



Our Reference: **6986 AL:AL**

Mr Peter Goth
Regional Director Sydney West
Department of Planning & Infrastructure
Locked Bag 5020
PARRAMATTA NSW 2124

2 August 2012

HERITAGE LISTING OF MENANGLE SCHOOL OF ARTS COMMUNITY HALL AND ITS CURTILAGE, LOCATED AT 4 STATION STREET, MENANGLE (LOT 1 DP 306368) IN SCHEDULE 5 TO THE WOLLONDILLY LEP 2011.

Dear Mr Goth,

At its Ordinary Council Meeting held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 June 2012, Wollondilly Shire Council resolved:

148/2012 Resolved;

That Council prepare a planning proposal to include the Menangle Hall located on Lot 1 DP 306368, 4 Station Street, Menangle in Schedule 5 of Wollondilly Local Environmental Plan, 2011 as a Heritage Item and that this planning proposal once prepared be forwarded to the Minister for Planning and Infrastructure for the Gateway process in accordance with section 56 to the Environmental Planning and Assessment Act, 1979.

Wollondilly Shire Council requests the Minister for Planning & Infrastructure's Gateway Determination on the Planning Proposal in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.

Please find attached the following **Planning Proposal** incorporating:

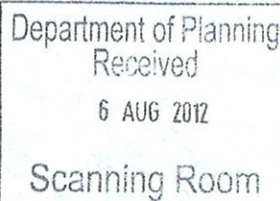
1. **Planning Proposal**
2. **Resolution – 18 June 2012**
3. **Report to Council – 16 August 2010.**

The attached planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Infrastructure's 'A guide to preparing a planning proposal' and 'A guide to preparing local environmental plans'.

For further enquiries in relation to this matter, please contact Sophie Perry (02) 4677 1151 or Alexandra Long (02) 46778226.

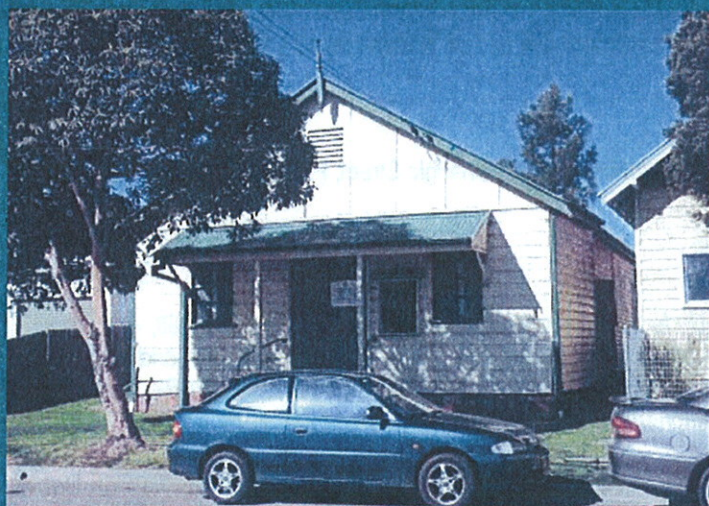
Yours sincerely,


Sophie Perry
Supervisor Strategic Planning
STRATEGIC PLANNING



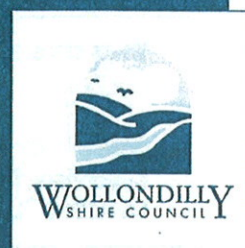
Planning Proposal

to amend Wollondilly Local Environmental Plan 2011



Heritage Listing of Menangle School of Arts Community Hall

for the listing of Menangle School of Arts Hall and its curtilage, located at 4 Station Street, Menangle (Lot 1 DP 306368) in Schedule 5 to the LEP 2011.



Contents

Introduction	3
Part 1 – Objectives or Intended Outcomes.....	4
Part 2 – Explanation of the Provisions	4
Part 3 – Justification	5
Section A – Need for the planning proposal	5
Section B – Relationship to strategic planning framework	7
Section C - Environmental, Social and Economic Impact.	8
Section D - State and Commonwealth interests.	9
Part 4 – Community Consultation.....	9
Additional criteria under ‘A guide to preparing local environmental plans’	10
Maps.....	11
Map 1 – Cadastre, Lot and DP Information	12
Map 2 – Proposed Amendment to Heritage Map.....	13
Appendices.....	14
Appendix 1 – Compliance with SEPPs	15
Appendix 2 – Assessment against Section 117(2) Directions.....	17
Appendix 3 – Net Community Benefit Test	19
Appendix 4 – Heritage Assessment and Statement of Significance	21
Appendix 5 – Letter from Department of Planning and Infrastructure confirming reclassification ...	27
Appendix 6 – Letter from Menangle Community Association Inc.	29

Introduction

This Planning Proposal has been prepared by Wollondilly Shire Council seeking an amendment to the provisions of the Wollondilly Local Environmental Plan (WLEP) 2011 to facilitate the Heritage listing of Menangle School of Arts Community Hall and its curtilage.

