



Katrine O'Flaherty
NSW Department of Planning & Environment - Western Region
PO Box 58
DUBBO NSW 2830

via email to: westernregion@planning.nsw.gov.au

Dear Katrine

**PLANNING PROPOSAL PP_2016_WENTW_003_00 AMENDMENT 8 TO WENTWORTH LEP 2011
NOTIFICATION REQUEST**

Council has received the Parliamentary Counsel Opinion for the above amendment to the Wentworth LEP 2011.

We now request that the Department assist with finalisation of the planning proposal by notifying the amendment on the legislative website.

The documentation submitted to support the finalisation includes:

1. The Planning Proposal including attachments
2. Gateway Determination 2 June 2016
3. Gateway Determination Extension 8 June 2017
4. Council Agenda and Minutes 18 March 2015
5. Council Agenda and Minutes 19 April 2017
6. Council Agenda and Minutes 3 May 2017
7. One associated LEP map
8. Signed map cover sheet
9. Signed Parliamentary Counsel Opinion
10. Delegated Plan Making Report

Should you wish to discuss any matter raised in this letter, please contact Michele Bos of the Health and Planning Division on 03 5027 5027.

Yours sincerely

KEN ROSS
DIRECTOR HEALTH & PLANNING



New South Wales

Wentworth Local Environmental Plan 2011 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

AS A DELEGATE FOR

Minister for Planning

KEN ROSS

*DIRECTOR HEALTH & PLANNING
WENTWORTH SHIRE COUNCIL*

13 JUNE 2017



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Wentworth Local Environmental Plan 2011 (Amendment No 8)

Your ref: Michele Bos PP_2016_WENTW_003_00
Our ref: FHG e2017-117.d04

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.



(D COLAGIURI)
Parliamentary Counsel

9 June 2017

Wentworth Local Environmental Plan 2011 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Wentworth Local Environmental Plan 2011 (Amendment No 8)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to certain land to which *Wentworth Local Environmental Plan 2011* applies, including land at Ellerslie, Para, Pine Camp, Pomona, Pooncarie, Rufus and Wentworth.

4 Maps

The maps adopted by *Wentworth Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Wentworth Local Environmental Plan 2011

[1] Schedule 5 Environmental heritage

Omit the matter relating to item nos I28, I29 and I30 from Part 1. Insert in appropriate order:

Ellerslie	Hazeldell Homestead	Low Darling Road	Lot 1, DP 756928	Local	I28
Para	Para Woolshed and Shearers' Quarters	3748B Low Darling Road	Lot 15, DP 756970	Local	I30
Para	Para Homestead	1240 Nob Road	Lot 4421, DP 767316	Local	I29

[2] Schedule 5, Part 1, item no I27

Omit the property description. Insert instead "Lots 1 and 2, DP 1189519".

[3] Schedule 5, Part 1, item no I33

Omit the property description. Insert instead "Lots 3 and 6, DP 820421".

[4] Schedule 5, Part 1, item no I50

Omit the matter relating to the item. Insert instead:

Wentworth	Old Wentworth Gaol	112 Beverley Street	Lot 90, DP 756994	State	I50
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[5] Schedule 5, Part 1, item no I52

Omit the property description. Insert instead "Lots 2 and 3, DP 1203396".

[6] Schedule 5, Part 1, item nos I58, I72 and I87

Omit the matter relating to the items.

[7] Schedule 5, Part 1, item no I98

Insert in appropriate order:

Wentworth	Shop	29 Darling Street	Lot 11, DP 387344	Local	I98
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[8] Schedule 5, Part 1, item no I62

Omit the property description. Insert instead "Lot 2, Section 23, DP 759074".

[9] Schedule 5, Part 1, item nos I63 and I64

Omit the matter relating to the items. Insert instead:

Wentworth	Former stock and station agency	49 Darling Street	Lot 4, DP 660139	Local	I63
Wentworth	Former bank	51 Darling Street	Lot A, DP 321536	Local	I64

[10] Schedule 5, Part 1, item no I69

Omit the property description. Insert instead "Lot 7346, DP 1141317".

[11] Schedule 5, Part 1, item nos I70 and I97

Omit the matter relating to item no I70. Insert instead:

Wentworth	Former St John's Anglican Rectory	81-85 Darling Street	Lot 1, DP 859499	Local	I97
Wentworth	St John's Anglican Church	87-89 Darling Street	Lot 2, DP 859499	Local	I70

[12] Schedule 5, Part 1, item nos I75, I77, I76 and I78

Omit the matter relating to the items. Insert in appropriate order:

Rufus	Noola Homestead	7173 Renmark Road	Lot 5278, DP 768193	Local	I75
Rufus	Moorna Cemetery	465 Rufus River Road	Lot 6, DP 756168	Local	I77
Rufus	Moorna Station Homestead	465 Rufus River Road	Lot 6, DP 756168	Local	I76
Rufus	Moorna Township	465 Rufus River Road	Lot 6, DP 756168	Local	I78

[13] Schedule 5, Part 1, item no I80

Insert "I517A" before "Pooncarie Road".

[14] Schedule 5, Part 1, item nos I82, I81 and I91

Omit the matter relating to the items. Insert in appropriate order:

Pine Camp	Nulla Nulla Woolshed	Nulla Road	Lot 4069, DP 766544	Local	I81
Pine Camp	Nulla Nulla Homestead	1049 Nulla Road	Lot 4070, DP 766545	Local	I82
Rufus	Wangamma Homestead	241A Lock 8 Road	Lot 1, DP 814369	Local	I91

[15] Schedule 5, Part 1, item no I93

Omit the matter relating to the item. Insert in appropriate order:

Wentworth	"Kilmarnock" (former dwelling)	3 Adelaide Street	Lot 1A, DP 387344	Local	I93
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Wentworth Local Environmental Plan 2011 (Amendment No 8)

Wentworth Shire Council
26-28 Adelaide Street
Wentworth, NSW, 2648

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Heritage Map HER_002D	8200_COM_HER_002D_020_20150902

The following map sheets are adopted:

Map Sheet	Map Identification Number
Heritage Map HER_002D	8200_COM_HER_002D_20_20161216

