

Balranald LEP Housekeeping Amendment

MAY 2024

Planning Proposal to Amend Balranald Local Environmental Plan 2010
Prepared on behalf of Balranald Shire Council

Prepared for

Balranald Shire Council

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Executive Summary

This Planning Proposal has been prepared by Habitat Planning on behalf of Balranald Shire Council in support of an amendment to the *Balranald Local Environmental Plan 2010* (LEP).

Specifically, the Planning Proposal seeks to achieve the following:

- Correction of a number of mapping anomalies as they relate to the Land Zoning, Minimum Lot Size, Natural Resources Sensitivity – Biodiversity and Riparian Land, Waterways and Groundwater Vulnerability Maps.
- Update Schedule 5 and the Heritage Maps of the LEP to implement the recommendations of the Balranald Shire Community Heritage Study.
- Introduction of a new local provision regarding boundary adjustments in certain rural zones.
- Deletion of the Additional Permitted Uses Map to reflect the fact that Schedule 1 of the LEP is blank.

The report has been prepared to address the requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline (December 2021)*.

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal as it relates to the altering of a principal development standard of an LEP and also seeks to rezone several parcels of land.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is consistent with the strategic planning framework including State, Regional, District and local planning strategies for Balranald.
- The proposal seeks to correct a number of identified mapping errors.
- The proposal is consistent with the recommendations of the endorsed *Balranald Shire Community Heritage Study*.
- The proposal seeks to allow greater flexibility in the planning process by allowing boundary adjustments in certain rural zones.
- The resultant changes are not expected to create any adverse impacts in terms of environmental, social or infrastructure provision.

It is recommended that Balranald Shire Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it to the NSW Department of Planning and Environment for a Gateway Determination.

1. Introduction

1.1. Overview

This Planning Proposal has been prepared by Habitat Planning on behalf of Balranald Shire Council in support of a 'housekeeping amendment' to the *Balranald Local Environmental Plan 2010* ("the LEP").

Specifically, the Planning Proposal seeks to achieve the following:

- Correction of a number of mapping anomalies as they relate to the Land Zoning, Minimum Lot Size, Natural Resources Sensitivity – Biodiversity and Riparian Land, Waterways and Groundwater Vulnerability Maps.
- Update Schedule 5 and the Heritage Maps of the LEP to implement the recommendations of Balranald Shire Community Heritage Study.
- Introduction of new local provision regarding boundary adjustments in certain rural zones.
- Deletion of the Additional Permitted Uses Map to reflect the fact that Schedule 1 of the LEP is blank.

This report has been prepared to address the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline* (December 2021).

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal as it relates to the altering of a principal development standard of an LEP and also seeks to rezone several parcels of land.

This report will demonstrate that the proposed amendments are consistent with the intent and objectives of the planning framework and strategic plans and policies. Consequently, this will provide the NSW Department of Planning and Environment (DPE) with the confidence to endorse the proposed amendment as sought by this Planning Proposal.

It is requested that the Planning Proposal be referred to the Minister for Gateway Determination in accordance with Section 3.34 of the EP&A Act. The Gateway Determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Any necessary technical studies or supporting studies.
- Whether the planning proposal needs to be amended (and possibly resubmitted to the Department) prior to exhibition.
- The duration and extent of community consultation.
- Whether consultation with State or federal authorities (if required).
- Whether a local contributions plan is to be exhibited at the same time as the planning proposal.
- Whether a public hearing is needed.
- The timeframes within which the various stages of the process for making of the proposed LEP are to be completed.
- Whether the council is to be authorised to make the proposed instrument as the Local Plan Making Authority (LPMA).
- Any other conditions.

1.2. Scope and Format of Planning Proposal

The Planning Proposal details the merits of the proposed changes to the LEP and has been structured in the following manner consistent with the Department of Planning & Environment's guideline titled: *Local Environmental Plan Making Guideline*:

- Section 1.0 – Introduction.
- Section 2.0 – Objectives and intended outcomes.
- Section 3.0 – Explanation of the provisions.
- Section 4.0 – Justification.
- Section 5.0 – Mapping.
- Section 6.0 – Community consultation.
- Section 7.0 – Project timeline.
- Section 8.0 – Conclusions and recommendations.

1.3. Supporting Plans and Documentation

The Planning Proposal has been prepared with input from a number of technical studies and assessments which have been prepared to accompany the request. These documents are included as attachments to this report and are identified in Table 1.

Table 1 Attachments to Planning Proposal

No.	Document Name	Prepared by
A	Balranald Shire Community Heritage Study 2006-2007 and Balranald Shire Heritage Review 2013	Heritage Archaeology Noel Thomson and Peter Kabaila
B	Consistency with Far West Regional Plan 2036	Habitat Planning
C	LEP Information Checklist	Habitat Planning

2. Objectives and Intended Outcomes

The objectives of this Planning Proposal are to amend the *Balranald Local Environmental 2010* (LEP) to correct a number of identified text and mapping anomalies and implement the recommendations of the *Balranald Shire Community Heritage Study*.

The Planning Proposal also seeks to introduce a new local provision that allows boundary adjustments in certain rural and environmental zones given the fragmented nature of a number of rural areas across the Council Shire area.

The specific objectives and intended outcomes of the Planning Proposal are to:

- a. Ensure the zoning and minimum lot size of lands accurately reflects their actual use and purposes.
- b. More accurately reflect and ensure protection of areas of environmental significance consistent with the NSW State Vegetation Type Map (Release Date: 28 April 2023, Version: C1.1.M1.1).
- c. Protect items of recognised heritage significance consistent with previous heritage strategies completed for the Shire.
- d. Allow for flexibility in the minimum lot size requirements in certain rural zones.
- e. Delete the Balranald Additional Permitted Uses Map to reflect the fact that Schedule 1 of the LEP is blank.

3. Explanation of Provisions

The intended outcomes of the Planning Proposal discussed above and within this report will be achieved as outlined below.

3.1. Mapping Anomalies

The outcomes of the Planning Proposal will be achieved by amending and/or deleting the following maps contained within the LEP:

- Land Zoning maps (*to be amended*)
- Minimum Lot Size maps (*to be amended*)
- Natural Resources Sensitivity—Biodiversity maps (*to be amended*)
- Riparian Land, Waterways and Groundwater Vulnerability maps (*to be amended*)
- Heritage maps (*to be amended*)
- Additional Permitted Use map (*to be deleted*)

The mapping showing the intended provisions is included in the justification for each item.

3.2. Inclusion of Additional Local Provision

The Planning Proposal seeks to insert a new clause after Clause 4.2C of the LEP that will allow for boundary adjustments in certain rural zones. The introduction of this clause is in recognition of the existing fragmented nature of Council's rural zones and the current minimum lot size that applies to this land, which has the potential to prevent the logical adjustment of boundaries between individual allotments.

The specific wording of this clause will be determined in consultation with the legal branch of Parliamentary Counsel; however the general objective of the clause would be to facilitate boundary adjustments between lots where one or more resultant lots do not meet the minimum lot size, but the objectives of the relevant zone can be achieved.

The new clause is proposed to apply to the following rural zones:

- Zone RU1 Primary Production,
- Zone RU3 Forestry,
- Zone RU4 Primary Production Small Lots,
- Zone RU5 Village.

It is recommended that the new clause include specific provisions that a consent authority must be satisfied with prior to the granting of development consent including;

- the subdivision will not create additional lots or the opportunity for additional dwellings, and
- the number of dwellings or opportunities for dwellings on each lot after subdivision will remain the same as before the subdivision, and
- the potential for land use conflict will not be increased as a result of the subdivision, and
- if the land is in Zone RU1 Primary Production and RU3 Forestry—the agricultural viability of the land will not be adversely affected as a result of the subdivision, and

Similarly, it is recommended that before determining a development application for the subdivision of land under the clause that the consent authority consider the following:

- the existing uses and approved uses of other land in the vicinity of the subdivision,
- whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the subdivision,
- whether or not the subdivision is likely to be incompatible with a land use on any adjoining land,
- whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,
- whether the subdivision is likely to have an adverse impact on the heritage vistas or landscapes or agricultural viability of the land.

Examples of similar boundary adjustment clauses can be found in the *Narromine Local Environmental Plan 2011* (cl. 4.2E), *Murray Local Environmental Plan 2011* (cl. 4.2D) and *Wagga Wagga Local Environmental Plan 2010* (cl. 4.6A).

3.3. Amendment to Schedule 5 & Heritage Maps

It is proposed to amend Schedule 5 of the LEP by updating and inserting the following items in red in alphabetical order by locality and address as follows:

The mapping showing the intended provisions is included in the justification for each item.

Table 2 Amendments to Schedule 5

Locality	Item Name	Address	Property Description	Significance	Item Number
Balranald	Balranald Island	Balranald	Lot 115, DP 823012	Local	I9
Balranald	Chinese Cemetery (site of)	Ballandella Street	Lot 9, Section 5, DP 758048	Local	I10
Balranald	St Barnabas Anglican Church (Balranald)	101-105 Ballandella Street	Lots 41-42, DP 1175482	Local	I11
Balranald	St Dymphna's Catholic Church	106 Church Street	Part Lots 11 & 12, Section 27, DP 758048	Local	I12
Balranald	Catholic Presbytery	106-108 Church Street	Part Lots 12 & 13, Section 27, DP 758048	Local	I13
Balranald	St Joseph's Catholic School	108-116 Church Street	Part Lots 13-14, Section 27, DP 758048	Local	I14
Balranald	Bridge House Hotel	55-59 Court Street	Lot E, DP366995	Local	I15
Balranald	Aboriginal Church	9 Endeavour Drive	Part Lot 126, DP751170	Local	I16
Balranald	Aboriginal Cemetery	Island Road	Lots 72 and 125, DP 751170	Local	I1

Balranald	Wyburn Escape Regulator	Ivanhoe Road	Part Lot 58, DP751246	Local	I17
Balranald	Balranald Gaol	83 Market Street	Part Lot 71, DP 1127975	Local	I18
Balranald	Wintong Homestead	83 Market Street	Part Lot 71, DP 1127975	Local	I19
Balranald	Horse and Dog Trough	85 Market Street	Part Lot 2, DP 700753	Local	I20
Balranald	Malcom & Son Stock & Station Agent Building Museum	86 Market Street	Lot 3, DP 1017869	Local	I21
Balranald	Theatre Royal	88-92 Market Street	Lots 21-22, DP 1181821 and Lot A, DP 156137	Local	I22
Balranald	CWA Building	120 Market Street	Lot 11, Section 89, DP 758048	Local	I23
Balranald	Fire Station	123 Market Street	Lot 10, Section 88, DP 758048	Local	I2
Balranald	Masonic Temple Gallery	51 Mayall Street	Lot 19, DP 668325	Local	I24
Balranald	Fish Traps	Murrumbidgee River, downstream of Balranald	Bed of Murrumbidgee River; Part Lot 1, DP 1124164, Part Lot 1, DP 25530, Part Lot 1680, DP 763600, Part Lot 7006, DP 1021401, Part Lot 127, DP 39863, Part Lot 2, DP1009597	Local	I3
Balranald	Dippo Ceremonial Ground	Murrumbidgee River, East Balranald	Road Reserve	Local	I4
Balranald	Balranald General Cemetery	Moa Street	Lots 1-7, DP 1041259	Local	I25
Balranald	Grave of Josiah Viles	Moa Street	Lot 4, DP 1041259	Local	I26
Balranald	Balranald Stock Pound	O'Connor Street	Lot 76, DP 751170	Local	I27
Balranald	Redbank Weir	Oxley Road	Part Lot 1, DP 553673 and Part Lot 3, DP 553673	Local	I28
Balranald	Site of Balranald River Port	Turandurey Street	Part Lot 7026, DP 1028203	Local	I29
Balranald	Yanga Woolshed	312 Windomal Road	Part Lot 25, DP 751203	Local	I30

Balranald	Yanga Regulator No. 102	312 Windomal Road	Part Lot 77, DP751203	Local	I31
Euston	Euston General Cemetery	2 Cowper Street	Lot 7300, DP 1152749	Local	I32
Euston	Lock and Weir 15 and Weir Pump Shed	Murray River, downstream of Euston	Lot 1, DP 767662	Local	I5
Euston	Courthouse	43 Murray Terrace	Lot 59, DP 8222092	Local	I6
Euston	Site of Euston River Port	Murray Terrace	Bank of Murray River adjacent to Part Lot 7301, DP 1140998	Local	I33
Euston	Euston Uniting Church	14 Selwyn Street	Lot 1, DP 1027646	Local	I34
Hatfield	Fossilised Wagon Tracks	8527 Hatfield The Vale Road	Part Lot 4262, DP766950	Local	I35
Kyalite	Site of Talbett's Punt	Kyalite Road	Lot 6, DP 751228	Local	I36
Kyalite	Federation Period Rural house, kitchen and history collection "Norwood"	3003 Yanga Way	Part Lot 277, DP761085	Local	I37
Lake Benanee	Burial Ground	Sturt Highway, east of Euston	Lot 1, DP 92444	Local	I7
Mungo	Mungo Woolshed	3046 Turlee Leaghur Road	Part Lot 7303, DP1173617	Local	I38
Oxley	St Barnabas Anglican Church (Oxley)	Oxley Street	Lot 6, Section 37, DP 758821	Local	I39
Willandra Lakes	Willandra Lakes	120km northwest of Balranald	Willandra Lakes Region World Heritage Property	International/ State	I8

4. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, identifies the strategic planning context and outlines what the community benefit will be.

