

6.2 Wentworth Local Environmental Plan 2011 - Planning Proposal to Rectify Errors in Schedule 5 Environmental Heritage List

File Number: RPT/15/125

Responsible Officer: Ken Ross - Director, Health and Planning
Responsible Directorate: 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

A desktop review of Schedule 5 Environmental Heritage list contained in the Wentworth Local Environmental Plan 2011 has identified a number of errors in the list.

These errors include incorrect localities, property descriptions, addresses, mapping and the exclusion of a property from the list at the time of adopting the Wentworth LEP 2011.

Recommendation

That the Planning Liaison Committee recommends Council:

1. Receive and note the report.
2. Approve the preparation of a full Planning Proposal to rectify the errors in the Wentworth Local Environmental Plan Schedule 5 Environmental heritage list.
3. Submit 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.

Detailed Report**Purpose**

The purpose of this report is to seek approval to prepare and submit a planning proposal to the Department of Planning and Environment (Department) for a Gateway Determination. The proposal will rectify errors contained within Wentworth LEP 2011 Schedule 5 Environmental Heritage list and associated mapping.

Background

A recent desk top review of the Wentworth LEP 2011 Environmental Heritage List has identified 21 errors in the list.

Following a discussion with Council's Heritage Advisor, Mr Garry Stanley, it was also revealed that one property was also erroneously omitted from the list and associated mapping at the time of public exhibition and subsequent adoption of the, then, draft Wentworth LEP 2011.

Attachment 1 titled list of Environmental Heritage errors, highlights each of the listed properties that contain an error, and also notes the property that was omitted from the original schedule.

Matters under consideration

While the proposal may appear to be insignificant, it is necessary to ensure the list is as accurate as possible.

Council is obligated to provide property and development advice, this obligation includes providing accurate information relating to properties identified and protected by the heritage list.

If a property identification or address is incorrect, or heritage mapping applied to a property erroneously, it is extremely likely that an enquiry made on such a property will exclude or include information and advice that is or is not related to that property.

Options

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

- Recommend Council approve the preparation of a Planning Proposal to rectify the errors contained in the Wentworth LEP 2011 Schedule 5 Environmental heritage list and
- Recommend Council resolve to submit the Planning Proposal to the Minister of the Department pursuant to Section 56 of the Environmental Planning and Assessment Act 1979 for a Gateway Determination.

Implications

The decision item has the following implications for Council:

The options contained in this report enable Council to maintain an accurate Environmental Heritage List in the Wentworth LEP 2011. The accuracy of the list ensures Council's development advice and planning decisions are meticulous and correct.

Conclusion

The Wentworth LEP 2011 Schedule 5 Environmental heritage list aims to protect significant buildings and sites. This ensures that the Shire protects and retains its historical and cultural heritage for future generations.

Attachments

1. List of Environmental Heritage errors.

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.