The subject site is known as Lot 1 DP 306368 at No. 4 Station Street, Menangle and is zoned B1 Neighbourhood Centre under Wollondilly Local Environmental Plan 2011. The site is located on the southern side of Station Street, adjoins two heritage items being the Menangle Store and St. Patrick's Catholic Church.

The Community Hall provides an important contribution to the heritage streetscape of Station Street, situated at the core of the Menangle Conservation Area.



DCDB © LP&I NSW 2012 | Aerial Photography © Nearmap 2011 | Created on 25 June 2012 | Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or errors or omissions therein.

Part 1 – Objectives or Intended Outcomes

The key objective of this Planning Proposal is to seek heritage listing of the former Menangle School of Arts Community Hall building and its curtilage.

The intended outcome of the Planning Proposal is to amend WLEP 2011 to list Menangle School of Arts Hall and its curtilage as an item of environmental heritage in Schedule 5 to the LEP.

Part 2 – Explanation of the Provisions

The objectives of the Planning Proposal can be achieved through the inclusion of the following amendments to the Wollondilly LEP 2011:

- Amend **Schedule 5 Environmental Heritage – Part 1 Heritage Items** to include:

Suburb	Item name	Address	Property description	Significance	Item no
Menangle	Menangle School of Arts Hall	4 Station Street	Lot 1, DP 306368	Local	

- Amend The Wollondilly LEP 2011 **Heritage Map – Sheets HER 010B and HER 011D** to show Menangle School of Arts Community Hall as a heritage item.

Part 3 – Justification

Section A – Need for the planning proposal

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

This Planning Proposal is a result of **Council Resolution 148/2012**, as follows:

Resolution 148/2012

1. That Council prepare a planning proposal to include the Menangle Hall located on Lot 1 DP 306368, 4 Station Street, Menangle in Schedule 5 of Wollondilly Local Environmental Plan, 2011 as a **Heritage Item** and that this planning proposal once prepared be forwarded to the Minister for Planning and Infrastructure for the Gateway process in accordance with Section 56 of the Environmental Planning & Assessment Act, 1979.”

A site visit and assessment has been carried out by Council's appointed Heritage adviser. A Significance assessment was carried out and noted the following:

Significance Assessment

Historical

High local historical significance, both as an integral part of the Menangle Village Precinct and as a valued part of the history of the local community. Architecturally reflects the history of public halls in small agricultural centres.

Association

Associated with the Macarthur family.

Aesthetic

The Hall provides an important contribution to the heritage streetscape of Station Street, situated at the core of Menangle Heritage Conservation Area.

The single-storey timber hall was constructed in the Federation Period as a social meeting place for the residents of Menangle. The architect and building contractor are unknown, although it is reasonable to believe that work was carried out by a local cottage builder for the Macarthur family, given the village was part of their estate.

Sited within a rectangular plot of land addressing Station Street, this single-storey Federation-style structure was designed in the late 19th century. This style of construction was prevalent in New South Wales c.1850-1890.

Early photos of other timber structures in the locality from the “Star Collection” indicate a consistent, simple built form, found typically throughout New South Wales in Federation times:

- Isolated brick piers with lime mortar, no ant caps, hardwood bearers and joists
- Tongue and groove flooring
- Feather-edged weatherboards, hardwood
- Panelled ‘stone’ proportioned facing boards to the street facade, this being the only ‘decoration’ to the exterior of the building
- Battened fibro gable end with rectangular timber ventilator to street facade and finial at ridge to fascia junction
- Twelve pane, painted timber, double-hung windows
- Ledged and braced side and rear exit doors
- Custom orb profile corrugated iron roofing with quad gutters and round downpipes.