Justification provided under criteria 1 to 5 below apply to the Planning Proposal in general.

Justification under criteria 6 to 12 are provided individually for each amendment item.

4.1. General

Section A - Need for the Planning Proposal

1. Is the planning proposal a result of an endorsed strategic planning statement, strategic study or report?

Yes, the Planning Proposal has been prepared consistent with the recommendations of the *Balranald Shire Community Heritage Study* (Appendix A). The Heritage Study was subsequently endorsed by Council and aims to provide a comprehensive identification of places of heritage significance based upon community interest.

Specifically, the Heritage Study recommends the inclusion of the subject lands within Schedule 5 and the Heritage Maps of the LEP.

The Planning Proposal has also been prepared consistent with the recommendations and actions contained within the *Balranald Shire Council Local Strategic Planning Statement* as outlined below.

Balranald Shire Council Local Strategic Planning Statement

The *Balranald Shire Council Local Strategic Planning Statement* (LSPS) sets the land use framework on a local scale for Balranald Shire Council's economic, social and environmental land use needs over the next 20 years. It addresses the planning and development issues of strategic significance to the Council through planning priorities and actions, spatial land use direction and guidance.

The LSPS gives effect to the *Far West Regional Plan 2036* implementing the directions and actions at a local level. It is also informed by other State-wide and regional policies including *Future Transport Plan 2056* and the *NSW State Infrastructure Strategy 2018 – 2038*.

The LSPS works with Council's Community Strategic Plan (CSP), which has a similar but broader purpose, on how Council will meet the community's needs through land use planning.

The vision statement in the LSPS outlines the following:

To use this Local Strategic Planning Statement to achieve Balranald Shire's vision in its Community Strategic Plan (stated below) and to deliver the broader aims of the Riverina Murray Regional Plan 2036.

- *Strengthen the capacity and opportunities for the economy.*
- *Make Balranald Shire the best-possible place to live, work and invest.*
- *Achieve outstanding results in managing, enhancing and improving our natural and built environment.*

To achieve this 20-year vision for Balranald, Council has identified a number of actions and future strategic planning requirements consistent with the recommendations of the FWRP and Council's Community Strategic Plan.

The Planning Proposal is consistent with the following actions of the LSPS:

- Action 7 – Value agriculture in decisions about land use.
- Action 32 – Use the planning system to the limit, to deliver economic/environmental balance in zonings and processing Development Application.
- Action 33 – Include heritage and outstanding contemporary assets in community asset planning and the Balranald-Euston brand.
- Action 39 – Prepare Cultural Heritage Studies to inform amendments/reviews of Council's LEP.

Specifically, the Planning Proposal seeks to amend the relevant biodiversity and waterway maps of the LEP to better reflect the environmental values of land and ensure that important ecological lands are protected ongoing.

The Planning Proposal also seeks to implement the recommendations of a recently completed heritage study to preserve and protect items and areas of heritage and cultural significance via an amendment to Schedule 5 and the Heritage maps of the LEP.

Lastly, the Planning Proposal seeks to provide flexibility in the minimum lot size requirements between certain rural zones, which will support existing productive agricultural operations.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The various amendments proposed as part of this Planning Proposal are considered the best means of achieving the objectives and intended outcomes.

The amendments seek to correct anomalies within a number of the LEP maps that occurred during the implementation of the LEP, namely where the environmental overlays do not align with the environmental values of the land.

The introduction of a new local provision, which allows for flexibility in the minimum lot size requirements between certain rural zones is also considered the best means of achieving the intended outcome of the Planning Proposal. Alternative options to this approach would be the granting of a Clause 4.6 variation, however given the potentially large variations that could result from minor boundary adjustments, this option is not preferred.

Similarly, the amendment to Schedule 5 and the Heritage maps of the LEP is considered the best means of ensuring the ongoing protection of items of heritage significance. In the absence of the amendment, there is a risk that these items will not be sufficiently protected.

Section B – Relationship to Strategic Planning Framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The *Far West Regional Plan 2036* was adopted by the NSW government in 2017 and is the relevant regional strategy that provides the strategic planning framework to guide decision-making and development in the Far West region for the next 20 years.

The Minister's foreword to the document states that "*in 2036, communities across the Far West enjoy the distinctive rural character of their communities, with a higher standard of living driven by stronger partnerships.*"

To achieve this vision, the NSW Government has acknowledged the opportunities for improved regional coordination and local leadership emerging through the Far West Initiative and set the following regionally focused goals:

- Goal 1 – A diverse economy with efficient transport and infrastructure networks.
- Goal 2 – Exceptional semi-arid rangelands traversed by the Barwon-Darling River.
- Goal 3 – Strong and connected communities.

Each of these goals is supported by a number of different actions, which seek to achieve the objectives of the goal.

An assessment of the Planning Proposal against the relevant goals, directions and actions of the Regional Plan is undertaken in **Attachment B**.

In summary the Planning Proposal is consistent with the Regional Plan as the amendment seeks to better reflect environmental values, protect items of heritage significance and encourage and support ongoing rural development as detailed in **Attachment B**.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Consideration of the *Balranald Shire Council Local Strategic Planning Statement* has been addressed in response to Question 1 above.

The *Balranald Shire Community Strategic Plan 2027* (CSP) is Council's local community strategic planning document. The CSP is based on 'six pillars of well being':

- Pillar 1 – Our People.
- Pillar 2 – Our Place.
- Pillar 3 – Our Economy.
- Pillar 4 – Our Culture.
- Pillar 5 – Our Infrastructure.
- Pillar 6 – Our Leadership.

The subject Planning Proposal is consistent with the following outcomes and strategies under Pillar 4 – Our Culture:

<i>Strategic Objective 4.1:</i>	<i>Promote opportunities to acknowledge and celebrate our diverse cultures, heritage, artistic expression, religions and faiths:</i>
<i>Strategies 4.1.1:</i>	<i>Identify, protect and interpret our significant heritage sites.</i>
<i>Priorities & Actions:</i>	<i>a. Improve appeal and appearance of Heritage & Historical buildings and sites to extend tourism offerings and opportunities.</i> <i>b. Add to the LEP and State Significance register.</i> <i>c. Support each township to preserve and enhance their unique character.</i> <i>e. Extend the Heritage Trail in Balranald.</i> <i>g. Identify and develop potential sites and trails for heritage interpretation including photographs.</i> <i>h. Continually seek support for the production of local history publications.</i>

The Planning Proposal is also consistent with the strategic objective of Pillar 5 – Our Infrastructure:

<i>Strategic Objective 5.1:</i>	<i>To preserve and enhance our natural environment's ensuring they remain sustainable, healthy and clean.</i>
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5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The Planning Proposal is consistent with other relevant State or Regional studies and strategic including *A 20 Year Economic Vision for Regional NSW*, which was refreshed in 2021.

The foreword to the Strategy states: *The 20 Year Economic Vision for Regional NSW is the NSW Government's plan to drive sustainable, long-term economic growth in regional NSW. It is the roadmap to unlock significant economic potential in regional NSW.*

For the purposes of this Strategy, the Balranald Shire Local Government Area is located within the 'Inland' region ('Western Murray'). The overarching objective for Inland Regional Economies is outlined as follows: *"Inland regions will benefit from a strong focus on building community resilience. Accelerating research and investment in key enablers, such as climate-resilient water infrastructure and technology use in agriculture and food production, will help support these economies with more productive and sustainable industries."*

Accordingly, the proposal will achieve the Priority Actions and underlying principles of *A 20 Year Economic Vision for Regional NSW*.

4.2. Item 1 – Boundary Adjustment Clause

The purpose of this item is to introduce a new local provision within the LEP that seeks to allow for boundary adjustments in certain rural zones as outlined in Section 3.2 of this report.

The local provision has been prepared as much of the Balranald Shire LGA consists of fragmented land parcels contained across the rural zones of the Shire. Whilst a large number of these undersized lots are held within the same ownership (landholdings), opportunities to undertake boundary adjustments between these lots is severely restricted as the 'resultant lots' cannot achieve the minimum lot size requirement of Clause 4.1.

Therefore, the purpose of the new local provision is to provide for greater flexibility in the application of the minimum lot size requirements of the LEP in certain circumstances and where it can satisfy the matters for consideration outlined in this clause.

There are no mapping changes required as part of the amendment.

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following SEPPs outlined in Table 3.

Table 3 – Assessment of Item 1 against applicable SEPPs

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Primary Production) 2021		
Chapter 2: Primary Production and Rural Development	Applies to all land in the State.	<p>The Planning Proposal does not conflict with the aims of this SEPP. Whilst it is acknowledged that the proposal does seek to allow for flexibility in the minimum lot size requirements as they apply to boundary adjustments, this is not expected to adversely affect existing agricultural operations and will actually support existing rural landholdings to allow for adjustments between their individual holdings.</p> <p>In addition, the proposed changes sought by this new local provision do not allow for the construction of a dwelling on an undersized lot within a rural zone, which will therefore ensure the ongoing protection of agricultural land and avoid opportunities for rural land use conflicts.</p>

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 4.

Table 4 – Assessment of Item 1 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it seeks to allow greater flexibility in the planning process by allowing boundary adjustments in certain rural and environmental zones.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
9. Primary Production			
9.1	Rural Zones	Yes, as the Planning Proposal relates to rural zones.	<p>The Planning Proposal is consistent with this Direction, despite seeking to introduce a new local provision to allow greater flexibility in the planning process by allowing boundary adjustments in certain rural zones.</p> <p>More specifically, the new local provision does not permit the creation of additional lots or the opportunity for additional dwellings and will remain the same as before the boundary adjustment and will therefore not increase the permissible density of land within a rural zone as per (1)(b) of this Direction.</p>

No.	Title	Applicable to Planning Proposal	Consistency
			Furthermore, subclauses (3)(d) and (4)(f) of the draft local provision requires that the boundary adjustment will maintain the agricultural viability of the land and will not create land use conflicts, thereby ensuring consistency with this Direction.
9.2	Rural Lands	Yes, as the Planning Proposal relates to rural land.	<p>The Planning Proposal is justifiably inconsistent with this Direction as it seeks to introduce a new local provision that allows for boundary adjustments in certain rural and environmental zones that do not comply with Clause 4.1 of the LEP.</p> <p>As outlined above, much of the Balranald Shire LGA consists of fragmented land parcels contained across the rural zones of the Shire. Whilst a large number of these undersized lots are held within the same ownership (landholding), opportunities to undertake boundary adjustments between these lots is severely restricted as the 'resultant lots' cannot achieve the minimum lot size requirement of Clause 4.1.</p> <p>Therefore, the purpose of the local provision is to allow for flexibility in planning, whilst still protecting the rural portions of the shire. The impacts on agriculture will be limited as the new clause does not allow opportunities for additional lots or dwelling entitlements and the clause is an adopted 'model clause' and is based on clause 4.6A of the Wagga Wagga LEP 2010, Narromine LEP 2011 and Murray River LEP 2011.</p> <p>As the clause does not allow for any additional development opportunities, the proposal is considered to be of 'minor significance' for the purposes of this Direction.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The proposed introduction of a new local provision, which allows for boundary adjustments in certain rural zones is not expected to create any adverse environmental impacts. As outlined above, the new clause does not allow for any additional lots or dwellings to be created and requires developments to achieve the matters for consideration including the ongoing protection of conservation lands.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other foreseen significant environmental effects associated with the proposed new local provision.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect on the locality as it will allow greater flexibility in the planning process by allowing boundary adjustments in certain rural zones, which are currently restricted by Clause 4.1 of the LEP.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities in relation to the subject Planning Proposal. Notwithstanding, any consultation requirements with relevant public authorities and service providers will occur in accordance with the conditions of the Gateway Determination. It is expected that as a minimum, consultation will be required with NSW Department of Primary Industries.

4.3. Item 2 – Deletion of Additional Permitted Uses Map

The purpose of this item of the Planning Proposal is to delete Broughton Street south of Euston (Lot 7307, DP1181418 and Lots 18 & 19, DP756085) from the Additional Permitted Uses Map. It is understood that the original intention of listing this land as an additional permitted use was to facilitate the construction of a marina in this location, which is currently prohibited in the RU1 Primary Production zone. To date, this marina has not been constructed and the changes sought by the Planning Proposal also seek to reflect the fact that at the time of preparing the LEP, Schedule 1 of the LEP was left blank and the map does not refer to a valid schedule listing.

As there are alternative options to facilitate development for the purposes of a marina, such as the use of Clause 5.3 – Development Near Zone Boundaries there is no longer a need to list this item as an additional permitted use.

Consequently, as this item is the only item identified on the Additional Permitted Uses map, it is recommended that this map series be deleted.

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

There are no applicable SEPP's for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

There are no applicable Section 9.1 Directions for this item.

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

There are no social or economic effects as a result of this item.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

There is no impact on public infrastructure as a result of this item.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

This item does not require consultation with State or Commonwealth public authorities.

