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# EUROBODALLA SHIRE COUNCIL

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## EUROBODALLA SHIRE-WIDE HERITAGE STUDY

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### FINAL REPORT

### VOLUME 1 CONSERVATION MANAGEMENT RECOMMENDATIONS

PREPARED BY:



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## DOCUMENT ONE BACKGROUND

# 1 BACKGROUND

## 1.1 STUDY OBJECTIVES

In March 1996, The EJE Group were commissioned to undertake the Eurobodalla Shire-Wide Heritage Study. This Study was undertaken on the basis of: information and assistance provided by Eurobodalla Shire Council, Moruya and District Historical Society, Narooma Historical Society, Batemans Bay and Clyde River Historical Society; interested community members; and including the historical Context Report (Thematic History) and individual item histories compiled by historian Dr John Turner.

The Study has been undertaken in the context of a range of prevailing statutory instruments and previous Shire-area Study documents which indicate Council's commitment to the conservation of its cultural heritage and built environment. These documents include:

- 1 The NSW EPA Heritage and Local Government Acts
- 2 Certain State Environmental Planning Policies
- 3 The Lower South Coast Regional Environmental Plan No.2
- 4 The Lower South Coast Draft Regional Settlement Strategy
- 5 Eurobodalla Shire Local Tourism Plan
- 6 Eurobodalla Rural LEP 1987
- 7 Eurobodalla IDO No.3 1976
- 8 Draft Eurobodalla Urban LEP 1996
- 9 DCP No.182 - Urban Expansion Zones
- 10 DCP No.150 - Central Tilba Conservation Area
- 11 Mogo Development Strategy, 1988
- 12 Deua River Study, 1985
- 13 Narooma Town Centre - DCP Design Guidelines, 1995
- 14 Tilba Conservation Area Heritage and Streetscape Study, 1992

These documents and others have been examined and their relevant sections have been taken into account in the framing of the Management Strategies which form Section 4 of this Study Report.

## 1.2 SCOPE OF CURRENT COMMISSION

The objectives of the Heritage Study undertaken by The EJE Group were consistent with those outlined in the Study Brief (see Appendix A) and which were defined as preparing a preliminary inventory of European Heritage items through:

- 1 Review of the Thematic History
- 2 Community Consultation
- 3 Detailed Fieldwork, Documentation and Analysis of Nominated Items

and then:

- 1 Determining Statements of Significance; and,
- 2 Providing practical Conservation Management and Planning proposals for all items on the Final Inventory.

The scope of the Study required the detailed recording (both diagrammatic and photographic) of each agreed item, including accurate recording of the exact location of the item, as well as recording of the full property details of each, including date of construction, builder and designer. For the Comparative Assessment phase, the Study required a detailed appreciation of the distribution and quality of each nominated item type throughout the region. For the Conservation Management Phase, it required an understanding of the size and distribution of the community resources available to deliver the management inputs implicit in certain types of recommendations. (For example, any Adaptive Re-use recommendations relating to tourism opportunities must reflect definable trends and available tradespeople.)

## DOCUMENT TWO SUMMARY OF STUDY PROCESSES

## 2 SUMMARY OF STUDY PROCESSES

### 2.1 REVIEW OF THEMATIC HISTORY

The Study commenced with the preparation, review and amendment of a Thematic Historical Context Report by EJE Consultant Historian, Dr John Turner which outlined applicable State and Local Themes as context for the identification for the Shire's Heritage Inventory. Significant input was made by the local Historical Societies at this time.

The Thematic History also identified key areas likely to reveal major heritage items. The Thematic Historical Context Report document begins with acknowledgement of the quality and scope of historical information and publications available in the Shire and of the enthusiasm of the local Historical Societies. It includes the State themes and their local equivalents accompanied by detailed maps and then concludes with a listing of primary and secondary research sources.

The Historical Themes provided an appropriate basis for the thorough comparative assessment of the nominated inventory items.

The resultant thematic framework was thus:

<b>STATE</b>	<b>LOCAL</b>
<b>Aboriginal Contact</b>	<ul style="list-style-type: none"><li>· First contact with shipwreck survivors</li><li>· Official exploration begins - the Johnson expedition</li><li>· Invasion by settlers from 1828</li><li>· Impact of European diseases</li><li>· Conflict over resources</li><li>· Inter-marriage and adjustment</li><li>· The Welfare Board and Reserves</li><li>· The rise of the Land Councils</li></ul>
<b>Exploration</b>	<ul style="list-style-type: none"><li>· Initial visits and sightings by Cook, Bass and shipwrecked survivors</li><li>· Official exploration by Johnston, Berry and Throsby</li><li>· Surveys by Florance and Hoddle</li><li>· Piecemeal exploration by settlers</li></ul>
<b>Convicts</b>	<ul style="list-style-type: none"><li>· Convicts in exploring expeditions, as crews of ships and assigned to free settlers</li></ul>
<b>Pastoralism</b>	<ul style="list-style-type: none"><li>· Leasehold cattle runs</li><li>· The development of dairying as a dominant industry</li><li>· Pasture improvement, fodder conservation and special cattle breeds</li></ul>

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|--------------------------|--|
| <b>Agriculture</b>       | <ul style="list-style-type: none"><li>· Subsistence farming</li><li>· Potatoes as a staple</li><li>· Wheat crops and rust</li><li>· The continuing importance of maize</li><li>· Cooperative land tenure in the Aboriginal period</li><li>· Grazing runs</li><li>· Land grants to 1831</li><li>· Land sales from 1831</li><li>· Free selection from 1861 - small farms and large estates</li></ul> |
| <b>Mining</b>            | <ul style="list-style-type: none"><li>· Alluvial gold mining from 1850s</li><li>· Reef gold mining from 1880s</li><li>· Gold dredging and silver mining</li><li>· Stone quarrying for local use and export</li></ul>   |
| <b>Environment</b>       | <ul style="list-style-type: none"><li>· Aboriginal firestick farming</li><li>· Land clearing by settlers, the impact of cattle, pigs etc</li><li>· Damage caused by mining, timber extraction, bush fires and exotic plants</li><li>· The extent of flooding and erosion</li><li>· The early development of fauna and flora protection agencies</li></ul>  |
| <b>Townships</b>         | <ul style="list-style-type: none"><li>· The towns of the coast develop</li><li>· Towns in the interior - mining timber, dairy, quarry and tourist towns</li></ul>  |
| <b>Migration</b>         | <ul style="list-style-type: none"><li>· First settlers</li><li>· The gold rush miners</li><li>· Free selectors</li><li>· Post World War Two</li><li>· Continental Europeans</li><li>· Retirees</li></ul>   |
| <b>Ethnic Influences</b> | <ul style="list-style-type: none"><li>· The Irishness of Moruya</li><li>· Chinese miners</li><li>· Market gardeners and some shopkeepers</li></ul>   |
| <b>Transport</b>         | <ul style="list-style-type: none"><li>· Sea transport</li><li>· The slowness of roads to develop</li><li>· The importance of ferries</li><li>· The building of bridges</li><li>· The absence of railways</li><li>· The importance of motor vehicles</li></ul>  |
| <b>Communication</b>     | <ul style="list-style-type: none"><li>· Postal systems, newspapers, the telegraphic revolution, telephone, radio and television</li></ul>  |



<b>Utilities</b>	<ul style="list-style-type: none"><li>· Retarded development due to sparse population</li><li>· The coming of electricity, gas, water and sewerage</li><li>· Ambulance and bush fire brigade services</li></ul>
<b>Industry</b>	<ul style="list-style-type: none"><li>· Milk into cheese - major industry</li><li>· Mining for gold from the reefs</li><li>· Timber milling required steam driven saw mills</li><li>· Other timber processes included extraction of tannin, eucalyptus oil and wattlebark</li></ul>
<b>Commerce</b>	<ul style="list-style-type: none"><li>· Moruya and other urban centres</li></ul>
<b>Technology</b>	<ul style="list-style-type: none"><li>· Advances in cheese manufacturing</li><li>· Innovations in stone quarrying</li></ul>
<b>Government and Administration</b>	<ul style="list-style-type: none"><li>· Municipal and shire development in remote areas of the state</li></ul>
<b>Law and Order</b>	<ul style="list-style-type: none"><li>· A peaceful development apart from bushranging incidents</li></ul>
<b>Defence</b>	<ul style="list-style-type: none"><li>· Significant myths about local conflicts between Aborigines and settlers</li><li>· Coastal defence role, WWII</li></ul>
<b>Housing</b>	<ul style="list-style-type: none"><li>· Reliance on timber in the early period and locally-quarried stone</li><li>· Guest houses in the 20th century associated with early tourism</li><li>· Modern influence - construction of accomodation and retirement motels</li></ul>
<b>Social Institutions</b>	<ul style="list-style-type: none"><li>· Churches, mechanics institutes and schools of arts, friendly societies and the Country Womens Association</li></ul>
<b>Cultural Life</b>	<ul style="list-style-type: none"><li>· Entertainments focussed on the halls, churches and schools until the rise of the cinema</li></ul>
<b>Leisure and Tourism</b>	<ul style="list-style-type: none"><li>· Leisure pursuits in the 19th century</li><li>· Tourism in the second half of this century - housing patterns and commerce</li></ul>
<b>Sport</b>	<ul style="list-style-type: none"><li>· Particular emphasis on horse sports</li></ul>
<b>Health</b>	<ul style="list-style-type: none"><li>· Midwives in the early period and hospital services in the 1880s</li></ul>
<b>Welfare</b>	<ul style="list-style-type: none"><li>· Churches and friendly societies and the development of state services</li></ul>

<b>Religion</b>	· Religion in the early history of the Shire
<b>Education</b>	· Primary education until 1944 in government schools. Catholic Church secondary schooling from 1884
<b>Death</b>	· The early cemeteries in the Shire · Private Burial sites and unmarked graves · War memorials
<b>Persons</b>	· Flanagan, Hawdon, Mort, Forster, Loutitt, Mylott, O'Grady, Ross, Bate, Mitchell, George, Chewying and Emmott are among many who were instrumental in the development of the Shire.

## 2.2 DOCUMENTATION REVIEW

Concurrent with the review of the Thematic History and with the commencement of the Community Consultation phase, EJE undertook a review of all relevant local Studies and statutory documents, as well as of existing local area Conservation Management practices and resources. Such a review is a pre-requisite to the formulation of longer-term Conservation Management recommendations which should seek to identify and exploit any flexibility in existing controls and organisation structures, to ensure an appropriate future for each identified item.

## 2.3 COMMUNITY CONSULTATION

At the outset of the Study, Council invited the Eurobodalla Shire community to nominate any item of the area's cultural environment (including monuments etc) it considered worthy of inclusion on the new Eurobodalla Heritage Inventory. Council and the Heritage Study Steering Committee undertook the Community Liaison Program. EJE aided this process and produced a promotional "flyer", media release and a nomination form tailored to obtaining the most complete information possible.

As a result of this public involvement in the process, in excess of 400 items, including those previously forming the Heritage Inventory to the Urban (IDO No.3) and Rural LEPs, were nominated for investigation.

## 2.4 FIELD WORK

### · The Field Work Plan

A Field Work Plan was defined by EJE, such that all nominated items could be visited over a six and a half-day period, the defined period allowed for a four-person recording and documentation team.

This co-ordinated activity and the utilisation of a Council 4WD enabled the EJE Field Work Team to visit and record each item very efficiently. The help and advice supplied by interested community members contributed to the reduction of potential time wasting efforts.

### · **Implementing the Plan**

The Heritage Study Field Work was undertaken on 3rd to the 9th March 1997. Additional Field Work was carried out on 21st and 22nd May 1997. At the time of each visit, each item was diagrammatically recorded, including indicative building form, distribution of ancillary structures, plantings and fences etc and photographed from a number of angles to provide a clear record of its setting.

Subsequently, on-site diagrams were cross-matched with the photographs and more exact, finished diagrams were drawn, ready for inclusion on the Final Inventory Form. One photograph from the range available, was then selected for inclusion on the Inventory Form.

Where there was evidence of a grouping of items “in which the historical origins and relationships between the various (items) create a sense of place that is worth keeping” or which are likely to provide evidence of a particular phase of development or of a particular influence, (the quotation is taken from the Heritage Office publication “Conservation Areas - Guidelines for Managing Change in Heritage Conservation Areas”, 1996) but where the photographic record of individual items was considered unlikely to provide sufficient visual justification, a record was made of the area and photographs taken. A similar approach was taken to the recording of sites of possible Archaeological interest.

## **2.5 MAKING THE INVENTORY**

### · **Inclusions and Exclusions**

In order to undertake a credible comparative assessment of any heritage item, it is imperative that a full history of the item and others of its type, is available. Without a documented history, the item has no context and cannot adequately be compared with another. This also pertains if the history is lacking in details.

In addition to the individual item histories, Moruya CPS (Moruya and District Historical Society), “Tilba Times” (L Pacey and N Hoyer, 1995), “The Story of Wagonga Inlet” (L Pacey, 1990), “Moruya - The First 150 Years” (P Stiskin and R Unwin), and “The Story of Bodalla (S Doolan, 1974) have been valuable sources of contextual information for assessing the nominated items. In addition, the Local Thematic History written by John Turner, has provided a much-broadened context for comparative assessment.

The process of determining whether or not an item was to remain on the Draft Inventory and thus to be assessed for its significance, was as follows:

- determine whether it fell within the category of item of “Environmental Heritage” as required by the Study Brief and as defined by Eurobodalla Shire Planning, instruments as “a building, work, relic or place of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance to the Shire of Eurobodalla”;
- determine whether it was more than simply a natural

landform whose protection and conservation might be achieved by alternate means than under the Heritage Act provisions;

- determine whether it addresses the principles and guidelines outlined in the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter);
- determine whether or not, on the basis of available contextual information, it was possible, with a high degree of confidence, to assess the item and determine a Level of Significance for it as defined by the NSW Heritage Manual (Heritage Office); and,
- whether it could be assessed within the State Heritage Guidelines' Evaluation Criteria (see Appendix B), viz Historic, Aesthetic, Social and Scientific significance to the Local area, Region or State.

As a result, the Draft Inventory included buildings, structures and sites, (including moveable items) which provided evidence of the settlement and development of the Eurobodalla area by European settlers and reflected all aspects of the social and cultural pursuits.

By agreement, the scope of the Study excluded Aboriginal items other than those providing evidence of European contact or joint usage and natural areas frequented by Europeans but either bearing no permanent indication of adaptation for a particular purpose, or whose extent was difficult to define and for which conservation management was currently being, or could otherwise be, provided more effectively.

Where there was strong physical or documentary evidence that a particular item was likely to prove to be of Local significance, but for which, for the moment there was not *sufficient* evidence to provide confidence in determining the comparative significance of the item, the item was accorded "benefit-of-the-doubt" status and recommended for further investigation. That is, its temporary listing in the Schedules to the proposed Eurobodalla Heritage LEP 1997 (see 5.2.3 recommendations) was considered appropriate until such time as further investigation is possible.

#### **"Schedule 2" Items**

As indicated in Section 2.4, the Field Work and formulation of the Draft Inventory also included noting items as yet unidentified by the community, which because of their local rarity of type, scale, uniqueness of design, particular location or uniqueness of function, appeared to warrant further investigation. Items which appeared to be under threat of demolition or demolition by neglect and which appeared likely to be of significance, were also noted. These items were either photographed or otherwise noted and they too become inclusions in the "Schedule 2" items (see Section 4.2).

### **Conservation Areas and Archaeologically-Sensitive Areas**

The areas noted at the time of the Study Fieldwork as likely to fit the Heritage Office definition of “Conservation Area” or “Archaeologically-Sensitive Area” were examined against the Thematic History, individual item histories and the photographic evidence of all contributing or adjacent items. This analysis provided the information required to make a recommendation about the limits of the particular area, or alternately, to make a decision to delete it from further consideration. Recommendations to make 7 Conservation Areas and to protect 31 Archaeologically-Sensitive Areas, resulted. (See Document 4.)

