

Deniliquin LEP 2013 – Amendment 6 – Identify 75mm field gun currently located at the entrance to Deniliquin RSL Club as an item of moveable heritage under Schedule 5 Environmental Heritage

Proposal Title :	Deniliquin LEP 2013 – Amendment 6 – Identify 75mm field gun currently located at the entrance to Deniliquin RSL Club as an item of moveable heritage under Schedule 5 Environmental Heritage		
Proposal Summary :	The planning proposal seeks to amend the Deniliquin LEP 2013 to identify a 75mm field gun, currently located in the gazebo at the front entrance to the Deniliquin RSL Club (72-96 End Street, Deniliquin) as a moveable heritage item under Schedule 5 Environmental heritage.		
PP Number :	PP_2016_ERIVE_001_00	Dop File No :	16/12843-1

Proposal Details

Date Planning Proposal Received :	23-Sep-2016	LGA covered :	Edward River
Region :	Western	RPA :	Edward River Council
State Electorate :	MURRAY DARLING	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :			
Suburb :		City :	Postcode :
Land Parcel :	Part Lot 11 DP 544 836		
Street :	72 End Street		
Suburb :	Deniliquin	City :	Deniliquin
			Postcode : 2710
Land Parcel :			

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	
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 75mm Field Gun, currently located in the gazebo at the front entrance to the Deniliquin RSL Club (72-96 End Street, Deniliquin) as a moveable heritage item under Schedule 5 of the Deniliquin LEP 2013.**

Moveable heritage items are known to be identified under Schedule 5 of LEPs, with 9 defence objects listed as examples of moveable heritage items of local and state significance in NSW.

The proposal seeks to identify the item as “75mm Field Gun”, list its significance as “local” and attribute an item number under Schedule 5 of the Deniliquin LEP 2013. It is proposed to be listed at the Deniliquin RSL address, 72-96 End Street, Deniliquin, NSW 2710 or Part Lot 11 DP 544836, as while it is a moveable heritage item, it is permanently stored at the entrance of the RSL in a purpose built gazebo.

The item has been listed as a moveable heritage item on the State Heritage Register due to the significance as a rare example of its type in NSW, one of only three of its kind in the state, and its use by the Australian 4th Light Horse Brigade during the 1917 cavalry charge on Beersheba.

The gun is currently stored at Deniliquin RSL in a gazebo at the front entrance of the building. The primary address has been listed on the State Heritage Register as 72 End Street, Deniliquin, NSW, 2710 or Part Lot 11 DP544836 and therefore it is appropriate for this to be listed as the location of the 75mm Field Gun in Schedule 5 Environmental heritage of the Deniliquin LEP 2013.

Council resolved to identify the item as a moveable heritage item under the Deniliquin LEP 2013 at its meeting on 15 September 2016 following its listing on the State Heritage Register.

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Environmental Heritage

Given the proposed heritage listing of the 75mm Field Gun under Schedule 5 of the Deniliquin LEP 2013 is supported by Council's assessment and the Heritage Council's State Heritage Register, it is deemed appropriate to recommend the planning proposal proceed to Gateway determination with conditions.

As the planning proposal is of local significance, 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 the objective is to amend Schedule 5 of the Deniliquin Local Environmental Plan 2013 to identify a State listed moveable Heritage Item being the 75mm Field Gun located at Lot 11 DP 544836, No. 72-96 End Street Deniliquin.**

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 Deniliquin LEP 2013 to include the State Heritage Registered "75mm Field Gun (moveable heritage item)" as a local heritage item.**

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? **N/A**

e) List any other **Section 117 Directions:**

matters that need to
be considered :

2.3 Heritage Conservation

Section 117 Ministerial Direction 2.3 Heritage Conservation is relevant in this case. The direction applies in this case as the planning proposal relates to a moveable object for which the provisions are proposed to facilitate its conservation. The proposal is consistent with the direction as it satisfies its objectives.

SEPPs:

The planning proposal does not identify any SEPPs to be relevant in this case.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **Indicative mapping provided. Mapping prepared in accordance with DPE technical guidelines will be required for submission at s59 stage.**

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Environmental Heritage

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The applicant has noted that at a minimum, they expect the planning proposal will be exhibited for a period of 14 days in accordance with the requirements of Section 57 of the EP&A Act 1979 and that this will include exhibition in the local media and on Council's website. The owner of the land will be notified of the proposed amendment. 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 :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Deniliquin LEP 2013 notified on 3 December, 2013**

Assessment Criteria

Need for planning proposal : **The planning proposal is required to identify the 75mm Field Gun as a moveable local heritage item under Schedule 5 of the Deniliquin LEP 2013.**

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 : **There is no adopted strategy relevant to the planning proposal. The proposal is a result of the State listing of the moveable heritage item "75mm Field Gun" and not a result of local land use strategies. Inserting the moveable heritage item into the Deniliquin LEP 2013 is to ensure that there is a record in the LEP of its listing.**

The draft Riverina Murray Regional Plan is relevant as it contains Action 4.1.3 that outlines the protection of the region's Aboriginal and European cultural heritage. Given the State importance of the moveable heritage item, its identification as a local heritage item will ensure its ongoing protection at a local scale and is consistent with the Regional Plan.

Environmental social economic impacts : **The planning proposal will promote positive social and economic effects by recognising and conserving an item identified to be of local and state heritage significance.**

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

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Assessment Process

Proposal type : **Consistent** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

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 :

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

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

(a) The planning proposal is required to be made publicly available on exhibition for 14 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

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publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs.

No consultation with agencies is required.

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. Edward River Council be authorised to exercise plan making delegations in this instance.

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

Supporting Reasons :

The planning proposal states that the 75mm Field Gun has been listed on the State Heritage Register as a moveable heritage item. The proposal to identify the item as a local (moveable) heritage item under Schedule 5 of the Deniliquin LEP 2013 is supported by Councils assessment and listing on the State Heritage Register.

Signature:



Printed Name:

M. Jones

Date:

5/10/16

Endorsed
W. Gammey
A/DR, W
5/10/16