritage assessments to be undertaken to determine if the site should be listed as a heritage item. The IHO lapsed on 14 February 2022.
- 8 October 2021 – Council appointed GML Heritage to undertake a detailed heritage assessment.
- 6 January 2022 – GML submitted their heritage assessment to Council and the report concludes the site has heritage significance, recommends its inclusion in Schedule 5 of the GRLEP 2021 and that it be considered for NSW State heritage listing.
- 24 January 2022 – Council resolved to prepare a planning proposal to list the site as a local heritage item.
- 28 January 2022 – A new IHO, made by the Minister for Environment and Heritage, was gazetted. According to the planning proposal, the Minister determined the IHO was necessary on the basis of the forthcoming lapsing of the previous IHO, which would present a risk to the heritage value of the site. The IHO is valid for 12 months.
- 17 February 2022 – The planning proposal was supported by the Georges River Local Planning Panel.
- 28 March 2022 – Council resolved to acknowledge the GML Heritage report, support the listing of the site as an item of local heritage significance and endorse the planning proposal.
- 29 March 2022 – the planning proposal was submitted to the Department of Planning and Environment (the Department) for Gateway determination.

2.3 Statement of Significance

The Heritage Assessment Report (by GML Heritage) provides an assessment of the significance of the site in relation to natural and cultural landscape heritage, Aboriginal cultural heritage and built heritage, with recommendations based on the values identified and in line with the NSW Heritage Office Guideline, 'Assessing Heritage Significance', 2001 and the Australia ICOMOS Charter for

Places of Cultural Significance, 2013 (the Burra Charter). The Heritage Report includes a statement of significance as follows:

Glenlee is part of the local Aboriginal cultural landscape, with a representative range of Aboriginal archaeological sites, set within a semi-intact set of landforms. Parts of the site retain intact vegetation, landforms, soils and a creek line with a regular source of fresh running water. Within these landforms and the creek are evidence for past Aboriginal cultural practices. Midden material is present on a broad, flat landform above the steep rises from the river, and provides evidence for local Aboriginal subsistence practices, with deep deposits of shellfish remains potentially held in a carbon-rich soil matrix. Study of these could provide new information for middle to late Holocene Aboriginal economic practices across this part of the Georges River, which could be contrasted against those closer to the coast. The site is important to the local Aboriginal community today for its illustration of past cultural traditions, and was possibly a women's place; and as part of the broader river landscape that is emblematic of more recent First Nations and shared heritage. Themes include national history, identity, resistance, and social and cultural action. Originating from an 1856 land grant and developed in the early twentieth century, Glenlee represents one of the earliest settlements in the Georges River area and, retaining much of its cultural landscape, one of the most intact European riverfront settlements in NSW. Glenlee has historical, associative and aesthetic significance at a local level, with rarity and representative values at a state level. It is possible that further research may indicate that the site has social significance within the local community.

Glenlee house, a typical Federation cottage built in 1906, was situated to take advantage of sweeping views of the grounds and river. The house was extended in the 1950s to introduce a kitchen, but is otherwise highly internally intact, retaining significant original fabric and a movable heritage collection, revealing information about life in Lugarno in the early twentieth century. Glenlee was owned and occupied by the Matthei family for over a century. From Hamburg, Germany, the Mattheis were one of a number of European families that settled in the Georges River area. They established an orchard, garden, vegetable garden, and a series of cultural plantings that remain legible in the landscape and that, along with a remnant irrigation system and a collection of farm machinery, demonstrate both the self-sufficiency and commercial agricultural use of early settlements. Despite the creation of the Lugarno Estate subdivision in the 1920s, much of the original estate has been retained, including significant landscape features such as stone walls, paths, and a channelled creek. The family played a significant role in the early Lugarno community, active in social groups such as the German Zither Club, and the Lugarno and District Progress Association. Their subdivision created the residential subdivision pattern of the riverfront near Lime Kiln Bay. Oyster farming was first introduced to Glenlee by an early owner, the prominent wool-broker JH Geddes, who brought oysters from his lease in Port Hacking. The Mattheis took over the oyster leases in 1906 and continued to operate until 1996. Remnant boat sheds, a jetty and a cable-pulley system provide evidence of this early practice, including the transportation of oysters, on the site. The site is highly intact, maintaining the original relationship between the house, its grounds, and the river, with significant views and vistas undisturbed by later development. The grounds also contain a variety of cultural plantings, remnant and self-seeded bushland, and local wildlife, representative of both the early presentation of the site, and the biodiversity of the Georges River area. Due to its comparative integrity, and landmark quality within the Lugarno area, Glenlee is likely to have exceptional significance within NSW as a rare, intact, early European riverfront settlement, with a high degree of representative significance as a demonstration of an early way of life, and of significant activities in NSW.

