

Planning and Assessment

IRF20/2703

Central Darling Shire Council LEP 2012 Amendment to Schedule 5 Gateway determination report

LGA	Central Darling Shire Council
PPA	Central Darling Shire Council
NAME	Central Darling Shire LEP 2012 Amendments to Schedule 5
NUMBER	PP_2020_CENTR_001_00
LEP TO BE AMENDED	Central Darling LEP 2012
ADDRESS	<p>Item 37: Part 14,860 Ivanhoe- Menindee Road Wilcannia - comet wind turbine pump</p> <p>Item 38: Beth Street, White Cliffs</p> <p>Item 39: 19-23 Bonney Street Wilcannia</p> <p>Item 40: 26-30 Byrnes Street Wilcannia</p> <p>Item 41: 15-17 Hood Street Wilcannia</p> <p>Item 42: 25 Reid Street Wilcannia</p> <p>Item 43: 39 Reid Street Wilcannia</p> <p>Item 44: 40A, 40B and 40C Reid Street Wilcannia</p> <p>Item 45: 41-43 Reid Street Wilcannia</p> <p>Item 46: 54 Reid Street Wilcannia</p> <p>Item 47: 60 Reid Street Wilcannia</p> <p>Item 48: 65-67 Reid Street Wilcannia</p> <p>Item 49: 69 Reid Street Wilcannia</p> <p>Item 50: 81 Reid Street Wilcannia</p> <p>Item 51: 83 Reid Street Wilcannia</p> <p>Item 52: 93-99 Reid Street Wilcannia</p> <p>Item 53: Part 6-8 Ross Street Wilcannia</p> <p>Item 54: West Wilcannia Road Wilcannia</p>
DESCRIPTION	<p>Item 37: Part Lot 4742, DP762609</p> <p>Item 38: Part of Lot 102, DP611504; Lot 101, DP838308; Lot15, Section 2, DP759084; Lot 20, Section 2, DP759084; Lot 11, Section 2, DP759084; Lot 1, Section 2, DP759084; Lot 2, Section 2, DP759084; Lot 4, Section 2, DP759084; Lot 6, Section 2, DP759084; Lot 9, Section 2, DP759084; Lot 10, Section 2, DP759084, Lot 15, Section 2, DP759084, Lot 20, Section 2, DP759084, Lot 10, Section 2, DP759084</p> <p>Item 39: Lot A, DP901402</p>

Item 40: Lot 10, Section 28, DP759091

Item 41: Lot A, DP419309

Item 42: Lot 19, Section 3, DP759091

Item 43: Lot 3, DP580065

Item 44: Lot 1, DP906421; Lot B, DP 312008; Lot A, DP312008

Item 45: Lot 32, DP580065

Item 46: Lot 6, Section 14, DP759091

Item 47: Lot 3, Section 14, DP759091

Item 48: Lot 5, Section 2, DP759091

Item 49: Lot 1, DP369615

Item 50: Lot 3, DP301856

Item 51: Lot 2, DP301856; Lot 1, DP301856

Item 52: Lot 1, DP906277; Lot 983994

Item 53: Part 7308, DP1179888 (refer to map)

Item 54: Lot1, DP1114450; Lot 7327 DP1181235; Lot 1, DP1181250; Lot 1, DP1105883; Lot 7326, DP1181235; Lot 1, DP1105881; Lot 1, DP110854; Lot 1, DP1105882

RECEIVED	9 June 2020
FILE NO.	IRF20/2703
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

To amend the Central Darling LEP 2012 to establish the Wilcannia Heritage Conservation Area as well as add new heritage items to Schedule 5 – Environmental Heritage and make amendments to the details of items listed in the Schedule.

Council completed a heritage study in 2017 which identified new heritage items that should be listed in Schedule 5. The heritage study also identified that a prominent area of Wilcannia should be identified as a Conservation Area. Heritage Conservation Areas (HCAs) are significant for their streetscape character and are of heritage value due to the collective nature of buildings and elements in that area. The area includes the bridge over the Darling River, the old wharf area, and sections of Myers Street and Reid Street from the Council Chambers to the south western end of Reid Street. This grouping includes the fine collection of nineteenth century sandstone buildings, (several being the work of NSW Government Architect James Barnett) – being the Post Office and Court House Group.