## **2.6 DOCUMENTING THE INVENTORY**

The standardised EJE Heritage Item Inventory Form (see Document 4) has been designed to provide full and detailed information as justification for the item’s inclusion, but also to allow for ease of decision-making in the Conservation Management process; the form provides a total summary snapshot about the item and the factors contributing to its significance and include such important details as an Australian Mapping Grid reference and property information, for ease of future location.

The Inventory Form makes provision for recording the names which it may have been called in former times. It records the item’s property description, zoning owner and site area, its builder and designer, a site sketch (which includes all important details of the item’s setting), an item reference and importantly, the date on which the item was inspected. This is important because the condition of the item can change dramatically over time, as can ancillary structures, gardens and road and driveway locations related to it.

The form provides for commentary about the condition of the item, its materials and its style of design (where appropriate). It provides space for a short item history, for identifying the relevant State and Local Themes and for recording the comparative rarity or representativeness of the item against the standard Evaluation Criteria. Space is provided for recording all information sources and last, for the Statement of Significance and a statement as to the overall Level of Significance of the item. The Statement of Significance is written in accordance with the sequence of the Evaluation Criteria.

No separate Inventory forms have been created for Conservation Areas or Archaeologically-Sensitive Areas, as this is not required. However, property descriptions are given for the Archaeologically Sensitive Areas.

## 2.7 COMPARATIVE ASSESSMENTS AND STATEMENTS OF SIGNIFICANCE

### State and Local Themes

As indicated previously, the broad range of appropriate State Historical Themes and their Local interpretation has been identified and discussed by John Turner. (See full Eurobodalla Thematic History contained in Document 3.) The State and Local Themes used on each Inventory Form reflect the scope of the Themes contained in this Thematic History.

Following the recording of this information and the recording of the age of the item, its locations and landscape contexts, its builder and designer and taking account of the item's specific historical details, comparative assessment of the item can be undertaken. Each item is assessed against the Local, Regional and State significance of similar examples in the standard contexts Historic, Aesthetic, Social and Scientific significance. It is then considered in terms of its representativeness or rarity within each of these frameworks.

The Study has been undertaken following the NSW Heritage Office production of its Heritage Manual, which contains a section devoted to Heritage Assessments. An understanding of the meanings and purposes of the Evaluation Criteria is essential for an appreciation of the range of items proposed in the Inventory and for an understanding as to why some former items have been deleted and yet others proposed for more investigation as possible Heritage items.

Under the heading "What are the NSW Heritage Assessment Criteria", the following explanations are offered, with the conclusion that such a standardised approach objectifies the process, makes it accountable, provides for consistency and allows for universal applicability.

### Evaluation Criteria

There are four broad criteria used to assess the heritage significance of an item. They have evolved from definitions in the Heritage Act 1977 and are in common use by heritage agencies and consultants around Australia.

It is important for all items to be assessed against these criteria to ensure consistency across the State. But they should be interpreted in a manner that enables the heritage values of each item to be properly reflected in its assessment.

While all four criteria should be referred to during the assessment, only particularly complex items will qualify as significant under all criteria. In some cases, items will be significant under only one or two criteria.

The four criteria are:

**Criterion 1 - Historical Significance** (evolution and association). An item having this value is significant because of the importance of its association with, or position in the evolving pattern of our cultural history.

**Criterion 2 - Aesthetic Significance** (scenic/architectural qualities/creative accomplishment). An item having this value is significant because it demonstrates positive visual or sensory appeal, landmark qualities and/or creative or technical excellence.

**Criterion 3 - Social Significance** (contemporary community esteem). Items having this value are significant through their social, spiritual or cultural association with a recognisable community.

**Criterion 4 - Scientific/Research Significance** (archaeological, industrial, educational, research potential and scientific significance values). Items having this value are significant because of their contribution or potential contribution to an understanding of our cultural history or environment.

There are two criteria used to assess the degree of significance:

**Criterion A - Representativeness:** Items having this value are significant because they are fine representative examples of an important class of significant items or environments.

**Criterion B - Rarity:** An item having this value is significant because it represents a rare, endangered or unusual aspect of our history or cultural environment.

To assess an item, values for the criteria above can be determined by applying the guidelines for inclusion and exclusion (see Appendix A).

The NSW Heritage Assessment procedure has been developed to create a system which is:

- \* accountable (it can be tested)
- \* consistent (the same criteria are used in every case and the same inclusion and exclusion guidelines are applied)
- \* equally applicable to a wide variety of heritage items (it can be used for assessing nearly all culturally significant items without undue emphasis on particular values).

The procedure makes it possible to compare the significance of like items between local government areas, within regions or between states.

The uninitiated observer may even then ask, where does applying the Evaluation Criteria lead and this too, deserves and requires explanation. In order to ensure that standardisation of approach continues beyond this point, it has been standard practice when determining whether an item is to be considered significant to the Region or State, to:

- 1 Accord the item Regional or State significance if the "HISTORIC" Evaluation Criterion box is ticked with the appropriate "R" or "S" letter.
- 2 Accord the item Regional or State significance if there are at least two "R" or "S" ticks in boxes other than the "HISTORIC"

box, where that box does not contain an indication of that level of significance.

The assessment process (and the Inventory Form) is completed when the "Level of Significance" determined as a result of the above process, is written in the box at the bottom of the Form.

### **Levels of Significance**

The terms *local*, *regional* and *state* significance relate to the comparative context of an item's significance; for example, an item of local significance will be of historical, aesthetic or technical/research significance in a local geographic context; an item of regional social heritage significance will be important to an identifiable, contemporary, regional community. An item considered to have state significance will generally have had association with the establishment of a certain industry or activity in the state, such as Central Railway Station or St Mary's Cathedral.

In general, items of State Significance are items or places which form an irreplaceable part of the environmental heritage of New South Wales. The significance of these items would warrant their nomination for permanent conservation under the New South Wales Heritage Act (1977) and in most cases, for inclusion on the National Estate Register of the Australian Heritage Commission.

In this case, although some items may already be statutorily recognised in this way, they should also be protected by inclusion under any new heritage provisions of the Eurobodalla Heritage LEP.

Items of Regional Significance are items or places which are considered to be significant for the South Coast Region. These items and places will be illustrative of themes important to the development history of the region as a whole and also warrant protection under the heritage provisions of the Eurobodalla Heritage LEP.

Items of Local Significance are items and places which contribute to Eurobodalla's historic record, individually and to the character of the localities within the local government area. These items warrant protection under the heritage provisions of the Eurobodalla Heritage LEP.

These requirements have been strictly adhered to in the formulation of the Recommendations contained in Document 5 of this Report.

Determining the level of significance of an item is of importance because it is what determines the level of management intervention (and by whom) which is required to ensure its conservation. (This issue is discussed in detail in Section 5.2.) The process applies to Conservation Areas as well as to individual items.

## **2.8 RECORDING THE RESULTS**

When the "Level of Significance" is recorded for each item, the items are then tabulated alphabetically by Local area with the Level of Significance and Australian Mapping Grid Reference set alongside each item. (This information then provides for the direct transfer of the items into Schedules to the Eurobodalla Heritage



LEP 97.)

## 2.9 CONSERVATION MANAGEMENT RECOMMENDATIONS

Recommendations resulting from the Heritage Assessment process would normally be expected to fall into at least four categories:

- \* Statutory
- \* Non-Statutory
- \* Items Under Threat
- \* Inventory Review Periods, and
- \* Community Education

The detailed Recommendations contained in Document 5 cover such issues as:

- necessary changes to existing REP's, LEP's and DCP's, or the creation of extra statutory procedures or documents;
- the creation of "Guidelines" documents and the setting up of different or new management procedures and/or structures;
- which items are considered to be under threat of either being lost or of having their level of significance compromised and what could be done to avoid such losses;
- how frequently the Inventory should be reviewed and how frequently nominations from the community ought to be invited;
- what Council can do to ensure that: its Community is aware of what Council is doing to protect the area's heritage; and that the Community is afforded the opportunity to participate in Heritage education programme; and finally,
- a review of the existing Boundary of the Tilba Conservation Area and the boundaries of:
  - the Sherringham Lane Valley
  - Chines (stone) wall
  - Mount Dromedary
  - Little Dromedary
  - Tilba Tilba Lake Slopes
  - Tilba Tilba Track.

## DOCUMENT THREE THEMATIC HISTORY

## DOCUMENT FOUR THE FINAL INVENTORY

## 4 THE FINAL INVENTORY

### 4.1 "SCHEDULE 1" ITEMS

The following Summary Tables and the Inventory Forms in Volume 2 represent all those items, Conservation Areas and Archaeologically-Sensitive areas which we believe should now be given protection under the proposed Eurobodalla Heritage LEP 1997 Schedule 1. Schedule 1 - Section A should contain individual heritage items, Schedule 1 - Section B should contain Conservation Areas and Schedule 1 - Section C should itemise the recommended Archaeological Zoning Plans.

#### *Summary of Levels of Significance:*

Of the items assessed and included on the Final Inventory (see following table - Schedule 1 Section A):

- 7 items are considered to have State Significance,
- 79 items are considered to have Regional Significance,
- 150 items are considered to have Local Significance.

In addition, 77 items on the original suggested inventory have been recommended for inclusion on the proposed Schedule 2 as items requiring investigation. (Note that we recommend that a new Heritage LEP be created.)

The assessment process also resulted in the deletion from the Inventory nominated by the Community, a total of 67 items whose inclusion could either not be justified on the standard evaluative methodology outlined previously, or were considered to be more appropriately identified and managed by other means, for example, shipwrecks, items located outside the Shire boundary etc.

These items included (reasons for deletion indicated in accompanying brackets):

- 1 The Posedonia Sea Grass - Wagonga Inlet - Narrooma  
(A natural landscape item)
- 2 Headlands/Natural Areas - Batehaven & Rosedale  
(Included in Guerilla Bay Conservation Area)
- 3 Area between Broulee & Airport/Moruya River  
(A natural area - not an item of cultural significance)
- 4 Coastal area between Tomakin & Rosedale  
(A natural area - not an item of cultural heritage)
- 5 Strand Black Wattles - Princes Hwy/Becca Creek - Mogo (A natural landscape item)
- 6 Mongorlowe & Buckenbowra Rivers - National Estate Area  
(A natural landscape item)
- 7 Aboriginal sites in Murrumbidgee National Park  
(Refer to Aboriginal Heritage Study Team)
- 8 Aboriginal Quarry sites at Congo & Bingie

(Refer to Aboriginal Heritage Study Team)

- 9 Flora Reserves in State Forests  
(A natural landscape item)
- 10 Rail Timbers & Spikes - East Lyyne  
(Located in Shoalhaven Shire)
- 11 Church Hall - Princes Highway - Mogo  
(Site remains - burnt down c1990)
- 12 Significant Estuarine Environment - South Bank Area -  
Tuross (Not an item of cultural significance ie a natural area)
- 13 Aboriginal Place - Tomakin  
(Refer to Aboriginal Study Team)
- 14 Cullendulla Wetland, Beach Dune System  
(A natural area item)
- 15 Melville Point - Tomakin  
(Not an item of European cultural heritage ie a natural area)
- 16 Broulee Ridge Sand Plain - Broulee  
(Refer to Aboriginal Heritage Study Team)
- 17 Aboriginal Midden - Moruya Heads  
(Refer to Aboriginal Heritage Study Team)
- 18 Bus Shelter (Mural by Jenni Burke) - Narooma  
(Does not meet standard evaluation criteria - see Appendix  
B)
- 19 Ballast Blocks - underwater - Barlows Bay - Narooma  
(Not within scope of Study ie underwater - see Appendix A)
- 20 Montague Island Lighthouse Group - Montague Island  
(Not within Eurobodalla Shire Boundary)
- 21 Ambulance Station - dedicated 16 May 1958 - Narooma  
(Does not meet standard evaluation criteria - see Appendix B)
- 22 Guys Silver Mine - Moruya  
(Large holes exist as obvious evidence of mining activity,  
however, such examples are common throughout the area)
- 23 Rock Retaining Wall - Moruya  
(It is possible that the wall has been added to and what is  
visible, is not remarkable and compliments current practices)
- 24 Albert Ryan Park - Beach Road - Batemans Bay  
(Not an item of European cultural significance)
- 25 Albert Stewart Park - River Street - Moruya  
(Not significant as an item of European cultural heritage)
- 26 Church of the Ascension - Relocated to Mossy Point  
(Does not meet standard evaluation criteria - see Appendix  
B)

- 27 Tuross Cemetery Bowling Club - Narooma  
(No remains of the cemetery evident & no inclusion on AZP)
- 28 Lewis Island - Wagonga Inlet - Narooma  
(Does not meet standard evaluation criteria - see Appendix B)
- 29 Chatham Park Nature Reserve - Tuross Head  
(Does not meet standard evaluation criteria - see Appendix B)
- 30 Open Space - btw Princes Hwy/Wagonga Inlet - Narooma  
(Not an item of European historical and cultural significance)
- 31 Poplar Trees - Heradale St - Batemans Bay  
(Private planting - no significance as confirmed by lack of historical details)
- 32 Norfolk Pine - One Tree Point - Tuross Head  
(Tree burnt down - no evidence remains)
- 33 The "High Rocks" - Moruya  
(No evidence of a formal lookout. Does not meet standard evaluation criteria - see Appendix B)
- 34 Norfolk Island Pines - Mossy Point Headland - Mossy Point  
(Not a heritage item of European cultural significance)
- 35 Spotted Gums - "Myrtle Vale" Property - Central Tilba  
(No evidence remains)
- 36 Italia Mine (Rubbish Tip) - Turlinjah  
(No known location. Deleted as per Council correspondence 5.5.97)
- 37 Rats Head Weir Wall - Bodalla State Forest - Eurobodalla  
(No known location. Deleted as per Council correspondence 5.5.97)
- 38 Harry Chapman Aboriginal Site - Malua Bay  
(Not a contact site - Refer to Aboriginal Study Team)
- 39 Grave Site - Wamban  
(Same nomination as Coman Family Graves KIOR/R003)
- 40 Fountain - Council Chambers - Moruya  
(Not an item of European cultural heritage significance)
- 41 Uniting Church Picket Fence - Narooma (built 1982)  
(Not an item of historical significance, however, former 1928 fence included in NARO/R003a)
- 42 Miss Grey's Cottage Site - Narooma  
(No known location. Deleted as per Council correspondence dated 5.5.97)
- 43 Rand Mine Relics - Scenic Drive - Narooma  
(No known location. Deleted as per Council correspondence 5.5.97)

- 44 Shipbuilding Site - Nelligen  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 45 Shallow Crossing Anglican Church - Runnyford  
(No known location. Deleted as per Council correspondence 5.5.97)
- 46 Cemetery - located behind Catholic Church - Nerrigundah  
(No known location. Deleted as per Council correspondence 5.5.97)
- 47 Chinese Workers Water Race - Nerrigundah  
(Same nomination as NERR/R005. Deleted as per Council correspondence 5.5.97)
- 48 Foundations of Miners Huts - Nerrigundah  
(No known location. Deleted as per Council correspondence 5.5.97)
- 49 Old Stone Roadworks  
(Same nomination as Old Bolaro Road item NELL/R009. Deleted as per Council correspondence 5.5.97)
- 50 Wharf - North Head Road - Moruya North  
(Included in MORN/R004, as it contributes to an understanding of the development of the Quarry site)
- 51 Boat Sheds & Jetties - Mossy Point Reserve - Mossy Point  
(Does not meet standard evaluation criteria - see Appendix B)
- 52 Roman Catholic Church - Canty Street - Narooma  
(Does not meet standard evaluation criteria - see Appendix B)
- 53 St Pauls Anglican Church - Montague Street - Narooma  
(Does not meet standard evaluation criteria - see Appendix B)
- 54 Fiesta Theatre - Queen Street  
(Does not meet standard evaluation criteria - see Appendix B)
- 55 Myrtle Beach/Wasp Head Geological Site  
(Not an item of European cultural heritage ie natural area)
- 56 Hall Site - Princes Highway - Dignams Creek  
(No physical evidence remains - documented in DIGC/R001)
- 57 School Site - Princes Highway - Dignams Creek  
(No physical evidence remains - documented in DIGC/R001)
- 58 Perry's Mill Site - Spinnaker's Reach  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 59 Mosquito Bay Public School - Batemans Bay