Certified



KEN ROSS, DIRECTOR HEALTH & PLANNING
WENTWORTH SHIRE COUNCIL

As Delegate for the "Minister

Date: 13/06/2017



Wentworth Local Environmental Plan 2011

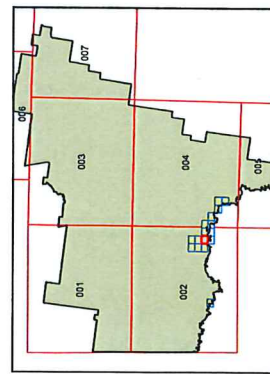
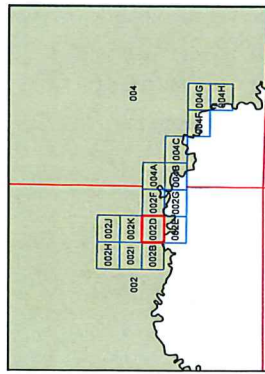
Heritage Map - Sheet HER_002D

Heritage

- Conservation area - General
- Item - Archaeological
- Item - General

Cadastral

- Cadastral 15/12/2016 © Land and Property Information



Projection GDA 1984
MGA Zone 54

Scale 1: 20,000 @ A3

Map identification number: 8230_C04_HER_002D_30_20161216

Resolved to proceed to
PC Q&A 3/5/2017
E. Fraldrup
3 May 2017

12 REPORTS FROM HEALTH AND PLANNING DIVISION

12.1 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL AMENDMENT 8 - RECTIFY ERRORS IN SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST AND HERITAGE MAPPING

File Number: RPT/17/409

Responsible Officer: Ken Ross - Director, Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Michele Bos - Strategic Development Officer

Delivery Program Objective: 2. Growth & Development

Delivery Program Strategy: 2.1 Maximise the productive use of land

Summary

Wentworth Shire Council, at its meeting held 19 April 2017, resolved to seek an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel and submit the amendment to the Department of Planning and Environment (the Department) for finalisation and notification.

The author of that report has just been advised that the owner of one property that was excluded from and recommended to be included in Schedule 5 Environmental Heritage list and the heritage mapping, has applied to demolish the existing building and construct a new dwelling in its place.

Therefore, this report is a repetition of the report to Council two weeks ago but also includes addressing that particular property and its heritage significance.

Recommendation

That Council seeks an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment 8, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Detailed Report

Purpose

The purpose of this report is to seek Council approval to progress to the final stage of the amendment process by submitting Planning Proposal Amendment 8 to Parliamentary Counsel for an Opinion, then to the Minister of the Department of Planning and Environment for finalisation and notification of the amendment on the legislative website.

Background

A desk top review of the Wentworth LEP 2011 Schedule 5 Environmental Heritage list identified twenty-one list errors and four mapping errors.

Consultation with Council's former Heritage Advisor also revealed that one commercial building had been erroneously omitted from the list and one dwelling had been renovated and another significantly fire damaged, and their significant heritage features no longer existed.

All of these errors were detailed in the planning proposal report submitted to the Department for consideration of a gateway determination.

Matters under consideration

The Gateway Determination that was issued by the Department conditioned that Council undertake community consultation for 28 days in accordance with sections 56 (2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

Consultation was conducted for 28 days between 22 July 2016 and 19 August 2016. At the close of the consultation period, Council had received no community submissions to the proposal.

The Gateway Determination also required consultation with the Office of Environment and Heritage (OEH) in accordance with section 56 (2)(d) of the Environmental Planning and Assessment Act 1979.

Council, therefore, notified OEH in writing of the proposal and provided them with 21 days to respond to that notification.

The response to this notification was supplied by the Heritage Council of New South Wales, which raised no objections to the proposal to rectify errors in Schedule 5 or the heritage mapping and supported the inclusion of the additional item to the list.

The response to the removal of two items was to advise Council that the decision to remove these should be on the basis of an assessment of the heritage significance of those items.

Refer to Attachment 1.

The proposal to remove both of these items from the list and associated mapping is based on an inspection and assessment undertaken by Council's former heritage advisor. The decision to remove both of the items was formed on the advice that one building had been destroyed by fire and the other building had been significantly renovated and modified which had compromised and removed the significant heritage features of that building. Therefore, the advice provided by the Heritage Council NSW has been satisfied.

All conditions of the Gateway Determination dated 2 June 2016 have been satisfactorily completed.

A change has been made to Schedule 5 Environmental Heritage list following the advice received from the NSW Heritage Council regarding the level of significance of the Old Wentworth Gaol.

This item, number 150 in Schedule 5 Environmental Heritage list, is now included on the State Heritage Register, therefore the WLEP 2011 heritage list needs to be altered to reflect the Gaol's level of significance.

The site is owned by Crown Lands with Wentworth Shire Council as the Trustee. Therefore, the change to the significance listing will not have any negative impact on the owner or user of the site.

Refer to Attachment 2.

In addition to the above, the original Heritage List of Amendments endorsed by Council at its meeting held 18 March 2015 included that 35 Cadell Street, Wentworth had been incorrectly included in Schedule 5 Environmental Heritage List, as well as the heritage mapping being incorrectly applied to this address. The listing and mapping was to have been applied to 47 Cadell Street, Wentworth.

The property owner of 47 Cadell Street, Wentworth at that time had not objected to the proposal, but did request that an inspection of the building take place.

The inspection revealed that building itself is structurally unsound and had been modified significantly both internally and externally in an attempt to resolve the lack of structural integrity of the building. These measures have been conducted over the years with no long term success.

The Wentworth Shire Heritage Study listed this property as Item 36 and the significance of the building included:

A single storey small brick cottage with low hipped roof and front verandah supported by iron columns. This early building is constructed with brick stock made in Wentworth. The wooden window cases are surrounded by arch vertical joints. Two slender brick chimneys with external vertical reliefs from the rear of the building. A new extension has been built onto the rear and the verandah has been renovated. The dwelling is in original form, excluding the rear extension and renovated verandah.

An inspection of the building conducted by Health and Planning Officers revealed the following issues and modifications:

- The bricks were eroding and causing significant movement of the external walls
- The wooden windows have been replaced with aluminium windows and the arch vertical joints had been compromised
- Both internally and externally it appeared as though the front verandah and rear extension were responsible for the building still standing
- The front façade had been partially rendered in an attempt to stabilise the movement of the wall.

Although it was evident that the dwelling was all but inhabitable, at that stage it was decided to proceed with the property included in the heritage list and mapping.

However, the property has now changed hands and Council has received an application from the new landowner to demolish the existing dwelling.

Therefore there seems no logical reason to include this property in Schedule 5 Environmental heritage list or the heritage mapping on the basis that the building is structurally unsound, inhabitable and the new owner has now sought to demolish it to be replaced with a new dwelling.