As identified in the planning proposal, the main historic themes relating to the settlement and growth of Wilcannia evolve out of the spread of remote rural pastoral and mining activities in NSW during the 1860s-1890s, leading to the rise of the river steamer transportation system as an essential part of the economic growth of the region and the creation of a government administration centre as the population of the region increased.

The following table identifies the new heritage items that are proposed to be included in Schedule 5 as part of this proposal.

Proposed Item	Proposed listing	Justification as per Heritage Study
I37	14860 Ivanhoe-Menindee Road, Menindee (Big Amp) (co-ordinates to be confirmed and 50 metre radius to be applied) Windmill 1932	Located on the Menindee-Ivanhoe road this windmill is a reminder of the pastoral history in semiarid rangelands and Australia's engineering past. The structure has considerable engineering significance and rarity value. It is also a remarkable landmark along this outback road
I38	White Cliffs Solar Power Station Beth Street, White Cliffs	The White Cliffs Solar Power Station was constructed in 1981 and was the subject of a major upgrade in 1997. The design and construction was led by Australian National University. The item reflects the historic achievement as the first solar power station in Australia and arguably the first commercial solar power station in the world.
I39	19-23 Ross Street, Wilcannia (officially 19-23 Bonney Street) House approx. 1875-1880	This is one of the more significant houses in Wilcannia due to its size, form and brick construction, and reflects the type of dwelling constructed by the entrepreneurial settler in Wilcannia in the 1880s.
I40	26-30 Byrnes Street, Wilcannia House 1883	This is one of a number of similar substantial stone houses in Wilcannia, dating from the c1880s and reflecting the growth of the town's economy at that time. It is associated with the Catholic Church and the provision of church education facilities.

I41	19-21 Hood Street, Wilcannia (officially 15-17 Hood Street) House approx. 1880	This is one of a number of similar substantial stone houses in Wilcannia, dating from the c1880s and reflecting the growth of the town's economy at that time.
I42	Early sandstone building approx. 1870. 25 Reid Street, Wilcannia	This small simple former bank building is a rare surviving early structure in the Central Darling Shire. It has strong associations with the historic spread of banking facilities within the region.
I43	CDEP Building (former West Darling Transport) approx. 1940. 39 Reid Street, Wilcannia	This building is one of a small number of Inter War buildings deriving its detailing from Art Deco/Modern design and reflects the growth of Wilcannia at this time.
I44	40 Reid Street, Wilcannia Row of shops Late 19 th Century	This row of six attached small shops is associated with the growth of Wilcannia in the late 19 th Century.
I45	41-43 Reid Street, Wilcannia Portable steam engine	This example of a portable steam engine reflects the significance of these machines in the development of agriculture and extended settlement in the Western Rivers region.
I46	54 Reid Street, Wilcannia Shop and house – major re-representation in 2010 of approx. 1918.	This small shop is one of a number constructed in timber and corrugated iron, probably in 1918. It reflects the more modest premises of many shopkeepers at this time – in contrast to the more substantial stone structures elsewhere in the Wilcannia township.
I47	60 Reid Street, Wilcannia Wilcannia Auto Repairs inter-War construction	This building is one of a small number of Inter War buildings deriving its detailing from Art Deco/Modern design, and reflects the growth of Wilcannia at that time
I48	65-67 Reid Street, Wilcannia Former Court House Hotel latter 19th Century	The former Court House Hotel is one of a number of hotels in the township which first traded in the 1860s as Wilcannia developed as a River Port. It reflects the importance of the town at that time and the provisions of facilities for residents and visitors to Wilcannia
I49	73 Reid Street, Wilcannia (officially 69 Reid Street – to be identified in schedule by lot and DP), Behind 73 Reid Street, Wilcannia (officially 69 Reid Street – to be identified in schedule by lot and DP) Old Fuel Store late 19th Century and House late 19th or early 20th Century	This building is associated with the commercial activities of the Knox and Downs retail company, an important part of the economic development of Wilcannia and the Western NSW region during the late 19th and early 20th centuries. An important early residence in Wilcannia, built of local stone. It also has landmark qualities being visible from the other side of the river. It reflects early living conditions and lifestyle qualities on the river.
I50 & I51	81-83 Reid Street, Wilcannia (each property to be separately listed) Sandstone houses 1880-1890	An important pair of early stone residences in Wilcannia, built of local materials, which reflects early living conditions and lifestyle on the river. The houses are an important streetscape element in Reid Street.
I52	93-99 Reid Street, Wilcannia Attached cottages latter 19th Century	This small residence is indicative of the type of accommodation constructed in Wilcannia in the 1870s and 1880s by/for working men and women of lower socio-economic status, and essential to understanding the history of the town's development.

153	6-8 Ross Street, Wilcannia Steam engines (description to be added to existing water tower description of the same property)	The examples of portable steam engines reflect the significance of these machines in the development of agriculture and extended settlement in the Western Rivers region.
154	Wilcannia Cemetery, Menindee Road (officially West Wilcannia Road)	As the main public cemetery in the Central Darling Shire, the Wilcannia Cemetery is significant as the location of burials from the earliest days of settlement – both of European and aboriginal people.

1.2 Site description

The proposal includes numerous lots and items across Wilcannia and one area in White Cliffs. The sites include items of heritage significance that should be protected and conserved for current and future generations.

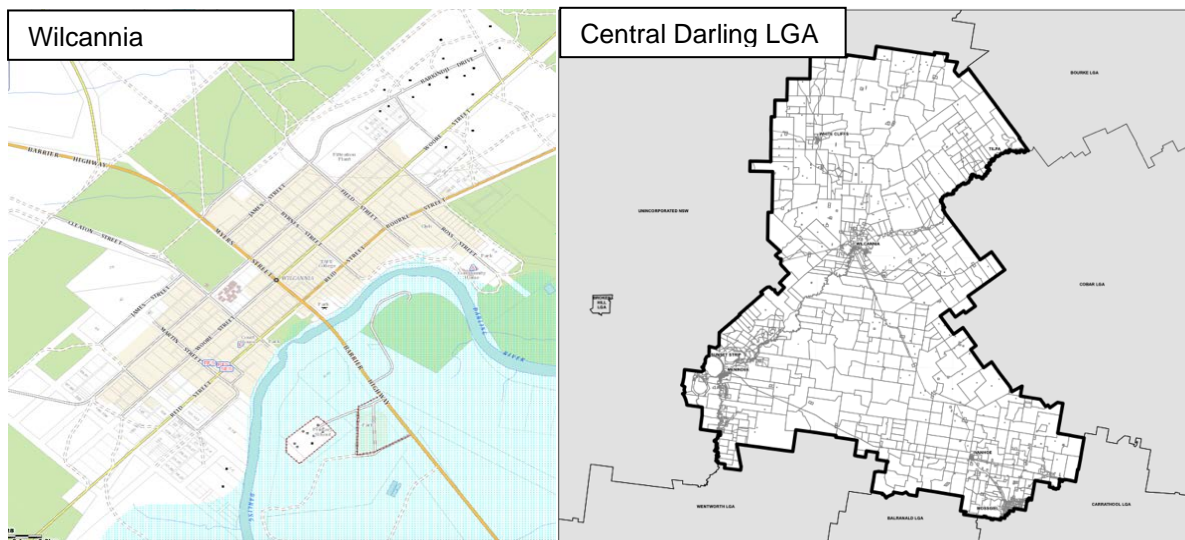
1.3 Existing planning controls

A majority of the sites proposed to be listed are zoned R1 General Residential with the exception to:

- Big Amp, zoned RU1 Primary Production;
- the Wilcannia Cemetery, zoned RU1 Primary Production; and
- the White Cliffs Solar Power Station, zoned RU5 Village.

1.4 Surrounding area

Wilcannia is a remote town in Far Western NSW. The proposed amendments will not impact the land use on the identified sites or surrounding area, only recognise the heritage significance of the area.



1.5 Summary of recommendation

Proceed with condition – the proposal is supported by a recent heritage study and is in line with Council's Community Strategic Plan and Local Strategic Planning Statement to protect and support natural environment and well-maintained built environment.

