

## Attachment 9 – Summary of Consultation with Submitters Regarding Post Exhibition Proposed Changes

Submission No. 1 – HO133			
Date	Type of Consultation	Summary	Outcome
11 September 2020	<p>Council provided a formal response to Submission No. 1 via email.</p> <p>Formal response consistent with response to submissions in Council Report dated 14.9.20.</p> <p>Tracked changes version of Citation and Statements of Significance enclosed.</p>	<p>Council noted that the Council officer's report would recommend removing the house from the extent of the Heritage Overlay because the house had been lawfully demolished.</p> <p>Council noted that the Council officer's report would recommend that all unresolved submissions be referred to PPV.</p>	
7 October 2020	Phone conversation between submitter's representative (mother) and Council.	<p>Submitter's representative agreed with Council's recommendation to remove the HO over the house as it no longer stands. The submitter's representative is hesitant to attend the Panel as they are exhausted from the process and have issues with how Council has handled the situation prior to the exhibition of the Amendment when they purchased the property. The submitter's representative noted that the polygon over the Cyprus Trees was proposed to extend into the property at 2-6 Sherwin Court and advised that there is no intention to build on that part of the property.</p>	<p>Council encouraged the submitter's representative to be heard at the Panel and respond in writing to Council's formal response.</p> <p>Council also encouraged submitter's representative to put any complaint in writing.</p>
8 October	Email from submitter's representative.	Noted that they will not be attending the Planning Panel as the house has been demolished. Email also outlined issues with Council prior to the Amendment.	Council proposes to remove the house at 2-6 Sherwin Court from the extent of the Heritage Overlay (HO133).
Submission No. 2 – HO133			
Date	Type of Consultation	Summary	Outcome
4 August 2020	Virtual meeting between submitters and Council for	Discussion regarding the purpose of the Heritage Overlay and how it operates,	Council explained the purpose and operation of the Heritage Overlay,

	submitters to discuss their submission content.	recent site visit on 3 July, 10m curtilage, concern around agricultural fencing within the proposed Heritage Overlay.	Council's Heritage initiatives such as the free Heritage Advisory Service and Heritage Assistance Fund and the Amendment process going forward.
11 September 2020	<p>Council provided a formal response to Submission No. 2 (Parts 1 and 2) via email.</p> <p>Formal response consistent with response to submissions in Council Report dated 14.9.20.</p> <p>Tracked changes version of Citation and Statements of Significance enclosed.</p>	<p>Council noted that the Council officer's report would recommend removing the horse walker and southern stable from the extent of the Heritage Overlay, and that the HO polygon be revised to include a 10m curtilage about the outbuildings.</p> <p>The Council officer's report would also recommend consideration of an incorporated plan to respond to the submitter's concern regarding agricultural fencing.</p> <p>Council noted that the Council officer's report would recommend that all unresolved submissions be referred to PPV.</p>	
1 October 2020	Email from submitters in response to formal response to submission.	Submitter agreed the revised polygon is consistent with the footprint of the outbuildings. Submitter noted that agricultural fencing is already established within the revised polygon.	
1 October 2020	Email from Council in response to submitter's email.	Council confirmed recommendation that an incorporated plan be prepared to address the submitter's concern regarding the ability to move agricultural fencing freely without triggering the need for a permit.	
8 October 2020	Email from submitter in response to Council's previous email.	Submitter provided clarification regarding agricultural fencing for purpose of incorporated plan.	

5 November 2020	Email from Council to submitter providing a draft incorporated plan for review.	In addition to providing the draft incorporated plan for review it was explained how the incorporated plan would function and what it would and would not include.	
<b>Submission No. 4 – HO129 and HO130</b>			
<b>Date</b>	<b>Type of Consultation</b>	<b>Summary</b>	<b>Outcome</b>
11 September 2020	<p>Council provided a formal response to Submission No. 4 via email.</p> <p>Formal response consistent with response to submissions in Council Report dated 14.9.20.</p> <p>Tracked changes version of Citation and Statements of Significance enclosed.</p>	<p>Council noted that the Council officer's report would recommend that the citation and Statement of Significance be updated for the house and grave, including new information about the house, grave and stone pine tree.</p> <p>Council noted that the Council officer's report would recommend that all unresolved submissions be referred to PPV.</p>	
<b>Submission No. 5 – Attard – HO135</b>			
<b>Date</b>	<b>Type of Consultation</b>	<b>Summary</b>	<b>Outcome</b>
23 July 2020	Virtual meeting between submitter Council to discuss Submission No. 5.	Discussion of submission including vessels, 10m curtilage, a potential site visit, photographs of the vessels and the process of the amendment.	Council explained the importance of the heritage place, purpose of a Heritage Overlay and its operation, the purpose of a 10m curtilage and including that it is standard practice, the need for RBA to inspect the vessels and that time stamped photographs would be useful in the absence of a site visit. Council also explained the Amendment process including the purpose of the Panel.
23 July 2020	Email from submitter to Council enclosing photos of the cottage and vessels.	Refer to photographs enclosed at Attachment 9(A).	
11 September 2020	Council provided a formal response to the submission via email.	Council noted that the Council officer's report would recommend that the citation be revised to include new information	