A full list of the amendments to be made to the Wentworth LEP 2011 can be viewed in Attachment 3.

Options

Based on the information contained in this report, the options available to address this matter are to:

- Seek an opinion for the Planning Proposal Amendment No 8 from Parliamentary Counsel, and
- Submit Planning Proposal Amendment No 8 to the Department of Planning and Environment for finalisation and notification.

Organisational Support Implications

The Manager Organisational Support advises that this decision item has the following implications for Council:

No comments required.

Financial Implications

The Director Finance and Policy advises that this decision item has the following financial implications for Council:

No comments required.

Roads and Engineering Implications

The Director Roads and Engineering advises that this decision item has the following implications for Council:

No comments required.

Conclusion

It is necessary for Council to endorse the recommendations of this report to allow for the planning proposal to progress to the Department of Planning and Environment for finalisation and notification. The finalisation of this amendment will ensure that Council provides accurate information relating to properties identified and protected by the heritage list and associated mapping.

Attachments

1. Advice from Heritage Council.
2. Minister for Heritage advises Old Wentworth Gaol listed on State Heritage Register.
3. Final List of Amendments to Heritage List and Maps.



Heritage Council
of New South Wales

Level 6, 10 Valerline Avenue
Parramatta NSW 2150
Locked Bag 5020
Parramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599
heritagemailbox@environment.nsw.gov.au
www.heritage.nsw.gov.au

File No: EF14/9832
Ref No: DOC16/513053

Wentworth Shire Council
Strategic Development Officer
PO Box 81
WENTHWORTH NSW 2648

Attention: Michele Bos

Dear Sir/Madam,

RE: Planning proposal to amend the Wentworth Local Environmental Plan (WLEP) 2011.

Thank you for your letter dated 11 October, 2016 regarding the abovementioned planning proposal, requesting comments from the Heritage Council.

The planning proposal seeks to:

- Rectify minor descriptive errors in Schedule 5,
- Rectify minor mapping errors,
- Inclusion of one (1) heritage item of local significance which was erroneously omitted from the environmental heritage list at the time of the conversion of the new standard instrument, and
- Removal of two (2) heritage items of local significance from Schedule 5 of the LEP, due to loss from fire and extensive renovations.

The Heritage Division raises no objection to the rectification of errors and updating of existing details and descriptions within the Schedule 5 and/or Heritage Maps of the Wentworth LEP 2011. It is considered that the inclusion of an additional item of heritage significance, will assist in providing a link between past, present and future generations and provide statutory protection to assist with conservation and management of significant places. The Heritage Council of NSW supports the listing of items of local heritage significance where they are supported by a robust heritage assessment.

The planning proposal also aims to remove two (2) items from Schedule 5 - Environmental Heritage list and associate mapping. The removal of one of the items is due to severe fire damage that left the dwelling completely gutted including damage to the structural integrity of the internal brick walls as a result of the heat of the fire. It is noted that Development Approval has already been issued for the demolition of the dwelling on the basis of the advice provided by the heritage advisor. The Heritage advisor has recommended the remaining item to be removed because of the modifications made to this dwelling which have compromised most of its heritage values.

Helping the community conserve our heritage

The Heritage Council considers that Council's decision on whether to list or delist a local heritage item in Schedule 5 of the Wentworth LEP should be based on the assessment of the heritage significance of that item in the heritage study or review.

If you have any questions regarding the above matter please contact Bronwyn Smith Heritage Assessment Officer, at the Heritage Division, Office of Environment and Heritage on 9873 8604 or at Bronwyn.Smith@environment.nsw.gov.au

Yours sincerely



Katrina Stankowski
STL, Archaeology
Heritage Division
Office of Environment & Heritage
As Delegate of the NSW Heritage Council
13 October 2016



Heritage Council

of New South Wales

Level 6, 10 Valentine Avenue
Parramatta NSW 2150

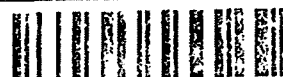
Locked Bag 5020
Parramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599

heritage@heritage.nsw.gov.au
www.heritage.nsw.gov.au

Contact: Mick Kelly
Phone: 03 5021 8918
Email: mick.kelly@environment.nsw.gov.au
DOC no. DOC16/564403
TRIM no. SF16/49376

Mr Peter Kozlowski
General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648



Received 17 NOV 2016

File C14/1-3

Act/Off Hailey Copy/Rel

Dear Mr Kozlowski

**Listing on the State Heritage Register:
Old Wentworth Gaol, 112 Beverly Street Wentworth NSW
Notice pursuant to 37(1)(a) of the *Heritage Act 1977 (NSW)***

I advise that the Minister for Heritage has, on the recommendation of the Heritage Council of NSW, directed the listing of the above-mentioned heritage item on the State Heritage Register. The listing, a copy of which is attached, was published on 21 October 2016 in Government Gazette No. 84.

The item was listed due to its heritage significance to the people of the state of New South Wales. The details of the item, including the statement of significance, can be viewed on the SHR via the Heritage Division, Office of Environment & Heritage (OEH) website at www.heritage.nsw.gov.au by selecting *Search the State Heritage Register* and following the instructions.

Should you have any enquiries regarding this matter, please contact Mick Kelly, A/Senior Team Leader, South Western Region at the Heritage Division, OEH, on (03) 5021 8918.

Yours sincerely

10 November 2016

DR SIOBHAN LAVELLE OAM
Manager, Listings
Heritage Division
Office of Environment & Heritage

On behalf of the Heritage Council of NSW

encl

Government Notices

Planning and Environment Notices

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

The Glass House
80 The Bulwark, Castlecrag 18

SHR No 1981

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 13 September 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as The Glass House, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known Lot 257 DP 19290 in Parish of Willoughby, County of Cumberland shown on the plan catalogued HC 2882 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

Goldfinders Inn Group
164 Old Bells Line of Road Kurrajong

SHR No 1978

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 1 July 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Goldfinders Inn Group, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 123 DP 1063011 in Parish of Kurrajong, County of Cook shown on the plan catalogued HC 2856 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

The Greatest Wonder of the World and the American
Tobacco Warehouse and Fancy Goods Emporium
123-125 Mayne Street, Gulgong

SHR No 01983

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 5 September 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Greatest Wonder of the World and American Tobacco Warehouse and Fancy Goods Emporium, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 1 DP 400599 in Parish of Guntawang, County of Phillip shown on the plan catalogued HC 2910 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under section 37 (1) (b)

Old Wentworth Gaol
112 Beverley Street Wentworth

SHR No 1982

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 25 August 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Old Wentworth Gaol, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 90 DP 756994 in Parish of Wentworth, County of Wentworth shown on the plan catalogued HC 2893 in the office of the Heritage Council of New South Wales.