An assessment against the listing criteria under the NSW Heritage Office Guideline is provided in section 3 of this report.

2.4 Mapping

The planning proposal includes mapping showing the proposed changes to the Heritage map, which are suitable for community consultation. It is noted the heritage item number 'I317' as shown in **Figure 13** is indicative only and would be confirmed by Council at finalisation stage.

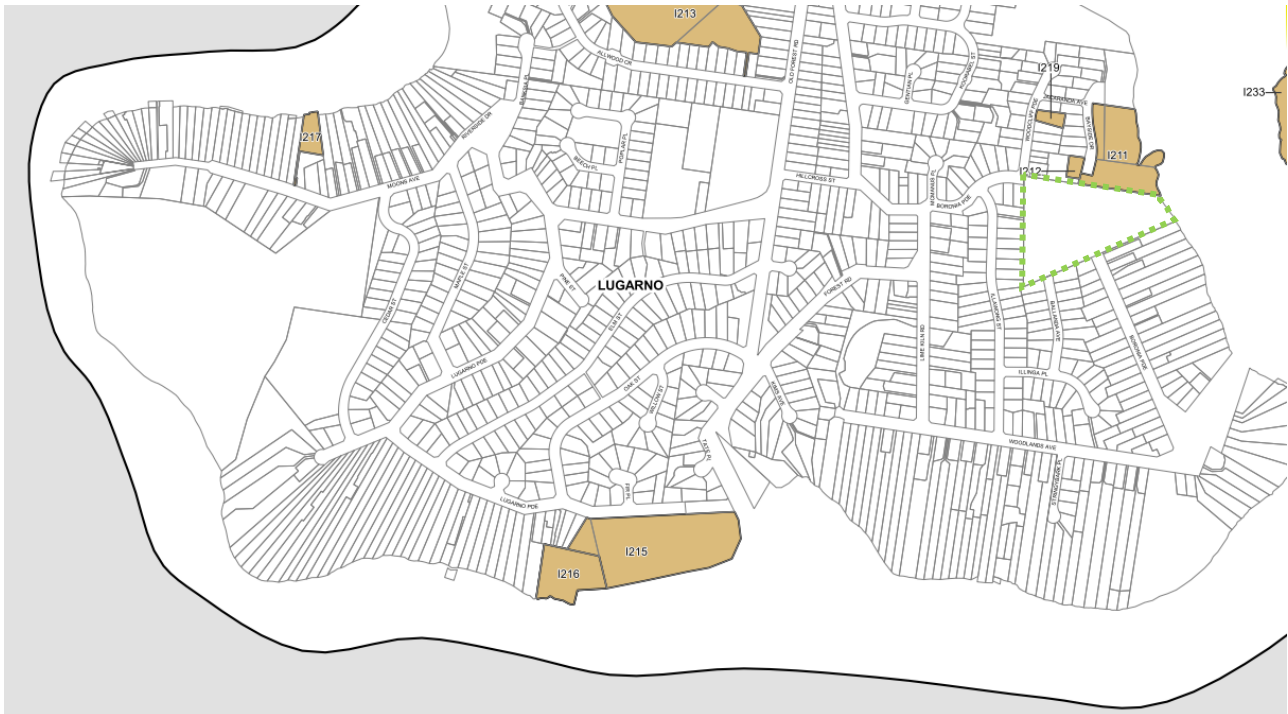


Figure 13 Existing Heritage Map identifying 80 Boronia Parade, Lugarno, within the dotted green line.



Figure 14 Proposed Heritage Map identifying 80 Boronia Parade, Lugarno, within the dotted green line.