- (No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 60 Benandarah Sawmill Site - Princes Highway  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 61 Gold Mine - "Myrtle Vale" Property - Central Tilba  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 62 Luck Family Home - Yaragee - Kiora  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 63 Site - 4 Bridges - Moruya  
(No known location, therefore, AZP would have to cover a "guesstimated" area which would not be acceptable)
- 64 Site Glenduart Residence - Larrys Mountain Road - Moruya  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)
- 65 Broulee/Mossy Point Footbridge - Candalagan Creek - Mossy Point  
(No known location, therefore, AZP would have to cover a "guesstimated" area which would not be acceptable)
- 66 Site of Second Mossy Point Shop - Mossy Point  
(No known location, therefore, AZP would have to cover a "guesstimated" area which would not be acceptable)
- 66 Former Farm House Site - 136 Annetts Parade - Mossy Point  
(No known location, therefore, AZP would have to cover a "guesstimated" area which would not be acceptable)
- 67 Tomakin Public School c1900 - Tomakin  
(No known location, therefore, AZP would have to cover a large "guesstimated" area which would not be acceptable)



**SCHEDULE 1 - SECTION A  
HERITAGE INVENTORY**

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
<b>Batehaven</b>				
BATE/R001	Batehaven Hall - Observation Point	Local	'56 247280E, 6042080N AMG Nelligen 8926-4-S	Reserve 60913
<b>Batemans Bay</b>				
BATE/R001	Fmr Courthouse & Police Station	Local		
BATE/R002	Cemeteries - Hill and Bent Streets	Local		
BATE/R003a	Teacher's Residence - Beach Road	Local		
BATE/R003b	Public School - Beach Road	Local		
BATE/R004	Brick Shop & Residence - Clyde St	Local		
BATE/R005	Bay View Hotel - Orient Street	Local		
<b>Belowra</b>				
BELR/R001	Sullivan Babies' Grave - Belowra Rd	Local		
<b>Benandarah</b>				
BENA/R001	Timber Barn - Durras Drive	Local		
<b>Bendethera</b>				
BEND/R001a	Stone Oven	Regional		
BEND/R001b	George Family Member's Grave	Local		
BEND/R001c	Water Race	Local		
BEND/R002	Bridle Track Network	Regional		
<b>Bergalia</b>				
BERG/R001	Cheese Factory - Bergalia Link Rd	Local		
BERG/R002	Bergalia Store - Bergalia Link Rd	Local		
BERG/R003	War Memorial - Beashells Lane	Local		
<b>Bimbimbie</b>				
BIMB/R001	Kellys Gold Mine - Near Kellys Creek	Local		
<b>Bingie Bingie</b>				
BING/R001	"Bingie Farm" - Bingie Point Rd	Regional		
BING/R002	Wreck of S S Monaro - Bingie Point	Local		
BING/R003	Lakeview Residence- Bingie Pt Road	Regional		
<b>Bodalla</b>				
BODA/R001	St Edmunds Catholic Church	Local		
BODA/R002a	All Saints Anglican Church	Regional		
BODA/R002b	All Saints Anglican Rectory	Local		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
BODA/R003	PO & Residence - Princes Hwy	Local		
BODA/R004	Police Station/Lock-up - Princes Hwy	Regional		
BODA/R005	Bodalla Arms Hotel - Princes Hwy	Local		
BODA/R006	School Residence - Eurobodalla Rd	Local		
BODA/R007	Home Farm Cheese Factory	Regional		
BODA/R008	Heffernans Hill Residence	Local		
BODA/R009	Old Trunketabella Cheese Factory	Local		
BODA/R010	Deraquin House Site	Local		
BODA/R011	Old Comerang Cow Bails	Regional		
BODA/R012	Bodalla Cemetery - Princes Highway	Regional		
BODA/R013	Old Riverview Cow Bails	Local		
BODA/R014	Old Bank Building - Princes Highway	Local		
BODA/R015	Catholic Presbytery - Princes Hwy	Local		
BODA/R016	Bakery Oven - Princes Highway	Local		
BODA/R017	Co Doctor's & Manager's Residence	Local		
<b>Broulee</b>				
BROU/R001	Mrs Maleber's Grave	Regional		
BROU/R002	Erin-Go Bragh Hotel Site	Local		
BROU/R003	Remains of Rail Tracks	Local		
BROU/R004	Aboriginal Canoe Tree	Local		
<b>Buckenbowra</b>				
BUCK/R001	Browne Hut & Stockyard Memorial	Regional		
BUCK/R002	Thomsen Grave	Local		
<b>Central Tilba</b>				
CENT/R001a	Sherringham - Sherringham Lane	Local		
CENT/R001b	Silos - Sherringham Lane	Regional		
CENT/R002a	Henkley & Farm - Haxstead Road	Regional		
CENT/R002b	Henkley Dam - Haxstead Road	Local		
CENT/R002c	W Seccombe Grave - Haxstead Rd	Local		
CENT/R003a	Haxstead - Haxstead Road	Regional		
CENT/R003b	Lake View Gold Mine - Little Lake	Local		
CENT/R003c	Haxstead Silo - Haxstead Road	Local		
CENT/R004	Albert Read Grave - Haxstead Road	Local		
CENT/R005	Lustleigh Park - Haxstead Road	Local		
CENT/R006	Tilba Tilba Cemetery - Haxstead Rd	Local		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
<b>Coila</b>				
COIL/R001	Red Washed Silo - Princes Highway	Local		
COIL/R002	Presbyterian Church - Princes Hwy	Local		
<b>Congo</b>				
CONG/R001	Maria Thompson Grave - Congo Rd	Regional		
<b>Corunna/Corunna Point</b>				
CORU/R001	Corunna Cemetery - Old Highway	Local		
<b>Couria Creek</b>				
COUR/R001	Couria Creek PO - Fairview Road	Local		
COUR/R002	Southam Graves - Fairview Road	Regional		
<b>Dalmeny</b>				
DALM/R001	Catholic Church - Lonsdale Parade	Local		
<b>Dignams Creek</b>				
DIGC/R001	Post Office - Princes Highway	Regional		
<b>Eurobodalla</b>				
EURO/R001	Fmr Post Office - Waincourt Road	Local		
EURO/R002	Charles Harpur & Son's Graves	State		
EURO/R003	Fmr School of Arts - Eurobodalla Rd	Local		
<b>Guerilla Bay</b>				
GUER/R001	WWII Radar Station - Burrewarra Pt	Regional		
<b>Kiora</b>				
KIOR/R001	Kiora Homestead - Araluen Road	State		
KIOR/R002	Kiora Cemetery - Araluen Road	Regional		
KIOR/R003	Coman Family Graves - Wamban Rd	Local		
KIOR/R004	Fmr Cheese Factory - Araluen Road	Local		
KIOR/R005	Church & School Site - Araluen Rd	Local		
<b>Malua Bay</b>				
MALB/R001	Rose Bud Farm - Dunns Creek Rd	Local		
<b>Mogo</b>				
MOGO/R001	Cottage - 39 Sydney Street	Regional		
MOGO/R002	Residence & Office	Local		
MOGO/R003	Fmr Church - 22-24 Sydney Street	Local		
MOGO/R004	Fmr Residence - 34-36 Sydney St	Regional		
MOGO/R005	Mogo Nursery - 42 Sydney Street	Local		
MOGO/R006	Fmr Post Office - 44 Sydney Street	Local		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
MOGO/R007	Public School - 64-72 Sydney Street	Local		
MOGO/R008	Teacher's Residence - Sydney St	Local		
MOGO/R009	Mogo Cemetery - Princes Highway	Regional		
MOGO/R010	Residence - 874 Princes Highway	Local		
<b>Moruya</b>				
MORU/R001a	Anglican Church - 50 Campbell St	Regional		
MORU/R001b	Anglican Rectory - 50 Campbell St	Regional		
MORU/R001c	Fmr St Johns School - Page Street	Regional		
MORU/R002	Moruya Post Office - 52 Campbell St	Local		
MORU/R003	Fmr Shire Chambers - Campbell St	Local		
MORU/R004	Residence - 55 Campbell St	Local		
MORU/R005	Emmott House - 85-87 Campbell St	Regional		
MORU/R006	Fmr Mechanics Institute - Page St	Regional		
MORU/R007	Stationery Shop - 42 Vulcan St	Local		
MORU/R008	Sundial - Council - Vulcan Street	Local		
MORU/R009	Courthouse - 63 Vulcan Street	Regional		
MORU/R010	Fmr Watch House - 3 Page Street	Regional		
MORU/R011a	Catholic Church - Page Street	Regional		
MORU/R011b	Catholic Presbytery - Page Street	Local		
MORU/R012	Public School - 16-28 Evans St	Regional		
MORU/R013a	St Marys Convent - Page Street	Regional		
MORU/R013b	St Marys Convent School - Queen St	Regional		
MORU/R014	Presbyterian Church - 31 Evans St	Regional		
MORU/R015	Donkey Hill Mine - Spring Creek Rd	Regional		
MORU/R016	Francis Hill Mine - Dwyers Creek Rd	Regional		
MORU/R017	Hunt Mine & Battery - Dwyers Ck Rd	Regional		
MORU/R018	Moruya Cemetery - Spencer/Kiora St	Regional		
MORU/R019	Adelaide Hotel - 36-38 Vulcan Street	Regional		
MORU/R020	Merchant of Moruya - Campbell St	Local		
MORU/R021	Air Raid Tavern - Mirrabooka Ave	Local		
MORU/R022	Old Cemetery - Kiora Street	Regional		
MORU/R023	Fmr Cheese Factory - 57 Hawdon St	Regional		
MORU/R024	Uniting Church - 7 Page Street	Regional		
MORU/R025	Womens Refuge - 43 Queen Street	Regional		
MORU/R026	Vivian Cottage - 60 Campbell Street	Local		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
MORU/R027	Fmr Gundry Hotel - 63 Hawdon St	Local		
MORU/R028	Commonwealth Bank - Vulcan St	Local		
MORU/R029	Fmr Power House - Mirrabooka Ave	Local		
MORU/R030	Residence - 29 Evans Street	Regional		
MORU/R031	Residence -19 Page Street	Local		
MORU/R032	Residence - 21 Page Street	Local		
MORU/R033	Prospect Residence - Campbell St	Local		
MORU/R034	Residence - 62 Campbell St	Local		
MORU/R035	RSL Memorial Hall - 11 Page St	Local		
MORU/R036	Weatherby's Boatshed - Vulcan St	Local		
MORU/R037	Residence - 23 Page Street	Local		
MORU/R038	Masonic Hall - 16 Page Street	Regional		
MORU/R039	Fmr Bank of NSW - 59 Vulcan St	Local		
MORU/R040	Fmr Kildare Hotel - 51 Queen St	Local		
MORU/R041	Fmr Moruya Examiner - 8 Page St	Regional		
MORU/R042	George Tait Chemist - 60 Vulcan St	Local		
MORU/R043	Fmr Chewying Shops - Vulcan St	Local		
MORU/R044	Mast of the Trident - Shore Street	Regional		
MORU/R045	Girl Guide Hall - Evans Street	Local		
MORU/R046	Fmr Amusu Theatre - 80 Vulcan St	Local		
MORU/R047	Zieglers House - Campbell Street	Local		
MORU/R048	Moruya Showground - 74 Albert St	Regional		
MORU/R049	Braemar Farm - 1A South Head Rd	Local		
<b>Moruya Heads</b>				
MORH/R001	Cemetery - Elizabeth Street	Regional		
MORH/R002	Old Pilot Station - 2 Elizabeth Street	Regional		
MORH/R003	Wharf Remnant - Elizabeth Street	Regional		
MORH/R004	Fmr ISNC Wharf - Preddys Wharf Rd	Local		
MORH/R005	Mooring Ring - Elizabeth Street	Regional		
MORH/R006	Cottage - 13 Albert Street	Regional		
MORH/R007	Shelley Beach Seawall - Elizabeth St	Regional		
MORH/R008	Louttit's Quarry & Wharf Roadway	State		
MORH/R009	Moreton Bay Fig - 9 Albert Street	Regional		
MORH/R010	Spike Tree - Anchorage Road	Local		
MORH/R011	Shipyards Site	Regional		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
<b>Moruya North</b>				
MORN/R001	Fmr Sunnybank House - Princes Hwy	Local		
MORN/R002	Shannon View - Larry's Mountain Rd	Local		
MORN/R003	Glenduart Cemetery - Maclean Place	Regional		
MORN/R004	Fmr Moruya Quarry - North Head Dve	State		
MORN/R005	Granitetown Cottage - North Head Dve	State		
MORN/R006	Moruya Airport & WWII Installations	State		
MORN/R007	Fmr Bakery - 8-12 North Head Drive	Local		
<b>Mossy Point</b>				
MOSS/R001	Timber Getter's Hut - 38 Annetts Pde	Local		
MOSS/R002	Breakwater - Mossy Point Headland	Local		
MOSS/R003	Old Mossy Pt Rd - George Bass Drive	Local		
MOSS/R004	Mossy Point Shop - 5 Surfside Avenue	Local		
MOSS/R005	Anchor Monument - Annetts Parade	Local		
MOSS/R006	Green Gates - 175 Annetts Parade	Local		
MOSS/R007	Ex-RAAF Hut - 167 Annetts Parade	Local		
MOSS/R008	Rural Fencing - 147 Annetts Parade	Local		
MOSS/R009	Amaroo - 127 Annetts Parade	Local		
MOSS/R010	Araluen - 105 Annetts Parade	Local		
MOSS/R011	Rover Memorial - Annetts Parade	Regional		
<b>Mount Dromedary</b>				
MOUN/R001	Narooma Water Supply Reservoir	Regional		
<b>Mystery Bay</b>				
MYST/R001	Mystery Site Memorial	Regional		
MYST/R002	Recreation Ground & Veledrome	Local		
<b>Narooma</b>				
NARO/R001	Soldiers Memorial School of Arts	Regional		
NARO/R002	Uniting Church - 134 Wagonga Street	Local		
NARO/R003	Church Parsonage - 134 Wagonga St	Local		
NARO/R004	Thomas Forster's Residence	Regional		
NARO/R005	Cemetery - Cemetery Road	Local		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
NARO/R006	St Phillips Cemetery - Old Highway	Local		
NARO/R007	Pilots Wharf & Boatshed	Local		
NARO/R008	War Memorial Clock - Thomson Park	Local		
NARO/R009	Graves - Narooma Golf Course	Local		
NARO/R010	Fmr School of Arts - 90 Campbell St	Local		
NARO/R011	Fmr McMillans Mill Remains	Regional		
NARO/R012	Lucky Old Chief & Royal Oak Mines	Local		
NARO/R013	Wagonga Wharf Site - Brices Bay	Regional		
NARO/R014	Wagonga Cemetery - Brices Bay	Local		
NARO/R015	Rock Training Walls - Wagonga Inlet	Local		
NARO/R016	Narooma Bridge - Wagonga Inlet	Regional		
NARO/R017	Log Ramps (Skids) - Wagonga Inlet	Local		
NARO/R018a	Fmr Wagonga School - Montague St	Local		
NARO/R018b	Fmr Kianga School - Montague St	Local		
NARO/R019	Wharf Pylon - Bluewater Drive	Local		
NARO/R020	Old Ferry Approaches - Princes Hwy	Local		
NARO/R021	Narooma Golf Course - Ballingalla St	Regional		
NARO/R022	Fmr Cheese Factory - Forsters Bay	Local		
<b>Nelligen</b>				
NELL/R001	St Joseph's Church - 1 Runnyford Rd	Local		
NELL/R002	Fmr Courthouse - 15 Braidwood St	Local		
NELL/R003	Fmr Police Station - 13 Braidwood St	Local		
NELL/R004	Fmr Schoolhouse - 11 Braidwood St	Local		
NELL/R005	Fmr Post Office - 7 Braidwood Street	Local		
NELL/R006	Mechanics Institute - 3 Braidwood St	Local		
NELL/R007	Soldiers Memorial - Braidwood St	Local		
NELL/R008	Nelligen Cemetery - Runnyford Road	Local		
NELL/R009	Old Bolaro Rd - nr Bolaro Homestead	Local		
NELL/R010	Corn Trail - commences Kings Hwy	Regional		
<b>Nerringundah</b>				
NERR/R001	Original Cemetery - Belowra Road	Local		
NERR/R002	Cemetery - Nerringundah Mountain Rd	Local		
NERR/R003	Constable Miles O'Grady Monument	Regional		
NERR/R004	William Fletcher Grave - 1 Belowra	Local		

Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
	Rd			
NERR/R005	Water Race - North Creek Road	Local		
NERR/R006	Chinese Oven - River Road	Regional		
NERR/R007	Fmr Comans Mine - off Comans Road	Local		
NERR/R008	Ruins Gulph Ck Dredge - Gulph Ck	Local		
NERR/R009	Catholic Church - Belowra Road	Local		
NERR/R010	Pollock's General Store - Belowra Rd	Regional		
NERR/R011	Residence - 1 William Street	Regional		
NERR/R012	Concrete Dam - Comans Road	Local		
<b>Other</b>				
OTHE/R001	Byrnes, Bate & Tarlington stock routes	Regional		
OTHE/R002	Man Made Cutting - Upper Deua River	Regional		
OTHE/R003	Port Philip Neddie's Grave	Regional		
OTHE/R004	Kings Battery - Little Belimbla Creek	Local		
<b>Potato Point</b>				
POTP/R001	Wharf Remains - Long Point Street	Local		
<b>Reedy Creek</b>				
REED/R001	Bottin Family Graves - Morts Folly Rd	Local		
<b>Runnyford</b>				
RUNN/R001	Runnyford Homestead - Runnyford Rd	State		
RUNN/R002	Wray's Wharf Site - Clyde River	Local		
RUNN/R003	Convict Road - Buckenbowra River	Regional		
<b>Tilba Tilba</b>				
TILB/R001	Merriwingah Recreation Ground	Local		
TILB/R002	Fmr Cheese Factory - Princes Hwy	Local		
TILB/R003a	Glen Luna - "Mountain Valley"	Local		
TILB/R003b	Farm Cottage - "Mountain Valley"	Local		
TILB/R003c	John Young Burial Vault	Regional		
<b>Tomakin</b>				
TOMA/R001	Cemetery - Red Hill Pde - Melville Pt	Local		
<b>Tuross Head</b>				
TURO/R001a	Tuross House & Pine - Coral Crescent	Regional		



Item Number	Item Description	Level of Significance	Map Reference AMG	Property Description
TURO/R001b	Tuross Barn - Hector McWilliam Drive	Local		
TURO/R002	Old Tuross Bakery - Hood Crescent	Local		
TURO/R003	Timber Cottage - 23 Hawkins Road	Local		
TURO/R004	Presbyterian Church & Bell	Regional		
TURO/R005	Tuross Association Hall - Jutland Ave	Local		
TURO/R006	Eva Mylott Memorial - Jutland Avenue	Local		
TURO/R007	Kyla Park Farm Remants	Regional		

### **SCHEDULE 1 - SECTION B CONSERVATION AREAS**

To justify creating Conservation Areas, there must be clear evidence of a binding historic theme (eg 1890s Commercial Boom) or architectural style, or use of materials, or evidence of the extensive work of a particular designer or craftsman (eg Union Square, Pyrmont Sydney). Where this is not easily identifiable or where the scale of the geographic area is such that there is too much diversity of building types between the representative examples, a Conservation Area is not appropriate eg Mossy Point and Tuross Head.

As indicated by P Rose in the DCP Design Guidelines for Narooma Town Centre, "there are no particular dominant building styles".

In relation to buildings identified as "No.8" on the "Significant Building and Features (Existing)" plan within that document, there is evidence of a consistent period and style of execution in the old timber buildings. However, the elements contributing to the significance and integrity of those buildings, have already been substantially debased, making interpretation difficult. Thus there is some doubt as to the practicability of a Conservation Area which would otherwise include them.

However, in locations such as Page Steet, Moruya it may be appropriate to create a Conservation Area around those items identified from the 1880s and assessed as being of historical significance, which may also serve to act as prompts for the determination of other future Conservation

### Areas in Moruya.

The following table identifies the recommended Conservation Areas as defined by the Tilba Conservation Area Heritage Study ie Tilba Tilba Lake Slopes, Tilba Tilba Track, Sherringham Lane Valley, Little Dromedary and Mount Dromedary Conservation Areas. It is recommended that the Central Tilba Conservation Area be extended to include the area defined by the Tilba Tilba Lake Slopes, the Mount Dromedary and Tilba Tilba Conservation Areas (see following map).

This extension is considered appropriate as the State Themes of Pastoralism, Agriculture, Townships, Mining, Environment and Industry are consistent throughout the re-defined Conservation Area.

This recommendation to extend the Conservation Area is warranted because the proposed boundary now includes the historic properties of “Henkley”, “Haxstead”, “Sherringham” and “Lustleigh Park”, and the extension of the boundary to the south of Tilba Tilba now includes the former Tilba Tilba Co-operative Dairy and the residences on the John Young Estate. These properties were integral in the establishment and development of dairy farming and hence, the production of cheese and the role of these cheese factories in the economies of the South Coast. The pioneering dairy families including Forster, Bate, Seccombe, Read and Young were associated with the abovementioned properties and therefore, the State Theme “Persons” (in addition to those identified above) is consistent in the recommended extension of the former Conservation Area boundary. The inclusion of the former Mount Dromedary Conservation Area and its extension is also warranted. Complementing its role as a service centre to dairy farmers, Tilba Tilba also benefited from the development of reef goldmining on Mount Dromedary, which required a stable workforce and the miners added to the business of the town.

The Burrewarra Point National Estate Heritage Area was nominated for inclusion on the Heritage Register. The area defined by the Australian Heritage Commission has therefore been reviewed and it is recommended that the boundaries, as indicated on the following map, be retained with no change to the limits of the National Estate Conservation Area.

Item	Location
Burrewarra Point National Estate Heritage Area	Area defined by National Estate Heritage Listing including the coastal strip extending approximately from Jimmie’s Island, Rosedale to Barlings Island, Tomakin and adjacent to residential areas at Rosedale and Guerilla Bay.
Tilba Tilba Lake Slopes	Area defined by Sunnyside Road, Princes Highway, Sherringham Lane, Cemetery Road to Haxstead Road and Tilba Tilba Lake and foreshore and including the homestead and most farm lands of Kent Farm, Henkley, Tiverton and Haxstead (ie as defined by the Tilba Conservation Area Heritage Study, 1992).
Tilba Tilba Track	Track leading from Tilba Tilba towards Mount Dromedary until it connects to the Dromedary Trail before reaching the summit (ie as outlined in the Tilba Conservation Area Heritage Study, 1992).
Sherringham Lane Valley	Area defined by the valley which drains into Little Lake, a coastal lagoon and includes Sherringham Lane, Cemetery/Haxstead Road, the lower slopes of

Item	Location
	Little Dromedary and also the historic properties of Sherringham, Lustleigh Park (ie as defined by the Tilba Conservation Area Heritage Study, 1992).
Little Dromedary (Dromedary Hill - Najamaga)	Area including the rocky summit area and lower slopes to Bobundara Creek to the South and Lustleigh Park house to the North and (ie as defined by the Tilba Conservation Area Heritage Study, 1992).
Mount Dromedary (Gulaga)	Area as defined by the Tilba Conservation Area Heritage Study, 1992 and including Mount Dromedary Mine Workings and Seamark Rock Lilies. The area also includes the Chinese drystone wall, believed to have been built by Harry Greatorex who came to the district as an alluvial gold miner.
Central Tilba Conservation Area	Area to include existing boundary of Central Tilba Conservation area as defined by the Tilba Conservation Area Heritage Study but to extend to include the Tilba Tilba Conservation as defined by the Tilba Conservation Area Heritage Study and the areas defined by Tilba Lake Slopes Conservation Area and Mount Dromedary Landscape Conservation Area.

**Guerilla Bay - Burrewarra Point Register of the National Estate Heritage Conservation Area**

**SCHEDULE 1 - SECTION C  
ARCHAEOLOGICAL ZONING PLAN**

Site-only Archaeologically Sensitive Inventory Items, rather than being excluded from the Study, are listed on an Archaeological Zoning Plan (AZP) in accordance with "Archaeological Assessment Guidelines", produced by the Heritage Office, Department of Urban Affairs and Planning, 1996. An AZP may be prepared for an individual site, a precinct, a proposed subdivision or even a larger piece of land such as a local council area and is appropriate for areas with a high likelihood of significant archaeological remains. An AZP will ensure that the Item's previous existence will be recorded and will also ensure that future development may be planned and regulated without the inadvertent loss or destruction of the Archaeological resource. Items that are substantially demolished, but still exhibit evidence of their existence are included in the following table. Space has been provided for the Property Description to be included at a later stage.

Item and Location	Property Description
<b>Batemans Bay</b>	
Old Town Well Site - Camp Street	
Perry's Mill Site - Spinaker's Reach	
Mosquito Bay Public School Site	
<b>Benandarah</b>	
Benandarah Sawmill Site - Princes Hwy	
<b>Bendethera</b>	
Farm House Site - Bendethera Valley	
<b>Bodalla</b>	
Brou House Site	
<b>Broulee</b>	
South Broulee Settlement	
Mount Oldrey Homestead Site	
Broulee Island	
<b>Central Tilba</b>	
Gold Mine - "Myrtle Vale" Property	
<b>Kiora</b>	
Luck Family Home - Yaragee	
<b>Moruya</b>	
Site - 4 Bridges	
Commercial Hotel Site - Shore & Vulcan Sts	
Site Old Flour Mill - Campbell Street	
Site Glenduart Residence - Larrys Mtn Rd	

Item and Location	Property Description
1st Electric Street Light - Queen/Vulcan Sts	
Fmr "Merlyn" House Site - 83 Campbell St	
Weatherby's Garage - Vulcan Street	
Fmr Showground Entrance Gates- Vulcan St	
Centennial Hall - Page Street	
Fmr Criterion Hotel - Princes Highway	
Original Site of First Moruya Hospital	
Stables of former Keating's "Moruya Hotel"	
<b>Mossy Point</b>	
Broulee/Mossy Pt Footbridge - Candlagan Ck	
Site Jolly's Gunyan - adj 175 Annetts Pde	
Cooks Timber Mill Site - adj 175 Annetts Pde	
Site of Second Mossy Point Shop	
Former Farmhouse Site - 136 Annetts Pde	
<b>Narooma</b>	
Mitchell's Mill Site - Mill Bay - North Narooma	
<b>Nelligen</b>	
Craig & Mostyn Wattle Bark Factory	
<b>Tomakin</b>	
Tomakin Public School c1900	

## 4.2 "SCHEDULE 2" ITEMS

The recommended Schedule 2 list, Items requiring further investigation is as follows. (Space has again been provided for later inclusion of the Items' property descriptions.) These items have been identified as a result of the Heritage Study (1996/97) Community Consultation Process and also as a result of the Shire-Wide Field Work in March 1997.

Item and Location	Status	Property Description
<b>Batemans Bay</b>		
Batemans Bay Bridge	1997 Site Visit Recommendation	
Old Coal Bunker Wharf - Clyde Street	1997 Heritage Study Nomination	
Fish Factory - Croakers Garage - Wharf Rd	1997 Heritage Study Nomination	
The Boatshed - Clyde Street	1997 Heritage Study Nomination	
Ocean View House - 2 Pacific Street	1997 Heritage Study Nomination	
Old Batemans Bay to Surf Beach Tramway	1997 Heritage Study Nomination	
Tram Track from Termeil to Batemans Bay	1997 Heritage Study Nomination	
<b>Benandarah</b>		
Aboriginal Shield Tree - Blairs Road	1997 Site Visit Recommendation	
Timber Tramway	1997 Heritage Study Nomination	
<b>Bendethera</b>		
Rankin Babies' Grave Site	1997 Heritage Study Nomination	
<b>Bingie Bingie</b>		
Lakeview "Gate House" - Bingie Point Road	1997 Site Visit Recommendation	
<b>Bodalla</b>		
Bodalla Granite Quarry	1997 Heritage Study Nomination	
Bodalla to Wagonga Tramline	1997 Heritage Study Nomination	
Widgett House - Widgett Road	1997 Heritage Study Nomination	
"Sunny Brae" - Eurobodalla Road	1997 Heritage Study Nomination	
<b>Broulee</b>		
Graves on Broulee Island	1997 Heritage Study Nomination	
<b>Cadgee</b>		
Old Cadgee Homestead	1997 Site Visit Recommendation	
Cadgee Church	1997 Heritage Study Nomination	
Former Cadgee Post Office	1997 Heritage Study Nomination	
<b>Corunna</b>		
Corunna Diggings and Mine	1997 Heritage Study Nomination	

Item and Location	Status	Property Description
<b>Couria Creek</b>		
Dairy Complex inc Main Homestead, Cheese Curing House - Princes Highway	1997 Site Visit Recommendation	
Fairview Homestead - Princes Highway	1997 Site Visit Recommendation	
<b>Dalmeny</b>		
Dalmeny Homestead	1997 Heritage Study Nomination	
Bell Ridge Rd Mines - Bell Ridge Forest Rd	1997 Heritage Study Nomination	
<b>Durras Lake</b>		
Timber and Metal Loading Punt	1997 Heritage Study Nomination	
Boiler and Boat Ramp	1997 Heritage Study Nomination	
Ship's Ballast	1997 Heritage Study Nomination	
<b>Eurobodalla</b>		
Reedy Creek Stone Road Supports	1997 Heritage Study Nomination	
<b>Mogo</b>		
Sam Belette's Gold Mine	1997 Heritage Study Nomination	
Second Hand Store - Princes Highway	1997 Heritage Study Nomination	
<b>Moruya</b>		
Residence - 17 Page Street	1997 Site Visit Recommendation	
Monarch Hotel & Adjacent Shops	1997 Site Visit Recommendation	
Single Storey Farmhouse - Princes Highway	1997 Site Visit Recommendation	
Residence - "Yarragee" - end River Road	1997 Site Visit Recommendation	
Federaation Residence - River Road	1997 Site Visit Recommendation	
Moruya Traders - Original Watter's Shop	1997 Site Visit Recommendation	
Scout Hall - Queen Street	1997 Heritage Study Nomination	
Dwyers Creek Village - Dwyers Creek Road	1997 Heritage Study Nomination	
Dr Boots House - Yarragee Road	1997 Heritage Study Nomination	
Lucks Cemetery - Yarragee Road	1997 Heritage Study Late Nomination	
<b>Moruya Heads</b>		
Louttit's Residence - The Anchorage	1997 Site Visit Recommendation	
Ziegler's Shed - 7 Albert Street	1997 Heritage Study Nomination	
<b>Moruya North</b>		
Residence - "Fairdeal" - 203A Princes Hwy	1997 Site Visit Recommendation	
Single Storey Farmhouse - Princes Highway	1997 Site Visit Recommendation	