Government Notices

HERITAGE ACT 1977

Order under Section 57 (2) to Grant Site Specific
Exemptions from Approval

Old Wentworth Gaol
112 Beverley Street, Wentworth

SHR No 01982

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the *Heritage Act 1977*, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the owner, mortgagee or lessee of the land described in Schedule "B" on the item described in Schedule "A".

Sydney, 25th Day of August 2016

The Hon MARK SPEAKMAN, SC MP
Minister for Heritage

Schedule "A"

The item known as Old Wentworth Gaol, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 90 DP 756994 in Parish of Wentworth, County of Wentworth shown on the plan catalogued HC 2893 in the office of the Heritage Council of New South Wales.

Schedule "C"

1. Existing flood levee

All works including construction, excavation, and filling associated with the maintenance or emergency activities on the flood levee and margins situated on the western boundary of the curtilage within Lot 90 of DP 756994 and in the registered easement for the levee within DP 1169679.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

Thurlow House
9 Stuart Crescent Blakehurst

SHR No 1980

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 25 August 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Thurlow House, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot D of DP 346635 in Parish of St George, County of Cumberland shown on the plan catalogued HC 2900 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

Valley Heights Steam Tram Rolling Stock
17B Tusculum Rd, Valley Heights

SHR No 1977

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 1 July 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as Valley Heights Steam Tram Rolling Stock, located at 17B Tusculum Road, Valley Heights, consisting of:

- a. Steam Tram Motor 103A;
- b. Trailer Car 93B; and
- c. Trailer Car 72B.

Heritage Council of New South Wales



State Heritage Register - SHR 01982, Plan 2893
 Old Wentworth Gaol
 112 Beverly Street, Wentworth
 Gazettal Date: 21 October 2016

0 10 20 30 40
 Metres

Scale: 1:1,500



Legend

- SHR Curtilage
- Land Parcels
- Railways
- Roads
- LGAs

NO	LOCALITY	ITEM NAME	ADDRESS	PROPERTY DESCRIPTION	SIGNIFICANCE	ITEM NO	ERROR/CORRECTION
1	Pomona	Hazeldell Homestead	Low Darling Road	Lot 1, DP 756928	Local	I28	The Locality should be Ellerslie
2	Pomona	Para Homestead	Low Darling Road	Lot 4421, DP 767316	Local	I29	The Locality should be Para
3	Pomona	Para Woolshed & Shearer's Quarters	Low Darling Road	Lot 15, DP 756970	Local	I30	The Locality should be Para
4	Pomona	Sturts Billabong	Low Darling Road	Lot 2, DP 1143367	Local	I27	The Property Description should be Lots 1 & 2, DP 1189519
5	Pooncarie	Darling Bridge	Menindee Road	Darling River between Part Lot 4735, DP 767963 on the western approach and Lot 7, DP 820421 on the eastern approach	Local	I33	The Property Description should be Lots 3 & 6, DP 820421
6	Wentworth	Lockmaster's Residence	Cadell Street	Lot 7, DP 756994	Local	I52	The Property Description should be Lots 2 & 3, DP 1203396
7	Wentworth	Royal Hotel	41 Darling Street	Lot 1, DP 129815	Local	I62	The Property Description should be Lot 2, Section 23, DP 759074 Mapping incorrectly applied to 45 Darling Street (Motel area)
8	Wentworth	"Elders"	47 Darling Street	Lot 3, DP 667984	Local	I63	Item Name should be Former Stock & Station Agency Address should be 49 Darling Street Property Description should be Lot 4, DP 660139 Mapping incorrectly applied to 47 Darling Street/apply mapping to whole lot
9	Wentworth	Former Stock and Station Agency	49 Darling Street	Lot 4, DP 660139	Local	I64	Item Name should be Former Bank Address should be 51 Darling Street Property Description should be Lot A, DP 321536 Mapping incorrectly applied to 49 Darling Street/apply mapping to whole

10	Wentworth	Police Station and Courthouse	76 Darling Street	Lot 11 DP Section 25, DP759074	Local	169	lot	Property description should be Lot 7346, DP 1141317
11	Wentworth	Church (St John's Anglican Church and Rectory)	81-89 Darling Street	Lot 2, DP 859499	State	170		The Property has been recently subdivided so the listing needs to be separated: Former Rectory (St John's Anglican Rectory) 81-85 Darling Street Lot 1, DP 859499 and Church (St John's Anglican Church) 87-89 Darling Street Lot 2 DP 859499 Mapping to be applied to both lots
12	Wentworth	Noola Homestead	Noola Station	Lot 5278, DP 768193	Local	175		Locality should be Rufus Address should be 7173 Renmark Road
13	Wentworth	Moorna Cemetery	Old Renmark Road	Lot 6, DP 756168	Local	177		Locality should be Rufus Address should be 465 Rufus River Road
14	Wentworth	Moorna Station Homestead	Old Renmark Road	Lot 6, DP 756168	Local	176		Locality should be Rufus Address should be 465 Rufus River Road
15	Wentworth	Moorna Township	Old Renmark Road	Lot 6, DP 756168	Local	178		Locality should be Rufus Address should be 465 Rufus River Road
16	Wentworth	Tapio Homestead	Pooncarie Road	Lot 13, DP 756986	Local	180		Address should be 1517A Pooncarie Road
17	Wentworth	Nulla Nulla Homestead	Renmark Road	Lot 4070, DP 766545	Local	182		Locality should be Pine Camp Address should be 1049 Nulla Road
18	Wentworth	Nulla Nulla Woolshed	Renmark Road	Lot 4069, DP 766544	Local	181		Locality should be Pine Camp Address should be Nulla Road
19	Wentworth	Wangamma Homestead	Rufus River Road	Lot 1, DP 814369	Local	191		Locality should be Rufus Address should be 241A Lock 8 Road
20	Wentworth	"Kilmarnock"	Wharf Street	Lot 1A, DP 387344	Local	193		Address should be 3 Adelaide Street
ITEM TO BE ADDED TO SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST								