3 Need for the planning proposal

The planning proposal is based on the recommendation of the Heritage Report by GML Heritage. The report concluded that the site meets the criteria for local heritage significance. The Heritage Report also recommended the site be considered for listing on the NSW State Heritage Register.

The Heritage Report was undertaken in accordance with the NSW Heritage Office Guidelines '*Assessing Heritage Significance*'. The key findings of this assessment against the NSW Heritage Office criteria are summarised below:

Criterion (a) Historic Significance

With regard to 'historic significance', the site has cultural significance at a local level on account of:

- being situated within a larger First Nations cultural landscape associated with waterways and sandstone platforms and retaining specific evidence for Holocene Aboriginal cultural connections to the site.
- being a highly intact and excellent example of an early European settlement in the Lugarno area and demonstrating its early colonial use.
- its connection to the significant practice of oyster farming in the Georges River.

Criterion (b) Historical Association Significance

With regard to 'historical association significance', the site has cultural significance at a local level on account of:

- the connection to the Matthei's family who occupied the site continuously for over a century and established farming and orcharding on the site. They were also involved in developing oyster farming and were involved in the social life of the Lugarno immigrant community.

Criterion (c) Aesthetic Significance

With regard to 'aesthetic significance', the site has cultural significance at a local level on account of:

- being a highly intact representation of a Federation European settlement.
- 'Glenlee' house is a good representation of a modest weatherboard cottage and contains significant original details including pressed metal ceilings, a fanlight and decorative gables.
- the site has landmark quality in the surrounding area and represents one of the few remaining riverside settlements and is highly visible from the waterfront.
- the site retains an array of Aboriginal archaeological evidence and holds aesthetic value which has been identified as important to the local Aboriginal community.

Criterion (d) Social Significance

The Heritage Report notes a thorough assessment of social significance should be undertaken but it is likely that the site has cultural significance at a local level on account of:

- the aesthetic and historic qualities of the site being appreciated by the current Lugarno community, and the site holding value to the local Aboriginal community.

Criterion (e) Research Potential

With regard to 'Research Potential', the site has significance at a local level on account of:

- the First Nations cultural landscape has the potential to yield new information and understanding of Aboriginal culture from the middle to late Holocene.
- there is potential for the site to reveal information on oyster farming practices in the Georges River.

- it is possible the Matthei's family employed early construction, farming or irrigation techniques from Germany which could provide insight into early twentieth century immigrant practices in NSW.
- there is potential for the site to yield information regarding the biodiversity of the Georges River area.

Criterion (f) Rarity

With regard to 'rarity' the site has cultural significance at a **State** level on account of:

- 'Glenlee' is a rare, highly intact early European riverfront settlement with associated cultural landscape;
- Glenlee cottage is a modest but internally intact house, which also contains a moveable heritage collection;
- the jetty, boatsheds and remnants of a cable-pulley system demonstrate the use of river transportation and serve as tangible evidence of significant marine activities;
- the orchard, gardens and fruit trees introduced by the Matthei's family remain legible in the landscape and reveal early agricultural practices.

Criterion (g) Representativeness

With regard to 'representativeness' of European settlement the site has cultural significance at a **State** level on account of:

- the ground of 'Glenlee' continue to communicate the site's early function.
- the site also retains significant remnant and self-seeded bushland that is suggestive of the pre-1788 character of the area.

For Aboriginal heritage, the site has significance at a local level.

The Heritage Report has provided an adequate assessment against the criteria of heritage listing and the Department concurs with its findings.

A planning proposal is the only means to include a local heritage listing for the site under the LEP as recommended by the Heritage Report. Any proposal to list the site on the State Heritage Register could be initiated by Council (or another party) via a separate process under the Heritage Act 1977.

4 Strategic assessment

4.1 Region Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Region Plan: *A Metropolis of Three Cities*.

Table 3 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 13: Environmental Heritage is identified, conserved and enhanced	Objective 13 states that ' <i>Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and</i>

future generations'. It notes that environmental heritage should be protected for its social, aesthetic, economic, historic and environmental values.

Environmental heritage is defined as '*the places, buildings, works, relics, movable objects and precincts of State or local heritage significance*'.

The Heritage Report considers that the site should be included as a local heritage item under the GRLEP 2021 as it meets the listing criteria for historic, associative, aesthetic, research potential, rarity and representative values.