Item and Location	Status	Property Description
Brick Silo - Princes Highway	1997 Site Visit Recommendation	
Old Residence - 24 Princes Highway	1997 Site Visit Recommendation	
Residence - 26 Princes Highway	1997 Site Visit Recommendation	
Old Barge - North Head Drive	1997 Heritage Study Nomination	
Residence - 30 Princes Highway	1997 Heritage Study Nomination	
Residence - 32 Princes Highway	1997 Heritage Study Nomination	
Brierleys Launching Ramp - North Head Rd	1997 Heritage Study Late Nomination	
North Sea Wall & Adjacent Channel Marker	1997 Heritage Study Late Nomination	
<b>Mossy Point</b>		
Former "Candlagen Cottage" - Beach Road	1997 Heritage Study Nomination	
Reputed Graves - Mossy Point Reserve	1997 Heritage Study Nomination	
<b>Narooma</b>		
Former PO - "Furniture Fair" - Princes Hwy	1997 Heritage Study Nomination	
Pilot Station	1997 Heritage Study Nomination	
Pilots Flagstaff - Apex Park	1997 Heritage Study Nomination	
Ocean Hut - Dive and Supply Shop	1997 Heritage Study Nomination	
Lavender Point House - Lavender Point	1997 Heritage Study Nomination	
Narooma Reservoir - Princes Highway	1997 Heritage Study Nomination	
Boatsheds - Forsters Bay	1997 Heritage Study Nomination	
Boatsheds - Wagonga Inlet	1997 Heritage Study Nomination	
Stone Quarry - Centenary Drive	1997 Heritage Study Nomination	
Wagonga Punkalla Village Site	1997 Heritage Study Nomination	
"Nestlebrae" - Old Princes Highway	1997 Heritage Study Nomination	
<b>Nelligen</b>		
Starch Factory Manager's House	1997 Site Visit Recommendation	
Punt Loading Site - off Thule Street	1997 Site Visit Recommendation	
Ferry Master's Residence - 23 Thule St	1997 Site Visit Recommendation	
The Old Steampacket Hotel - Wharf Rd	1997 Site Visit Recommendation	
Punt Loading Sites - Clyde River	1997 Site Visit Recommendation	
Bushrangers' Tree - off Braidwood Street	1997 Site Visit Recommendation	
The Ark Hotel Site - 14 Braidwood Street	1997 Site Visit Recommendation	
Fitzgerald Cottage - Wharf Street	1997 Site Visit Recommendation	
<b>Runnyford</b>		
Mays Residence - off Runnyford Road	1997 Site Visit Recommendation	

Item and Location	Status	Property Description
<b>Turlinjah</b>		
Turlinjah House (Rosebank) - Cantley Lane	1997 Heritage Study Nomination	
<b>Tuross Head</b>		
Anglican Church - Craddock Road	1997 Heritage Study Nomination	
Captain Ryall Cottage - Jutland Avenue	1997 Heritage Study Nomination	
Peppermint Cottage - Hawkins Road	1997 Heritage Study Nomination	

### 4.3 ITEMS UNDER THREAT

The following list includes items on both the proposed Schedules 1 and 2. It reflects either:

- Badly deteriorated condition
- Rapidly encroaching or future development, or
- Intended intervention indicated by existing or proposed Development Application - likely to affect the elements contributing to the item's significance.

The recommended actions relative to the perceived threats are discussed in Section 5.4.

Item Number	Item Description	Comment
BEND/R001a	Stone Oven	Possible demolition by neglect
BEND/R001b	George Family Member's Grave	Possible demolition by neglect
BEND/R001c	Water Race	Possible demolition or loss by neglect
BEND/R002	Bridle Track Network	Possible loss of tracks by neglect/overgrowth
BODA/R004	Lock-up - Princes Highway	Possible demolition or removal due to neglect or lack of use
BROU/R003	Rail Tracks - Broulee Island	Possible loss by neglect
DIGC/R001	Post Office - Princes Hwy	Possible demolition by neglect
MORN/R049	Braemar Farm - South Head Road	Possible loss or demolition by neglect
MORH/R003	Wharf Remnant - Elizabeth Street	Deteriorated condition
MORN/R006	WWII Bunkers - Moruya Airport	Future Development
MOSS/R007	Rural Fencing - Annetts Parade	Possible loss or demolition by neglect
NERR/R006	Chinese Oven - River Road	Possible loss or demolition by neglect
OTHE/R001	Bridle Tracks used by Bate, Tarlington and Byrnes	Possible loss by neglect or overgrowth
RUNN/R003	Convict Road	Possible loss by neglect
TURO/R001b	Tuross Barn	Rapidly encroaching

Item Number	Item Description	Comment
		development

Although not included in the table above, any other item identified as being of historical significance in the proposed "Schedule 1 - Section A" that is not capable of being adaptively reused or is located in a non-developed areas such as the gold mines (Kellys Gold Mine, Donkey Hill Gold Mine, Francis Hill Gold Mine, Comans Gold Mine and Hunts Mine and Battery for example), birdle tracks etc, is considered to be potentially threatened item. As such it is recommended that these items be fully recorded.

#### 4.4 PROPOSED TREE CONSERVATION REGISTER

In recent times strong public awareness has developed regarding the contributions trees make to the environment and to our quality of life. Many people would argue that all trees should be protected. This is neither feasible nor practical, especially in densely settled areas. It is, therefore, prudent that only significant trees be given special recognition.

The assessment of a tree's significance involves a certain amount of subjectivity. A set of criteria useful in reviewing possible Register candidates includes:

- Historical Associations (with people and/or events)
- Contribution to Landscape/Townscape
- Commemorative Tree
- Belonging to a Historic Building/Garden/Park
- Exceptionally Old Specimen
- Curious Growth Habit or Physical Appearance
- Horticultural/Scientific Value
- Unusually Large Size
- Rare to the Area or Endangered Species
- Outstanding Aesthetic Quality

It is further recommended that Council undertake a Study to create a comprehensive Register of Significant Trees based on the above criteria. There are several options that Council may chose to implement the Register of Significant Trees. The first option, **Public Notification and Awareness** represents the minimum that would need to be undertaken. The other two options, **Statutory and Non-Statutory Protection**, should be carried out **in addition** to the first option. These two options deal with a variety of ways Council may chose to enforce the protection of Eurobodalla Shire's significant trees.

Ideally Statutory Protection should be the preferred option as it compels residents to abide by the prescribed regulations while defining maximum penalties for non-compliance. Should there be resistance shown towards Council when implementing a Tree Preservation Order, there may be advantages in choosing a less rigorous, non-statutory approach. Later when there is greater public acceptance, it may be possible to amend the LEP so that any non-statutory codes or guidelines become part of the regular planning processes. This, of course, assumes that there may be resistance to the adoption of statutory protection measures, however, it may be found that because of the relatively small number of trees involved, resistance is minimal or does not occur.

The following list of trees nominated for inclusion on the Heritage Study did not meet the Eurobodalla Heritage Study Inclusion/Exclusion

Guidelines (see Appendix B) but are considered to warrant protection under a Register of Significant Trees.

### **Batemans Bay**

Pepper Corn Trees - Perry Street

### **Central Tilba**

Radiata Pine Trees - Sunnyside Road

### **Couria Creek**

Hoop Pine Tree - Couria Creek School Site - Princes Highway

### **Moruya**

3 Moreton Bay Figs - Shore Street

### **Moruya North**

Poplar Avenue - Mullenderie Flat - Princes Highway

### **Narooma**

Strangler Fig Tree - Rainforest Drive - Flying Fox Bay

Date Palms - Tilba Street

Fig Tree - north end Hillcrest Avenue and Princes Highway

Spotted Gum Tree - The Tree Motel - Princes Highway

Moreton Bay Fig - Tuross Lakes Country Club - Fourth Fairway

Moreton Bay Fig - Tern Inn - corner Trafalgar Road & Hector McWilliam Drive

We recommend that this Register be prepared immediately.

## **4.5 MOVABLE ITEMS**

Movable heritage includes natural or manufactured objects of historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance. Objects related to Aboriginal settlement are not included under the *Heritage Act 1977*.

Unlike immovable elements, movable elements are more transient as they can be replaced or reorganised quite easily and rapidly. When delving into the meaning of the cultural environment, movable elements need to be interpreted within their context. Owing to their ephemeral nature, they potentially communicate more meaning about the contemporaneous society than immovable elements.

Movable cultural heritage has generally been omitted from the conservation and management of the environmental heritage. However, there is a preliminary discussion paper on Movable Cultural Heritage whose principles have been adopted by the NSW Heritage Office. They include:

- Groups or collections of movable heritage should be kept intact.
- When separating groups or collections of movable items, the

significance of individual movable heritage items should be reassessed. This should form the basis for deciding whether a movable item is to remain in situ, to be relocated or to be disposed of.

- If a movable heritage item is to be relocated, its significance should be reassessed in relation to the new proposed location.
- All items must be recorded according to the NSW Heritage Manual, prior to relocating movable heritage, or separating groups of collections of movable heritage.
- Examination, preventative conservation, maintenance and documentation procedures should be applied to all movable heritage items considered to be of significance.
- Movable heritage under private ownership should be thoroughly documented and recorded according to specified guidelines. The item should remain under the care of its owner.
- Movable heritage which is currently being used should continue to be used, subject to proper conservation practice.
- The conservation and maintenance of movable heritage lies with its owner. The Heritage Office should provide adequate training, advice and financial assistance for the proper management of movable heritage.

The items for which these provisions should apply include:

- 1 Light from Montague Island Lighthouse  
(Narooma Visitors Centre, Princes Highway, Narooma)
- 2 Sawmill Truck Remains  
(Base of cliff, Potato Point)
- 3 Red Tractor - Noble Park - Dalmerly
- 4 Old Boiler - Wasp Head - South Durras
- 5 Kelly Gold Mine Rail Trucks - Bimbimbie

## DOCUMENT FIVE    CONSERVATION MANAGEMENT RECOMMENDATIONS

## **5 CONSERVATION MANAGEMENT RECOMMENDATIONS**

### **5.1 GENERAL DISCUSSION**

As is stated in the “Planning and Heritage” volume in the “NSW Heritage Manual”, like other current environmental impact assessment practices, The NSW Heritage Management System is based on the premise that investigating and understanding the important features of an item, should precede assessment and consideration of the opportunities and constraints it presents. Only then should appropriate measures be instituted”.

The Conservation Management recommendations which follow, generally reiterate the principles described in detail in the new Heritage Office publication “NSW Heritage Manual” released in late 1996. However the specific recommendations while, recognising the broader context and constraints, also reflect the Statutory and non-Statutory opportunities available at the Local level, including purpose-designed Development Controls, the making (or extension) of Conservation Areas and Archaeological Zoning Plans, the range and necessary structures of Conservation Management committees and groups and the methodology for reviewing the Inventory and last, owner and user requirements.

The Management methodology must reflect, and will vary according to the Level of Significance of the item, since there are more stringent processes to be followed for State and Regional items than for the items of Local significance. The Conservation Management Implementation Strategy must take account of owner and community resources, available financial incentives and the range and timing of controls available to ensure that conservation and protection of individual (or group) inventory items.

Councils can choose from the protection mechanisms available in the relevant legislation to meet their particular needs. Finding the ‘right mix’ will promote the effective protection of the community’s heritage resources.

### **5.2 STATUTORY CONSTRAINTS AND OPPORTUNITIES**

#### **5.2.1 State Statutory Controls**

There are a number of Acts under which protection and management of the State’s heritage resources are secured. They include the E P & A Act 1979, the Heritage Act 1977, the National Parks and Wildlife Act 1974, the Historic Shipwrecks Act 1976 and others.

An appropriate mechanism for managing the State’s heritage resources through the Local Environmental Planning Process was established in 1985 when the then Minister issued a direction under Section 117(2) of the E P & A Act, which enabled responsibility to be shared by the State (through both the Heritage Act and Regional Environmental Plans and local government, using Local Environmental Plans and Development Control Plans).



Section 90 of the E P & A Act also provides scope for local Councils or other relevant consent authorities to consider heritage issues in the assessment of development applications.

Under the *Local Government Act 1993* (LG Act) Councils are responsible for a system of approvals and orders, including:

- \* approval to erect, change the use of, or demolish a building or structure;
- \* an order to repair, upgrade the safety of, or demolish a building or structure; and,
- \* an order to an owner not to demolish, or to cease demolishing or carry out a work, on a building or structure.

The LG Act gives Councils the power to prepare Local Approval Plans and Local Orders Policies (LAPs and LOPs, respectively) to guide approval and order procedures, including heritage considerations. Such policies cannot be more stringent than the LG Act itself, nor undercut the principles it establishes.

The *National Parks and Wildlife Act 1974* (N P & W Act) protects Aboriginal places and historic sites, natural areas and endangered flora and fauna.

The *Australian Heritage Commission Act 1975* (Commonwealth) established the Australian Heritage Commission, which maintains the Register of the National Estate and administers the National Estate Grants Program.

### **The Environmental Planning & Assessment Act:**

#### **State Environmental Planning Policies**

A range of SEPPs have an impact on conservation management decisions to be made throughout the state. However these will generally be required to be taken into account at the time of consideration of the requirements of Section 90 matters under the Environmental Planning and Assessment Act (E P & A) when an application is lodged.

Most heritage protection in NSW is undertaken by local Councils, through the preparation of LEPs based on heritage studies. Identified items and areas are listed in schedules and shown on maps to which standard heritage clauses apply (see Heritage Planning Practice Note No's 1 and 2 in the NSW Heritage Manual).

There are also several REPs in NSW which list and protect items of local, regional and state heritage significance.

An LEP or REP, if it incorporates the standard heritage provisions, provides comprehensive management tools for listed heritage items and areas, including:

- \* aims and objectives expressly related to heritage conservation
- \* the types of activities involving heritage items, areas and relics which require consent

- \* how to notify the community
- \* how and when to consult with the Heritage Council and the National Parks and Wildlife Service
- \* what type of supporting information is required
- \* consideration of development proposals and adjoining land
- \* flexible use, car parking and floor space ratio incentives
- \* conservation of building interiors (optional).

Sections 84, 85, 86, 87 (1) and 90 of the E P & A Act (which provides for the giving of notice, and for the making and consideration of submissions, about proposed development) apply to the demolishing, defacing or damaging of a heritage item or a building, work, relic, tree or place within a heritage Conservation Area (and to the use of a building or land referred to in Clause 7 for a purpose which, but for that clause, would be prohibited) in the same way as those provisions apply to designated development.

Development Control Plans (DCPs) must be considered by Councils in determining Development Applications under Section 90 of the E P & A Act.

A DCP can be prepared to specify more detailed management policies in relation to heritage items or areas identified in LEPs. Many of these matters can also be included in an LAP under the L G Act, DCPs can be included as a component of an LAP, adding to the streamlining of heritage decision-making.

A DCP can apply to a wide range of issues affecting heritage management, including:

- subdivision, density and site amalgamation
- height and setback controls
- landscaping, curtilages and visual buffers
- carparking
- the form, style, size and proportion of building elements
- colour schemes and finishes
- village settings and relationship - conservation areas
- street patterns and allotment layouts
- provision of clear redevelopment proposals prior to demolition
- consistent assessment of heritage significance (for example, using the NSW Heritage Assessment Criteria)
- Statements of Heritage Impact to accompany all proposals impacting on known or potential heritage items or areas - this is usually part of a Statement of Environmental Effects

- evidence that adaptation or restoration is or is not feasible, where full or substantial demolition is proposed
- information on the financial viability of a proposal
- preparation of a Conservation Management Plan, report or analysis
- advertising the Building Application (BA) if demolition of a significant heritage item is proposed.

In some cases, a Council may wish to impose conditions on a DA or BA approval involving the conservation of a heritage item or area (for example, redevelopment being conditional on the restoration of a heritage item on the site). Negotiations with owners can result in mutually beneficial outcomes involving heritage matters.

