

Narromine LEP 2011 – Amendment – Identify Fowler steam engine No. 16163 as an item of moveable heritage under Schedule 5 Environmental Heritage

Proposal Title :	Narromine LEP 2011 – Amendment – Identify Fowler steam engine No. 16163 as an item of moveable heritage under Schedule 5 Environmental Heritage		
Proposal Summary :	The planning proposal seeks to amend the Narromine LEP 2011 to identify a Fowler steam engine No. 16163 as a moveable heritage item under Schedule 5 Environmental heritage.		
PP Number :	PP_2016_NARRO_001_00	Dop File No :	16/10693-1

Proposal Details

Date Planning Proposal Received :	29-Aug-2016	LGA covered :	Narromine
Region :	Western	RPA :	Narromine Shire Council
State Electorate :	DUBBO	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :	-		
Suburb :	-	City :	Narromine
		Postcode :	2821
Land Parcel :	Moveable heritage item (no fixed address)		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

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

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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 : **Yes**

If No, comment : **There have been no known meetings or communications with registered lobbyists.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **There have been no known meetings or communications with registered lobbyists.**

Supporting notes

Internal Supporting Notes : **The planning proposal seeks to identify a Fowler steam engine (No. 16163) as a movable heritage item under Schedule 5 of the Narromine LEP 2011.**

Moveable heritage items are known to be identified under Schedule 5 of LEPs, with 9 existing examples of moveable heritage items including historic trams and steam locomotives of local and state significance.

As the steam engine is a proposed to become an item of moveable heritage, it is proposed the item be listed without an address, locality and property description. The proposed heritage item name is "Fowler Road Locomotive No.16163", its significance listed as "local" and an item number is yet to be determined by Council, under Schedule 5 Environmental heritage of the Narromine LEP 2011.

It is noted that Council has resolved to make a submission to the Heritage Council for heritage listing of the steam engine on the State Heritage Register. Council should consult with the Office of Environment and Heritage to confirm whether the steam engine is to be identified as an item of 'local' or 'state' heritage significance under Schedule 5 of the Narromine LEP 2011.

The Fowler steam engine is currently stored at Narromine Aerodrome. The proposal states that the steam engine will be transported for restoration works over the next 4 years until a permanent housing and display location is determined. It is therefore appropriate to list the item without an address, locality or property description.

The planning proposal states that the steam engine satisfies the NSW Heritage Council's criteria for local heritage significance.

The planning proposal is supported by a Conservation Management Plan (CMP) which outlines the heritage significance of the Fowler steam engine and recommends its heritage listing under the Narromine LEP 2011, as well as a submission for its listing under the State Heritage Register. The Fowler steam engine is described as a rare example of the largest types of steam engine road locomotives, that was used to clear land and construct roads throughout the Narromine area from 1925 to the 1950s.

Council resolved to undertake restoration works on the Fowler engine and identify it as a moveable heritage item under the Narromine LEP 2011 at its meeting on 10 February 2016.

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Given the proposed heritage listing of the Fowler steam engine under Schedule 5 of the Narromine LEP 2011 is supported by Council's assessment and a detailed Conservation Management Plan, the authors of which were recommended to Council by the Office of Environment and Heritage, it is deemed appropriate to recommend the planning proposal proceed to Gateway determination with conditions.

Given the planning proposal is a minor matter, it is deemed appropriate for Council to exercise delegations in this case.

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? **Yes**

Comment : **The planning proposal clearly states that its objectives are to "amend Schedule 5 of the Narromine LEP 2011 by adding the Fowler Road Locomotive No. 16163 to protect the local heritage and significance of the item."**

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

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

Comment : **The planning proposal states that its objectives and intended outcomes would be achieved by amending Schedule 5 of the Narromine LEP 2011 to include the "Fowler Road Locomotive No. 16163" as a local heritage item.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

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 : **The planning proposal does not identify any SEPPs to be relevant in this case.**
The planning proposal identifies Section 117 Ministerial Direction 2.3 Heritage Conservation to be relevant in this case. The direction applies in this case as the planning proposal relates to a moveable object for which provisions are proposed to facilitate its conservation. The proposal is consistent with the direction as it satisfies its objectives.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **As the proposed heritage item is a moveable heritage item, with no fixed locality and property address, there are no mapping requirements in relation to this proposal.**

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Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The planning proposal recommends a public exhibition period of 14 days as the proposal is of low impact in this case. Exhibition material will be notified in local newspapers and on Council's website, with hardcopies of the proposal available for public viewing at Council's administration office in Narromine.**

While the proposed consultation method is adequate, it is deemed appropriate to place the proposal on public exhibition for 28 days.

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 :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Narromine LEP 2011 was notified on 9 December 2011.**

Assessment Criteria

Need for planning proposal : **The planning proposal is required to identify the Fowler steam engine as a moveable local heritage item under Schedule 5 of the Narromine LEP 2011.**

A planning proposal is the only means of amending the LEP to identify an additional heritage item under Schedule 5.

Consistency with strategic planning framework : **Local land use strategies are not relevant in this case as the Fowler steam engine is a moveable item.**

The draft Central West and Orana Regional Plan is relevant as it contains goals, directions and actions that relate to the region including Narromine LGA. Action 1.4.3 refers to delivering enabling planning controls for heritage-based tourism, while Action 4.1.3 highlights the continued support and protection of the region's Aboriginal and European cultural heritage. The planning proposal is consistent with the Regional Plan as it will identify a Fowler steam engine to be of local heritage significance to ensure its ongoing protection.

Environmental social economic impacts : **The planning proposal is envisioned to promote positive social and economic effects as it recognises and conserves an item identified to be of local heritage significance. The proposal states that the Narromine community is supportive of the Fowler steam engine's conservation and heritage listing.**

No known adverse environmental impacts are expected to arise as a result of the planning proposal.

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Assessment Process

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

Timeframe to make LEP : **9 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. :

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
Conservation Management Plan.pdf	Study	Yes
Council Minutes and Resolution dated 10 February 2016.pdf	Proposal	Yes
Cover Letter.pdf	Proposal Covering Letter	Yes
Evaluation Criteria for Delegation of Plan Making Functions.pdf	Proposal	Yes
Planning Proposal.pdf	Proposal	Yes
Request for Initial Gateway Determination.pdf	Proposal	Yes

Planning Team Recommendation

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

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

Additional Information : **The Ministers delegate determines and supports the planning proposal, subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

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(a) The planning proposal is required to be made publicly available on exhibition for 28 days as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

(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.

2. Consultation is required with the Office of Environment and Heritage (OEH) under section 56(2)(d) of the EP&A Act. OEH 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. 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).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal states that the Fowler steam engine satisfies the NSW Heritage Council's criteria for local heritage significance. The proposal to identify the steam engine as a local (moveable) heritage item under Schedule 5 of the Narromine LEP 2011 is supported by a Conservation Management Plan (CMP).

Council resolved to identify the Fowler steam engine as a heritage item under the Narromine LEP 2011 at its meeting on 10 February 2016.

Given the proposed heritage listing of the Fowler steam engine under Schedule 5 of the Narromine LEP 2011 is supported by Council's assessment and a detailed CMP, the authors of which were recommended to Council by the Office of Environment and Heritage, it is deemed appropriate to recommend the planning proposal proceed to Gateway determination with conditions.

Given the planning proposal is of local significance, it is deemed appropriate for Council to exercise delegations in this case.

Signature:



Printed Name:

Deniz Kilic

Date:

8/9/16

Endorsed

Wynne

TLWR

8/9/16