21	Wentworth	Shop/Office	29 Darling Street	Lot 11, DP 387344	Local		Incorrectly omitted from Wentworth LEP 2011 at time of conversion from Wentworth LEP 1993
ITEM TO BE REMOVED FROM SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST							
22	Wentworth	Dwelling	135B Darling Street	Lot 1, DP 1064417	Local	172	Heritage Advisor recommends removal of item due to extensive modifications
23	Wentworth	Dwelling	34 Sandwyck Street	Lot 1, DP 304749	Local	187	Heritage Advisor recommends removal of item due to severe fire damage, remaining structure has now been demolished
24	Wentworth	Dwelling	35 Cadell Street	Lot 4, Section 9, DP 759074	Local	158	Address should be 47 Cadell Street Property Description should be Lot 8, Section 8, DP 759074 Mapping incorrectly applied to 35 Cadell Street 47 Cadell Street deemed structurally unsound and uninhabitable – recommend demolish existing building
ITEM TO BE CHANGED FROM LOCAL TO STATE SIGNIFICANCE							
25	Wentworth	Old Wentworth Gaol	112 Beverley Street	Lot 90, DP 756994	State	150	Street number omitted from Wentworth LEP 2011 at time of conversion from Wentworth LEP 1993 Confirmation received from NSW Heritage Council that Old Wentworth Gaol is now listed on State Heritage Register

12 REPORTS FROM HEALTH AND PLANNING DIVISION

12.1 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL AMENDMENT 8 - RECTIFY ERRORS IN SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST AND HERITAGE MAPPING

File Number: RPT/17/409

Responsible Officer: Ken Ross - Director, Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Michele Bos - Strategic Development Officer

Delivery Program Objective: 2. Growth & Development

Delivery Program Strategy: 2.1 Maximise the productive use of land

Summary

Wentworth Shire Council, at its meeting held 19 April 2017, resolved to seek an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel and submit the amendment to the Department of Planning and Environment (the Department) for finalisation and notification.

The author of that report has just been advised that the owner of one property that was excluded from and recommended to be included in Schedule 5 Environmental Heritage list and the heritage mapping, has applied to demolish the existing building and construct a new dwelling in its place.

Therefore, this report is a repetition of the report to Council two weeks ago but also includes addressing that particular property and its heritage significance.

Recommendation

That Council seeks an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment 8, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Council Resolution

That Council seeks an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment 8, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : *Crs Elstone, Evans, Hederics, MacAllister, Nunan and Wheeldon.*

Against the Motion: *Nil.*

12 REPORTS FROM HEALTH AND PLANNING DIVISION

12.1 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL AMENDMENT 8 - RECTIFY ERRORS IN SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST AND HERITAGE MAPPING

File Number: RPT/17/362

Responsible Officer: Ken Ross - Director, Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Michele Bos - Strategic Development Officer

Delivery Program Objective: 2. Growth & Development

Delivery Program Strategy: 2.1 Maximise the productive use of land

Summary

Wentworth Shire Council, at its meeting held 18 March 2015, resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for consideration of a Gateway Determination to rectify errors contained within Schedule 5 Environmental Heritage list and heritage mapping of the Wentworth Local Environmental Plan (LEP) 2011.

A Gateway Determination to proceed with the planning proposal was issued by the Department on 2 June 2016.

Recommendation

That Council seeks an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment 8, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Detailed Report

Purpose

The purpose of this report is to seek Council approval to progress to the final stage of the amendment process by submitting Planning Proposal Amendment 8 to Parliamentary Counsel for an Opinion, then to the Minister of the Department of Planning and Environment for finalisation and notification of the amendment on the legislative website.

Background

A desk top review of the Wentworth LEP 2011 Schedule 5 Environmental Heritage list identified twenty-one list errors and four mapping errors.

Consultation with Council's former Heritage Advisor also revealed that one commercial building had been erroneously omitted from the list and one dwelling had been renovated and another significantly fire damaged, and their significant heritage features no longer existed.

All of these errors were detailed in the planning proposal report submitted to the Department for consideration of a gateway determination.

Matters under consideration

The Gateway Determination that was issued by the Department conditioned that Council undertake community consultation for 28 days in accordance with sections 56 (2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

Consultation was conducted for 28 days between 22 July 2016 and 19 August 2016. At the close of the consultation period, Council had received no community submissions to the proposal.

The Gateway Determination also required consultation with the Office of Environment and Heritage (OEH) in accordance with section 56 (2)(d) of the Environmental Planning and Assessment Act 1979.

Council, therefore, notified OEH in writing of the proposal and provided them with 21 days to respond to that notification.

The response to this notification was supplied by the Heritage Council of New South Wales, which raised no objections to the proposal to rectify errors in Schedule 5 or the heritage mapping and supported the inclusion of the additional item to the list.

The response to the removal of two items was to advise Council that the decision to remove these should be on the basis of an assessment of the heritage significance of those items.

Refer to Attachment 1.

The proposal to remove both of these items from the list and associated mapping is based on an inspection and assessment undertaken by Council's former heritage advisor. The decision to remove both of the items was formed on the advice that one building had been destroyed by fire and the other building had been significantly renovated and modified which had compromised and removed the significant heritage features of that building. Therefore, the advice provided by the Heritage Council NSW has been satisfied.

All conditions of the Gateway Determination dated 2 June 2016 have been satisfactorily completed.

One additional change has been made to Schedule 5 Environmental Heritage list following the advice received from the NSW Heritage Council regarding the level of significance of the Old Wentworth Gaol.

This item, number I50 in Schedule 5 Environmental Heritage list, is now included on the State Heritage Register, therefore the WLEP 2011 heritage list needs to be altered to reflect the Gaol's level of significance.

The site is owned by Crown Lands with Wentworth Shire Council as the Trustee. Therefore, the change to the significance listing will not have any negative impact on the owner or user of the site.

Refer to Attachment 2.

A full list of the amendments to be made to the Wentworth LEP 2011 can be viewed in Attachment 3.

Options

Based on the information contained in this report, the options available to address this matter are to:

- Seek an opinion for the Planning Proposal Amendment No 8 from Parliamentary Counsel, and
- Submit Planning Proposal Amendment No 8 to the Department of Planning and Environment for finalisation and notification.

Organisational Support Implications

The Manager Organisational Support advises that this decision item has the following implications for Council:

No comments required.

Financial Implications

The Director Finance and Policy advises that this decision item has the following financial implications for Council:

No comments required.