Unnecessary delays can be reduced by establishing heritage performance standards or criteria for the assessment of alterations, extensions and new buildings. This will encourage applicants to comply with Council policies by giving them confidence that their application will be processed quickly.

If the proposal meets Council performance standards, and does not involve a listed heritage item, a Development Application may not be required - the planning instrument should make this clear. The matter may then go straight to the BA process. Consent for demolition would still be necessary under the LG Act.

### **Exemptions for Minor Works**

A more efficient heritage system can be promoted by encouraging exemptions for proposals which are not likely to have any adverse impact on heritage significance.

This is the objective of Clause 2(2) of the standard heritage LEP provisions. In this circumstance, the owner is not required to seek development consent. By using this procedure, the Council will be able to apply greater resources to more important issues. It will also not need to refer minor matters to the Heritage Council for comment.

A similar approach can be applied to BA requirements under the LG Act. This can be achieved by specifying the circumstances under which approval is or is not required in an LAP.

Guidelines for applicants should specify the kinds of works that are exempt from approval requirements. It may be necessary to undertake research to be sure that what is proposed will not compromise heritage significance (for example, allowing dormer windows, or the demolition of outhouses). Any proposals which do not clearly meet the guidelines should be assessed by an experienced heritage officer or the heritage advisor to determine whether an exemption can be made without any adverse impact on heritage significance.

The Heritage Council has developed standard exemptions for items covered by PCO's and ICO's under the Heritage Act. These can be used as a guide to the kinds of works which may not require approval. Owners affected by PCO's and ICO's should be encouraged to apply for such exemptions.

(This is consistent with the objectives of the State Government's "White Paper" expected to be enacted in 1997.)

### **Archaeological Zoning Plans**

Archaeological Zoning Plans can be used to identify Archaeologically-sensitive sites which are likely to have archaeological significance. The preparation of these plans requires extensive research. Archaeological Zoning Plans, however, are particularly beneficial in areas subject to high development pressures, as they provide greater certainty for all sectors of the community, and can reduce delays when an archaeological site is uncovered during redevelopment.

The Department of Urban Affairs and Planning in conjunction with the Heritage Council of NSW has prepared a number of standard provisions for incorporation into new environmental planning instruments. These are outlined in the Department's Circular to Councils C22 and Heritage Planning Practice Note 2.

The clauses relating to development of archaeological sites apply to: known sites, potential sites (whether scheduled or not), and relics.

Under these clauses, development consent can only be granted if the relevant authority has:

- considered an archaeological assessment
- notified the Heritage Council of NSW and considered any comments received
- ensured that any necessary excavation permit required under the Heritage Act (NSW) 1977 has been granted.

### **The Heritage Act:**

The Heritage Act generally allows Local Councils to manage the destiny of items of Local significance itself. However, any application for major alteration change of use to, or demolition of any item of Regional significance, must be referred to the Heritage Office for advice and comment. If an item is of State significance, any such proposal must have the concurrence of the Heritage Council.

### **Managing Items with Different Levels of Significance**

For all Councils, the most pressing Heritage Conservation Management issue is that of determining whether to permit demolition of a heritage item. In general, the following rules apply:

Once Council has an appropriate LEP including comprehensive Heritage Guidelines, it must deal with all heritage items listed as

being of “Local” significance, including additions, alterations etc. It can also deal with minor changes to items of “Regional” significance. However, for major changes to items of “Regional” significance and “State” significance, it must refer (in the former case) and obtain the consent and concurrence of (in the latter case) the Heritage Council. The local Council cannot issue any consent to demolition of a heritage item without reference to the Heritage Office.

Proposals involving items which are already covered by Conservation Orders under the Heritage Act (Permanent or Interim conservation Orders) will require applications for approval either to the Heritage Council, the Department of Urban Affairs and Planning, or Eurobodalla Shire Council.

When proposing to make changes to a heritage item, it is important to appreciate that:

- where an item is a building, minor changes are likely to be acceptable if they are consistent in form, scale, materials, finishes and detail with those of the original
- substantial extensions may be acceptable where they do not affect the integrity or character of the original building. Extensions which are separated from the original building, which respect the shape, scale, materials, finishes and detail of the original are designed in a simple unobtrusive style can meet these criteria.

Under the Heritage Act:

- consent cannot be given for a proposal to demolish a heritage item unless the Heritage Council has been notified of the intention to grant consent and any comments made have been taken into account
- proposals involving the demolition of heritage items or a building, work, relic, tree or place within a conservation area must be advertised in the same way as designated development.

This clause does not apply to non-Aboriginal relics or potential archaeological sites, as the provisions of Division 9 of Part 6 of the Heritage Act apply in these cases. In the case of Aboriginal relics or potential archaeological sites, the requirements of the National Parks and Wildlife (N P & W) Act apply.

Heritage Studies often identify archaeological or potential archaeological sites. A new clause for both Aboriginal or non-Aboriginal archaeological and potential archaeological sites has been developed and aims to ensure that the requirements of the Heritage Act and the N P & W Act are followed. It will provide for assessment and appropriate conservation as part of the development control process.

The clause includes provisions for historical and Aboriginal archaeological sites and places of significance not identified in planning instruments, but which may come to a Council’s attention from time to time. Because of the growing importance of the issue, this clause is no longer optional.

- Where an item is of heritage significance, total demolition/removal will only be considered under exceptional circumstances. This applies to items of all levels of significance.

- **Protection of Interiors**

Most heritage controls only apply to exterior or structural aspects.

However, there may be instances where an interior of a building has heritage significance and warrants protection. There is an optional clause in the standard heritage provisions which allows Council to list and protect significant interiors through a LEP.

- **Development in the Vicinity of Heritage Items, Conservation Areas, Archaeological Sites or Potential Archaeological Sites:**

It is essential to consider the impact of development proposals on land adjoining heritage items and Conservation Areas. Inappropriately located and unsympathetic development can often adversely impact on heritage significance, as well as detract from the community's ability to enjoy the heritage item or area.

Clause 6 of the standard heritage provisions in *Heritage Planning Practice No.2* requires Council to ensure the impact of adjoining development on heritage significance is taken into account through the DA process. This applies to heritage items, heritage conservation areas, archaeological sites and potential archaeological sites. Council approval policy under the L G Act can provide the same level of consideration for the BA process.

The Council should ensure that the development application provides the necessary information to meet this constraint.

- **Relics**

It is essential that approval is obtained for any proposal to excavate, disturb, move or discover a relic. This applies to Aboriginal, non-Aboriginal and maritime relics.

In the case of non-Aboriginal relics, the Council cannot grant consent to a proposal unless it is satisfied that any necessary excavation permit required under the Heritage Act has been granted. If a relic is found, the Council will need to notify the

Heritage Council of its intention to grant consent and take into account any comments from the Heritage Council. The Council may decide to issue or refuse a permit.

These requirements, which cover both known and potential archaeological sites and relics, are part of the standard heritage provisions for LEPs covered by *Heritage Planning Practice Note No.2*. In either case, an appropriate assessment of significance and likely impact should be undertaken. The Heritage Office's historical and maritime archaeologists can advise on these requirements and processes.

### **Local Government Act:**

The Local Government Act (Section 89) provides another mechanism for protecting buildings and structures of heritage significance.

By developing policies to cover the approvals required, Council can create 'checking procedures' to ensure any unlisted potential heritage resources are not demolished or inappropriately altered. Councils might still need to request emergency protection under Sections 130 and 136 of the Heritage Act for other types of heritage resources under threat (for example, gardens, cultural landscapes, relics and moveable items) if these are not listed in a Heritage LEP.

Under the Local Government Act 1993 (LG Act) Councils are responsible for a system of approvals and orders, including:

- approval to erect, change the use of, or demolish a building or structure
- an order to repair, upgrade the safety of, or demolish a building or structure
- an order to an owner not to demolish, or to cease demolishing or carry out a work, on a building or structure.

The LG Act gives Councils the power to prepare local approval plans and local orders policies (LAP's and LOP's respectively) to guide approval and order procedures, including heritage considerations. Such policies cannot be more stringent than the LG Act itself, nor undercut the principles it establishes.

### **Local Approvals Policies (LAP's):**

Whether or not an LAP has been prepared, a Council is required to take into account all relevant considerations before issuing an approval. Specifically, the LG Act requires a Council to 'seek to give effect to the applicant's objectives to the extent that they are compatible with the public interest', and this includes 'any items of cultural and heritage significance which might be affected' by the activity for which the approval is sought.

Under the LG Act, a similar approach to exemptions as that available under the E P & A Act can be applied to BA

requirements. This can be achieved by specifying the circumstances under which approval is not required in a Local Approvals Policy.

Many Councils have established a Local Approvals Policy (LAP) for evaluating proposals affecting heritage items or areas. This should cover management issues, including the need for:

- provision of clear redevelopment proposals prior to demolition
- consistent assessment of heritage significance (for example, using the NSW Heritage Assessment Criteria)
- Statements of Heritage impact to accompany all proposals impacting on known or potential heritage items or areas - this is usually part of a Statement of Environmental Effects
- evidence that adaptation or restoration is or is not feasible, where full or substantial demolition is proposed
- information on the financial viability of a proposal
- preparation of a Conservation Management Plan, report or analysis
- advertising the Building Application (BA) if demolition of a significant heritage item is proposed.

#### **NSW Coastal Policy:**

The NSW Coast Government (Coastal) Policy provides a framework for decision-making for all land on the NSW coastline one kilometre landward from low water mark and three nautical miles out to sea, with the exception of the major urban centres of Sydney, Wollongong and Newcastle. The main implications of the Policy for Eurobodalla are that Local Environmental Studies will be required for any development in the coastal area which requires rezoning and that regional tourism strategies, which identify areas with high tourism potential, are to be considered when preparing planning instruments.

#### **5.2.2 Regional Statutory Controls**

##### **The Lower South Coast Regional Environmental Plan No.2**

In recognition of the growth pressures, Lower South Coast Regional Environmental Plan No.2 was gazetted on 10 July 1992. This is the second regional plan for the Lower South Coast. Lower South Coast Regional Environmental Plan No.1 (Height of Buildings), introduced in 1985, was a single issue plan. The REP No.2 provides a framework for local planning and development decisions to guide Government and private investment in the region.

The REP establishes criteria and guidelines that will need to be considered by Council when the recommended Heritage Local Environmental Plan is prepared. It requires careful attention to specific matters which could have adverse impacts on features of State or Regional significance.

Part 2 Division 4 - Heritage recognises that the cultural and



environmental heritage of the South Coast region is to be protected through the inclusion of appropriate heritage provisions in any new Local Government Plans.

It is recommended therefore that all Eurobodalla Shire State and Regionally significant items be included in a Schedule to the Lower South Coast REP No.2. These items should form "Schedule 2" of the REP.

### **The Lower South Coast Regional Settlement Strategy**

This Strategy achieves the aim of the *NSW Coast: Government Policy* which required "the preparation of a strategy which addresses issues of settlement, growth, tourism and protection of the South Coast region's assets". The items proposed for inclusion under a new Heritage LEP for the Eurobodalla Shire are important contributions to the wealth of the region.

As a result, the Regional Settlement Strategy should more emphatically state heritage conservation as a principal objective. (There is currently no heading called **Objectives**.)

"The very features that attract people to the coast are in danger of being destroyed because growth has been accommodated without sufficient regard to the sensitive environmental values of the coastal area. If growth is not properly managed, the special environmental and resource attributes of the Region will be jeopardised".

The Lower South Coast had the highest growth rate of any coastal region in the late 1980s/early 90s in NSW however, the "region's comparative advantage for tourism is dependent on maintenance of its 'naturalness' and low key character". Sensitive balancing of use and management of resources is therefore vital to economic development.

"In many instances detailed survey work has not been undertaken so the full extent and significance of these resources is yet to be established". This is relevant to the creation of a "Schedule 2" to a new Eurobodalla Heritage LEP where the historical significance and therefore regional asset potential of these items is yet to be established. A Schedule 2 list of 'further investigation' items is justifiable in the overall context of the management of the Shire's cultural resources.

"The region contains significant European and Aboriginal cultural heritage sites. As these sites are fragile and irreplaceable, they should be properly surveyed, assessed and protected". Our Study is the major first step in what should be an on-going process involving the community.

The greatest threats, as a result of increased urban development, is more likely in those 'higher order' tourist towns ie "Tourist Resort Towns" and "Service Towns". These include Batemans Bay, Moruya and the "Coastal Holiday Villages" of Broulee and Tuross Heads. Moruya is in fact losing population. This has the potential to pose the problem of demolition by neglect, as has happened to many gold and mining towns such as Newnes, Minmi, Sofala and currently, Lithgow.

"Rural Villages" such as Central Tilba and Mogo rely on the heritage and distribution of buildings and their rural character for

their village character, and further growth should address these servicing and design issues.

In addition, “where roads provide new or improved access, accelerated development pressures closely follow” eg George Bass Drive. This pattern has implications for the natural environment, the character of existing village lifestyles and those qualities which make the coast so attractive to tourists.

### 5.2.3 Local Statutory Controls

#### **The Eurobodalla Rural LEP 1987, Interim Development Order No.3 1976 and Draft Urban LEP 1996**

The Eurobodalla Rural LEP, IDO No.3 and Draft Urban LEP are the current local planning instruments applying to the Study areas. These LEPs control land use by zones. The zones applying to the rural areas of the Shire and the zones applying to the urban areas of the Shire are largely a reflection of those embodied in the Rural LEP and IDO No.3 respectively. The Draft Urban LEP 1996 repeals IDO No.3 and amends Rural LEP 1997. Draft LEP 1996 contains objective based zones which provides for flexibility with a range of uses permitted under the zone categories, subject to merit considerations, and to also provide directions to guide future development.

Benchmark Heritage Conservation provisions are known to be contained within the Model Heritage LEP Clauses currently being reviewed by the NSW Heritage Office and Armidale’s Local Environmental Plan 1988. Such provisions were reviewed at the time of the then-proposed “Draft Armidale Dumaresq LEP 1997 Heritage Conservation Provisions” in 1996.

**These documents, and The NSW Heritage Office’s (1996) “NSW Heritage Manual”, form the basis of the recommendation to prepare a stand-alone Eurobodalla Shire Heritage LEP 1997 rather than recommendations to make additions/alterations to Eurobodalla’s current local statutory instruments.**

The proposed Eurobodalla Shire Heritage Local Environmental Plan would translate the recommendations of this Heritage Study into a legal document which would provide a broad framework for the future management of the Shire’s heritage. The Heritage LEP is prepared in accordance with the principles of the Environmental Planning and Assessment Act 1979.

We recommend that Eurobodalla Council prepare this Heritage LEP to provide effective and efficient protection of the item’s identified as integral to the development of the Shire. A Heritage LEP is the best-practice approach to organising heritage management provisions, and the items to which these provisions apply, into a readily obtainable, clear and concise document that

can be easily referred to by Council staff and the community alike.

It should be noted that to incorporate the recommended heritage conservation provisions into each of Eurobodalla's current statutory documents is possible (and in the short term, simpler), however, this approach is considered likely to be more time consuming, could possibly raise the cost of staff training and is considered likely to cause administrative problems and a great deal of confusion for the public. In turn it is likely to cause losses of heritage items which could otherwise be avoided.

**Therefore, and because of the lack of a consolidating LEP, we recommend the creation of the Eurobodalla Heritage LEP.**

It should be prepared in the Model LEP format as outlined in Heritage Planning Practice Note No.2 and as under the following heading "Recommendations". We also recommend that the Heritage LEP be read in conjunction with a Heritage Guidelines Manual such as the sample provided in Section 5.6 of this Report.

The following recommendations make reference to the Heritage provisions in Eurobodalla's Rural LEP and Draft Urban LEP. As discussed previously, the recommended Heritage LEP should include a reinstatement of Heritage clauses contained in the Draft Urban LEP and Rural LEP with amendments as follows:

### Recommendations

- 1 Other than in very general terms (Clause 3(2)(c) - Rural LEP and Clause 8(c) - Draft Urban LEP) the "Particular Objectives" of both the Rural LEP and Draft Urban LEP contain no mention of those which should relate to Heritage Conservation.