The Heritage Report also recommends the site be considered for State heritage listing as it meets the listing criteria for rarity and representativeness at a State level.

The planning proposal is consistent with this objective as it seeks to recognise and protect these identified heritage values.

4.2 District Plan

The site is within the South District and the Greater Sydney Commission released the South District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for liveability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 4 District Plan assessment

District Plan Priorities	Justification
S6 – Creating and renewing great places and local centres and respecting the District's heritage	<p><u>Action 20 - Identify, conserve and enhance environmental heritage</u></p> <p>The planning proposal is consistent with the District Plan as it identifies a site that has been assessed to have local heritage significance for statutory listing. This listing in Schedule 5 of the LEP would facilitate conservation of the environmental heritage and provide ongoing protection of its values in the local government area.</p>

4.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 5 Local strategic planning assessment

Local Strategies	Justification
Georges River Local Strategic Planning Statement 2040 (GRLSPS 2040)	<p><u>Planning Priority 11 – Aboriginal and other heritage is protected and promoted</u></p> <p>The planning proposal is consistent with this Priority as it would result in the local heritage listing of a site that includes significant Aboriginal and European cultural heritage. This would enable statutory heritage listing of the site and would protect and promote its value in the local government area.</p>

	The Department therefore concludes the planning proposal is consistent with the GRLSPS 2040.
Georges River Community Strategic Plan 2018-2028	<p>The Georges River Community Strategic Plan (CSP) was adopted in June 2018 and identifies six pillars of consultation that are important to the local community.</p> <p>The planning proposal is consistent with Pillar 1: A protected environment and green open spaces. Specifically, the planning proposal directly supported Goal 1.4 – ‘local heritage is protected and promoted’.</p> <p>The heritage listing of the site would contribute to achieving this goal as it would facilitate its on-going protection and allow the local community and future generations to enjoy and appreciate.</p>

4.4 Local planning panel (LPP) recommendation

On 17 February 2022, the Georges River LPP considered a report on the planning proposal for the local heritage listing of ‘Glenlee’ and recommended Council proceed with the proposal and forward it to the Department for a Gateway determination.

4.5 Section 9.1 Ministerial Directions

The planning proposal’s consistency with relevant section 9.1 Directions is discussed below:

Table 6 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
3.2 Heritage Conservation	Yes	<p>This Direction requires that a planning proposal must contain provisions which facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance, as identified in a study of the environmental heritage of the area.</p> <p>The planning proposal is informed by a heritage significance assessment. The assessment was undertaken in accordance with the NSW Heritage Office guidelines. The report concluded the subject site satisfies the relevant criteria for local heritage listing (and should also be considered for a State listing) and thereby the proposal is warranted.</p> <p>The proposal will facilitate the conservation and protection of the site and is therefore considered to be consistent with this Direction.</p>

4.2 Coastal Management	Yes	<p>The site is located within a coastal use area as defined by the State Environmental Planning Policy (Resilience and Hazards) 2021.</p> <p>The planning proposal does not propose any rezoning or intensification of permitted uses.</p> <p>The planning proposal is therefore considered to be consistent with this Direction.</p>
6.1 Residential Zones	Yes	<p>This Direction applies to any planning proposal that would affect land within an existing residential zone.</p> <p>There is no proposed change to the zoning of the site or to the development standards applicable to the site.</p> <p>The listing of the site as a local heritage item would require any future development application for the site to be assessed against the provisions of Clause 5.10 (Heritage Conservation) in the Georges River LEP 2021.</p> <p>The planning proposal is consistent with this Direction.</p>

4.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

5 Site-specific assessment

5.1 Environmental

The site is located at the northern end of the expansive geological feature known as the Woronora Plateau, which is positioned in the south of the Sydney Basin. The site is in a foreshore area, includes Acid Sulphate Soils (Class 5), is subject to a local provision for projected Sea Level Rise and is identified on the Riparian Lands and Waterways and Foreshore Scenic Protection Area maps of the LEP.

The planning proposal relates only to the listing of the site as an item of local heritage significance, and does not propose any changes to the LEP controls that would facilitate intensification of land use.

There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject site.

The Department therefore concludes that there are no likely negative environmental impacts that would arise as a result of the planning proposal.