Roads and Engineering Implications

The Director Roads and Engineering advises that this decision item has the following implications for Council:

No comments required.

Conclusion

It is necessary for Council to endorse the recommendations of this report to allow for the planning proposal to progress to the Department of Planning and Environment for finalisation and notification. The finalisation of this amendment will ensure that Council provides accurate information relating to properties identified and protected by the heritage list and associated mapping.

Attachments

1. Advice from Heritage Council.
2. Minister for Heritage advises Old Wentworth Gaol listed on State. Heritage Register - published 21 October 2016 Government Gazette No 84
3. Final Heritage List Amendments.



Heritage Council

of New South Wales

Level 6, 10 Valentine Avenue
Parramatta NSW 2150
Locked Bag 5020
Parramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599
heritagemailbox@environment.nsw.gov.au
www.heritage.nsw.gov.au

File No: EF14/9832
Ref No: DOC16/513053

Wentworth Shire Council
Strategic Development Officer
PO Box 81
WENTHWORTH NSW 2648

Attention: Michele Bos

Dear Sir/Madam,

RE: Planning proposal to amend the Wentworth Local Environmental Plan (WLEP) 2011.

Thank you for your letter dated 11 October, 2016 regarding the abovementioned planning proposal, requesting comments from the Heritage Council.

The planning proposal seeks to:

- Rectify minor descriptive errors in Schedule 5,
- Rectify minor mapping errors,
- Inclusion of one (1) heritage item of local significance which was erroneously omitted from the environmental heritage list at the time of the conversion of the new standard instrument, and
- Removal of two (2) heritage items of local significance from Schedule 5 of the LEP, due to loss from fire and extensive renovations.

The Heritage Division raises no objection to the rectification of errors and updating of existing details and descriptions within the Schedule 5 and/or Heritage Maps of the Wentworth LEP 2011. It is considered that the inclusion of an additional item of heritage significance, will assist in providing a link between past, present and future generations and provide statutory protection to assist with conservation and management of significant places. The Heritage Council of NSW supports the listing of items of local heritage significance where they are supported by a robust heritage assessment.

The planning proposal also aims to remove two (2) items from Schedule 5 - Environmental Heritage list and associate mapping. The removal of one of the items is due to severe fire damage that left the dwelling completely gutted including damage to the structural integrity of the internal brick walls as a result of the heat of the fire. It is noted that Development Approval has already been issued for the demolition of the dwelling on the basis of the advice provided by the heritage advisor. The Heritage advisor has recommended the remaining item to be removed because of the modifications made to this dwelling which have compromised most of its heritage values.

Helping the community conserve our heritage

Helping the community conserve our heritage

The Heritage Council considers that Council's decision on whether to list or delist a local heritage item in Schedule 5 of the Wentworth LEP should be based on the assessment of the heritage significance of that item in the heritage study or review.

If you have any questions regarding the above matter please contact Bronwyn Smith Heritage Assessment Officer, at the Heritage Division, Office of Environment and Heritage on 9873 8604 or at Bronwyn.Smith@environment.nsw.gov.au

Yours sincerely



Katrina Stankowski

STL, Archaeology
Heritage Division
Office of Environment & Heritage
As Delegate of the NSW Heritage Council
13 October 2016



Heritage Council

of New South Wales

Level 6, 10 Valentine Avenue
Parramatta NSW 2150

Locked Bag 5020
Parramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599

heritage@heritage.nsw.gov.au
www.heritage.nsw.gov.au

Contact: Mick Kelly
Phone: 03 5021 8918
Email: mick.kelly@environment.nsw.gov.au
DOC no. DOC16/564403
TRIM no. SF16/49376

Mr Peter Kozlowski
General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648



Received 17 NOV 2016

File C14/1-3

Act/Off Hailey Copy/Rel

Dear Mr Kozlowski

**Listing on the State Heritage Register:
Old Wentworth Gaol, 112 Beverly Street Wentworth NSW
Notice pursuant to 37(1)(a) of the *Heritage Act 1977 (NSW)***

I advise that the Minister for Heritage has, on the recommendation of the Heritage Council of NSW, directed the listing of the above-mentioned heritage item on the State Heritage Register. The listing, a copy of which is attached, was published on 21 October 2016 in Government Gazette No. 84.

The item was listed due to its heritage significance to the people of the state of New South Wales. The details of the item, including the statement of significance, can be viewed on the SHR via the Heritage Division, Office of Environment & Heritage (OEH) website at www.heritage.nsw.gov.au by selecting *Search the State Heritage Register* and following the instructions.

Should you have any enquiries regarding this matter, please contact Mick Kelly, A/Senior Team Leader, South Western Region at the Heritage Division, OEH, on (03) 5021 8918.

Yours sincerely

10 November 2016

DR SIOBHAN LAVELLE OAM
Manager, Listings
Heritage Division
Office of Environment & Heritage

On behalf of the Heritage Council of NSW

encl

Government Notices

Planning and Environment Notices

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

The Glass House
80 The Bulwark, Castlecrag 18

SHR No 1981

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 13 September 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as The Glass House, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known Lot 257 DP 19290 in Parish of Willoughby, County of Cumberland shown on the plan catalogued HC 2882 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

Goldfinders Inn Group
164 Old Bells Line of Road Kurrajong

SHR No 1978

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 1 July 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Goldfinders Inn Group, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 123 DP 1063011 in Parish of Kurrajong, County of Cook shown on the plan catalogued HC 2856 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

The Greatest Wonder of the World and the American
Tobacco Warehouse and Fancy Goods Emporium
123-125 Mayne Street, Gulgong

SHR No 01983

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 5 September 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Greatest Wonder of the World and American Tobacco Warehouse and Fancy Goods Emporium, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 1 DP 400599 in Parish of Guntawang, County of Phillip shown on the plan catalogued HC 2910 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under section 37 (1) (b)

Old Wentworth Gaol
112 Beverley Street Wentworth

SHR No 1982

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 25 August 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Old Wentworth Gaol, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 90 DP 756994 in Parish of Wentworth, County of Wentworth shown on the plan catalogued HC 2893 in the office of the Heritage Council of New South Wales.

Government Notices

HERITAGE ACT 1977

Order under Section 57 (2) to Grant Site Specific Exemptions from Approval

Old Wentworth Gaol
112 Beverley Street, Wentworth

SHR No 01982

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the *Heritage Act 1977*, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the owner, mortgagee or lessee of the land described in Schedule "B" on the item described in Schedule "A".

