

Planning and Assessment

IRF19/5657

Gateway determination report

LGA	Temora
PPA	Temora Shire Council
NAME	Amend Temora LEP 2010 to update the list of heritage items and to add the Arianh Park Conservation Area (0 homes, 0 jobs)
NUMBER	PP_2019_TEMOR_003_00
LEP TO BE AMENDED	Temora LEP 2010
ADDRESS	Various locations throughout the LGA
DESCRIPTION	Various locations throughout the LGA
RECEIVED	20 August 2019
FILE NO.	IRF19/5657
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. INTRODUCTION

1.1 Description of planning proposal

Temora Shire Council seeks to amend Temora LEP 2010 to update Schedule 5 and the Heritage Map to;

- add 47 new heritage items,
- amend 26 existing heritage items to correct information on locality, item name, property description and/or significance, and
- add a new conservation area located in Arianh Park village.

1.2 Site description

The planning proposal includes locality maps and extracts from the Temora Heritage Study that describe each of the proposed new heritage items and the proposed Arianh Park Conservation Area.

Most new heritage items are in the urban areas of Temora township (22) and Arianh Park village (8). The remaining items (17) are in the rural areas of Temora LGA.

1.3 Summary of recommendation

It is recommended that the planning proposal proceed because;

- it seeks to update Schedule 5 and the heritage map to identify significant heritage items identified by the Temora Heritage Study; and
- make corrections to existing items listed in Schedule 5,
- make changes to Schedule 5 and the heritage map consistent with section 9.1 Direction 2.3 Heritage Conservation and the Riverina Murray Regional Plan.

2. PROPOSAL

2.1 Objectives or intended outcomes

The planning proposal clearly indicates that it seeks to update the existing schedule of environmental heritage to add new items and make corrections to existing items “which will assist in the preservation of these items into the future”.

2.2 Explanation of provisions

The planning proposal clearly states that it seeks to amend Temora LEP 2010 to:

- Amend Schedule 5 and the heritage map to add 47 new heritage items.
- Amend Schedule 5 to amend 26 existing heritage items to correct information on locality, item name, property description and/or significance.
- Amend Schedule 5 and the heritage map to add a new conservation area located in Aria Park village.

2.3 Mapping

The planning proposal provides maps to identify the 47 proposed new heritage items and the proposed new Aria Park Conservation Area.

The planning proposal acknowledges that amendments will be required to the Heritage Map sheets to identify the new heritage items and Aria Park conservation area.

The planning proposal states that changes to update information on 26 existing heritage items does not require any amendments to the heritage map.

3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is the only means by which Council can amend the Temora LEP 2010 to correct errors in the existing list of heritage items in Schedule 5 and to add 47 new heritage items and a new conservation area at Aria Park village.

4. STRATEGIC ASSESSMENT

4.1 State

There are no known state matters that prevent the planning proposal from proceeding to community consultation.

4.2 Regional

The planning proposal is consistent with Direction 29 of the Riverina Murray Regional Plan, i.e. to protect the region’s Aboriginal and historic heritage, Action 29.1 “Undertake and implement heritage studies, including regional Aboriginal cultural heritage studies, to inform local land use strategies” and Action 29.4 “Recognise and conserve heritage assets that have community significance in local plans.”.

4.3 Local

The planning proposal is consistent with Council's local strategy because it implements the findings of the Temora Heritage Study.

4.4 Section 9.1 Ministerial Directions

The planning proposal is consistent with all applicable section 9.1 Directions, including Direction 2.3 Heritage Conservation.

Direction 2.3 Heritage Conservation

This Direction specifically applies to the planning proposal because it seeks to conserve items and places of environmental heritage significance.

The planning proposal is consistent with this Direction because it seeks to update Schedule 5 and the heritage map to;

- add 47 new heritage items identified as having heritage significance;
- correct errors in the list of existing heritage items in Schedule 5, and
- add the Aria Park Conservation area because it still retains a 1920's streetscape.

4.5 State environmental planning policies (SEPPs)

The planning proposal indicates that there are no SEPPs that are applicable to the planning proposal. The planning proposal is not inconsistent with any SEPP.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The planning proposal indicates that amendments to Schedule 5 and the heritage map will have a positive social effect for Temora Shire by protecting locally important heritage items and locations for current and future generations.

The planning proposal states that Council has undertaken early consultation with affected landowners as part of the preparation of the planning proposal and did not receive any objections.

Based on Council's preliminary consultation process it appears that, at this stage, there will not be any significant adverse social impacts as a result of changes to the heritage conservation provisions in the Temora LEP.

5.2 Environmental

The planning proposal has indicated that there are no likely environmental affects that have been identified.

The planning proposal seeks to protect environmental heritage values by adding 47 heritage items and a new conservation area under the Temora LEP 2010 that have been identified in the Temora Heritage Study. The proposal is therefore unlikely to create any adverse environmental impacts.

5.3 Economic

The planning proposal indicates that amendments to Schedule 5 and the heritage map will have a positive economic effect for Temora Shire by protecting locally important heritage items and locations for current and future generations.

The planning proposal states that Council has undertaken early consultation with affected landowners as part of the preparation of the planning proposal and did not receive any objections.

Based on Council's preliminary consultation process it appears that, at this stage, there will not be any significant adverse economic impacts as a result of changes to the heritage conservation provisions in the Temora LEP.

6. CONSULTATION

6.1 Community

The recommendation in the planning proposal for a minimum 28 days community consultation period is supported.

6.2 Agencies

It is recommended that Council consult with the Department of Premier and Cabinet – Heritage and Community Engagement.

7. TIME FRAME

The planning proposal has indicated that the draft plan will be ready to be forwarded to the Department or Parliamentary Counsel by May 2020 (approximately 9 months). Council should be given 12 months to finalise the plan to provide enough time to complete community consultation, prepare amendments to the Heritage Map and to liaise with the Parliamentary Counsel's office on the preparation of the draft instrument and to obtain an Opinion on the final draft LEP.

8. LOCAL PLAN-MAKING AUTHORITY

Council has not requested to be the local plan-making authority. Council should be the local plan making authority because;

- the amendments to Schedule 5 and the heritage Map under Temora LEP 2010 implements Council's Temora Heritage Study,
- the planning proposal does not raise any significant state matters, and
- the planning proposal is consistent with section 9.1 Direction 2.3 Heritage Conservation and the Riverina Murray Regional Plan.

9. CONCLUSION

The planning proposal is supported to proceed with conditions (i.e. community and agency consultation) because it seeks to update Schedule 5 and the heritage map consistent with the Temora Heritage Study, section 9.1 Direction 2.3 Heritage Conservation and the Riverina Murray Regional Plan.

10. RECOMMENDATION

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

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. Consultation is required with the Department of Premier and Cabinet – Heritage and Community Engagement.
3. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.

4. Given the nature of the planning proposal, Council should be the local plan-making authority.



29/08/2019

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