The Hall exhibits an overall form and detailing type of Federation style cottage and small scale commercial structures in NSW. Interiors are plain and free of decoration. The street facade is symmetrical, having a monopitch verandah extending towards Station Street and sheltering two double-hung windows, equally spaced around the central entry door.

Technical

Not significant under this criterion.

Social

Not significant under this criterion.

Research

Low technical significance for demonstrating construction technology of the Federation period.

Rarity

Moderate rarity as an unusually intact local example of an early community hall type prevalent during the Federation period.

Representativeness

Good example of a Federation period hall.

Intactness

Substantially intact.

The Federation Hall was constructed on land which was originally part of the Camden Estate. The existing single storey, timber-framed structure is in a partially intact form. The exterior, except at its eastern façade, part of its northern façade and new roof cladding, has suffered change by way of additions and alterations, although some of its original architectural features are evident at its western and street facade. The interiors have also suffered change, especially in relation to significant alteration works carried out, c.1984 and 1994. The interior spatial arrangement of the Hall at the front or northern area has changed to accommodate male and female toilets, kitchenette and projection room. The aesthetic quality of the gabled facade at Station Street, exterior walls and roof form is evident. The rear, southern rooms, have been altered to form two office spaces, c.1984. The side access in the level surface area at the east of the Hall continues to provide pedestrian access and vehicular and hard surface for vehicles. Two in-ground reinforced concrete septic tanks are present at the north east area.

Significance Statement

The Menangle School of Arts Hall is of local significance, both as an integral part of the Menangle heritage conservation area and as a valued part of the history of the local community.

It is an intact example of a Federation period community hall. Architecturally, it includes all stages of evolution of the site, dating back to its original construction in the Federation Period.

The Hall and its setting are historically associated with the early settlement of Menangle during the 1890s and its subsequent subdivision and development. The Hall demonstrates many architectural details of the Federation Period and is representative of an area of land developed as part of the MacArthur family estate.

The Hall forms an integral part of the early settlement, subdivision and development of Menangle. Although altered a number of times over the course of the 20th century and suffering some neglect, it has retained its aesthetic qualities.

The Hall provides an important contribution to the heritage streetscape of Station Street, situated at the core of Menangle Heritage Conservation Area.

The Heritage Assessment and Statement of Significance is attached (Appendix 1).

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

Council may make a resolution to amend WLEP 2011 to include the former Menangle School of Arts Hall and a suitable curtilage in Schedule 5 'Environmental Heritage'. WLEP 2011 can be amended by a Planning Proposal and subject to the Minister for Planning and Infrastructure supporting the amendment. A Heritage Significance Assessment needs to be prepared in conjunction with a Planning Proposal.

It is considered that the Planning Proposal is the best means of achieving the stipulated objective.

3. Is there a net community benefit?

The proposed Heritage listing of Menangle School of Arts Hall will benefit the Menangle Community by helping to preserve an item of historical significance, a valued part of the history of the local community whilst also preserving its rural and historic setting. The School of Arts Community Hall is noted as a contributing building to the Menangle Urban Conservation Area. The visual contribution of the building also remains undiminished and continues to be considered important as a core village building dating from the principal development period of the township.

Menangle School of Arts Hall was previously owned by the Community however as a result of the attrition of interested community members, the title was transferred to Council in September 2001.

Following a structural Engineering Assessment carried out by an Independent Consultant the hall was deemed not structurally sound for public use and therefore the hall has been closed since 2 June 2005.

A report was presented to Council's March 2006 meeting where it was resolved that Council continue to negotiate with other bodies in respect of the options for provision of an alternate community facility in Menangle.

A period of time elapsed until in 2009 a decision was made to demolish the hall. Council was approached by representatives of the Menangle Community Association Inc. in May 2010, to discuss the possibility of Council selling the facility back to the community for a token sum. The association have expressed an interest in the restoration and preservation of the Hall for the community. It is seen to be both in the Council's and the community's best interest to return the ownership and management of the facility back to the community to empower the local residents and allow autonomy in terms of their activities in the Menangle area. The land was reclassified from Community to operational in accordance with Wollondilly Local Environmental Plan 2011 (Amendment No.1) as confirmed by the Minister's delegate in a letter dated 20 May 2011. The ownership was transferred to Menangle Community Association Inc. in May 2012.