4.4. Item 3 – Amendment to Natural Resources Sensitivity – Biodiversity Map – Balranald Township

The proposal seeks to adjust the boundaries of the High Conservation Value Native Vegetation on the Natural Resources Sensitivity – Biodiversity Map relating to the main township of Balranald to better reflect the environmental conditions of land and align with registered environmental databases.

The proposed amendment will be achieved by amending Natural Resources Sensitivity – Biodiversity Maps NRB_005A and NRB_005B as indicated in the maps below.

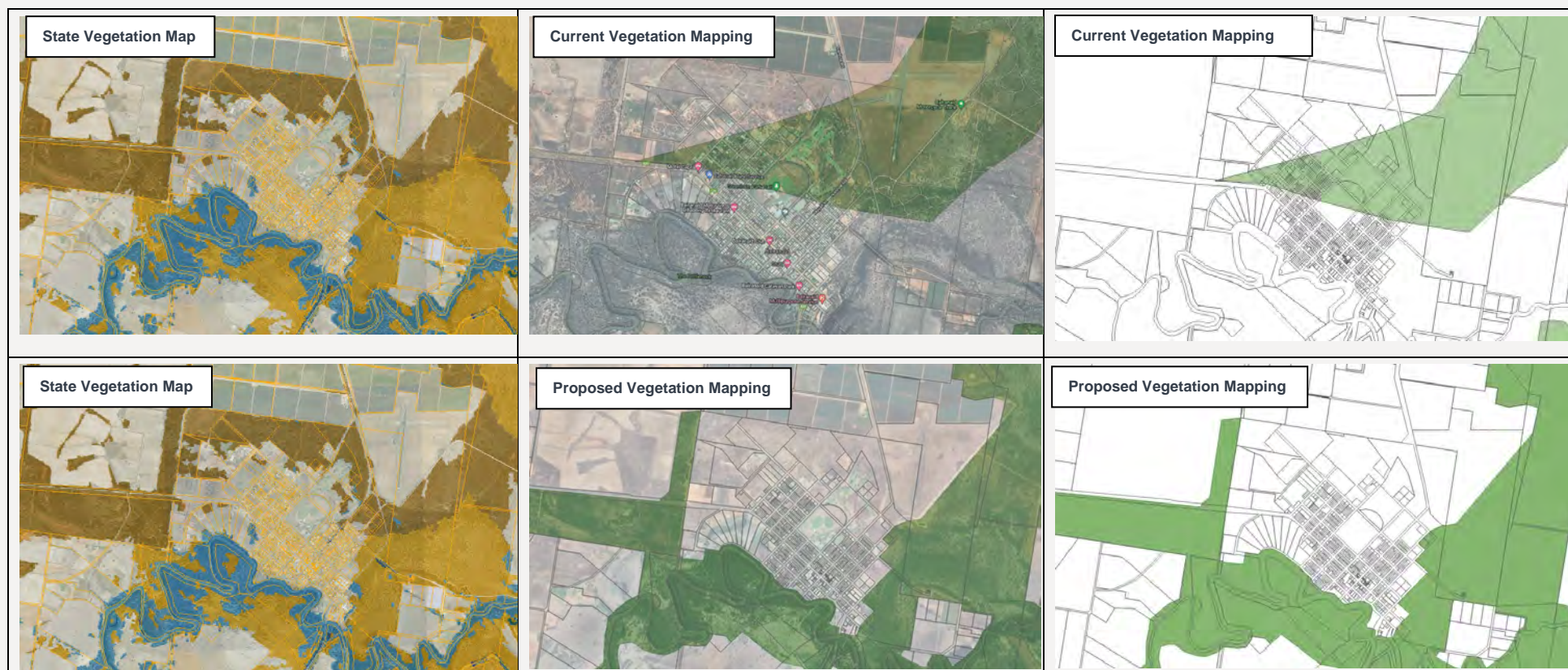


Figure 1 Item 3 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There are no applicable SEPP's for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 5.

Table 5 – Assessment of Item 3 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	The Planning Proposal is consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it seeks to ensure the ongoing protection of environmentally significant land, whilst also better reflecting the actual use of land. A full response in relation to this Regional Plan has been provided in Attachment A.
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
3. Biodiversity and Conservation			
3.1	Conservation Zones	Yes, as the Planning Proposal relates to conservation (C1) zoned land.	The Planning Proposal is consistent with this Direction as it seeks to better reflect the environmental values of land currently mapped in the Natural Resources Sensitivity – Biodiversity Map.

No.	Title	Applicable to Planning Proposal	Consistency
			<p>Whilst it is acknowledged that the proposal seeks to remove certain lands currently mapped as 'High Conservation Value Native Vegetation' from the Natural Resources Sensitivity Map, the proposal also seeks to include additional lands on this map.</p> <p>Overall, the planning proposal will maintain or will in fact increase the amount of land currently identified on this map and will better reflect the environmental values of land. At present, this map identifies areas of urban land that have been developed and contain no extant vegetation or biodiversity values, which undermines the validity of the map. An example of such mapping anomalies can be seen in relation to the Balranald Airport, which is fully developed.</p> <p>Following discussions with relevant DPE staff, it is understood that many NSW Council's terrestrial biodiversity maps (or similar) were based on state wide mapping, which was prepared at the state wide level and never intended for use at the local level as it had not been 'ground truthed'.</p> <p>Therefore, the purpose of the current amendment is to rectify existing anomalies in the mapping to better reflect the environmental values of land. This assessment has been based on a desktop assessment of recent aerial photography, as well as a review of endorsed environmental databases and open source data such as the SEED Portal.</p> <p>The implementation of the proposed changes sought by this Planning Proposal are therefore considered to improve the protection measures of significant environmental lands.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Planning Proposal will have a positive environmental impact as it will provide better protection of critical habitat or threatened species by more accurately identifying areas of environmental significance.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other foreseen significant environmental effects associated with the proposal.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will have a generally positive social impact as it seeks to better reflect the actual environmental values of land, which will provide greater confidence for landowners and the general community alike.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The outcomes sought by the Planning Proposal will not alter existing infrastructure arrangements.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Given the nature of the proposed changes, sought by items 3, 4 and 5 of this Planning Proposal, consultation has been undertaken within the Biodiversity Conservation Division (BCD) of the NSW Department of Planning. Specifically, a pre-lodgement meeting was conducted with representatives of Balranald Shire Council, BCD and DPE on 28 July 2023 to discuss the contents of the subject Planning Proposal.

This pre-lodgement meeting primarily discussed options to amend the existing Terrestrial Biodiversity mapping within the LEP so as to ensure that they more accurately reflect biodiversity values. Written advice was received from this agency confirming support for the agreed approach, which seeks to limit mapping amendments to the main townships, which are experiencing development pressures. It was agreed that further review of biodiversity mapping at a shire-wide scale will be undertaken as part of a larger strategic planning exercise, separate to the subject Planning Proposal.

4.5. Item 4 – Amendment to Natural Resources Sensitivity – Biodiversity Map – Euston Township

The proposal seeks to adjust the boundaries of the High Conservation Value Native Vegetation on the Natural Resources Sensitivity – Biodiversity Map as it relates to the main township of Euston to better reflect the environmental conditions of land and align with registered environmental databases.

The proposed amendment will be achieved by amending Natural Resources Sensitivity – Biodiversity Maps NRB_002A and NRB_002B as indicated in the maps below.

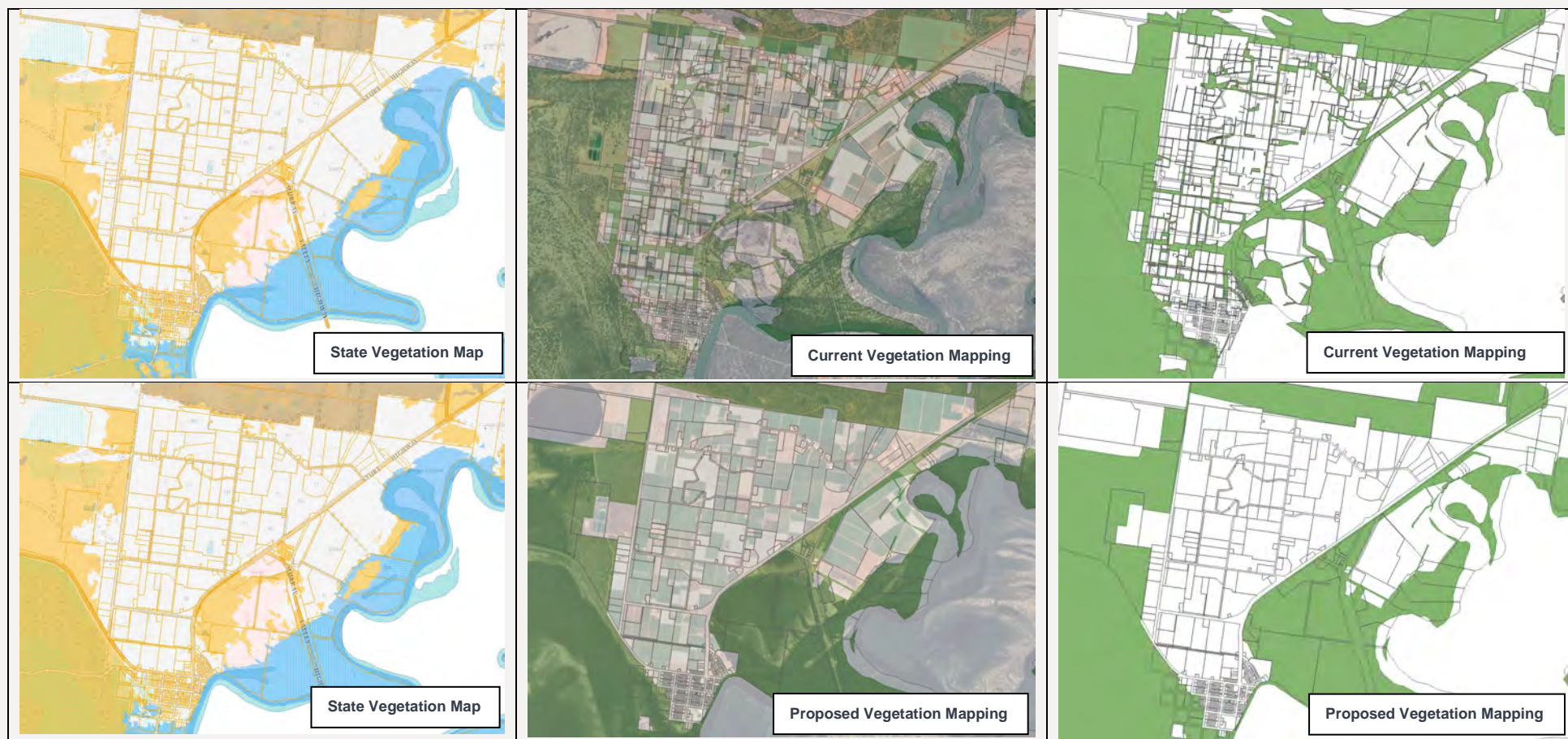


Figure 2 Item 4 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

There are no applicable SEPP's for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 6.

Table 6 – Assessment of Item 4 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	The Planning Proposal is consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it seeks to ensure the ongoing protection of environmentally significant land, whilst also better reflecting the actual use of land. A full response in relation to this Regional Plan has been provided in Attachment A.
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
3. Biodiversity and Conservation			
3.1	Conservation Zones	Yes, as the Planning Proposal relates to conservation (C1) zoned land.	The Planning Proposal is consistent with this Direction as it seeks to better reflect the environmental values of land currently mapped in the Natural Resources Sensitivity – Biodiversity Map.

No.	Title	Applicable to Planning Proposal	Consistency
			<p>Whilst it is acknowledged that the proposal seeks to remove certain lands currently mapped as 'High Conservation Value Native Vegetation' from the Natural Resources Sensitivity Map, the proposal also seeks to include additional lands on this map.</p> <p>Overall, the planning proposal will maintain or will in fact increase the amount of land currently identified on this map and will better reflect the environmental values of land. At present, this map identifies areas of urban land that have been developed and contain no extant vegetation or biodiversity values, which undermines the validity of the map. An example of such mapping anomalies can be seen in relation to the Balranald Airport, which is fully developed.</p> <p>Following discussions with relevant DPE staff, it is understood that many NSW Council's terrestrial biodiversity maps (or similar) were based on state wide mapping, which was prepared at the state wide level and never intended for use at the local level as it had not been 'ground truthed'.</p> <p>Therefore, the purpose of the current amendment is to rectify existing anomalies in the mapping to better reflect the environmental values of land. This assessment has been based on a desktop assessment of recent aerial photography, as well as a review of endorsed environmental databases and open source data such as the SEED Portal.</p> <p>The implementation of the proposed changes sought by this Planning Proposal are therefore considered to improve the protection measures of significant environmental lands.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Planning Proposal will have a positive environmental impact as it will provide better protection of critical habitat or threatened species by more accurately identifying areas of environmental significance.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other foreseen significant environmental effects associated with the proposal.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will have a generally positive social impact as it seeks to better reflect the actual environmental values of land, which will provide greater confidence for landowners and the general community alike.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The outcomes sought by the Planning Proposal will not alter existing infrastructure arrangements.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Given the nature of the proposed changes, sought by items 3, 4 and 5 of this Planning Proposal, consultation has been undertaken within the Biodiversity Conservation Division (BCD) of the NSW Department of Planning. Specifically, a pre-lodgement meeting was conducted with representatives of Balranald Shire Council, BCD and DPE on 28 July 2023 to discuss the contents of the subject Planning Proposal.