2. PROPOSAL

2.1 Objectives or intended outcomes

As identified in the planning proposal the objects of this amendment is to:

- Establish the Wilcannia Heritage Conservation Area;
- List additional 18 heritage items; and
- Amend property details and descriptions for 4 existing heritage items.

The intended outcome of this proposal is to retain and protect the early heritage buildings which contribute to Wilcannia's historic character and ensure that any new development or alterations to existing buildings reinforce this traditional character.

2.2 Explanation of provisions

Amend Schedule 5 to include new heritage items identified in the completed heritage survey, establish a conservation area in Wilcannia and amend errors to listings in the current Schedule. Changes to current Schedule 5 listing include:

Item	Current Schedule 5 listing	Proposed Schedule 5 listing	LEP Map to be amended
I22	Wilcannia Memorial: World War I Baker Park Lot 3, Section 59, DP759091	Wilcannia Memorial: World War I Baker Park Lot 7301, DP1177652	HER_006A
I28	Wilcannia Old Wharf and winch Adjacent to bridge Lot 32, DP580065	Wilcannia Old Wharf, winch and portable steam engine 41-43 Reid Street Lot 32, DP580065	HER_006A
I29	Wilcannia Old Wilcannia Central School 77-79 Hood Street Lot 8, DP1128425	Wilcannia Old Wilcannia Central School 90-98 Woore Street Lots 9-10, DP1128425	HER_006A
I36	Wilcannia Two sandstone houses 8-10 Myers Street Lot 4, DP1128425	Wilcannia Two sandstone houses 24 Myers Street Lot 4, DP1128425	HER_006A

2.3 Mapping

Sufficient mapping is included in the proposal documents to go on exhibition. A condition of the Gateway determination will be to prepare LEP mapping.

3. NEED FOR THE PLANNING PROPOSAL

The Wilcannia, NSW Community Based Heritage Survey was completed in 2017. The objective of the planning proposal is to update the LEP in accordance with recommendations made in the Heritage Survey. The proposal is the only way to achieve the suitable protection of local heritage items and establish a new heritage conservation area in Wilcannia.

Wilcannia has a rich European history being the third largest inland port in the country during the late 19th century, at the time of the inland river boat trade on the

Murray-Darling river system. This rich history is still evident in the streetscape today, protecting the early heritage buildings which contribute to Wilcannia's historic character will ensure that any new development or alterations to existing buildings reinforce the rich traditional character. The proposal is supported by Council's Heritage Advisor.

4. STRATEGIC ASSESSMENT

4.2 Regional / District

The Far West Regional Plan 2036 applies to the proposal. Direction 19 Conserve and adaptively re-use European heritage assets directly applies to the proposal. Early investment to protect and preserve heritage at the strategic planning stage will provide greater certainty for stakeholders. The proposed amendments will protect the rich heritage significance of Wilcannia and surrounds. The proposal is consistent with the Regional Plan and will assist in the implementation of the actions associated with Direction 19.

4.3 Local

The amendment will contribute to the implementation of the Central Darling Community Strategic Plan 2017-2027. Goal 3 of the Plan is to achieve a protected and supported natural environment and well-maintained built environment. The completion of the Heritage Study and this proposal will support well-maintained built environment by conserving and maintaining heritage assets in Wilcannia. The proposal will implement the findings of the Heritage Study which was completed and endorsed by Council in 2017/2018. This is consistent with the Central Darling Local Strategic Planning Statement- Actions 17. The proposal is consistent with local strategies.

4.4 Section 9.1 Ministerial Directions

Direction 1.2 Rural Zones

Direction 1.2 Rural zones applied to the proposal as three (3) of the subject items are rural zoned including RU1 Primary Production and RU5 Village. The objective of this direction is to protect the agricultural value of rural land. The outcome of the proposal will not change the land use or agricultural value of the land, only recognise the significance of items currently on the land including the Big Amp, Wilcannia Cemetery and the White Cliffs Power Station. The proposal is consistent with this Direction and no further work is required.