Overall, the net community benefit will be achieved by retaining the School of the Arts Community Hall building, and maintaining its curtilage as it is of local significance, both as an integral part of the Menangle Heritage Conservation area and as a valued part of the history of the local community.

Separately listing the Menangle School of Arts Hall as a heritage item may enable the current owners to apply for financial assistance from public authorities for the restoration of the building. This will be beneficial to the local community by facilitating a community based restoration project and potentially returning the building to a community based use.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

This planning proposal is consistent with both the Metropolitan Strategy and draft South West Subregional Strategy, particularly the following actions in the draft South West Subregional Strategy:

- E6.2 recognise where Sydney's cultural heritage contributes to its character and manage change appropriately to reinforce local distinctiveness.
- E6.3 interpret and promote Sydney's cultural heritage.

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

Wollondilly Local Environmental Plan 2011

Wollondilly Local Environmental Plan (WLEP) 2011 was published on 23 February 2011. This proposal aims to heritage list the former Menangle School of Arts Community Hall building and its curtilage. The intended outcome of the Planning Proposal is to amend WLEP 2011 to list Menangle School of Arts Community Hall and its curtilage as an item of environmental heritage in Schedule 5 to the LEP.

Wollondilly Council's Community Strategic Plan

The Wollondilly Community Strategic Plan (WCSP) 2030 provides goals for various aspects of the Wollondilly region including community, infrastructure, economy, governance and environment. The planning proposal is consistent with the following objectives of Council's Community Strategic Plan:

Environment

- A community that is surrounded by a built and natural environment that is valued and preserved;
- A community that has opportunities to engage with and actively care about their natural environment.

The WCSP seeks to protect the unique environmental quality of the Shire by ensuring that the impact of new development is minimised through the preservation of sensitive sites and rural landscapes. Retaining and managing heritage items is a means of identifying the value of items and places of significance to the community.

Community

- A resilient community that has access to a range of activities, services and facilities;
- An engaged, connected and supported community that values and celebrates diversity.

The proposed heritage listing of the school hall has community support. The current owners intend that the hall be retained for future reuse for a community related purpose.

Governance

- A community that is supported through engagement, collaboration and partnerships across government agencies and private business;
- A transparent, effective and sustainable Council.

There will be opportunity for community engagement and a public hearing during the Planning Proposal process.

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

The planning proposal is consistent with applicable State Environmental Planning Policies (see Appendix 1).

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable Section 117 Directions (see Appendix 3).

Section C - Environmental, Social and Economic Impact.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This planning proposal will not have a detrimental impact on critical habitat or threatened species populations or ecological communities or their habitats.

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

The subject site does not constitute environmentally significant land or riparian land.

Initial investigations indicate that the site is not identified as flood hazard.

The subject site is located within an area nominated as a mine subsidence area as described by the Mine Subsidence Board.

The subject site has not been identified as bushfire prone land.

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

In 2005, the Menangle School of Arts Community Hall was closed following a structural Engineering Assessment deemed it not sound for public use. The Menangle Community Association Inc. has since acquired the Hall building from Council with the intent of refurbishing it. The proposal will have a positive social and economic benefit through:

- Community interest will be best served by preserving the heritage value of the locale ensuring that the heritage significance of the buildings, streetscape and landscapes within Menangle Village are preserved.
- Reuse of the School Hall building for community purposes will enable the ongoing and viable protection of the structure and interpretation of the site.

Section D - State and Commonwealth interests.

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

There would be no change to existing public infrastructure by this proposal.

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

A gateway determination has not yet been issued. No State agency has been consulted on the Planning Proposal to date.

Part 4 – Community Consultation

Council proposes that the planning proposal be exhibited in accordance with the requirements of Section 57 of the Environmental Planning and Assessment Act 1979 and Section 29 of the Local Government act 1993.

It is proposed that the planning proposal will be placed on exhibition for a minimum of 28 days. Written notification of the community consultation will be provided in the local newspaper and on Council's website.

In addition to this, adjoining and nearby neighbours including interested neighbourhood groups will be notified in writing. The written notice will include:

- A brief description of the intended outcomes of the planning proposal;
- An indication of the land which is affected by the proposal;
- Information on where and when the planning proposal can be inspected;
- The name and address of Council for the receipt of submissions; and
- The closing date for submissions.

During the exhibition period, the following material will be made available for inspection:

- The Planning Proposal, in the form approved for community consultation by the Director General of Planning;
- The gateway determination;
- The Council report; and
- Any studies relied upon by the Planning Proposal.