This pre-lodgement meeting primarily discussed options to amend the existing Terrestrial Biodiversity mapping within the LEP so as to ensure that they more accurately reflect biodiversity values. Written advice was received from this agency confirming support for the agreed approach, which seeks to limit mapping amendments to the main townships, which are experiencing development pressures. It was agreed that further review of biodiversity mapping at a shire-wide scale will be undertaken as part of a larger strategic planning exercise, separate to the subject Planning Proposal.

4.6. Item 5 – Euston Cemetery, Euston

The proposal seeks to amend Lot 7300, DP1152749 and addressed as 2 Cowper Street, Euston, which is more commonly known as the Euston Cemetery by removing it from the Natural Resources Sensitivity Map and Wetlands Map and the Riparian Land Map, Waterways Map and Groundwater Vulnerability Map in recognition of the limited environmental values this land presents.

The proposed amendment will be achieved by amending Natural Resources Sensitivity – Biodiversity Maps NRB_002B and the Riparian Land Map, Waterways Map and Groundwater Vulnerability Map CL1_002B as indicated in the maps below.

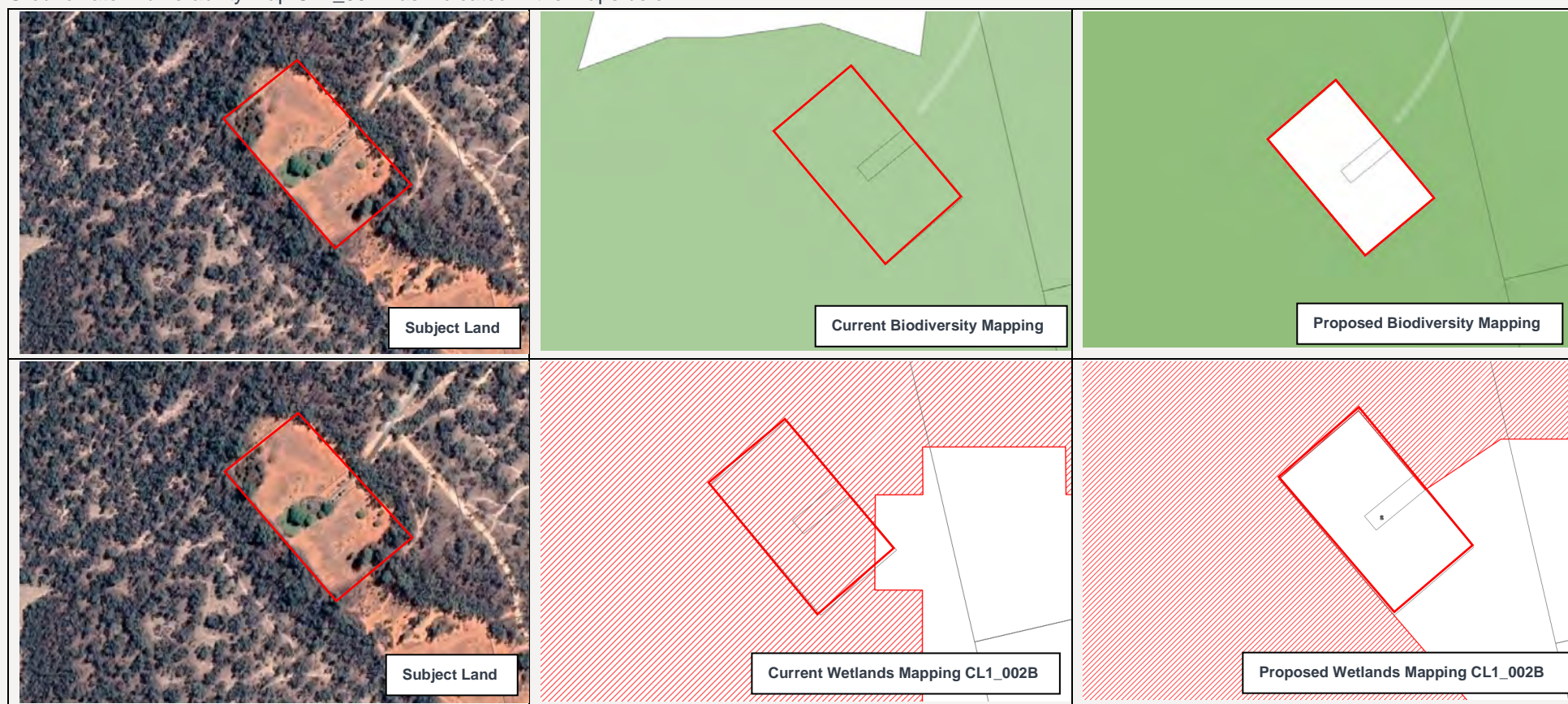


Figure 3 Item 5 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There are no applicable SEPP's for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 7.

Table 7 – Assessment of Item 5 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	The Planning Proposal is consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it seeks to ensure the ongoing protection of environmentally significant land, whilst also better reflecting the actual use of land. A full response in relation to this Regional Plan has been provided in Attachment A.
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
3. Biodiversity and Conservation			

No.	Title	Applicable to Planning Proposal	Consistency
3.1	Conservation Zones	Yes, as the Planning Proposal relates to land currently mapped as environmentally significant.	<p>The Planning Proposal is consistent with this Direction as it seeks to better reflect the environmental values of land currently mapped in the Natural Resources Sensitivity – Biodiversity Map.</p> <p>Whilst it is acknowledged that the proposal seeks to remove this property from the Euston Cemetery from the Natural Resources Sensitivity Map, this is in recognition of the fact that the land is already developed and contains limited environmental features.</p> <p>As outlined in response to Items 4 and 5 above, this amendment seeks to review the current environmental zoning (including overlays) to better reflect the environmental values of land.</p> <p>Therefore, the purpose of the current amendment is to rectify existing anomalies in the mapping to better reflect the environmental values of land.</p> <p>The implementation of the proposed changes sought by this Planning Proposal are therefore considered to improve the protection measures of significant environmental lands.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Planning Proposal will have a positive environmental impact as it will provide better protection of critical habitat or threatened species by more accurately identifying areas of environmental significance when considered against other recommended changes sought by this Planning Proposal.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other foreseen significant environmental effects associated with the proposal.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will have a generally positive social impact as it seeks to better reflect the actual environmental values of land, which will provide greater confidence for landowners and the general community alike.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The outcomes sought by the Planning Proposal will not alter existing infrastructure arrangements.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Given the nature of the proposed changes, sought by items 3, 4 and 5 of this Planning Proposal, consultation has been undertaken within the Biodiversity Conservation Division (BCD) of the NSW Department of Planning. Specifically, a pre-lodgement meeting was conducted with representatives of Balranald Shire Council, BCD and DPE on 28 July 2023 to discuss the contents of the subject Planning Proposal.

This pre-lodgement meeting primarily discussed options to amend the existing Terrestrial Biodiversity mapping within the LEP so as to ensure that they more accurately reflect biodiversity values. Written advice was received from this agency confirming support for the agreed approach, which seeks to limit mapping amendments to the main townships, which are experiencing development pressures. It was agreed that further review of biodiversity mapping at a shire-wide scale will be undertaken as part of a larger strategic planning exercise, separate to the subject Planning Proposal.

4.7. Item 6 – 539 Windomal Road & Sturt Highway, Balranald

The proposal seeks to rezone Lots 1-3, DP1124489 addressed as 539 Windomal Road, Balranald and Lots 4 & 5, DP1122923 and Lots 45-49, DP751203 addressed as Sturt Highway, Balranald from C1 National Parks and Nature Reserves with a corresponding 40 hectare minimum lot size to RU1 Primary Production with the same corresponding 40 hectare minimum lot size (Figure 4).

The proposed amendment seeks to correct an anomaly on the land zoning map, which has inadvertently mapped land outside of the gazetted boundaries of the Yanga National Park as C1. The correction of this anomaly will align with NSW National Parks and Wildlife Services mapping, as well as the NSW SEED Portal (see Figures 5 & 6). The proposed rezoning seeks to establish the previous rural zoning that applied to the land before the gazettal of the current LEP.

Similarly, the rezoning of this land to rural reflects the fact that the land along with other land was recently acquired in 2010 as an addition to the Yanga National Park, but was later sold and excluded from the Park as it had lesser ecological value as it was being used for cropping.

The proposed amendment will be achieved by amending Land Zoning Map LZN_005 as indicated in the map below.

Please note that as the RU1 and C1 zones share the same 40 hectare minimum lot size, there is no need to amend the minimum lot size map.

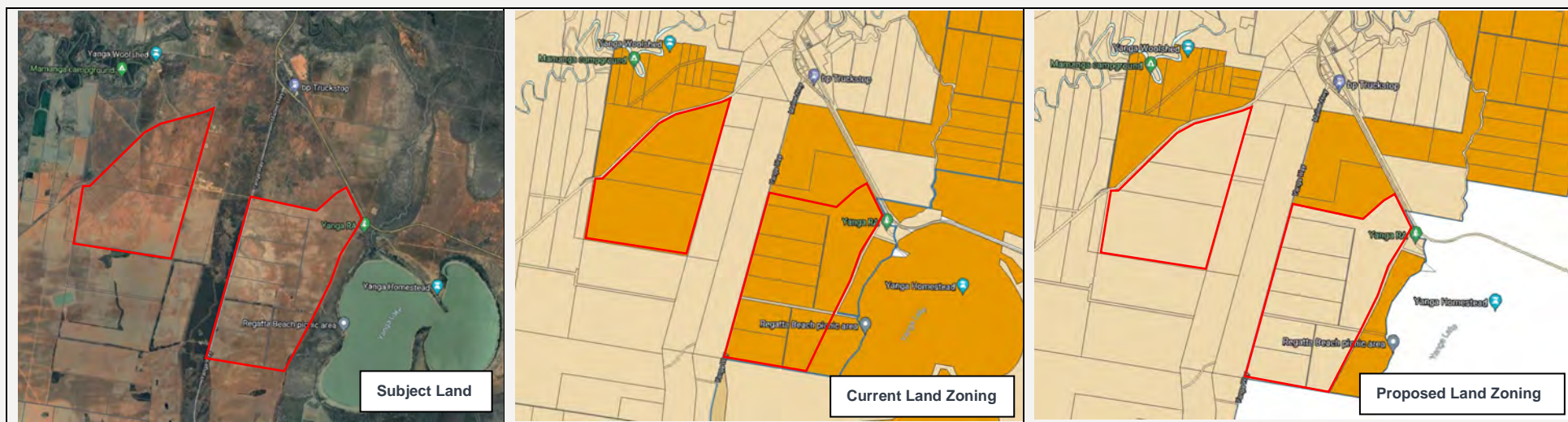


Figure 4 Item 6 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following SEPPs outlined in Table 8.

Table 8 – Assessment of Item 6 against applicable SEPPs

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Primary Production) 2021		
Chapter 2: Primary Production and Rural Development	Applies to all land in the State.	<p>The Planning Proposal does not conflict with the aims of this SEPP as it will support rural development ongoing by rezoning land currently used for agricultural purposes as rural.</p> <p>In addition, the proposed changes sought by this new local provision do not allow for the construction of a dwelling on an undersized lot within a rural zone, which will therefore ensure the ongoing protection of agricultural land and avoid opportunities for rural land use conflicts.</p>

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 9.

Table 9 – Assessment of Item 6 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it seeks to ensure the ongoing protection of environmentally significant land, whilst also supporting the ongoing use of land for rural purposes.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>

No.	Title	Applicable to Planning Proposal	Consistency
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
3. Biodiversity and Conservation			
3.1	Conservation Zones	Yes, as the Planning Proposal relates to conservation (C1) zoned land.	<p>The Planning Proposal is generally consistent with this Direction, despite seeking to rezone C1 National Parks and Nature Reserves Land to RU1 Primary Production.</p> <p>It is noted that the objective of this Direction is 'to protect and conserve environmentally sensitive areas'. As outlined above, the LEP currently inadvertently maps agricultural land adjoining the Yanga National Park as C1. Therefore, rezoning this land to RU1 will not reduce the conservation standards applying to this land as it is not environmentally sensitive.</p> <p>The land is already currently used for agricultural purposes and does not contain any native vegetation as per the SEED Portal. Furthermore, the proposed change in land use zoning will not result in a reduction of the minimum lot size provisions that apply to this land as both the C1 and RU1 zones share the same 40 hectare minimum lot size.</p> <p>Consequently, the proposal is consistent with this Direction.</p>
9. Primary Production			
9.1	Rural Zones	Yes, as the Planning Proposal relates to rural zones.	<p>The Planning Proposal is consistent with this Direction as it seeks to rezone land currently used for agricultural purposes as RU1 Primary Production. In doing so, this will allow for the ongoing protection and use of rural zoned land.</p> <p>Consequently, the proposal is consistent with this Direction.</p>
9.2	Rural Lands	Yes, as the Planning Proposal relates to rural land.	The Planning Proposal is consistent with this Direction as it seeks to rezone additional land for rural purposes and does not propose to reduce the minimum lot size provisions applicable to this land. Therefore, the proposal will support the ongoing use of rural land, which is consistent with this Direction.