Sydney, 25th Day of August 2016

The Hon MARK SPEAKMAN, SC MP
Minister for Heritage

Schedule "A"

The item known as Old Wentworth Gaol, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot 90 DP 756994 in Parish of Wentworth, County of Wentworth shown on the plan catalogued HC 2893 in the office of the Heritage Council of New South Wales.

Schedule "C"

1. Existing flood levee

All works including construction, excavation, and filling associated with the maintenance or emergency activities on the flood levee and margins situated on the western boundary of the curtilage within Lot 90 of DP 756994 and in the registered easement for the levee within DP 1169679.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register under Section 37 (1) (b)

Thurlow House
9 Stuart Crescent Blakehurst

SHR No 1980

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 25 August 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as the Thurlow House, situated on the land described in Schedule "B".

Schedule "B"

All those pieces or parcels of land known as Lot D of DP 346635 in Parish of St George, County of Cumberland shown on the plan catalogued HC 2900 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register under Section 37 (1) (b)

Valley Heights Steam Tram Rolling Stock
17B Tusculum Rd, Valley Heights

SHR No 1977

In pursuance of section 37 (1) (b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 1 July 2016 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

HERITAGE COUNCIL OF NEW SOUTH WALES

Schedule "A"

The item known as Valley Heights Steam Tram Rolling Stock, located at 17B Tusculum Road, Valley Heights, consisting of:

- a. Steam Tram Motor 103A;
- b. Trailer Car 93B; and
- c. Trailer Car 72B.

Heritage Council of New South Wales



State Heritage Register - SHR 01982, Plan 2893

Old Wentworth Gaol

112 Beverly Street, Wentworth

Gazettal Date: 21 October 2016

0 10 20 30 40
Metres

Scale: 1:1,500



Legend

- SHR Curtilage
- Land Parcels
- Railways
- Roads
- LGAs

NO	LOCALITY	ITEM NAME	ADDRESS	PROPERTY DESCRIPTION	SIGNIFICANCE	ITEM NO	ERROR/CORRECTION
1	Pomona	Hazeldell Homestead	Low Darling Road	Lot 1, DP 756928	Local	I28	The Locality should be Ellerslie
2	Pomona	Para Homestead	Low Darling Road	Lot 4421, DP 767316	Local	I29	The Locality should be Para
3	Pomona	Para Woolshed & Shearer's Quarters	Low Darling Road	Lot 15, DP 756970	Local	I30	The Locality should be Para
4	Pomona	Sturts Billabong	Low Darling Road	Lot 2, DP 1143367	Local	I27	The Property Description should be Lots 1 & 2, DP 1189519
5	Pooncarie	Darling Bridge	Menindee Road	Darling River between Part Lot 4735, DP 767963 on the western approach and Lot 7, DP 820421 on the eastern approach	Local	I33	The Property Description should be Lots 3 & 6, DP 820421
6	Wentworth	Lockmaster's Residence	Cadell Street	Lot 7, DP 756994	Local	I52	The Property Description should be Lots 2 & 3, DP 1203396
7	Wentworth	Dwelling	35 Cadell Street	Lot 4, Section 9, DP 759074	Local	I58	Address should be 47 Cadell Street Property Description should be Lot 8, Section 8, DP 759074 Mapping incorrectly applied to 35 Cadell Street
8	Wentworth	Royal Hotel	41 Darling Street	Lot 1, DP 129815	Local	I62	The Property Description should be Lot 2, Section 23, DP 759074 Mapping incorrectly applied to 45 Darling Street (Motel area)
9	Wentworth	"Elders"	47 Darling Street	Lot 3, DP 667984	Local	I63	Item Name should be Former Stock & Station Agency Address should be 49 Darling Street Property Description should be Lot 4, DP 660139 Mapping incorrectly applied to 47 Darling Street/apply mapping to whole lot
10	Wentworth	Former Stock and	49 Darling Street	Lot 4, DP 660139	Local	I64	Item Name should be Former Bank

		Station Agency							
11	Wentworth	Police Station and Courthouse	76 Darling Street	Lot 11 DP Section 25, DP759074	Local	I69	Property description should be Lot 7346, DP 1141317	Address should be 51 Darling Street Property Description should be Lot A, DP 321536 Mapping incorrectly applied to 49 Darling Street/apply mapping to whole lot	
12	Wentworth	Church (St John's Anglican Church and Rectory)	81-89 Darling Street	Lot 2, DP 859499	State	I70	The Property has been recently subdivided so the listing needs to be separated: Former Rectory (St John's Anglican Rectory) 81-85 Darling Street Lot 1, DP 859499 and Church (St John's Anglican Church) 87-89 Darling Street Lot 2 DP 859499 Mapping to be applied to both lots		
13	Wentworth	Noola Homestead	Noola Station	Lot 5278, DP 768193	Local	I75	Locality should be Rufus Address should be 7173 Renmark Road		
14	Wentworth	Moorna Cemetery	Old Renmark Road	Lot 6, DP 756168	Local	I77	Locality should be Rufus Address should be 465 Rufus River Road		
15	Wentworth	Moorna Station Homestead	Old Renmark Road	Lot 6, DP 756168	Local	I76	Locality should be Rufus Address should be 465 Rufus River Road		
16	Wentworth	Moorna Township	Old Renmark Road	Lot 6, DP 756168	Local	I78	Locality should be Rufus Address should be 465 Rufus River Road		
17	Wentworth	Tapio Homestead	Pooncarie Road	Lot 13, DP 756986	Local	I80	Address should be 1517A Pooncarie Road		
18	Wentworth	Nulla Nulla Homestead	Renmark Road	Lot 4070, DP 766545	Local	I82	Locality should be Pine Camp Address should be 1049 Nulla Road		
19	Wentworth	Nulla Nulla Woolshed	Renmark Road	Lot 4069, DP 766544	Local	I81	Locality should be Pine Camp		