Under "Aims and Objectives" of the Heritage LEP, inclusion of Standard Clause in "Heritage Planning Practice Note No.2" (p6) is therefore recommended viz:

Aims in relation to heritage:

- a) to conserve the environmental heritage of the area; and,
- b) to integrate heritage conservation into the planning and development control processes; and,
- c) to provide for public involvement in the conservation of environmental heritage; and,
- d) to ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings.

We recommend the inclusion of the Clause under Part 4 Section 64 of the Draft Urban LEP - "What are the objectives of the Tilba Conservation Area" following this.

- 2 In relation to an "Interpretation" clause, we recommend the following additions, all as contained in the Appendix to "Heritage Planning Practice Note No.2":

**Archaeological Site/'Potential Archaeological Site'** means a site identified in Schedule 1 - Section C to this plan and shown on the map marked "....." and includes a site known to the consent authority to have archaeological potential even if it is not so identified and shown.

**'Heritage Conservation Area'** means land shown on the map marked ".....", and includes buildings, works, relics, trees and places situated on or within that land;

**'Heritage Significance'** means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.

In addition to the above, we recommend the inclusion of the following Armidale LEP definitions:

**'Alter'** in relation to a heritage item or to a building or work within a conservation area, means:

- a) make structural changes to the outside of the heritage item, building or work; or,
- b) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, building or work,

but does not include the maintenance of the existing detail, fabric, finish or appearance of the outside of the heritage item, building or work;

**'Conservation Plan'** means a document identifying the heritage significance of an item and outlining the policies that will preserve that significance in the future development and use of the item.

Further we recommend that the existing definitions in relation to "demolition", "item of environmental heritage" and "relic", be altered to reflect the Standard Clauses, viz:

**'Demolish'** a heritage item or a building, work, relic, tree or place within a heritage conservation area means wholly or partly destroy or dismantle the heritage item or building, work, relic, tree or place;

**'Heritage Item'** means a building, work, relic, tree or place (which may or may not be situated on or within land that is a heritage conservation area) described in >>>> and shown >>>>>> on the map marked "....."

**'Relic'** means:

- a) any deposit, object or material evidence (which may consist of human remains) relating to the use or settlement of the area of >>>> not being Aboriginal habitation, which is more than 50 years old; or,
- b) any deposit, object or material evidence (which may consist of human remains) relating to Aboriginal habitation of the area of >>>>> whether before or after its occupation by persons of European extraction.

Note: It is recommended that Heritage maps are produced indicating the location of all heritage items/areas, and given a name/number to be inserted in the location marked by ">>>>". It is recommended that the maps are produced in a form similar to the Eurobodalla Rural and Urban LEP Maps, with shading/hatching indicating the location of the Schedule 1 - Section A items.

- 3 We note the contents of Draft Urban LEP Part 4 Section 68 in relation to heritage item advertisement and notification and recommend transfer of all the contents of this section to the Heritage LEP under a heading "Heritage Advertisements and Notifications".

- 4 We note the provisions currently included under Part 4 Section 65 and 67 (Draft Urban LEP) and Clause 25(1) and 26(1) of the Rural LEP in relation to the conservation of items of environmental heritage and development of conservation areas. Both LEPs contain comprehensive clauses but we recommend the utilisation of those outlined in the Draft Urban LEP in the Heritage LEP.

However, we recommend that the location of Sections 65 “What special controls apply to development in Heritage Conservation Areas?” and 68 “What special controls apply to development affecting Heritage items?” be reversed in the Heritage LEP, to be consistent with the format of the Schedules ie Schedule 1 - Section A (Heritage Items) and Schedule 1 - Section B (Conservation Areas).

We also recommend the inclusion in both Sections 65 and 68 part (1)(d) (Draft Urban LEP), that is:

*65(1)(d) erect a building within a conservation area*

and,

*68(1)(d) erect a building on land on which a heritage item is situated*

to include reference to the subdivision of land, viz:

*65(1)(d) erect a building on or subdivide land within a conservation area*

and,

*68(1)(d) erect a building on or subdivide land on which a heritage item is situated.*

We also recommend the inclusion of the following clause to Section 67(2) (Draft Urban LEP), viz:

*e) the Council may require that a Conservation Plan accompany such a Development Application, to enable the Council to fully consider the heritage significance of the item and the impact of the proposed development on the significance of the item and its setting.*

and a new part (3), viz:

*(3) The Council shall not grant consent to an application to carry out development on land in the vicinity of a heritage item unless it has made an assessment of the effect the carrying out of that development will have.*

We recommend Section 65(3)(c) to be more comprehensive, viz:

*c) whether the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building are compatible with the materials used in the existing building (if any) to be altered or in the conservation area.*

- 5 The Proposed Eurobodalla Heritage LEP should include

provisions relating to “Development of Places of Potential Archaeological Significance and Archaeologically-Sensitive Areas”. Again the Armidale LEP provisions are strongly recommended, viz:

**Development of Places of Potential Archaeological Significance and Archaeologically-Sensitive Areas**

- (1) Where the Council receives an application to carry out development on land which is identified as a heritage item of potential archaeological significance, the Council shall not grant consent until it has received from the applicant and considered:
    - a) a Conservation Plan which includes an assessment of how the proposed development would affect the conservation of the item; and,
    - b) written evidence that the applicant has complied with the provisions of Division 9 of Part 6 of the Heritage Act, 1977 in relation to any proposed excavation arrangements on the site.
  - (2) The Council shall not grant consent to an application to carry out development on land within an archaeologically-sensitive area unless:
    - a) in the case of land within Category 1, the Council has considered the recommendations arising from an archaeological survey or study to be carried out by the applicant in consultation with the Council and the National Parks and Wildlife Service; and,
    - b) in the case of land within Category 2, the Council has consulted with and considered the recommendations of the National Parks and Wildlife Service concerning the need for archaeological investigations to be carried out prior to the carrying out of the development.
- 6 Section 69 - “What conservation incentives relate to heritage items?” is comprehensive and should be reinstated in the Heritage LEP.
- 7 Schedule 1 to the Rural LEP and Part 4 Section 70 - “What are heritage items?” of the Draft Urban LEP lists those items identified as significant on the Register of the National Estate - and/or the National Trust Heritage Register.

While those Inventories of Items were obviously substantially deficient, they also did not allow for consideration as to whether or not each individual item had a level of significance greater than “Local” significance. There is also no Schedule of items in both LEPs recommended for further investigation.

As indicated in Section 4, we recommend the making of a Schedule 1 and also the addition of a Schedule 2 to the proposed Heritage LEP. The Schedule 1 should contain three separate sections to allow for:

- Section A: The Inventory;
- Section B: Conservation Areas;and,
- Section C: Archaeologically-Sensitive Areas.

The proposed Schedule 2 will contain all those items listed in Section 4 as deserving further investigation. The proposed Schedule 2 is a means of identifying items which, with more research, may warrant inclusion on the full inventory. It is recommended that this schedule not be considered finite and that it is the subject of annual review by a local Heritage Committee established for that purpose. The Committee should determine which items should become permanent Inventory Items, which should be deleted following investigation and which items should be added to the Schedule following nomination by a member of the community. (It should be the Committee's responsibility to call for nominations on an annual basis.)

It is recommended therefore, that the Heritage LEP will replace the clauses relating to the conservation of items of environmental heritage in the Rural LEP, IDO No.3 and Draft Urban LEP. However, within the Rural LEP and Draft Urban LEP a clause should be included to identify the existence of the Heritage LEP possibly under the current Clause 25 and Part 4 of those documents respectively.

### **Eurobodalla Shire Council Tourism Development Strategy, 1997**

This Tourism Development Strategy aims to provide direction for long-term sustainable growth throughout the region. One of the primary objectives is to determine infrastructure and product upgrading requirements, an aspect that is more thoroughly investigated in Chapter 12 Section 12.3 - Streetscapes. This section recognises the appearances of streetscapes, in particular the shop facades, and their role in enticing potential tourists eg "several towns are in need of improvements to their main street appearance". It is not unusual that a local government's tourism vision incorporates aims and objectives that impact on heritage items and thus, raise conservation management issues. However, the focus of this Strategy on aesthetic issues alone, poses potential problems and threats to items with scientific, social or historical significance.

It is therefore necessary to recommend that when new strategies are being developed by any Council departments or agencies the Heritage Recommendations of this Report are considered.

### **5.3 NON-STATUTORY OPPORTUNITIES**

In relation to the conservation of Eurobodalla's built heritage, there are many non-statutory opportunities deserving of Council's attention. These include:



- 1 appointing a Heritage Advisor and review of Heritage Committee
- 2 producing a heritage database compatible with the Heritage Office's NSW Heritage Database
- 3 encouraging pre-Development and pre-Building Application consultations
- 4 training Councillors and Staff
- 5 establishing heritage conservation competitions
- 6 providing exemption, concessions and conservation incentives
- 7 Identifying a range of acceptable adaptive re-use options for both threatened and non-threatened items.

1 *Appointing a Heritage Advisor and Heritage Committee:*

A major regional centre for the South Coast area, such as Moruya, and also the surrounding Shire will obviously have a significant stock of built heritage items. In these instances, especially where there are evident development pressures which may cause threat to some important items, Councils are urged to appoint a Heritage Advisor.

For similar reasons, but also to allow for the more effective implementation of the Heritage Conservation Management Recommendations contained herein, we also recommend the revision of the current Heritage Study Steering Committee following which, the more formal appointment of a Eurobodalla Heritage Advisory Committee, consisting of these representatives from key Eurobodalla Shire community groups. This could be sponsored (say in terms of a meeting venue) by Council. This Committee would have the task of representing the wider community in making recommendations to the Heritage Advisor or to Council on current heritage management issues and would also, in conjunction with the Heritage Advisor, have responsibility for the regular review of the heritage inventory. It is further recommended that the Committee members be sponsored to attend a Heritage Short Course.

The other major responsibility of the Heritage Advisor and the Heritage Advisory Committee is to protect items which may be under threat or which are recommended for further investigation in Schedule 2, by ensuring that investigation happens in the short term. The Advisor and the Committee can also work to ensure that no item is removed from the Draft Inventory prior to the gazettal of the proposed Heritage LEP.

2 *Producing a Heritage Database Compatible with the Heritage Office's NSW Heritage Database:*

The Inventory forms which appear in Document 4 were designed and then approved by the Heritage Office as comparable to the layout of their standard Heritage Inventory Form.

This format contains the same scope of data and will allow for easy cross-matching (and transference) of information which may be sought by the Heritage Office when it has completed its State Heritage Inventory Database set-up - but more importantly, it will allow for ease of comparative assessment of future inventory items, from a PC within Eurobodalla Shire Council.

**3     *Encouraging pre-Development and pre-Building Application Consultations:***

Councils can encourage applicants to take responsibility for heritage items by requiring a Statement of Heritage Impact prior to the assessment of a development proposal which may impact on its heritage. It is also recommended that Councils always require a Conservation Plan or Conservation Management Plan for major works to heritage items.

Many Councils also encourage owners and developers to consult them at an early stage of concept development. The in-house skills of Council officers can be used to achieve creative results that take into account environmental issues, heritage conservation and economic concerns, especially if the consultation involves a Heritage Advisor and anyone else who may have valuable advice to offer in relation to the item.

**4     *Training Councils and Staff:***

It is important for Councils to be aware that the Heritage Office will delegate heritage management responsibility to local government only in proportion to its evident heritage management skills. Councillor and staff knowledge of the heritage management processes, as well as the appointment of a Heritage Advisor are central to the establishment of local government heritage management bona fides.

**5     *Establishing Heritage Conservation Competitions:***

A very effective means of securing the community's support in conserving environmental heritage, would be to implement competitions similar to those developed by Councils such as Armidale City Council.

The Heritage Office through its Heritage Assistance Fund programme may be able to lend support to such an initiative provided that it is well-designed and has unique characteristics. For example, Eurobodalla's competition may extend to (1) adaptive re-use of heritage buildings (which Armidale's does not specifically address) and to (2) offering prizes for publications which contribute to the appreciation of the history of particular items.

**6     *Providing Exemptions, Concessions and Conservation Incentives:***

All the above are easiest to provide if Council has established a local Heritage Assistance Fund.

As indicated in Section 5.2, Council can determine, on the basis of the degree of intervention proposed, whether or not a DA and Statement of Heritage Impact are required. Council is also at liberty to encourage heritage conservation through waiver of normal application fees or through providing support funding to secure urgent or otherwise important conservation work. The range of options includes:

- Allowing special planning and considerations for heritage items such as change of use and parking considerations when the conservation of the item is dependent on this.
- Providing rate relief to owners of LEP-listed heritage properties. (This is a contentious issue as some people view this as iniquitous, not appreciating the economic advantages already accruing to such heritage conservation-minded communities as Haberfield, Ashfield, Hunters Hill and Strathfield in Sydney and Berrima, Armidale, Bathurst and Kiama throughout the State.)
- Designing and awarding distinctive plaques for heritage buildings and sites.

The following items have been identified as requiring these plaques:

- 1 Former Dignams Creek Hall Site - Dignams Creek  
**Recommendation:** Erection of a plaque to indicate the existence of this Hall and the former Dignams Creek locality.
- 2 Erin-Go-Bragh Hotel Site (BROU/R002) - Broulee  
**Recommendation:** Construction of a cairn with the remaining bricks and interpretative plaque indicating the location of the hotel and its history in the context of the development of the settlement of Broulee.
- 3 Bendethera Bridle Track Network and Bendethera Farm House Site, Grave Site, Water Race and Bread Oven  
**Recommendation:** Construction of an interpretive plaque indicating the history of the site and the destinations of the Bridle Tracks.

Recommend the construction of interpretive plaques for the following items:

- 4 Chinese Oven - Nerrigundah
- 5 Kellys Gold Mine - Bimbimbie
- 6 Wreck of the SS Monaro - Bingie Bingie (Kellys) Point
- 7 Deraquin House Site - Bodalla (Utilise remaining bricks from former house)
- 8 Former School of Arts - Eurobodalla Road
- 9 Shipyard Site - Moruya Heads
- 10 Gulph Creek Dredge - Nerrigundah

## 7 Identifying Conservation Options:

The issue of Items Under Threat is discussed in greater detail in Section 5.4. At this point, it is sufficient to mention that the community, including the Tourism industry, the Chamber/s of Commerce, Community Arts group etc can often provide valuable input into identifying options for the alternate use of an otherwise threatened item, which can thereby extend its productive life and secure its conservation.

### 5.4 ITEMS UNDER THREAT

The making of Conservation Areas and Archeological Zoning Plans are valuable tools in ensuring the conservation of items which have played a significant part in shaping the physical heritage of an area.

The items identified in Section 4.3 do not generally fit within these classifications and alternative options for conservation must be researched.

- In relation to “Demolition by Neglect” it is recommended that where appropriate, notice be served on the owner immediately to secure the stabilisation of the structure against further deterioration. Should the owner fail to comply with the notice, Council can undertake necessary work and seek reimbursement. Council’s Heritage Advisor or Heritage Advisory Committee should be informed of the issue of any such notice.

All items so identified are considered to require immediate action.

- In relation to “Encroaching Development”, the threat is considered to be a lower order of magnitude. Nevertheless it is considered necessary that a Conservation Plan be prepared - either by Council or the owner - to ensure that further activity adjacent to the item will not impact adversely on its significance.
- In relation to “Proposed Move Likely to Impact on Fabric”, it is recommended that a full dilapidation survey be requested prior to relocation, including photographs of the condition of all fabric and details and that full records are made of the details of each construction joint and method of fixing of adjacent materials so that the re-construction will remain faithful to the original in techniques and materials.