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

Whilst it is acknowledged that the Planning Proposal seeks to rezone land from C1 National Parks and Nature Reserves to RU1 Primary Production, the proposed change is not expected to adversely affect any critical habitats or threatened species as the land is not environmentally sensitive and is currently used for agricultural purposes and is actively farmed and managed.

As outlined above, the proposed amendment seeks to adjust the land zoning map consistent with the gazetted boundaries of the Yanga National Park, which is reproduced in the following figures.

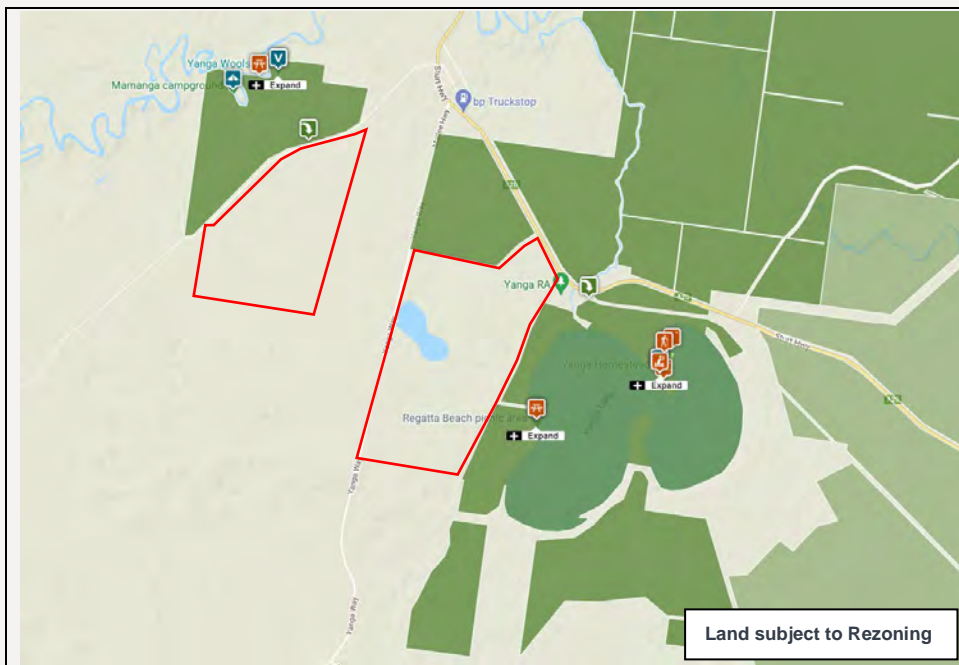


Figure 5 Extract of National Parks and Wildlife Services of Yanga National Park

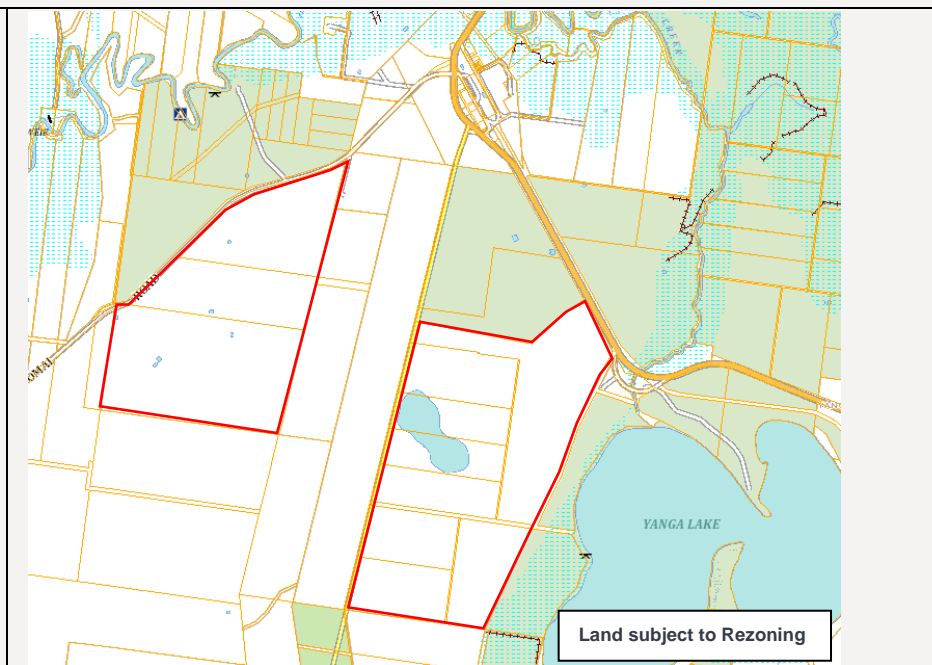


Figure 6 Extract of SEED Portal Map identifying Yanga National Park in green

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other foreseen significant environmental effects associated with the proposal as the land is already developed for agricultural purposes.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will have a generally positive social impact as it seeks to better reflect the actual use of the subject lands. At present, these lands are zoned C1, which would significantly restrict agricultural operations on-site. By rezoning this land, this will allow for the continued and ongoing use of the land for agricultural purposes.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The outcomes sought by the Planning Proposal will not alter existing infrastructure arrangements.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities in relation to the subject Planning Proposal. Notwithstanding, any consultation requirements with relevant public authorities and service providers will occur in accordance with the conditions of the Gateway Determination. It is expected that as a minimum, consultation will be required with the NSW National Parks and Wildlife Services.

4.8. Item 7 – Balranald Island, Balranald

The proposal seeks to list the Balranald Island on land described as Lot 115, DP823012 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Balranald Island holds social significance to the local Aboriginal community. Across the river from the town, it had people relocated from Balranald Aboriginal Reserve as well as other local Aboriginal households. In the 1930s it was a small settlement of half a dozen corrugated iron huts with dirt floors and a fireplace at one end. Significant relics include remains of a weatherboard house and garden, trapper's camp, fishing shack, killing shed, pig pen.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Balranald Island, **Address:** Balranald, **Property Description:** Lot 115, DP823012, **Significance:** Local, **Item No.** I9

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

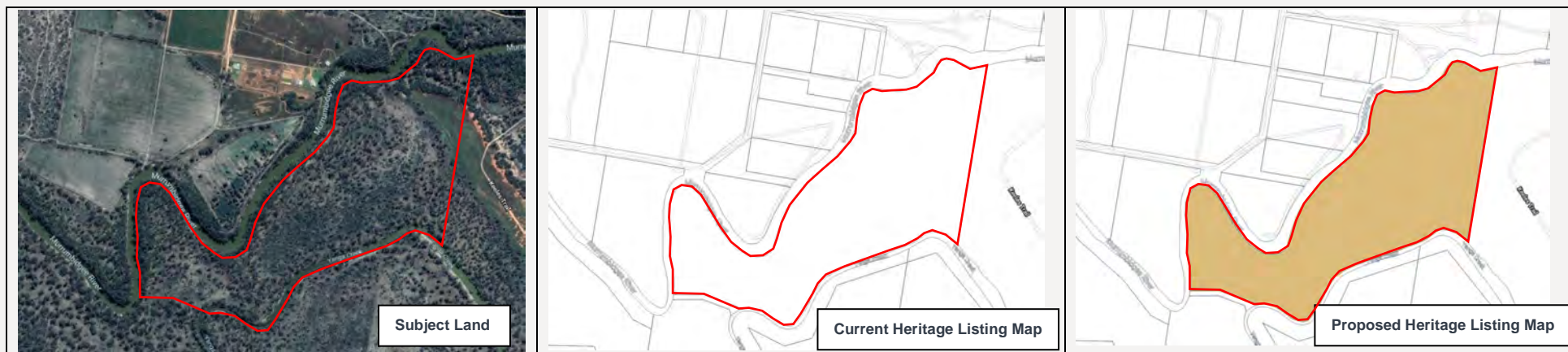


Figure 7 Item 7 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 10.

Table 10 – Assessment of Item 7 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.9. Item 8 – Chinese Cemetery (Site of), Ballandella Street, Balranald

The proposal seeks to list the site of the Chinese Cemetery on land described as Lot 9, Section 5, DP758048 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The site of the Chinese Cemetery holds historic significance to the township of Balranald. Thousands of Chinese men came to Australia during the 1850s for gold mining. After the Victorian gold rushes failed, Chinese work teams moved through the Riverina and dry “back country”. They did any work suited to large cooperative work teams and their labour was cheap. An archaeological survey has not been conducted to locate the Chinese camp at Balranald, although local residents have unearthed Chinese coins. The Chinese Cemetery provides the most tangible link to this period.

An exciting heritage development opportunity exists to establish and protect the location of the Chinese burials at the Chinese Cemetery by research of council’s records and GPR survey, then develop the remainder of the land parcel as a Chinese style ornamental garden, marked with a history sign.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Chinese Cemetery (site of), **Address:** Ballandella Street, **Property Description:** Lot 9, Section 5, DP758048, **Significance:** Local, **Item No.** I10

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

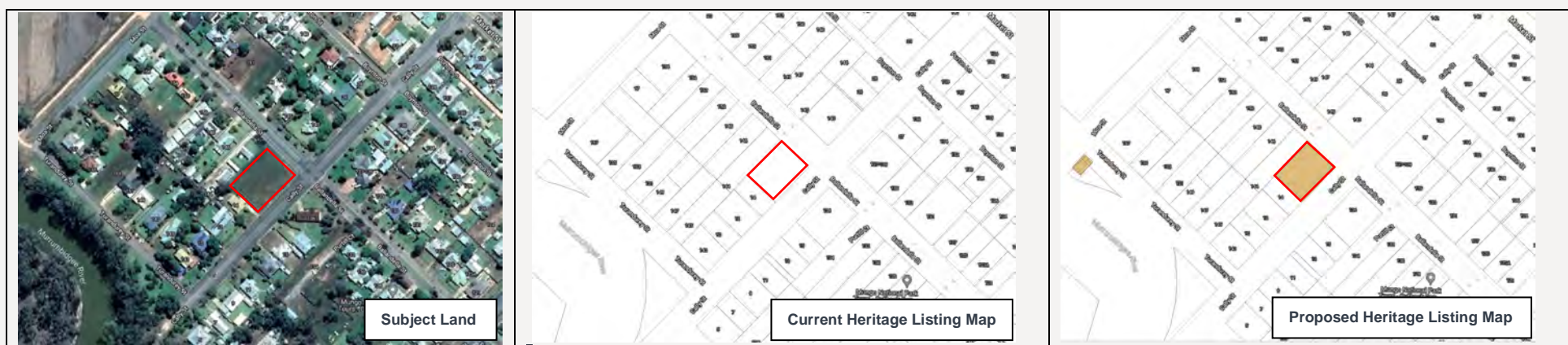


Figure 8 Item 8 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 11.

Table 11 – Assessment of Item 8 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.10. Item 9 – St Barnabas Anglican Church (Balranald), 101-105 Ballandella Street, Balranald

The proposal seeks to list St Barnabas Anglican Church (Balranald) on land described as Lots 41-42, DP1175482 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The St Barnabas Anglican Church holds historic, social and aesthetic significance. Built in 1873 during the peak of Balranald's growth as a river port, this item is significant to the Anglican community and has high landmark value. It is a good representative example of a gothic style church and belltower. Such copies of the small English parish church were built, with minor variation, in various parts of the NSW colony.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** St Barnabas Anglican Church (Balranald), **Address:** 101-105 Ballandella Street, **Property Description:** Lots 41-42, DP1175482, **Significance:** Local, **Item No.** I11

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

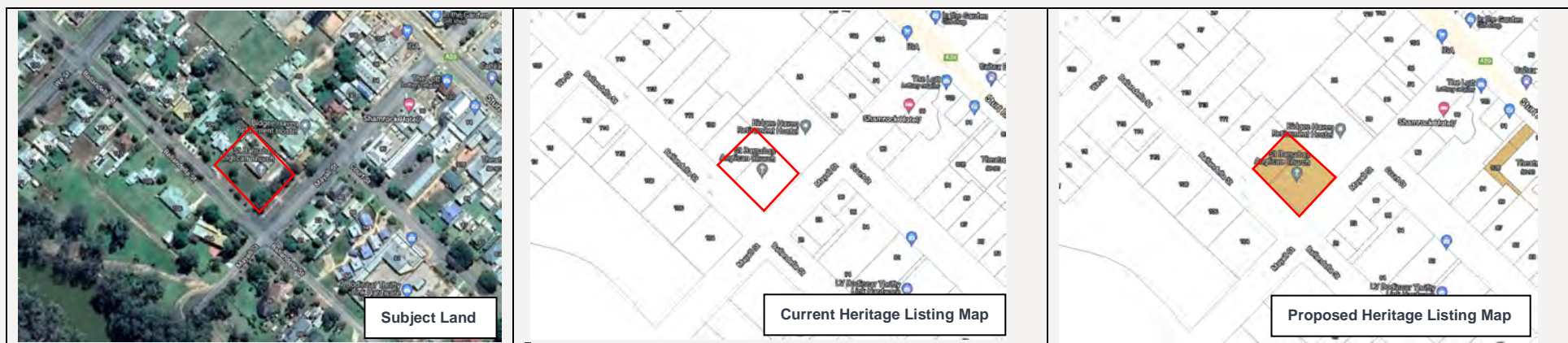


Figure 9 Item 9 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 12.