	<p>Formal response consistent with response to submissions in Council Report dated 14.9.20.</p> <p>Tracked changes version of Citation and Statements of Significance enclosed.</p>	<p>about the vessels and a potential well, and that an aerial be provided to the submitter showing the 10m curtilage to scale.</p> <p>Council noted that the Council officer's report would recommend that all unresolved submissions be referred to PPV.</p>	
13 – 24 September	Multiple emails exchanged between submitter and Council.	Submitter has concerns with Council's formal response including the recommendations and a potential site visit.	Council offers to speak to submitter via phone. Council also provides information regarding referral of submissions to Panel.
25 September 2020	Phone conversation between Council and submitter.	Discussion regarding the condition of the site, difficulties with access to the property for a site visit, the vessels, the potential well, ownership of the road reserve adjacent to the property and the process going forward. There were questions from the submitter regarding the 10m curtilage and the Heritage Overlay controls.	Council explained that there is an obligation under the <i>Planning and Environment Act 1987</i> to protect heritage. Council explained the purpose of the Heritage Overlay and its controls. Council also noted the difficulties in assessing the vessels in the absence of an on-site inspection. The photographs of the vessels provided by the submitter were not time stamped, but were of assistance. Council explained the next steps in the Panel process.
29 September 2020	Council sent email to submitter with additional information following phone conversation.	Council provided submitter with a copy of Clause 43.01 as well as the proposed section of the Schedule pertaining to the Former Fulham Park and the confirmation that the road reserve adjacent to the property is owned by Council as the approved PSP shows Beattys Road as a connector road to be widened in the future.	
<b>Submission No. 6 – HO132</b>			
<b>Date</b>	<b>Type of Consultation</b>	<b>Summary</b>	<b>Outcome</b>

6 August 2020	Virtual meeting between submitter and Council to discuss submission.	Discussion regarding submission content, the landowner's active planning permit application, the recent site inspection on 3 July 2020 and subsequent recommendations by RBA, and the process going forward.	Council advised that following the site inspection 3 July 2020, RBA recommended that the sugar gum trees no longer be included in the proposed extent of the Heritage Overlay and that it be reduced accordingly, resulting in a curtilage of 10m about the Stallion Box.
11 September 2020	<p>Council provided a formal response to Submission No. 6 via email.</p> <p>Formal response consistent with response to submissions in Council Report dated 14.9.20.</p> <p>Tracked changes version of Citation and Statements of Significance enclosed.</p>	<p>Council noted that the Council officer's report would recommend that the sugar gum trees be removed from the proposed extent of the Heritage Overlay and that the curtilage about the Stallion Box be amended to 10m.</p> <p>Council noted that the Council officer's report would recommend that all unresolved submissions be referred to PPV.</p>	
14-15 September	Email correspondence regarding all submissions being referred to Panel.	Council referred to the Council report dated 14.09.20 and noted that all submissions which objected to the Amendment were referred to the Panel, as those submissions were not formally resolved as at the date of the Council report.	
October	Telephone call from Monica at Insight Planning to Georgina Borg at Council.	Insight Planning queried why the curtilage about the Stallion Box was proposed to be 10m rather than 5m (as exhibited).	<p>Council responded via email on 19 October advising that the curtilage about the Stallion Box was revised for the following reasons:</p> <p><i>When the area of the exercise yard associated with the stallion box was proposed to be included in the heritage overlay, the curtilage around the stallion box was proposed to be 5 metres on the</i></p>

			<p><i>southern side as the original rural setting of the stallion box would be retained and protected by way of the exercise yard to its north;</i></p> <p><i>After the area of the exercise yard was removed from the heritage overlay, the curtilage for the stallion box was revised to 10 metres on all sides, to ensure that the stallion box retains an appropriate rural setting and is not crowded out in the absence of the area of the exercise yard being included in the heritage overlay; and</i></p> <p><i>We note that a 10 metre curtilage is the standard default position for significant buildings in a rural context.</i></p>
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