

Clarence Valley LEP 2011 - Heritage listing of the Nymboida Police Station Complex

Proposal Title : Clarence Valley LEP 2011 - Heritage listing of the Nymboida Police Station Complex

Proposal Summary : The proposal seeks to include the Nymboida Police Station Complex at Lot 116 DP 723024, Armidale Rd, Nymboida as a local heritage item in Schedule 5 of Clarence Valley LEP 2011

PP Number : PP_2014_CLARE_007_00 **Dop File No :** 14/18303

Proposal Details

Date Planning Proposal Received : 17-Dec-2014 **LGA covered :** Clarence Valley

Region : Northern **RPA :** Clarence Valley Council

State Electorate : CLARENCE **Section of the Act :** 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : Armidale Rd

Suburb : **City :** Nymboida **Postcode :** 2460

Land Parcel : Lot 116 DP 723024

DoP Planning Officer Contact Details

Contact Name : Craig Diss

Contact Number : 0267019685

Contact Email : craig.diss@planning.nsw.gov.au

RPA Contact Details

Contact Name : Deborah Wray

Contact Number : 0266430271

Contact Email : Deborah.Wray@clarence.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **Release Area Name :**

Regional / Sub Regional Strategy : **Consistent with Strategy :**

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MDP Number :

Date of Release :

Area of Release
(Ha) :Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes
Lobbyists Code of
Conduct has been
compiled with :If No, comment : The NSW Government's Lobbyists Code of Conduct has been compiled with to the best of
the Region's knowledge.Have there been No
meetings or
communications with
registered lobbyists? :If Yes, comment : Northern Region has not met any lobbyists in relation to this proposal, nor has Northern
Region been advised of any meeting between other Departmental officers and lobbyists
concerning this proposal.**Supporting notes**Internal Supporting
Notes :External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment : The objectives and intended outcomes of the planning proposal are adequately expressed
for the proposed amendment.**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? Yes

Comment : The planning proposal provides a clear explanation of the intended provisions to achieve
the objectives and intended outcomes.**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

Is the Director General's agreement required? Yes

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

North Coast REP 1988

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e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Refer to discussion below**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal contains maps illustrating the location of the site and are adequate for the purposes of a Gateway determination assessment.**

The proposal will require an amendment to the heritage map series contained in Clarence Valley LEP 2011. It is recommended that the additional heritage mapping be prepared in accordance with the Department's standard technical requirements and included in the public exhibition material.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has identified this matter as a 'low impact' proposal and is seeking a 14 day public exhibition period. This is considered to be appropriate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The planning proposal satisfies the adequacy criteria by:**
1. Providing appropriate objectives and intended outcomes;
2. Providing a suitable explanation of the provisions proposed for the LEP to achieve the outcomes;
3. Providing an adequate justification for the proposal;
4. Outlining the proposed community consultation; and
5. Completing the evaluation criteria for the delegation of plan making functions.

While a project timeline has not been provided, due to the minor nature of the proposal, it is considered that a 6 month time frame would be adequate. Prior to public exhibition, the planning proposal should be amended to include this timeline.

Council has confirmed that it wishes to use its plan making delegations for this matter. As the proposal only involves matters of local significance, it is considered appropriate that a written authorisation to use plan making delegations be issued to Council for this matter.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Clarence Valley LEP 2011 was published in December 2011.

Assessment Criteria

Need for planning proposal :	The need for the proposal arose due to an inquiry from the NSW Police Force in regard to the potential demolition and replacement of the existing Nymbolda police residence. The current Nymbolda Police complex consists of the residence and station, the lock up, the outhouse and the garage (former stables). While Council's existing Community Based Heritage Study does not include the former Nymbolda and Ulmarra areas in which the residence is located, the potential significance of the site was recognised by Council and it was recommended to the owner that a formal heritage assessment be undertaken. Council also sought that the NSW Minister for Heritage place an Interim Heritage Order on the Police Complex pending the completion of the heritage assessment. The Minister declined to issue an Interim order pending the outcome of a full heritage assessment. Ainsworth Heritage have now completed a heritage assessment of the Nymbolda Police Complex on behalf of the NSW Police Force and have concluded that the complex is an item of local heritage significance. The proposal is therefore now needed so that amendments can be made to Clarence Valley LEP 2011 to identify the complex as a local heritage item.
Consistency with strategic planning framework :	The proposal is considered to be consistent with the Mid North Coast Regional Strategy, relevant SEPPs and applicable s117 Directions except in relation to s117 Direction 4.4 Planning for Bushfire Protection. The site is identified as being bushfire prone and therefore consultation with the NSW Rural Fire Service after the issue of a Gateway determination is required. Any potential inconsistencies with this Direction can only be resolved following completion of the required consultation. While Council does not currently have a Department approved local strategy addressing heritage matters in the Nymbolda and Ulmarra areas, the findings of the heritage assessment prepared by Ainsworth Heritage are considered as sufficient to justify the inclusion of the Nymbolda Police Complex in Clarence Valley LEP 2011 as an item of local heritage significance.
Environmental social economic impacts :	No adverse social, environmental or economic impact associated with the proposal has been identified.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	14 Days
Timeframe to make LEP :	6 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :	Office of Environment and Heritage NSW Police Force NSW Rural Fire Service		
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :	Consultation with the following agencies is recommended: Office of Environment and Heritage - Heritage Branch NSW Rural Fire Service NSW Police Force		

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While it is understood from Council that the NSW Police Force has no objection to the findings of the Ainsworth Heritage Assessment that they commissioned, or the proposed local heritage listed of the Nymboida Police Station complex, it is recommended that they be formally consulted in this instance as the owner of the land.

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No Internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council cover letter.pdf	Proposal Covering Letter	Yes
Council Report.pdf	Proposal	Yes
Planning Proposal.pdf	Proposal	Yes
Ainsworth Heritage Assessment.pdf	Study	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
 4.3 Flood Prone Land
 4.4 Planning for Bushfire Protection
 5.1 Implementation of Regional Strategies

Additional Information : **It is recommended that:**

- 1. The planning proposal be supported;**
- 2. The Planning Proposal be exhibited for 14 days;**
- 3. The proposal be completed within 6 months;**
- 4. The Secretary's delegate note the potential outstanding inconsistency with s117 Direction 4.4 Planning for Bushfire Prone Land;**
- 5. Consultation is to be undertaken with the following agencies:**
 - Office of Environment and Heritage - Heritage Branch**
 - NSW Rural Fire Service**
 - NSW Police Force**
- 6. Prior to public exhibition:**
 - a) the Planning Proposal is to be revised to include a project timeline demonstrating completion within 6 months**
 - c) LEP heritage maps prepared in accordance with the Department's standard technical requirements shall be included in the proposal**

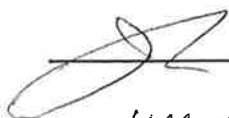
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7. A written authorisation to exercise plan making delegations for this matter be issued to Council.

Supporting Reasons :

The proposal is supported and is considered as necessary to provide appropriate planning protection to an identified item of local heritage significance.

Signature:



Printed Name:

JIM CLARK

Date:

18 December 2014