Table 12 – Assessment of Item 9 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.11. Item 10 – St Dymphna’s Catholic Church, 106 Church Street, Balranald

The proposal seeks to list St Dymphna’s Catholic Church on land described as Part Lots 11 & 12, Section 27, DP758048 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The St Dymphna’s Catholic Church holds social and aesthetic significance. Built in 1875 during the peak of Balranald's growth as a river port, this item is significant to the Catholic community and has high landmark value. It is a good representative example of a gothic style church. Such copies of the small English parish church were built, with minor variation, in various parts of the NSW colony. In 1926 it was extended and the belltower added. It was further extended in 1973.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** St Dymphna’s Catholic Church, **Address:** 106 Church Street, **Property Description:** Part Lots 11 & 12, Section 27, DP758048, **Significance:** Local, **Item No.** 112

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

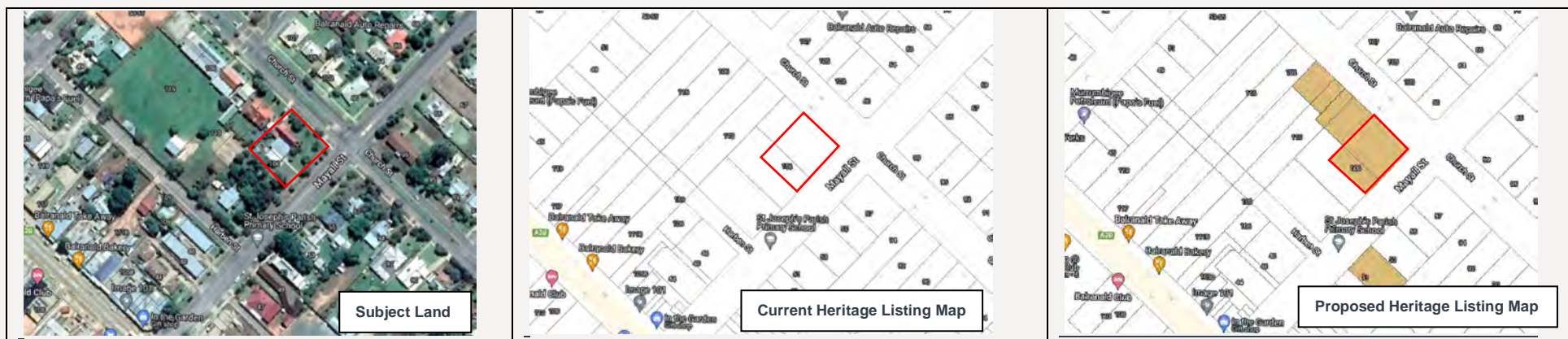


Figure 10 Item 10 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 13.

Table 13 – Assessment of Item 10 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.12. Item 11 – Catholic Presbytery, 106 Church Street, Balranald

The proposal seeks to list the Catholic Presbytery on land described as Part Lots 12 & 13, Section 27, DP758048 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Built as a duplex in 1923 in the Arts & Crafts style, this presbytery was part of the group of Catholic buildings in Balranald. It is of historic, social and aesthetic significance. It is historically associated with the consolidation of the Catholic community in Balranald, important to Catholic descendants and of high landmark quality. Architectural detailing is intact and of high aesthetic value.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Catholic Presbytery, **Address:** 106 Church Street, **Property Description:** Part Lots 12 & 13, Section 27, DP758048, **Significance:** Local, **Item No.** I13

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.



Figure 11 Item 11 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 14.

Table 14 – Assessment of Item 11 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.13. Item 12 – St Joseph’s Catholic School, 108-116 Church Street, Balranald

The proposal seeks to list St Joseph’s Catholic School on land described as Part Lots 13 & 14, Section 27, DP758048 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The first Catholic school was constructed in c1887 for the Sisters of St Joseph, presumably on this site. This second school was constructed in 1922 as part of the educational mission of the Sisters of Mercy. It was opened by Archbishop Daniel Mannix, a controversial historical figure of state significance.

The school is of value to Catholic descendants, preserves some architectural detailing of the Arts & Crafts style and makes an important contribution to the streetscape

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** St Joseph’s Catholic School, **Address:** 108-116 Church Street, **Property Description:** Part Lots 13 & 14, Section 27, DP758048, **Significance:** Local, **Item No.** I14

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.



Figure 12 Item 12 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 15.

Table 15 – Assessment of Item 12 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.14. Item 13 – Bridge House Hotel, 55-59 Court Street, Balranald

The proposal seeks to list the Bridge House Hotel on land described as Lot E, DP366995 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The former hotel is historically associated with Balranald's short-lived boom as a river port. Situated on the river frontage and prominent in the streetscape, it is of landmark and aesthetic value.

Built c1873, during the peak of Balranald's growth as a river port, this hotel lost its license in 1894. It was later operated as a coffee "palace" by Alma Turner. In 2013 enough remained of the original architectural details for the hotel signage building form to still be legible. This is despite partial earlier demolition and alteration.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Bridge House Hotel, **Address:** 55-59 Court Street, **Property Description:** Lot E, DP366995, **Significance:** Local, **Item No.** I15

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.



Figure 13 Item 13 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 16.

Table 16 – Assessment of Item 13 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.15. Item 14 – Aboriginal Church, 9 Endeavour Drive, Balranald

The proposal seeks to list the Aboriginal Church on land described as Part Lot 126, DP751170 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

This church was built on Balranald Aboriginal reserve c1940. It is of social and rarity significance at a State level.

This modest building of standard construction is historically associated with the Christian evangelical mission to the Aboriginal people in NSW. It is valued by the Aboriginal descendent community. It occupies an important gateway location to the former reserve (later the Aboriginal community-owned housing area). It is highly visible from the street. It is rare state-wide as an example of a standing Aboriginal mission church.

In 2013 the interior was vandalised and in urgent need of repairs. A plan should be made regarding how to protect, promote and interpret this item for heritage tourism.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Aboriginal Church, **Address:** 9 Endeavour Drive, **Property Description:** Part Lot 126, DP751170, **Significance:** Local, **Item No.** I16

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

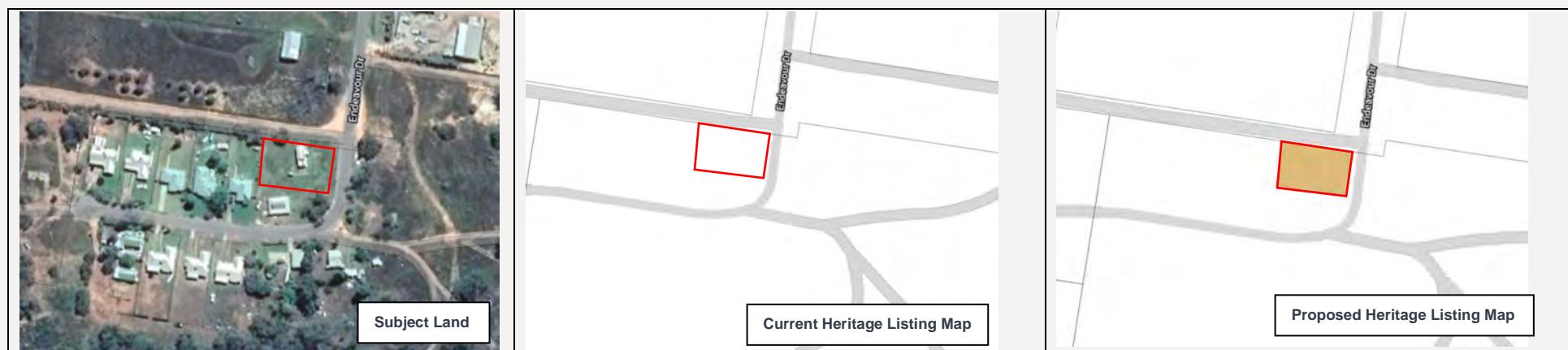


Figure 14 Item 14 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 17.

Table 17 – Assessment of Item 14 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.16. Item 15 – Wyburn Escape Regulator, Ivanhoe Road, Balranald

The proposal seeks to list the Wyburn Escape Regulator on land described as Part Lot 58, DP751246 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Wyburn Escape Regulator is of both historical significance (given its age) and aesthetic significance (given its role in the maintenance of adjacent wetland). It is also a good example of an unusual type of structure.

The structure consists of a four bay open flow concrete (with pebble aggregate – crushed bluestone) regulator with timber drop boards (manual lift) and timber guides. The structure also includes concrete abutments, batter slabs and piers, a concrete apron, steel access platform, as well as a steel frame / timber deck bridge with three concrete piers on Downslope side of regulator serving as supports.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Wyburn Escape Regulator, **Address:** Ivanhoe Road, **Property Description:** Part Lot 58, DP751246, **Significance:** Local, **Item No.** 117

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

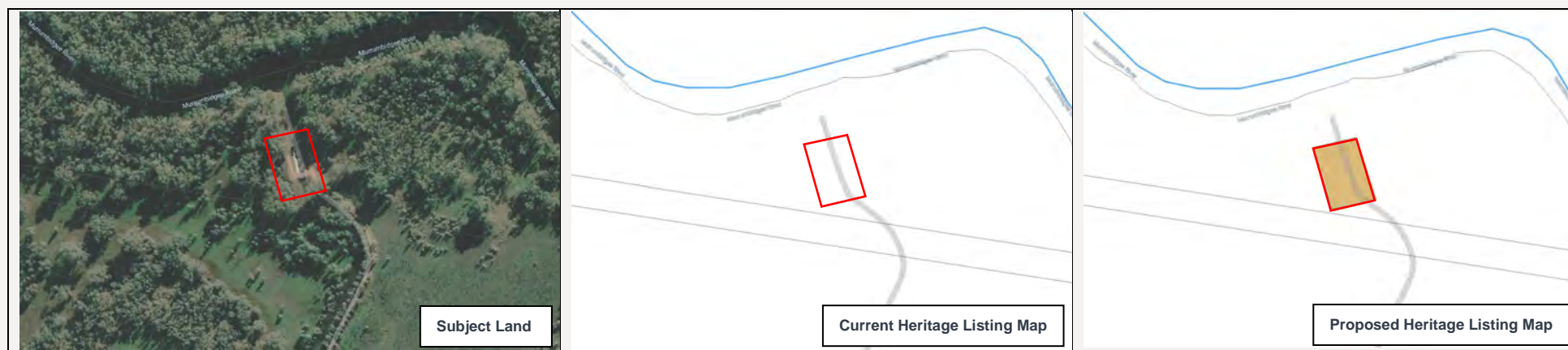


Figure 15 Item 15 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 18.

Table 18 – Assessment of Item 15 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.17. Item 16 – Balranald Gaol, 83 Market Street, Balranald

The proposal seeks to list the Balranald Gaol on land described as Part Lot 71, DP1127975 and addressed as 83 Market Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The old Balranald Gaol has historical, associative and aesthetic significance. Built in 1897 as a jail for the town, it adjoined the police station and residence and is thought to have held both male and female prisoners to 1977. It is associated with Ronald Ryan, the last man hanged in Australia in 1967. Ryan was held at this lock-up at the age of 16 years after he robbed the bank in Balranald. The structure has landmark value and makes an important contribution to the streetscape of River Street.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Balranald Gaol, **Address:** 83 Market Street, **Property Description:** Part Lot 71, DP1127975, **Significance:** Local, **Item No.** 118

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

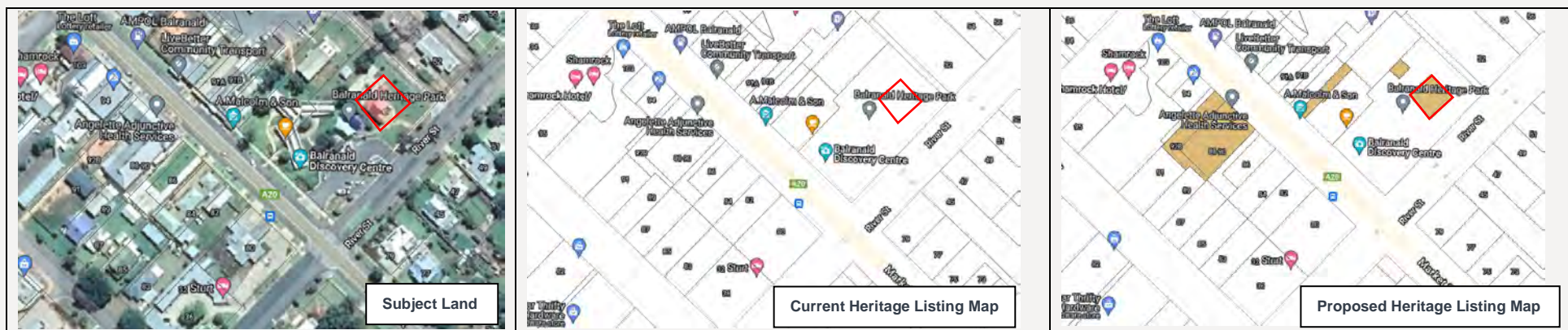


Figure 16 Item 16 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 19.