20	Wentworth	Wangamma Homestead	Rufus River Road	Lot 1, DP 814369	Local	191	Address should be Nulla Road Locality should be Rufus Address should be 241A Lock 8 Road
21	Wentworth	"Kilmarnock"	Wharf Street	Lot 1A, DP 387344	Local	193	Address should be 3 Adelaide Street
ITEM TO BE ADDED TO SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST							
22	Wentworth	Shop/Office	29 Darling Street	Lot 11, DP 387344	Local		Incorrectly omitted from Wentworth LEP 2011 at time of conversion from Wentworth LEP 1993
ITEM TO BE REMOVED FROM SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST							
23	Wentworth	Dwelling	135B Darling Street	Lot 1, DP 1064417	Local	172	Heritage Advisor recommends removal of Item due to extensive modifications
24	Wentworth	Dwelling	34 Sandwyck Street	Lot 1, DP 304749	Local	187	Heritage Advisor recommends removal of Item due to severe fire damage, remaining structure has now been demolished
ITEM TO BE CHANGED FROM LOCAL TO STATE SIGNIFICANCE							
25	Wentworth	Old Wentworth Gaol	112 Beverley Street	Lot 90, DP 756994	State	150	Street number omitted from Wentworth LEP 2011 at time of conversion from Wentworth LEP 1993 Confirmation received from NSW Heritage Council that Old Wentworth Gaol is now listed on State Heritage Register

12 REPORTS FROM HEALTH AND PLANNING DIVISION

12.1 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL AMENDMENT 8 - RECTIFY ERRORS IN SCHEDULE 5 ENVIRONMENTAL HERITAGE LIST AND HERITAGE MAPPING

File Number: RPT/17/362

Responsible Officer: Ken Ross - Director, Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Michele Bos - Strategic Development Officer

Delivery Program Objective: 2. Growth & Development

Delivery Program Strategy: 2.1 Maximise the productive use of land

Summary

Wentworth Shire Council, at its meeting held 18 March 2015, resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for consideration of a Gateway Determination to rectify errors contained within Schedule 5 Environmental Heritage list and heritage mapping of the Wentworth Local Environmental Plan (LEP) 2011.

A Gateway Determination to proceed with the planning proposal was issued by the Department on 2 June 2016.

Recommendation

That Council seeks an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment 8, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Council Resolution

That Council seeks an Opinion for Planning Proposal Amendment 8 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment 8, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

Resolution 18/3/15 for
Gateway

14.1 REPORT FROM THE PLANNING AND LIAISON COMMITTEE MEETING HELD ON 18 FEBRUARY 2015

File Number: RPT/15/221

Responsible Officer: Ken Ross - Director, Health and Planning
Responsible Directorate: Health and Planning
Reporting Officer: Kerrilyn Miller - Health & Planning Coordinator

Delivery Program Objective: 2. Growth & Development
Delivery Program Strategy: 2.1 Maximise the productive use of land

Summary

A meeting of the Planning Liaison Committee was held on Wednesday, 18 February 2015 and the Minutes of the meeting are attached to this report for the information of Councillors.

The Committee has requested that the Reporting Officer seeks resolutions of Council on the following items:-

- A) S96 Development Contributions and S64 Development Servicing Plans and Urban Design Plan for Buronga/Gol Gol
- B) Wentworth LEP 2011 - Planning Proposal to rectify errors in Schedule 5 Environmental Heritage List

Recommendation

That Council in relation to S96 Development Contributions and S64 Development Servicing Plans and Urban Design Plan for Buronga / Gol Gol:

1. notes the conditions of the MOU, and endorses that the General Manager will advertise separately an Expression of Interest for the S94 Development Contribution Plan and S64 Developer Servicing Plan
2. endorses that the General Manager will advertise separately an Expression of Interest for an Urban Design Plan for Buronga/Gol Gol
3. endorses that a Project Variation Request be submitted advising the Department that the Wentworth Shire Council Development Contributions and Servicing Plans project will commence in July 2015 and be completed by July 2016, and
4. endorses the Working Group Charter for the Development Contributions and Servicing Plan Committee as amended by the Planning Liaison Committee.

That Council in relation to the Wentworth LEP 2011 - Planning Proposal to rectify errors in Schedule 5 Environmental Heritage List:

1. receives and notes the report
2. endorses the preparation of a full Planning Proposal to rectify the errors in the Wentworth Local Environmental Plan Schedule 5 Environmental heritage list, and
3. endorses the submission of the Planning Proposal to the Minister of the Department of Planning and Environment pursuant to Section 56 of the Environmental Planning and Assessment Act 1979 for a Gateway Determination.

Additional Information

Nil

Attachments

1. Minutes - Planning Liaison Committee 18 February 2015
2. Development Contributions and Servicing Plan Committee Charter - PLC
3. Wentworth Local Environmental Plan 2011 - Planning Proposal to Rectify Errors in Schedule 5 Environmental Heritage List - Planning Liaison Committee 18 February 2015

Council Resolution

That Council in relation to S96 Development Contributions and S64 Development Servicing Plans and Urban Design Plan for Buronga / Gol Gol:

1. notes the conditions of the MOU, and endorses that the General Manager will advertise separately an Expression of Interest for the S94 Development Contribution Plan and S64 Developer Servicing Plan
2. endorses that the General Manager will advertise separately an Expression of Interest for an Urban Design Plan for Buronga/Gol Gol
3. endorses that a Project Variation Request be submitted advising the Department that the Wentworth Shire Council Development Contributions and Servicing Plans project will commence in July 2015 and be completed by July 2016, and
4. endorses the Working Group Charter for the Development Contributions and Servicing Plan Committee as amended by the Planning Liaison Committee.

That Council in relation to the Wentworth LEP 2011 - Planning Proposal to rectify errors in Schedule 5 Environmental Heritage List:

1. receives and notes the report
2. endorses the preparation of a full Planning Proposal to rectify the errors in the Wentworth Local Environmental Plan Schedule 5 Environmental heritage list, and
3. endorses the submission of the Planning Proposal to the Minister of the Department of Planning and Environment pursuant to Section 56 of the Environmental Planning and Assessment Act 1979 for a Gateway Determination.

Moved Councillor P Cohrs, Seconded Councillor I Whitfield

CARRIED

At 10:20am Councillor Bob Wheeldon returned to Council Chambers.

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2016_WENTW_003_00
Date Sent to Department under s56	2 May 2016
Date considered at LEP Review Panel	Considered by the Director Generals Delegate
Gateway determination date	2 June 2016

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	22/07/16 to 19/08/16	
Date of public hearing (if held)	N/A	
Date sent to PCO seeking Opinion	11/05/2017	
Date Opinion received	9/06/2017	
Date Council Resolved to Adopt LEP	03/05/2017	
Date LEP made by GM (or other) under delegation	13/06/2017	
Date sent to DP&I requesting notification	13/06/2017	

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	23/06/2017.

Additional relevant information:

