

Planning Services

Gateway Determination Report

LGA	Murrumbidgee Council
PPA	Murrumbidgee Council
NAME	Murrumbidgee Local Environmental Plan 2013 addition of a Heritage Item (Toganmain Woolshed Precinct) to Schedule 5
NUMBER	PP_2018_MBIDG_001_00
LEP TO BE AMENDED	Murrumbidgee Local Environmental Plan 2013
ADDRESS	Sturt Highway Darlington Point, NSW 2706
DESCRIPTION	Part Lot 1 DP 750901
RECEIVED	28 June 2018
FILE NO.	IRF18/3594
POLITICAL DONATIONS	There are no donations known or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no known meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of planning proposal

To amend the Murrumbidgee LEP 2013 to include Toganmain Woolshed Precinct as a heritage item in Schedule 5 of the LEP.

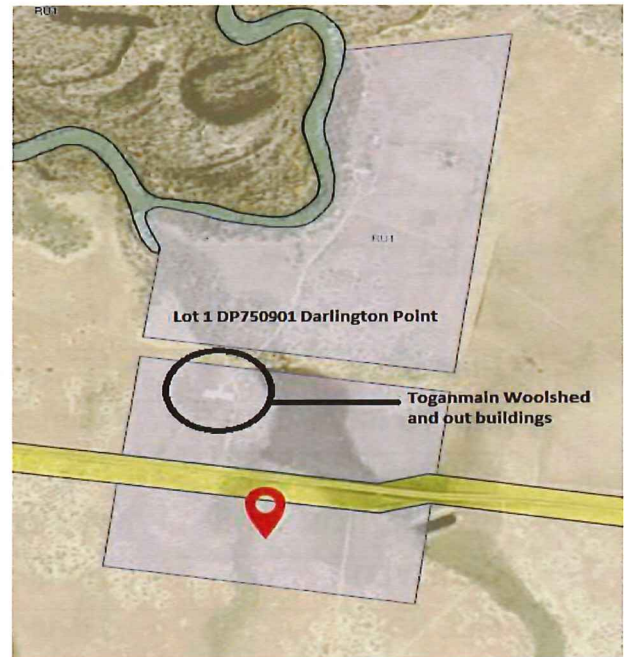
Site description

The subject land is located on the Sturt Highway, outside Darlington Point, and has a total area of 6.234ha. The subject land contains the main Toganmain Woolshed building and several associated buildings. The Woolshed precinct is no longer used due to changed agricultural practices and the outdated building. The subject land is currently owned by Paraway Pastoral Company. A development Application to sub-divide the current property has recently been approved by Murrumbidgee Council (DA 23-17/18). It is intended that ownership of the Woolshed Precinct as well as road access will be gifted to the Toganmain Woolshed Precinct Incorporated.

Aerial map of subject site



Land Zoning Map



Existing planning controls

The land is zoned RU1 Primary Production under the Murrumbidgee LEP 2013.

Surrounding area

The subject site is located on the Murrumbidgee River, surrounded by RU1 Primary Production zoned land. The subject site is part of a productive pastoral property.

Summary of recommendation

It is recommended that the proposal should proceed subject to conditions.

PROPOSAL

Objectives or intended outcomes

The objective of this planning proposal is to amend the Murrumbidgee LEP 2013 to include Togahmain Woolshed Precinct as a heritage item in Schedule 5 of the LEP.

Including the Woolshed in Schedule 5 of the LEP will recognise the cultural and heritage significance of the Woolshed to the Riverina region and further increase the availability of public and private sector funding to maintain and restore the Woolshed for current and future generations.

A not for profit association for the retention of the Woolshed and outbuildings has been established. The association intends to restore a portion of the Woolshed and install a museum of artefacts, curated documentary, historical images, extant structures and signage to showcase the heritage, significance and history of the Woolshed. It is intended that the restoration will provide the local and wider community with access to an iconic Australian shearing shed and enhance the understanding of Australia's pastoral history and its relationship to local communities, Indigenous culture and the natural environment. The precinct will be protected as a community owned and managed asset.

Explanation of provisions

The proposed provisions in the planning proposal will achieve the intended outcomes by:

- Listing Toganmain Woolshed Precinct, Sturt Highway, Darlington Point (Part Lot 1 DP 750901) as a Local Heritage Item in Part 1 of Schedule 5 of the Murrumbidgee Local Environmental Plan 2013.
- Create Heritage Map Sheet HER_004 to the Murrumbidgee LEP 2013 to identify Toganmain Woolshed Precinct as a local heritage item.

Mapping

Adequate locality maps are included in the planning proposal to identify the subject land.

A condition will be imposed on the Gateway determination requiring the preparation of a heritage map in accordance with the Departments Standard Technical Requirements for LEP maps.

Council Report

Council resolved to support the planning proposal.

NEED FOR THE PLANNING PROPOSAL

The proposal identifies that the Toganmain Woolshed is of local and state heritage significance to its size, integrity, historical and folklore associations. Its significance is further enhanced by the associated woolshed outbuildings which support a rich understanding of the shearing, cleaning, pressing and transporting process of the late 19th and 20th centuries. The shearing shed was in continuous use from 1875 to 2001, making the Woolshed one of the longest operating shearing sheds of its size.

Given the proximity of the precinct to the Sturt Highway, the Toganmain woolshed stands out

as a significant landmark on the Murrumbidgee River bank. Its strategic location also makes for a suitable tourist visitor site as is intended by the local community group.

The proposal is intended to recognise the local significance of the Woolshed to the economic and cultural heritage of the Riverina region. This proposal is a result of a conservation plan, recently approved subdivision and Statement of Significance which have been prepared for this site. Including the item as a heritage item in Schedule 5 of the LEP is the most effective way to conserve the heritage item and sure any proposed changes to the heritage item are managed in a way that values the local heritage significance of the site. If approved the amendment will ensure the necessary identification of, and conservation of the heritage item and suitably recognise its significance to the region.

As noted in the proposal, by achieving a local heritage classification, the association may be able to apply for Local and/or State grants and funding under various heritage, tourism, community and cultural programs. Assistance would also be available through the local grants and heritage advisory service provided by the local council. These measures will ensure continued conservation of the building for future generations.

Attachments included in the proposal validate the significance of the Woolshed as a prominent part of the Riverina Region's pastoral history.

STRATEGIC ASSESSMENT

State

N/A

Regional / District

The proposal has considered the Riverina Murray Regional plan. The proposal is consistent with goal 1, a growing and diverse community, particularly:

Direction 7: Promote tourist opportunities

The conservation and interpretation of the Toganmain precinct will ensure the conservation of this iconic heritage precinct, and will allow the interpretation of the buildings for the visiting public.

Direction 29: Protect the region's Aboriginal and historic heritage

The Toganmain Station has had a long association with the local Aboriginal communities. This relationship is documented in historic photographs and texts and in historical and current oral history. The planning proposal includes the involvement of the local Aboriginal

communities, and with the Tirkandi Inaburrta Cultural and Development Centre Coleambally NSW (Michael Cutmore Manager).

Although the outcome of the proposal will limit the site's use within the RU1 Primary Production zone for agriculture purposes, the proposal is considered minor in nature and will recognise the pastoral history of the site through recognition of its heritage significance. Listing the Woolshed as a local heritage item will ensure it is retained and possibly reused.

Local

Murrumbidgee 2030 Community Strategic Plan

The proposal supports the actions of the Murrumbidgee Community Strategic Plan by providing an opportunity for the community to showcase their heritage and diversity as well as encourage and promote tourism ventures and activities.

Section 9.1 Ministerial Directions

1.5 Rural Lands

This Section 9.1 Direction applies to the subject lot as the planning proposal intends to list a local heritage item that is located on land zoned RU1 Primary Production. The outcome of the proposal will not result in the fragmentation of agricultural land. Identifying the item in Schedule 5 of the LEP will not inhibit the objective of the current rural land use. The Acting Director Regions, Western can be satisfied that the proposal is consistent with this direction and no further work is required.

2.3 Heritage Conservation Areas

This Direction applies to the proposal as the intention is to include Toganmain Woolshed Precinct as a local heritage item in Schedule 5 of the Murrumbidgee LEP 2013. The proposal is consistent with this Direction as the intended outcome is to protect the integrity and significance of the shearing shed within the local community. The Acting Director Regions, Western can be satisfied that the proposal is consistent with this direction and no further work is required.