Direction 1.5 Rural Lands

Direction 1.5 Rural Lands applies to the proposal as three (3) of the subject Items are rural zoned including RU1 Primary Production and RU5 Village. The proposal will not change the existing minimum lot size on land within a rural or environmental zone. The proposal is consistent with this Direction and no further work is required.

Direction 2.3 Heritage Conservation

This Direction applies as the proposal applies to heritage areas in Wilcannia. The objective of this Direction is to conserve heritage items, areas, objects and places of environmental heritage significance. The proposal is consistent with the objectives of this Direction, no further work is required.

Direction 3.1 Residential Zones

This Direction applies as the subject land applies to residential zoned land. The proposal will protect the heritage significance of existing buildings within the zone. The proposal is consistent with the objectives of this Direction, no further work is required.

4.5 State environmental planning policies (SEPPs)

State Environmental Planning Policy (Primary Production and Rural Development) 2019

The SEPP applies to the land as three (3) of the lots are rural zoned. The proposal does not aim to amend the zoning of the land, only to recognise the heritage value of items on the land. The proposal is consistent with this SEPP and no further work is required.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The recognition of heritage value of items in Wilcannia and White Cliffs acknowledges the social history of the area and safeguards the value for current and future generations.

5.2 Environmental

The outcome of the proposal will protect the natural and built environment value of items in Wilcannia and White Cliffs, which will have a positive impact on the local environment.

5.3 Economic

The recognition and protection of heritage values has the opportunity to generate economic benefit to the community through tourism. The rich history of the Wilcannia area is significant to the local, state and federal community. Recognising the heritage value will recognise heritage significance and promote visitation.

6. CONSULTATION

6.1 Community

The proposal outlines that it is intended for the planning proposal to be notified by letter to the owners of all properties that are proposed to become heritage listed (except where that owner is Council); and to the owners of all properties that are proposed to be located within the Wilcannia Heritage Conservation Area.

There will also be advertisements digitally in the Barrier Daily Truth, in the Wilcannia News, and in the relevant Council branches in Menindee and Ivanhoe. Due to Covid 19 and the demise of the paper copies of the local newspapers (now digital format only) additional information may have to be distributed to residents in the form of a brochure or letter and other information sent in hard copy. This is due to the low rate of computer and smart phone use in the Central Darling Shire Council area (also lack of mobile and data coverage due to the far western NSW location).

Public notices will be placed on regularly used noticeboards across the Central Darling Local Government Area, including in White Cliffs. The planning proposal will also be explained prominently on Council's website and Facebook page. It is intended that the notification provided a 28-day period for submissions to be

received. A public community consultation meeting will be held within the first week of the exhibition period in Wilcannia.

This community consultation is considered adequate.

6.2 Agencies

Consultation with the NSW Department of Planning, Industry and Environment – Environment, Energy and Science Division is nominated in the planning proposal. This is considered satisfactory.

7. TIME FRAME

The proposal timeline identifies an 8-month period; however a 12-month period is considered more appropriate given the consultations and plan making process required.

8. LOCAL PLAN-MAKING AUTHORITY

Due to the nature of the proposal Council should not be the local plan making authority at this time.

9. CONCLUSION

The preparation of the planning proposal is supported to proceed with conditions. The proposal is supported by a heritage study and is consistent with the Far West Regional Plan 2036, Community Strategic Plan 2017-2027 and Local Strategic Planning Statement. The intended outcome of this proposal is to protect and retain the early heritage buildings which contribute to Wilcannia's historic character and ensure that any new development or alterations to existing buildings reinforce this traditional character. This is considered a positive outcome for the local community that will have positive social and economic impact.

10. RECOMMENDATION

It is recommended that the delegate of the Secretary can be satisfied that the proposal is consistent with the applicable section 9.1 Ministerial Directions and no further work is required.

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 following public authorities:
 - NSW Department of Planning, Industry and Environment – Environment, Energy and Science Division.
3. LEP mapping is required.
4. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.

5. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.



25.6.20

Wayne Garnsey
Team Leader, Western



26/06/2020

Damien Pfeiffer
Director Western Region
Local and Regional Planning

Assessment officer: Amanda Carnegie
Planning Officer, Western Region
Phone: 02 5852 6808