Table 19 – Assessment of Item 16 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.18. Item 17 – Wintong Homestead, 83 Market Street, Balranald

The proposal seeks to list the Wintong Homestead on land described as Part Lot 71, DP1127975 and addressed as 83 Market Street as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Built 1886 by John Murphy for use as a temporary homestead on Wintong Station it was later used as a schoolhouse. Internally divided by a hessian curtain, one half of the building was occupied by the children's governess/teacher and the other half was used as a classroom.

It has technical significance as an example of droplog construction, a local colonial period building method using Murray Pine. The method was used for some public buildings as well as rural structures of the time. Internal lining of mud plastered hessian provided a weather seal.

Historically, it is also an example of the 1970s fad for relocating (and romanticising) rustic rural structures into public parks and open-air museums. Highly intact, though restored with some replacement logs in 1995.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Wintong Homestead, **Address:** 83 Market Street, **Property Description:** Part Lot 71, DP1127975, **Significance:** Local, **Item No.** 119

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

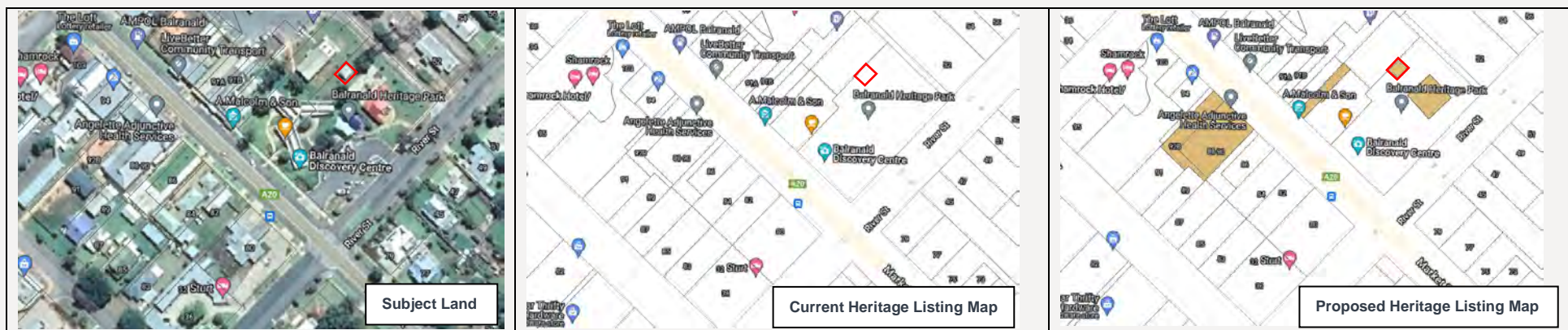


Figure 17 Item 17 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following SEPPs outlined in Table 20.

Table 20 – Assessment of Item 17 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.19. Item 18 – Horse and Dog Trough, 85 Market Street, Balranald

The proposal seeks to list the Horse and Dog Trough on land described as Part Lot 2, DP700753 and addressed as 85 Market Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Representative example of trough distributed by the Bills family bequest. The Bills family were active in animal welfare. By the time they were being distributed, the troughs were obsolete.

Common in NSW country towns, they are regarded with affection by local communities. This one still retains the dog trough which was originally fed by a separate tap.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Horse and Dog Trough, **Address:** 85 Market Street, **Property Description:** Part Lot 2, DP700753, **Significance:** Local, **Item No.** I20

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

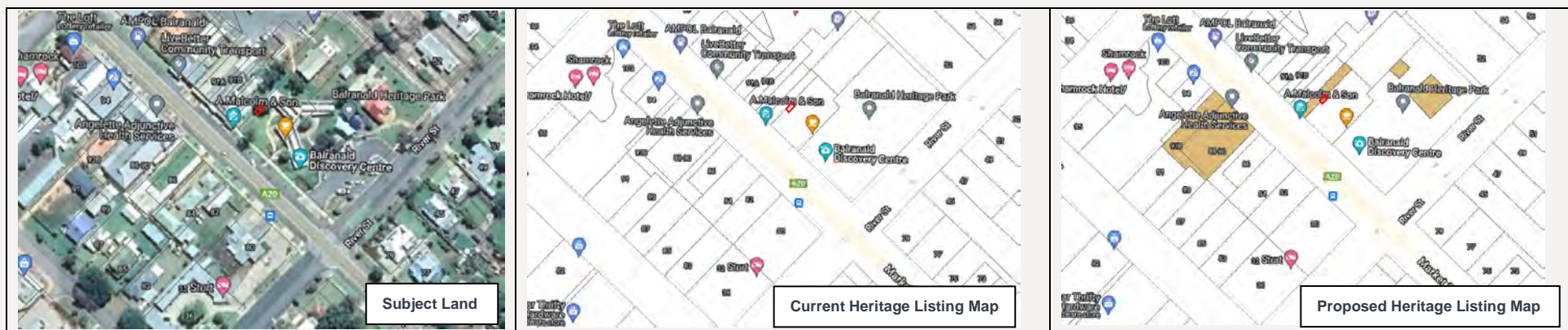


Figure 18 Item 18 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 21.

Table 21 – Assessment of Item 18 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.20. Item 19 – Malcom & Son Stock & Station Agent Building Museum, 86 Market Street, Balranald

The proposal seeks to list Malcolm and Son, Stock and Station Agents Building Museum on land described as Lot 3, DP1017869 and addressed as 86 Market Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Built c1890 as the first stock and station agency in Balranald, the building is closely associated with Andrew Malcolm, a locally significant businessman. Andrew Malcolm was a magistrate, auctioneer, land valuer, tax agent, insurance agent and newspaper owner of the "Riverina Recorder". The building has landmark value as it is prominently sited opposite the Theatre Royal in Market Street and makes an important contribution to the streetscape. It was reopened as a Shire Council's historical museum in 1998.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Malcolm & Son Stock & Station Agent Building Museum, **Address:** 86 Market Street, **Property Description:** Lot 3, DP1017869, **Significance:** Local, **Item No.** I21

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

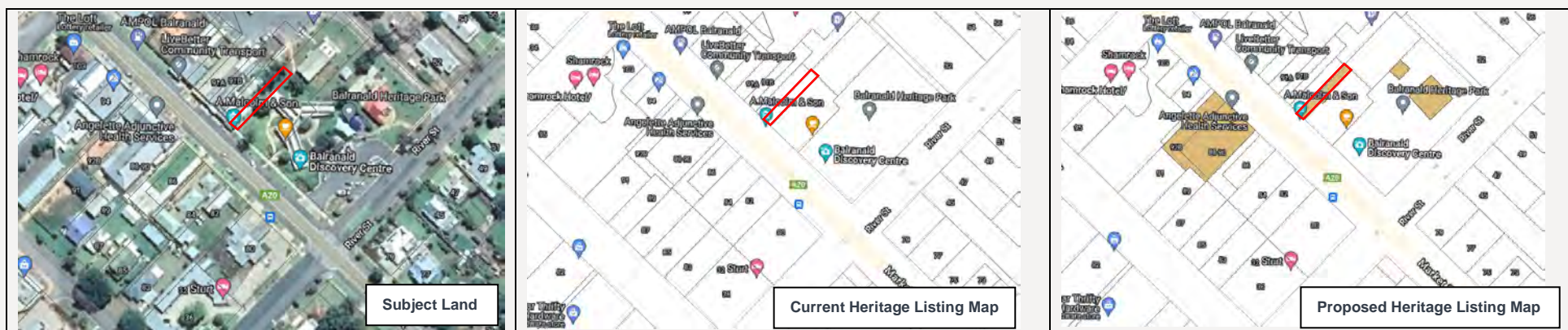


Figure 19 Item 19 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 22.

Table 22 – Assessment of Item 19 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.21. Item 20 – Theatre Royal, 88-92 Market Street, Balranald

The proposal seeks to list the Theatre Royal on land described as Lots 21-22, DP1181821 and Lot A, DP156137 and addressed as 88-92 Market Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

This early 20th century Picture Theatre and Hotel has high landmark value. Some of its original Arts & Crafts style features, such as ceramic tiled shopfronts and lead lights contribute to its aesthetic value. Originally built in the 1920s as part of an entertainment complex, the Theatre Royal building now comprises a range of uses, including small shops.

The Theatre Royal was built as part of the O'Halloran Picture Theatre chain. It has also been used as a dance hall, sports stadium, and clothing store before being purchased by the shire council and renovated for reuse.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Theatre Royal, **Address:** 88-92 Market Street, **Property Description:** Lots 21-22, DP1181821 and Lot A, DP156137, **Significance:** Local, **Item No.** I22

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

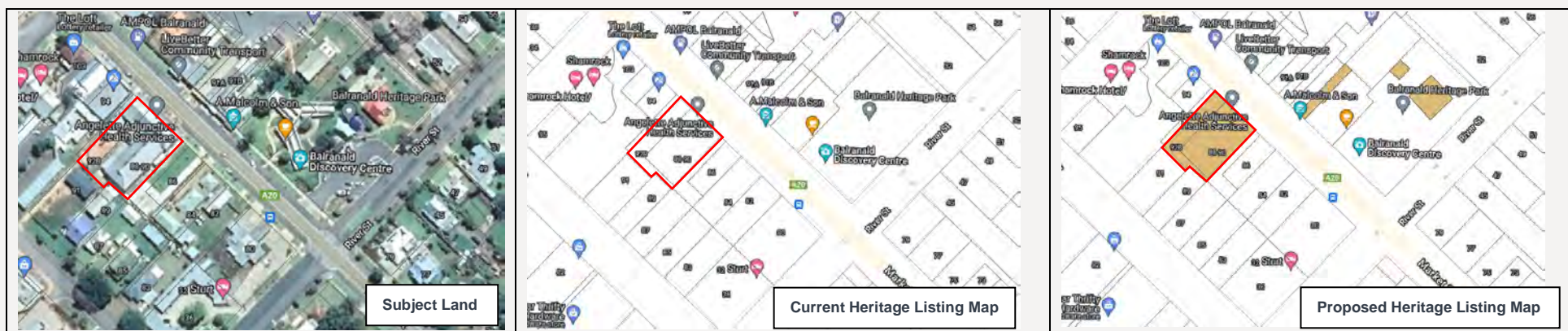


Figure 20 Item 20 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 3Directions outlined in Table 2.

Table 23 – Assessment of Item 20 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.22. Item 21 – CWA Building, 120 Market Street, Balranald

The proposal seeks to list the CWA Building on land described as Lot 11, Section 89, DP758048 and addressed as 120 Market Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Built as a "Women's rest centre and library" in 1965, the CWA building is a representative example of a 1960s rural town civic building. The blonde bricks and flat roof, severely modernist style and patriotic flagpole are all typical of the era. It is of landmark value, occupying two important street frontages. The small scale of this corner building and its landscaping are of some aesthetic value.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** CAW Building, **Address:** 120 Market Street, **Property Description:** Lot 11, Section 89, DP758048, **Significance:** Local, **Item No.** 123

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

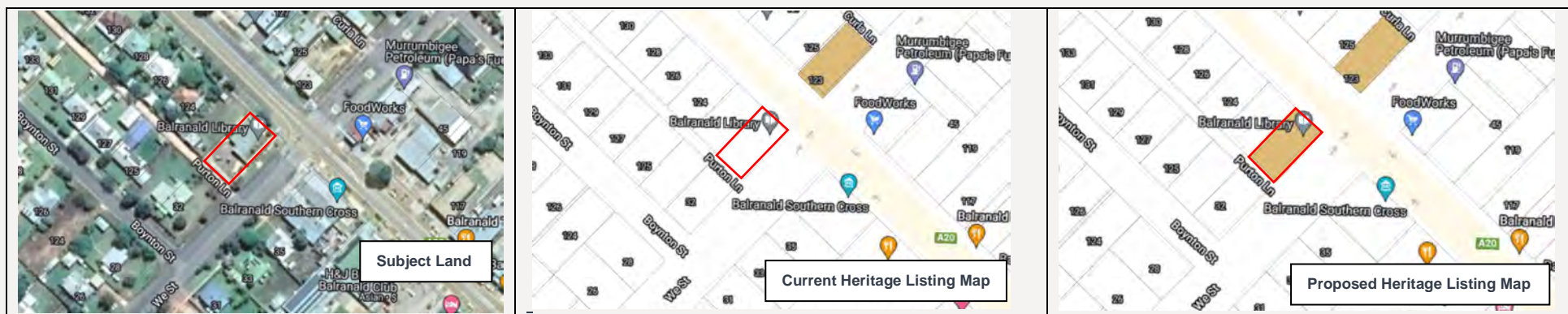


Figure 21 Item 21 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 24.