A public hearing shall also be conducted in accordance with Section 57 to the Environmental Planning and Assessment Act, 1979.

Additional criteria under 'A guide to preparing local environmental plans'

If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished.

The planning proposal does not include the extinguishment of any interests in the land.

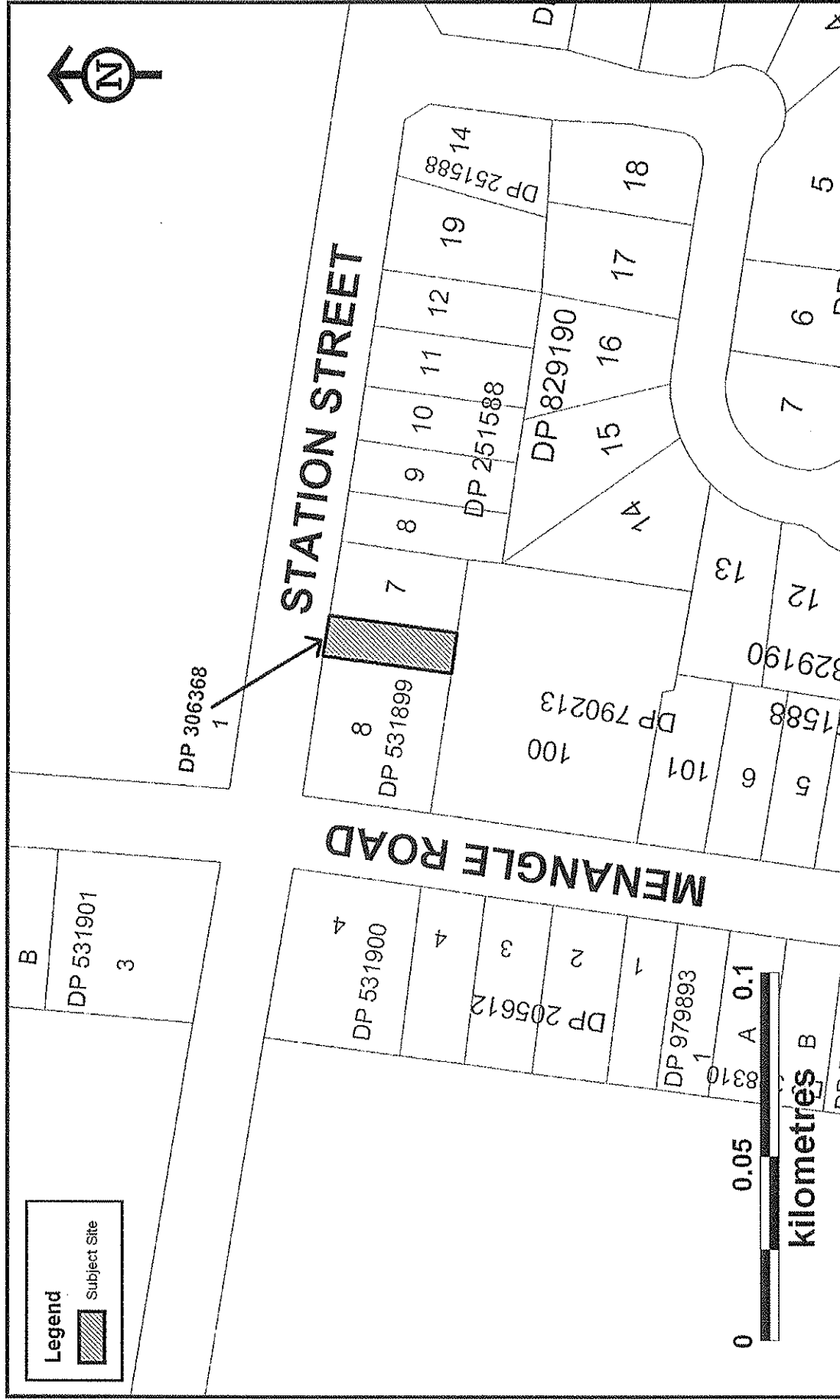
The concurrence of the landowner, where the land is not owned by the relevant planning authority

The Menangle School of Arts Hall was closed in 2005 due to structural problems. Since that time, the land has been reclassified operational and subsequently sold to the Menangle Community Association Inc. Menangle Community Association Inc. intend to restore the building for community use. A letter of support for this Planning Proposal from Menangle Community Association Inc. is included in Appendix 6.

Maps

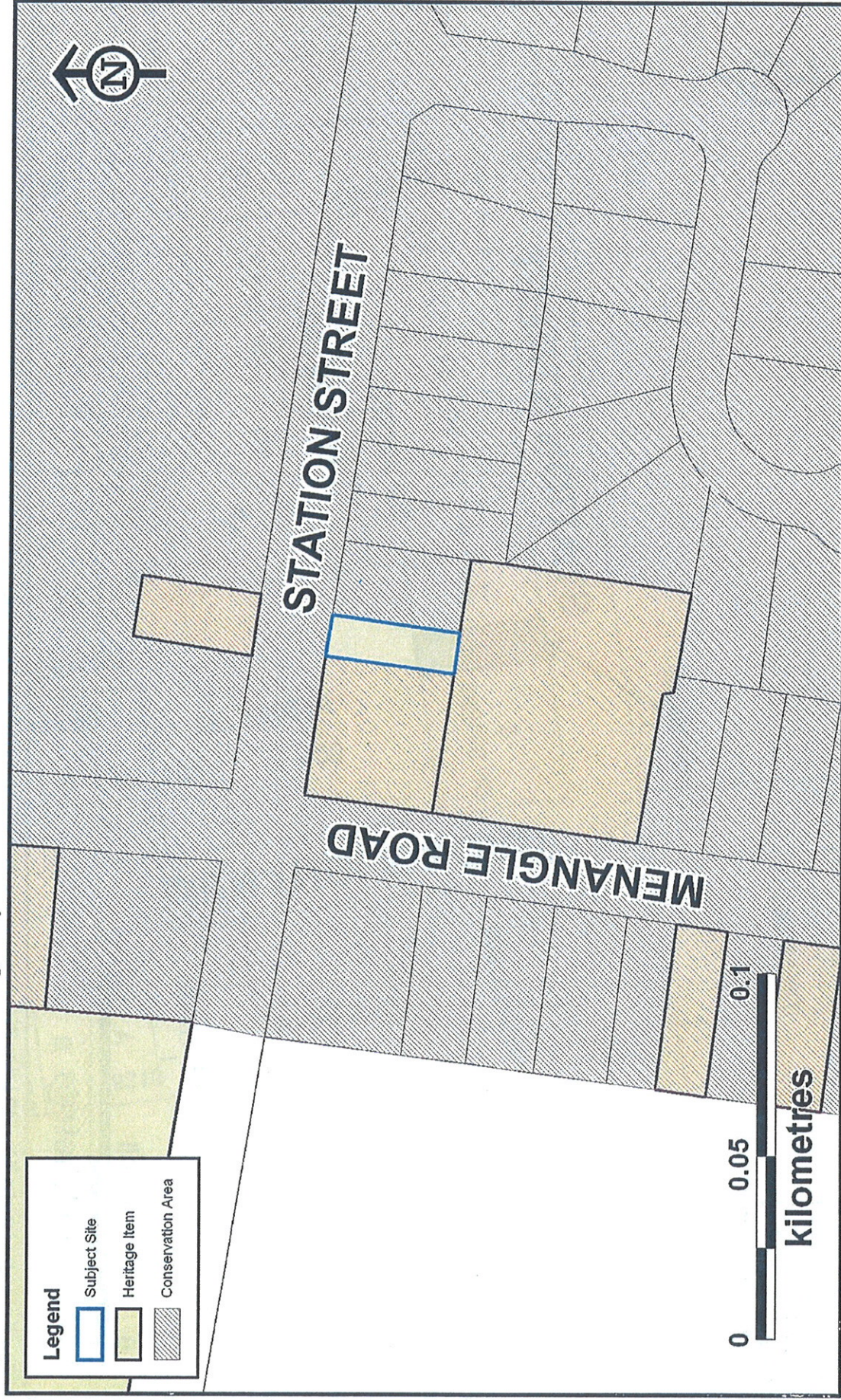
1. Cadastre, Lot & DP Information
2. Proposed Amendment to Heritage Map

Map 1 – Cadastre, Lot and DP Information



DCDB © LP&I NSW 2012 | Created on 25 June 2012 | Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or errors or omissions therein.

Map 2 – Proposed Amendment to Heritage Map



DCDB © LP&I NSW 2012 | Created on 25 June 2012 | Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or errors or omissions therein.

Appendices

1. Compliance with SEPPs

Table indicating compliance with applicable State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

2. Assessment against Section 117(2) Directions

Table indicating compliance with applicable section 117(2) Ministerial Directions issued under the Environmental Planning and Assessment Act (EP&A Act) 1979.

3. Net Community Benefit Test

Table indicating compliance with the Net Community Benefit Test within the Draft Centres Policy (2009).

4. Heritage Assessment and Statement of Significance

Report prepared by Black Mountain Projects Pty Ltd.

5. Letter from Department of Planning and Infrastructure confirming reclassification

6. Letter of Support from Menangle Community Association Inc.

Appendix 1 – Compliance with SEPPs

The table below indicates compliance, where applicable, with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
1	Development Standards	N/A	Not applicable in the Shire of Wollondilly.
4	Development Without Consent and Miscellaneous Complying Development	N/A	Not applicable in the Shire of Wollondilly.
6	Number of Storeys in a Building	Yes	The Planning Proposal will use the Standard Instrument to control building height.
14	Coastal Wetlands	N/A	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	N/A	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	N/A	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	N/A	Not applicable to this Planning Proposal.
22	Shops and Commercial Premises	N/A	Not applicable to this Planning Proposal.
26	Littoral Rainforests	N/A	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	N/A	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	N/A	Not applicable to this Planning Proposal.
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The planning proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	N/A	Not applicable to this Planning Proposal.
36	Manufactured Home Estates	N/A	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	N/A	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	N/A	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	N/A	Not applicable to this Planning Proposal.
47	Moore Park Showground	N/A	Not applicable in the Shire of Wollondilly.
50	Canal Estates	N/A	Not applicable to this Planning Proposal.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	N/A	Wollondilly Shire is currently exempted from this SEPP.
55	Remediation of Land	N/A	Potential contamination of the site has been previously assessed. In accordance with the previous assessment, the site is suitable for the intended adaptive reuse of the site.
59	Central Western Sydney Economic and Employment Area	N/A	Not applicable in the Shire of Wollondilly.
60	Exempt and Complying Development	N/A	Not applicable in the Shire of Wollondilly.
62	Sustainable Aquaculture	N/A	Not applicable in the Shire of Wollondilly.
64	Advertising and Signage	N/A	Not applicable to this Planning Proposal.
65	Design Quality of Residential Flat Development	N/A	Residential flat buildings are prohibited on the subject site.

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
70	Affordable Housing (Revised Schemes)	N/A	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	N/A	Not applicable to this Planning Proposal.
	SEPP (Housing for Seniors or People with a Disability)	Yes	The planning proposal will not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy.
	SEPP (Kurnell Peninsula) 1989	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	N/A	Not applicable to this Planning Proposal.
	SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The Planning Proposal will not contain provisions that will contradict or hinder the application of this SEPP.
	SEPP (Temporary Structures) 2007	N/A	Not applicable to this Planning Proposal.
	SEPP (Infrastructure) 2007	N/A	Not applicable to this Planning Proposal.
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Exempt and Complying Development Codes) 2008	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
	SEPP (Western Sydney Parklands) 2009	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable in the Shire of Wollondilly.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)		Consistency	Comments
9	Extractive Industry (No 2)	N/A	Not applicable to this Planning Proposal.
20	Hawkesbury–Nepean River (No 2 - 1997)	Yes	This proposal is consistent with this SREP.
27	Wollondilly Regional Open Space	N/A	Repealed 26/06/2009.
1	Drinking Water Catchments Regional Environmental Plan No 1	N/A	Subject lands are not located within the jurisdiction of REP No. 1.

Appendix 2 – Assessment against Section 117(2) Directions

The table below assesses the planning proposal against Section 117(2) Ministerial Directions issued under the Environmental Planning and Assessment Act (EP&A Act) 1979.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	N/A	N/A	Direction does not apply.
1.2 Rural Zones	Yes	Yes	Direction does not apply.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	N/A	Direction does not apply.
1.4 Oyster Production	N/A	N/A	Direction does not apply.
1.5 Rural Lands	N/A	N/A	Direction does not apply.
2. Environment and Heritage			
2.1 Environmental Protection Zones	N/A	N/A	Direction does not apply.
2.2 Coastal Protection	N/A	N/A	Direction does not apply.
2.3 Heritage Conservation	Yes	Yes	The Planning Proposal contains provisions that facilitate the conservation of a building of environmental heritage significance identified in a Heritage Assessment and Statement of Significance.
2.4 Recreation Vehicle Area	N/A	N/A	Direction does not apply.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Yes	Yes	The Planning Proposal shall not change existing provisions for housing and essential services.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes	The Planning Proposal shall not change existing provisions for caravan parks.
3.3 Home Occupations	Yes	Yes	The Planning Proposal shall not change existing provisions for Home Occupations.
3.4 Integrating Land Use and Transport	Yes	Yes	The Planning Proposal shall not change the land uses and building forms to the extent that the objectives of this Direction need to be involved.
3.5 Development Near Licensed Aerodromes	N/A	N/A	Direction does not apply.
3.6 Shooting Ranges	N/A	N/A	Direction does not apply.
4. Hazard and Risk			
4.1 Acid Sulphate Soils	N/A	N/A	Direction does not apply
4.2 Mine Subsidence and Unstable Land	Yes	Yes	The subject site is within a proclaimed mine subsidence area. The Mine Subsidence Board does not need to be consulted at this stage as this planning proposal does not permit development on the subject site. The proposal is consistent with this direction.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
4.3 Flood Prone Land	N/A	N/A	Direction does not apply. The subject land is not identified by Council as being flood prone.
4.4 Planning for Bushfire Protection	Yes	Yes	Direction does not apply. The subject land is not identified by Council as being bushfire prone.
5. Regional Planning			
5.1 Implementation of Regional Strategies	N/A	N/A	Direction does not apply.
5.2 Sydney Drinking Water Catchments	N/A	N/A	Direction does not apply.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A	Direction does not apply.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A	Direction does not apply.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	N/A	Revoked.
5.6 Sydney to Canberra Corridor	N/A	N/A	Revoked.
5.7 Central Coast	N/A	N/A	Revoked.
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A	Direction does not apply.
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	The proposal is consistent with this direction because it does not alter the provisions relating to approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes	Yes	The Planning Proposal does not affect land reserved for public purposes nor does it change existing reservations.
6.3 Site Specific Provisions	N/A	N/A	Direction does not apply.
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Yes	This planning proposal is consistent with the Metropolitan Strategy (refer to Part 3 Section D to the Planning Proposal).

Appendix 3 – Net Community Benefit Test

The following table addresses the evaluation criteria for conducting a Net Community Benefit Test within the Draft Centres Policy (2009) as required by the guidelines for preparing a planning proposal:

Evaluation Criteria	Yes/ No	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes	The proposal is compatible with the Metropolitan Strategy and Draft South West subregional Strategy.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	No	
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No	The proposal is unlikely to create a precedent within the locality. The proposal does not change the expectations of the current landowner (DEC) and is the intended future landowner.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes	There are no spot rezonings in the locality.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	No	The site is not zoned to facilitate employment nor will it result in a loss of employment land.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No	The proposal will not impact upon the supply of residential land.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Yes	The Planning Proposal does not facilitate a change to the use of the site and no change to demands for infrastructure, public transport or shared pathway access are associated with the proposal.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	No	The Planning Proposal will have no impact on travel requirements, greenhouse gas emissions or road safety.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	No	The Planning Proposal will have no impact on government investments in infrastructure and services in the locality.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	No	The Planning Proposal will have no impact on land of high biodiversity values or other environmental assets.
Will the LEP be compatible / complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Yes	The proposal is compatible with adjoining land uses and the amenity fo the community. The heritage listing will contribute to the overall social and cultural interpretation of the locality.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	No	The Planning Proposal will not change the number of commercial premises.

Evaluation Criteria	Yes/ No	Comment
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A	N/A
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?		The proposal to heritage list the school of Arts hall building and its curtilage has been identified as being of high local significance, both as an integral part of the Menangle Village Precinct and as a valued part of the history of the local community, for these reasons it is deemed to be of public interest. If the building was not added to Schedule 5 of the LEP at this time, the site is still within the Menangle Conservation Area and the provisions relating to Heritage Conservation and the provisions relating to Heritage Conservation in the WLEP 2011 still apply.

Statement of Significance

as prepared by Black Mountain Projects Pty Ltd

June 2012