Another issue to be borne in mind in relation to threats to heritage buildings or sites, is the potential impact of other Council initiatives and strategies. Eurobodalla Council’s DCP No.182 - Urban Expansion Zones affects the areas of Moruya, Malua Bay, Long Beach, Dalmeny, Kianga, Mossy Point and South Narooma. DCP’s also apply to Catlina (DCP No.163), Rosedale (DCP No.160) and Tomakin (DCP No.183).

These documents have the potential to impact on future heritage management decisions. The local town controls reflect the provisions recommended in this Heritage Management Report. Informed decision-making in relation to heritage conservation involves awareness of the range of potentially competing local policies and strategies.

## 5.5 REVIEWING THE INVENTORY

Previous mention has been made of the value of the proposed Schedule 2 in ensuring that the Inventory remains relevant to changing cultural perspectives. Schedule 2 is also intended as the repository for items which may have “slipped the net” at the time of this Study and which are considered to warrant further investigation.

Although any removals from the Inventory must be justified to and accepted by the Heritage Office, it is recommended that the Heritage Advisor and/or the Heritage Advisory Committee review the Inventory each year and make their recommendations to Council.

## 5.6 COMMUNITY EDUCATION

Local area heritage conservation should, (even must) involve the whole community. Only if it does, is the community likely to understand the process and to value a resource which has both social and economic value. The community is the most reliable source for identifying the social significance of items. Community groups, especially historical and heritage societies, can assist Councils and Heritage Study teams to liaise with the wider community, enervating their support for heritage conservation. The community’s role must be identified early, and continually promoted.

In relation to heritage conservation, local Councils can play a significant role in education, especially if they avail themselves of the expertise and publications of the Heritage Office, appoint Heritage Advisors and employ staff knowledgeable in Heritage Assessment.

The Council’s role is not limited to the formal Study period. When the Study is completed, Council needs to translate its recommendations into sound, practical environmental planning measures and continue a programme of community liaison, education and heritage management.

All Councillors and Council staff (including Building Department and clerical staff) should be given guidance and support material on how to explain the Heritage Study process and its outcomes in a positive manner to the community. The Heritage Office offers Heritage Short Courses for Local Government which are aimed at educating all staff and Councillors involved in heritage DA/BA assessments.

The new Heritage Office publication “The NSW Heritage Manual” provides Council with comprehensive resource material. In addition, the former Heritage Branch, DUAP produced an excellent educational document titled “Looking After Your Community’s Heritage - An Introductory Guide for Local Government Councillors”.

It is recommended reading for all Councillors and Planning and Building staff at Eurobodalla Council.

We would further recommend that Council produce two documents which should be promoted as being obtainable from Council's Information counter: one a general leaflet which outlines the scope of the various responsibilities for heritage conservation and what role the individual can play in the whole process; and the second, a "Guidelines" document intended for use by anyone proposing to make changes to an item of environmental heritage.

Sample documents are included below for Council's consideration. They are consistent with the objectives of the "Heritage Nominations" document within the NSW Heritage Manual.

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### **SAMPLE DOCUMENT 1**

#### **"CONSERVING EUROBODALLA'S HERITAGE"**

*For general distribution through Libraries, with Rates Notices, at Council Counters.*

The following document was prepared for Gloucester Shire Council. Its content and format, using local photos, are equally applicable for Eurobodalla Shire.

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## SAMPLE DOCUMENT 2

### CONSERVATION AND DEVELOPMENT GUIDELINES

*For distribution at Council Counters to assist Applicants.*

#### 1 INTRODUCTION

##### **Background to The Guidelines - Preserving Eurobodalla Shire's Heritage**

Eurobodalla has many buildings dating from as far back as the mid-19th century. Many of these buildings provide first hand information about how the area developed, who played their part in its development, how they lived their lives and how they built their living environment. These are the items which provide Eurobodalla Shire with its built heritage and are therefore worthy of passing on to future generations.

Because of Council's interest in ensuring the conservation of representative examples of its past, an Inventory of important heritage items has now been established. It forms the basis of the new Schedules to the Eurobodalla Heritage Local Environmental Plan 1997. Each item in the Schedules is listed according to its level of significance.

##### **Principles of Heritage Conservation**

Heritage conservation principles provide for:

- conserving items/groupings of items from the past which have played a part in creating the area's identity and which provide insights into early periods of the region's development;
- providing opportunities, where appropriate for the continuing use of items of the environmental heritage;
- providing opportunities for the integration of heritage conservation practices into the local government statutory planning framework;
- encouraging public familiarity with and understanding of heritage conservation practices and providing for public involvement in matters of the conservation of the area's environmental heritage;
- ensuring a fair and objective approach to conservation of privately and publicly owned heritage items for both the public good and private benefit; and,
- ensuring that all new development affecting items of the area's environmental heritage is undertaken in a manner consistent with accepted conservation principle (the Burra Charter) and which does not cause harm to, or cause a loss of, the significance of the item.

The objective of Eurobodalla Shire Council's conservation management initiative leading to the preparation of these guidelines is to retain qualities of each heritage item which gives the item its significance.

## **Purpose of the Guidelines**

These guidelines have been prepared to help owners of items of the environmental heritage and applicants for development or alteration of sites or buildings within Conservation Areas, or development of sites or buildings adjacent to listed heritage items, to understand what they and what Council are required to do.

All owners seeking approval to alter or otherwise change such items are advised to become familiar with these Guidelines and to refer to the Eurobodalla Heritage LEP 1997. Read in conjunction, these documents will provide all owners planning changes to their heritage item, an understanding of Council's approach to conserving the area's environmental heritage.

## **What do the Guidelines apply to**

These Guidelines relate to impact on all buildings, and items within Conservation Areas which are subject of a Development Application, as well as buildings/lands adjacent to items of the environmental heritage where the "adjacent" item is the subject of a Development Application.

## **How do they operate**

The Interim Development Order No.3, the Rural LEP 1987 and the Draft Urban LEP 1996 provide the legal framework for all development in the local government area and the proposed Heritage LEP embodies the principles of the ICOMOS (Australia) Burra Charter and The Heritage Office's SH.1 Guidelines as embodied in the NSW Heritage Manual.

The principles as embodied in the clauses referred to above guide Council's consideration of all applications for change relating to listed items of the environmental heritage.

The Burra Charter principles are embodied in the NSW Heritage Manual which all Councils will be using in the future as reference material for managing all items of environmental heritage, because they provide a very solid basis for making Conservation Management decisions.

## **2 WHO IS RESPONSIBLE FOR WHAT**

### **Responsibilities of the Owner/Applicant for Development of a Heritage Item**

When proposing to make changes to a heritage item owners should study the Guidelines and the Heritage LEP before deciding on the type and extent of change to be undertaken. Owners should also find out the level of significance of the property/item (ie whether it has been classified as having "Local" or "Regional" or "State" heritage significance) - because this will determine whether or not Council has to refer to the State Government for advice and/or concurrence. This in turn will impact on how long it might take for a decision to be reached.

The last thing to note before making any application to change the item, is that the change must be adequately described on the drawings accompanying the development application.



### **Council's Responsibilities**

When Council has an appropriate Heritage LEP in place and comprehensive Heritage Guidelines, it must deal with all heritage items listed as being of "Local" significance, including additions, alterations etc. It can also deal with minor changes to items of "Regional" significance. However for major changes to items of "Regional" significance and "State" significance, it must refer (in the former case) and obtain the consent and concurrence of (in the latter case) the Heritage Office.

Council cannot issue any consent to demolition of a heritage item without reference to the Department or the Heritage Council.

### **The Heritage Office and Heritage Council**

Proposals involving items which are already covered by Conservation Orders under the Heritage Act (Permanent or Interim Conservation Orders) will require applications for approval either to the Heritage Council, or the Heritage Office through Eurobodalla Council. When Council refers a matter to the Heritage Council, the Heritage Council has 28 days to provide its response.

### **3 WHAT CHANGES ARE ACCEPTABLE AND WHAT ARE NOT**

In general, the best way to conserve a built heritage asset, is to maintain a viable use for it with a proper Conservation (Management) Plan to guide its use and maintenance. In this respect, Council can approve an otherwise "non-conforming" use, car parking or floor space concessions where the conservation of an item could not be secured other than for that permission.

#### **Buildings**

When proposing to make changes to a heritage item, it is important to appreciate that:

- where an item is a building, minor changes are likely to be acceptable if they are consistent in form, scale, materials, finishes and detail with those of the original.
- Substantial extensions may be acceptable where they do not affect the integrity or character of the original building. Extensions which are separated from the original building, which respect the shape, scale, materials, finishes and detail of the original are designed in a simple unobtrusive style can meet these criteria. The architectural style and details of new work should complement, not compete with, the original building.
- Changes to the facade are generally not encouraged, particularly for heritage items and items in conservation areas.

Minimise changes to materials and the roof form. For large complex roofs there may be more options. Changes may be less noticeable (Burra Charter, Article 3).

In making changes always try to be true to the original building. Simple cottages, for example, should retain their simplicity. Decorative detail which has been removed may be put back, but do not add decoration which was never there.

High walls or fences, and front garages, can obstruct peoples views of older buildings. Garages and high fences, however, are structures which can create a less attractive, built-up character. Similarly unsympathetic garden treatment (eg excessive use of concrete or paving, dense informal plantings or inappropriate plantings) can detract from the historic street character.

- Where an item is of heritage significance, total demolition/removal will only be considered under exceptional circumstances. This applies to items of all levels of significance.

Council can only give its consent to the demolition of an item of "Local" significance if it has first referred the matter to the Heritage Council for its views. That is, it can give consent to demolition of such an item, but only after consultation. If an item is of "Regional" or "State" significance Council must seek the advice of the Heritage Council for any major change.

#### **4 WHAT GIVES A BUILDING ITS SIGNIFICANCE**

There are many aspects of a building which must be taken into account before any confident statement can be made about its level of significance. These include:

- its role in the history of the area - for example, if it was one of the earliest houses in the area and is a rare survivor;
- whether its form, design or details are innovative, unusual or unique for its period - this could include roof shape, window, door, verandah detailing, fencing, gardens, materials used and the quality of the execution of the building;
- whether somebody important lived there for a period or some important event took place there; and,
- whether what survives can provide important insights into past ways of life/commercial activity/recreational activity etc.

All these issues must be considered before an item's comparative significance can be determined and before any proposals to alter a heritage item are drawn up.

#### **5 THE REASON FOR AND MEANING OF CONSERVATION AREAS**

"Conservation Areas" can include buildings, works, relics, trees and places which contribute to the heritage significance of the area.

A heritage Conservation Area is more than a collection of individual heritage items. It is an area in which the historical origins and relationships between the various elements create a sense of place that is worth keeping.

Heritage areas include such elements as street and subdivision layout; pattern of development; parks and gardens; buildings of various styles, forms, types and functional uses; historical or symbolic sites; streetscapes and skylines; details and furniture, urban spaces; landmarks; and internal and external views.

Sometimes heritage areas are virtually uninhabited, like Silverton, a former silver mining town near Broken Hill, NSW, which was abandoned when the ore ran out. Most are functioning parts of urban or rural areas still alive with community activities and therefore in a continual process of change.

Even if there are a large number of individually significant heritage items in a heritage area, it will not necessarily be dominated by them. Minor buildings which do little more than use compatible materials and display typical features still contribute to the significance of the area as a whole. Some buildings may even be intrusive within an otherwise consistent landscape, but are part of the story told by the built fabric of the heritage area. Their historical significance is more important than their disruptive contribution to the look of the area.

Thus, both Heritage and non-Heritage items can be separately located within the land covered by the Conservation Area.

Council can decide not to require development consent for proposals involving the demolition of heritage items or works within conservation areas. However, that discretion cannot be exercised if the effect of the demolition would be to reduce the significance of the Conservation Area.

The Eurobodalla Shire Conservation Areas are identified in Schedule 1 of Council's Heritage LEP.

## **6 DEVELOPMENT OF ITEMS ADJACENT TO HERITAGE ITEMS**

In this instance, Council places considerable responsibility on the applicant to be familiar with the impact of any proposed change on the area or landscape. This in turn will require the applicant to become familiar with the distribution of heritage items, Conservation Areas and Archaeologically-Sensitive Areas.

In this regard, development consent is required and Council may require the applicant to have prepared a Conservation Management Plan for the subject item. (Council has the discretion to seek such a Plan in every case.)

It is recommended that any Council officer providing advice on development matters, be familiar with the distribution of the above items to ensure that applicants are fully informed of constraints.

## **7 DEVELOPMENT WITHIN ARCHAEOLOGICALLY-SENSITIVE AREAS**

Areas considered as likely to contain concealed evidence of past activities important to the history of Eurobodalla Shire are identified in Schedule 1 of Council's Heritage LEP.

Where known or potential archaeological sites are identified and protected through an environmental planning instrument or Local Approvals Policy, the proponent of a new building or development may be required to provide an archeological assessment as part of the application for building or development approval. Archaeological assessments must be prepared prior to consent, as supporting documentation for an application.

An excavation permit is required if relics (individual features or sites) are to be disturbed or excavated.

Excavation permits are issued by the Heritage Council of New South Wales in accordance with Sections 57 or 140 of the *Heritage Act 1977*.

Excavation permits are issued subject to a range of conditions that cover matters such as analysis and reporting requirements, artefact cataloguing, storage and curation.

## **8 HERITAGE CONSERVATION INCENTIVES**

Council recognises that in some cases the public benefit of sympathetic maintenance and development of heritage properties may impose cost burden on private landowners. For this reason, a number of "incentives" are available from Council to assist property owners.

For anyone proposing to make changes to a heritage item early contact and consultation with Council's Heritage Advisor is encouraged (if there is no Heritage Advisor, the responsible Planner at Council should be contacted).

As well as explaining Council's and the applicant's responsibilities, the Advisor will explain the sorts of incentives available to owners of heritage items to help ensure the conservation of the local environmental heritage. (Such incentives may include exemptions for minor works or exclusion of the floor space of the building from the calculation of the overall developed floor space of a development proposal.)

## **9 THE COMMUNITY'S RIGHTS IN RELATION TO ITS HERITAGE**

One of the objectives of NSW Planning legislation and of Council's Rural LEP, IDO No.3, Draft Urban LEP and Heritage LEP is to provide for public participation in the planning process.

Any application involving the total or partial demolition of a heritage item or of building or work in a Conservation Area will normally be publicly advertised and exhibited. (In these circumstances, Council usually allows for a 28 day exhibition period.) Council will then consider any public representations during this period received when determining the development application.

Council may waive this requirement where the proposed demolition is of minor nature and will in the opinion of the Heritage Council not adversely affect the heritage significance of the building, work or place.

In addition, any member of the community can at any stage nominate an item for inclusion on the Heritage Inventory. Such nomination should be formalised through Council's Heritage Advisor or Heritage Advisory Committee.

**10 BEFORE MAKING ANY APPLICATION TO CHANGE A HERITAGE ITEM OR ITEM ADJACENT TO A HERITAGE ITEM, CONSERVATION AREA OR ARCHAEOLOGICALLY-SENSITIVE AREA**

Early consultations with Council staff and/or the Heritage Advisor can be arranged if the applicant has at least a set of sketches of the proposal drawn to scale to a reasonable level of accuracy. These sketches need not be elaborate but should at least consist of a Site Plan showing adjoining properties, boundaries and buildings - especially heritage items - and include elevations and sections where likely to assist discussions.

Early consultation is also advised because the applicant will need to know whether a Conservation Plan or Archaeological Study will be required as part of the application.

The importance of obtaining appropriate professional (eg architectural and/or planning) assistance for significant work on sites of heritage importance cannot be over-emphasised.

## **APPENDICES**

**APPENDIX A** HERITAGE STUDY BRIEF

**APPENDIX B** INCLUSION/EXCLUSION GUIDELINES  
(NSW HERITAGE MANUAL)

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