

Berrigan LEP 2013 - Amendment No. 2 - Listing of Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item

Proposal Title :	Berrigan LEP 2013 - Amendment No. 2 - Listing of Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item		
Proposal Summary :	Amending Schedule 5 (Environmental Heritage) of Berrigan LEP 2013 to list the Scots Presbyterian Church at 13-19 Denison Street, Finley (Lot 1 Sec 2 DP 758412) as a Heritage Item.		
PP Number :	PP_2015_BERRI_001_00	Dop File No :	15/16872-1

Proposal Details

Date Planning Proposal Received :	19-Nov-2015	LGA covered :	Berrigan
Region :	Western	RPA :	Berrigan Shire Council
State Electorate :	MURRAY DARLING	Section of the Act :	55 - Planning Proposal
LEP Type :	Reclassification		

Location Details

Street :	13-19 Denison Street		
Suburb :		City :	Finley
		Postcode :	2713
Land Parcel :	Lot 1 Sec 2 DP 758412		

DoP Planning Officer Contact Details

Contact Name :	Ben Eveleigh		
Contact Number :	0268412180		
Contact Email :	ben.eveleigh@planning.nsw.gov.au		

RPA Contact Details

Contact Name :	Camillus O'Kane		
Contact Number :	0358885100		
Contact Email :	camilluso@berriganshire.nsw.gov.au		

DoP Project Manager Contact Details

Contact Name :	Wayne Garnsey		
Contact Number :	0268412180		
Contact Email :	wayne.garnsey@planning.nsw.gov.au		

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A

Berrigan LEP 2013 - Amendment No. 2 - Listing of Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item

MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment : No known meetings with Lobbyists

Supporting notes

Internal Supporting Notes : The planning proposal seeks to amend Schedule 5 (Environmental heritage) of Berrigan LEP 2013 to list the Scots Presbyterian Church at 13-19 Denison Street, Finley (Lot 1 Sec 2 DP 758412) as a Heritage Item.

The Minister for Heritage made an Interim Heritage Order (IHO NO.129) under Section 24 of the Heritage Act 1977 over the church which was gazetted on 7 May 2015. The IHO is in place for 12 months, and provides Berrigan Shire Council with the opportunity to undertake a heritage assessment of the church, and if the church is found to be of local heritage significance, prepare and lodge a planning proposal to list the church as a heritage item in Berrigan LEP 2013.

On 8 July 2015, the National Trust of Australia (NSW) also listed the church on the Trust Register.

Berrigan Shire Council have now completed a heritage assessment of the church which determined that the church has local heritage significance, and recommends that the church be listed as a heritage item in Berrigan LEP 2013.

Council have therefore now lodged the planning proposal to amend Schedule 5 (Environmental Heritage) of Berrigan LEP 2013 to list the Scots Presbyterian Church as a Heritage Item.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The planning proposal identifies the intended outcome to list Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item in Schedule 5 (Environmental heritage) of the Berrigan LEP 2013.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal includes an explanation of the provisions that are proposed to be included in Schedule 5 (Environmental heritage) of the Berrigan LEP 2013.**

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

Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified?

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

Section 117 Directions:

2.3 Heritage Conservation

The Ministerial Direction is relevant to the planning proposal as it involves listing the Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item in the Berrigan LEP 2013. The proposal is consistent with this direction as it will conserve the local heritage significance of the church through its listing in the LEP. The listing is supported by a heritage assessment of the church which has been undertaken by Berrigan Shire Council. The National Trust of Australia (NSW) also listed by the church in the Trust Register on 8 July 2015.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Draft maps have been provided. A condition has been recommended that, prior to the submission of the planning proposal under section 59 of the EP&A Act, a 'Heritage Map' be prepared compliant with the Department's "Standard technical requirements for LEP Maps".**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed a period of 28 days of community consultation. This is considered 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 :

Berrigan LEP 2013 - Amendment No. 2 - Listing of Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item

Proposal Assessment

Principal LEP:

Due Date : **October 2013**

Comments in relation
to Principal LEP :

Assessment Criteria

Need for planning proposal : **The planning proposal is required to list the Scots Presbyterian Church at 13-19 Denison Street, Finley as a local Heritage Item in the Berrigan LEP 2013. The listing of the church will provide for its ongoing conservation, and any proposed future development of the church will be required to address the relevant heritage provisions of the LEP.**

Consistency with strategic planning framework : **There is currently no final regional strategy applicable to the land. However, the land is subject to the Draft Murray Regional Strategy 2009 (draft strategy), and the proposal is generally consistent with the relevant aims and objectives of the draft strategy.**

The proposal is consistent with the Berrigan Shire 2023 Community Strategic Plan which includes actions and initiatives to preserve and further develop the Shire's cultural heritage and local history, and to enhance the visual amenity, heritage and livability of its communities.

Environmental social economic impacts : **The church has local heritage significance as a fine example of interwar classical style architecture as well as forming part of the main civic and religious centre within Finley. The church is also the only remaining original Presbyterian Church building within the LGA. The church is also currently in good condition with a very high degree of original fabric. The proposed heritage listing of the church in the Berrigan LEP 2013 will provide for its ongoing conservation and will have a positive environmental and social impact on the local community.**

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **0 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

Berrigan LEP 2013 - Amendment No. 2 - Listing of Scots Presbyterian Church at 13-19 Denison Street, Finley as a Heritage Item

If Other, provide reasons :

Identify any internal consultations, if 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
Berrigan Shire Council Cover Letter.pdf	Proposal Covering Letter	No
Request for Initial Gateway Determination.pdf	Proposal	No
Draft Berrigan Maps.pdf	Proposal	No
Determination and Evaluation Criteria for the Delegation.pdf	Proposal	No
Berrigan Council Report.pdf	Proposal	No
Planning Proposal.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions: **2.3 Heritage Conservation**

Additional Information : **1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:**
(a) the planning proposal must be made publicly available for a minimum of 28 days;
and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

2. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the Environmental Planning & Assessment Act 1979. The Office of Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. Prior to the submission of the planning proposal under section 59 of the EP&A Act a 'Heritage Map' is to be prepared compliant with the Department's "Standard technical requirements for LEP Maps".

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The time frame for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

6. Council is authorised to exercise plan making delegations.

Supporting Reasons : **The planning proposal provides adequate supporting justification that the church is appropriate for listing as a local heritage item in Schedule 5 of the Berrigan LEP 2013.**

The Acting General Manager, Western Region, as delegate of the Minister for Planning can exercise delegation in this instance as this matter is minor in nature and provides for

**Berrigan LEP 2013 - Amendment No. 2 - Listing of Scots Presbyterian Church at 13-19
Denison Street, Finley as a Heritage Item**

the listing of the church as a local heritage item.

Signature:



Printed Name:

Ben Eveleigh

Date:

26/11/15