5.1 Implementation of the Regional Plan

The proposal is consistent with the objectives outlined in the Riverina Regional Plan. The objective of this proposal is to protect a regionally significant pastoral heritage item for the Riverina region in line with a current heritage study. By identifying the shearing shed as a local heritage item this proposal will recognise and conserve a local heritage asset and include appropriate local planning controls. This outcome is in line with Direction 7 and 29 of

the Riverina Murray Regional Plan. The Acting Director Regions, Western can be satisfied that the proposal is consistent with this direction and no further work is required. The outcome of the proposal will not result in the fragmentation of agricultural land. Identifying the item in Schedule 5 of the LEP will not inhibit the objective of the current rural land use.

State environmental planning policies

Rural Lands SEPP (2008)

The Rural Lands SEPP (2008) applies to the subject lot as the planning proposal intends to list part of the lot as a local heritage item in Schedule 5 of the LEP. It is intended that by listing the Woolshed as a local heritage item the proposal will recognise and conserve a local heritage asset and include appropriate local planning controls. The Acting Director Regions, Western can be satisfied that the proposal is consistent with the objectives of the Rural Lands SEPP (2008) and no further work is required.

SITE-SPECIFIC ASSESSMENT

Social

As noted in the planning proposal the amendment recognises the Murrumbidgee region as a place of heritage and cultural significance. It also highlights the social and tourism significance of the Toganmain Woolshed. The proposal will have an overall positive social impact as it seeks to retain a culturally significant building that shows traditional ties to the past and early farming methods.

The composition and layout of the woolshed precinct is peculiarly Australian, and references the functional operation of the precinct, and its use not only as a workplace, but as a 'home away from home' for the itinerant shearers and station workers. The cultural values and the legendary status of shearers is celebrated in both Australian folk music and folklore and Toganmain is specifically mentioned. The Woolshed is one of the largest in the region.

The proposal will result in the protection and continued use of a locally significant cultural place for the Riverina region. The amendment will recognise the social significance of the Toganmain Woolshed Precinct in the Murrumbidgee LEP 2013.

Environmental

The proposal does not involve clearing of any land or critical habitat. The proposal will achieve environmental outcomes by protecting a precinct of cultural and heritage value.

Economic

It is noted in the proposal that the amendment will support economic development and tourism and the project will result in additional funds and resources being provided to retain this culturally significant building. The amendment will also recognise the significant contribution of the pastoral industry to the economic development of the region.

Infrastructure

As identified in the proposal the subject land can be readily serviced and has access to a number of infrastructure and services, including sealed road frontage to the Sturt Highway.

CONSULTATION

Community

The planning proposal is considered to be a 'low impact proposal'. It is considered appropriate that the proposal be exhibited for a minimum period of 28 days as listing a new heritage item is being proposed.

The planning proposal notes that written notification of the community consultation will be provided in the local newspaper and on Council's website. In addition to this, service providers and other key stakeholders where required will be notified in writing.

Agencies

Additional consultation with the Office of Environment and Heritage (OEH) during the exhibition period is considered appropriate.

TIME FRAME

The proposed timeframe to complete the amendment is 12 months.

LOCAL PLAN-MAKING AUTHORITY

It is considered appropriate that Council be issued delegation to exercise plan making functions for this proposal.

CONCLUSION

As reflected in the proposal the Toganmain Woolshed is an iconic Australian shearing shed that is an invaluable heritage asset that reflects Australia's pastoral history and its relationship to local communities, Indigenous culture and the natural environment.

By identifying the shearing shed as a local heritage item this proposal will recognise and conserve a local heritage asset and include appropriate local planning controls.

There are only three listed heritage items in the Murrumbidgee LEP and any attempts to recognise locally significant items should be encouraged.

For these reasons, it is recommended that the proposal proceed subject to conditions.

RECOMMENDATION

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

1. Community consultation is required under sections 2.22 and 3.34(2)(c) 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 & Environment August 2016)*.
2. Consultation is required with the Office of Environment and Heritage under section 3.34(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 submission of the planning proposal under section 3.36 of the *Environmental Planning & Assessment Act 1979*, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2015.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the *Environmental Planning and Assessment Act, 1979*. 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 timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

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