5.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 7 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	<p>The planning proposal is unlikely to result in any adverse social impact. Listing the site as a heritage item will help conserve its heritage significance and allow it to be appreciated by the local community.</p> <p>The heritage listing of the site is likely to result in a positive social impact to the local government area. The Heritage Report notes that, although a thorough social values assessment should be undertaken, it is likely the site has social significance. The Department also notes the aesthetic and historic qualities of the site remain appreciated in the local community. This is evidenced by the 'Save Glenlee' campaign that produced a petition with 1,200 signatures as stated in the Heritage Report.</p> <p>The listing of the site as a local heritage item would facilitate conservation of its values and protect it for future generations.</p>
Economic	<p>There would be a minor economic impact to the landowner as the heritage listing of the property will prevent certain works from being carried out as exempt or complying development. A specialist heritage assessment would also be required to support any development applications for the site. However, the proposal does not change the zoning or development standards applicable to the site and will facilitate conservation of its heritage significance.</p>

5.3 Infrastructure

There is no significant infrastructure demand that will result from the planning proposal. The planning proposal does not involve any amendments to the planning controls that will facilitate intensified development. The site has access to adequate public infrastructure such as water, sewer, electricity, telephone services and are nearby to transport services.

6 Consultation

6.1 Community

Council proposed a community consultation period of 20 working days.

The exhibition period proposed is consistent with DPE's LEP Making Guideline for 'standard' planning proposals, and hence is considered appropriate.

6.2 Agencies

The proposal does not specifically raise which agencies will be consulted.

It is recommended the following agencies be consulted on the planning proposal and given 21 days to comment:

- Heritage NSW (Department of Planning and Environment)
- National Trust of Australia (NSW)
- Metropolitan Local Aboriginal Land Council

7 Timeframe

Council proposes a 5 month time frame to complete the LEP.

The Department considers this timeframe to be adequate.

8 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

The proposed heritage listing is considered to be a local matter, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

9 Assessment Summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposed heritage listing is supported by a Heritage Assessment report and inventory sheet which determine that 'Glenlee' has local heritage significance and should also be considered for listing on the NSW State Heritage Register. The heritage significance assessment has been undertaken in accordance with the NSW Heritage Office Guidelines.
- The proposal will recognise and provide ongoing protection of the heritage significance of the site.
- The proposal is consistent with the South District Plan, Council's LSPS, the relevant SEPPs and the Section 9.1 Directions.

Based on the Department's assessment, the following amendments to the planning proposal should be made prior to exhibition:

- update the 'Explanation of Provisions' to clearly explain the elements of the site that form the subject of the proposed local heritage listing;
- confirm and correct the date the 'Glenlee' cottage was constructed or completed throughout the planning proposal and the supporting Heritage Assessment report;
- include an advisory that the heritage item number is indicative only and will be confirmed at the finalisation stage; and
- amend the Heritage Assessment report to remove Figure 5.4 which shows the location of the recorded Aboriginal heritage sites.

10 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be revised, prior to exhibition, to:
 - update the 'Explanation of Provisions' to clearly explain the elements of the site that form the subject of the proposed local heritage listing;
 - confirm and correct the date the 'Glenlee' cottage was constructed or completed throughout the planning proposal and the supporting Heritage Assessment report;
 - include an advisory that the heritage item number is indicative only and will be confirmed at the finalisation stage; and
 - amend the Heritage Assessment report to remove Figure 5.4 which shows the location of the recorded Aboriginal heritage sites.
2. Consultation is required with the following public authorities / organisations:

- Heritage NSW (Department of Planning and Environment)
 - Metropolitan Local Aboriginal Land Council
 - National Trust of Australia (NSW)
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.
 4. The planning proposal must be exhibited not more than 3 months from the date of the Gateway determination.
 5. The planning proposal must be reported to council for a final recommendation not more than 4 months from the date of the Gateway determination.
 6. The timeframe for completing the LEP is to be 5 months from the date of the Gateway determination.
 7. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.



5 April 2022

Simon Ip
Manager, Place and Infrastructure



(Signature)

(Date)

Laura Locke
Director, Metro East and South

Assessment officer

Tim Green
Senior Planner, Metro East and South
(02) 8275 1065