Table 24 – Assessment of Item 21 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.23. Item 22 – Masonic Temple Gallery, 51 Mayall Street, Balranald

The proposal seeks to list the Masonic Temple on land described as Lot 19, DP668325 and addressed as 51 Mayall Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Built c1887 during the peak of Balranald's growth as a river port as the Masonic Lodge Hall. This item is significant to the Masonic community. It has high landmark value, presenting an imposing classical facade to the street. It is a good representative example of a small Masonic hall. The interior contains an elaborate and beautiful timber ceiling. Ownership transferred to Balranald Arts & Crafts Association for use as an art gallery.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Masonic Temple Gallery, **Address:** 51 Mayall Street, **Property Description:** Lot 19, DP668325, **Significance:** Local, **Item No.** I24

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

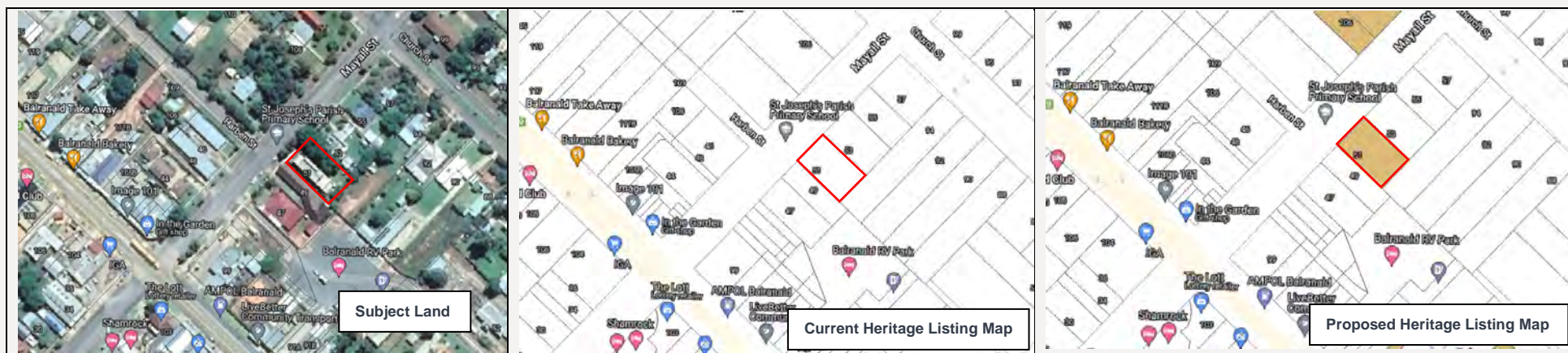


Figure 22 Item 22 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 25.

Table 25 – Assessment of Item 22 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.24. Item 23 – Fish Traps, Balranald

The proposal seeks to correct an error in the property description of Heritage Item I3 – Fish Traps, Balranald which is currently contained within Schedule 5 of the LEP.

The proposed amendment will be achieved by amending the current heritage listing contained in Schedule 5 as outlined in red as follows:

Suburb: Balranald, **Item Name:** Fish Traps, **Address:** Murrumbidgee River, downstream of Balranald, **Property Description:** Bed of Murrumbidgee River; Part Lot 1, DP 1124164, Part Lot 1, DP 25530, Part Lot 1680, DP 763600, Part Lot 7006, DP 1021401, Part Lot 127, DP 39863, Part Lot 2, DP1009597, **Significance:** Local, **Item No.** I3

It is noted that the proposed amendment does not require any map changes.

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

There is no applicable Section 9.1 Directions for this item.

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The proposal only seeks to correct an administrative error and will not adversely affect critical habitat or threatened species.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will not have any social or economic impacts.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.25. Item 24 – Balranald General Cemetery, Moa Street, Balranald

The proposal seeks to list the Balranald General Cemetery on land described as Lots 1-7, DP1041259 and addressed as Moa Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Balranald General Cemetery has historical, social and aesthetic significance. Its monuments record the settler families of the town. The outstanding restoration by two local volunteers of the Mens' Shed movement in 2010-2013 is evidence of social significance to the Balranald descendent community. Palm plantings and undamaged stone carvings are of aesthetic value. Many graves of the Kelly family, a notable local Aboriginal family network, have been included in this General Cemetery, although there is a dedicated Aboriginal community cemetery elsewhere at Balranald. This is highly significant indication of "honorary white" status and incorporation into the town community by at least one local Aboriginal family network. The General Cemetery is thus of Aboriginal social significance, as well as valued by the town community.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Balranald General Cemetery, **Address:** Moa Street, **Property Description:** Lots 1-7, DP1041259, **Significance:** Local, **Item No.** 125

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

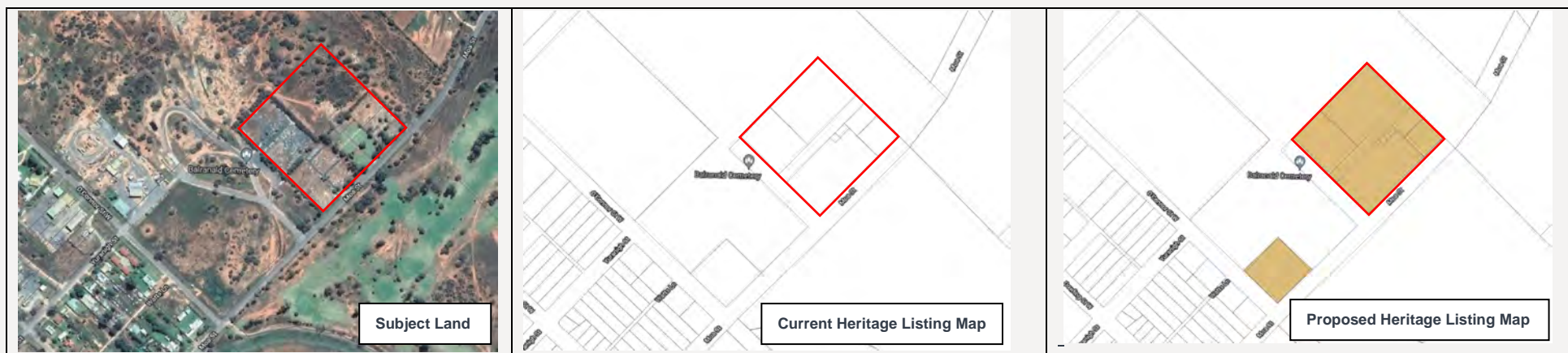


Figure 23 Item 24 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 26.

Table 26 – Assessment of Item 24 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.26. Item 25 – Grave of Josiah Viles, Moa Street, Balranald

The proposal seeks to list the Grave of Josiah Viles, being Lot 4, DP1041259 and addressed as Moa Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The grave of Josiah Viles is located in the Church of England section of the Balranald Cemetery. Before relocating to Balranald, Josiah Viles operated a butcher's shop in the front of the Viles family home in Fitzherbert Street, Featherstone, New Zealand, between 1876 and 1894. His wife, Jane Bright, had been born on 7th June 1850 in Norton Mandeville, Essex, England, the daughter of Richard Bright and Jane Franklyn. She emigrated with her parents on 5th November 1856 to Wellington, arriving on 30th January, 1857 on board the ship *Indian Queen*. There she married Josiah Viles. At some period, prior to 1925, Jane and Josiah Viles came to New South Wales. Viles was considered an eccentric, who used to carry a rifle which he fired when there was an important announcement. He died on 12 May 1925. He is buried in Row P, Plot 1. Jane Bright Viles died in Sydney in 1934.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Grave of Josiah Viles, **Address:** Moa Street, **Property Description:** Lot 4, DP1041259, **Significance:** Local, **Item No.** I26

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

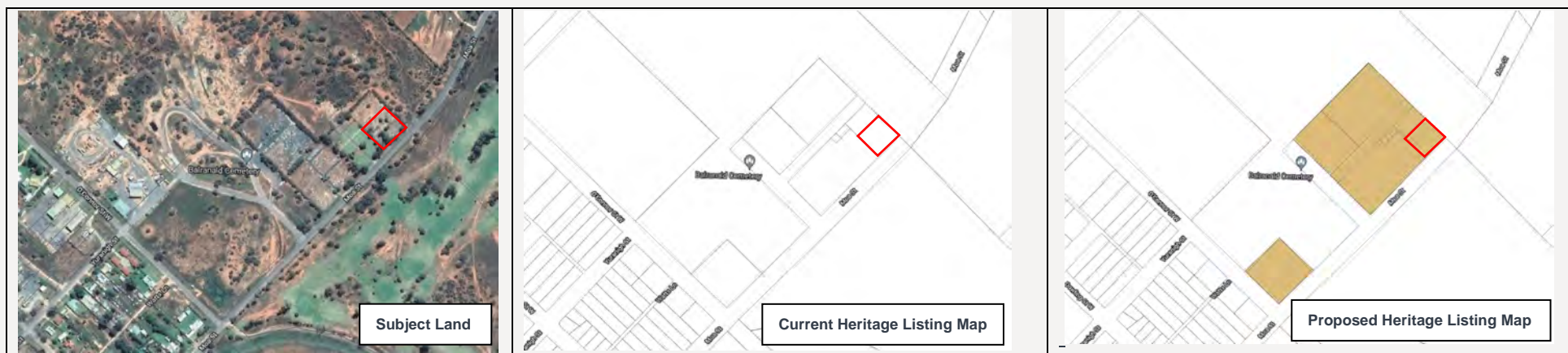


Figure 24 Item 25 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 27.

Table 27 – Assessment of Item 25 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.27. Item 26 – Balranald Stock Pound, O'Connor Street, Balranald

The proposal seeks to list the Balranald Stock Pound, being Lot 76, DP751170 and addressed as O'Connor Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Balranald stock pound and camp draft area is of representative, technical and aesthetic significance. The pound is a good example of a typical rural log structure. Made with only fencing wire and logs, it has value in the study of rural building methods. It is of some aesthetic value as a rustic structure of functional integrity. With minimal maintenance and some interpretation, a heritage tourism opportunity exists for travellers through Balranald to visit this structure.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Balranald Stock Pound, **Address:** O'Connor Street, **Property Description:** Lot 76, DP751170, **Significance:** Local, **Item No.** I27

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.

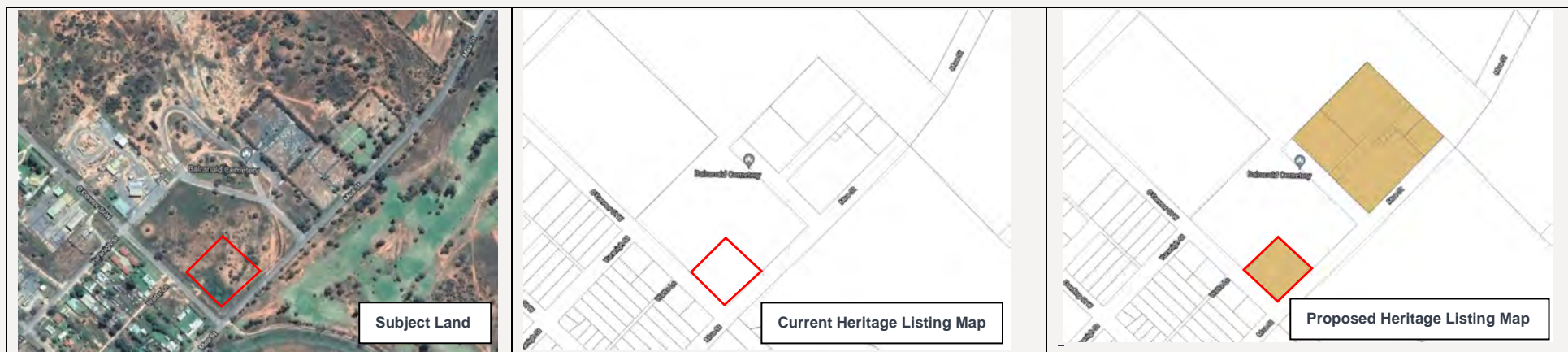


Figure 25 Item 26 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 28.

Table 28 – Assessment of Item 26 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.28. Item 27 – Redbank Weir, Oxley Road, Balranald

The proposal seeks to list Redbank Weir, being Part Lot 1, DP552673 and Part Lot 3, DP552673 and addressed as Oxley Road, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Redbank Weir is a contemporary of Maude Weir and built on a similar design. It is one of a number of similar diversion weirs on the river system including Berembed, Yanco, Gogeldrie, Hay, and Maude weirs, and is located at the downstream end of the Lower Murrumbidgee Catchment which starts from downstream of Burrinjuck Dam and finishes at the confluence with the Lachlan River at Redbank Weir (948 km reach of the river). Redbank Weir dates to an early phase in the development of the Murrumbidgee Water System. After the success of the Murrumbidgee Irrigation Scheme, it was decided to exploit land further downstream, below Hay, near Balranald. In 1945 the Lowbidgee Flood Control and Irrigation District was constituted, which today covers an area of 105,000 hectares. The operation of Redbank Weir, together with Maude Weir, has been central to the success of the Lowbidgee project. These weirs have allowed rapid development of the area, which exploits seasonal inundations for crop growing and livestock production (Jeffcoat 1994: 4).

Redbank Weir was constructed during the Depression and provided employment for many men (Redbank's sister weir at Maude employed sixty men during construction). It came into operation during the Second World War, when the Murrumbidgee Irrigation Area and agricultural regions along the Murrumbidgee were essential to the War effort. Redbank Weir has been an integral part of the development of the very large Lowbidgee Irrigation Area since WW II. Redbank Weir is one of a series of similar structures constructed around the same time along the Murrumbidgee which together form a highly significant complex.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Redbank Weir, **Address:** Oxley Road, **Property Description:** Part Lot 1, DP553673 and Part Lot 3, DP553673, **Significance:** Local, **Item No.** I28

The proposed amendment will also be achieved by amending Heritage Map sheet HER_004 as indicated on the map below.

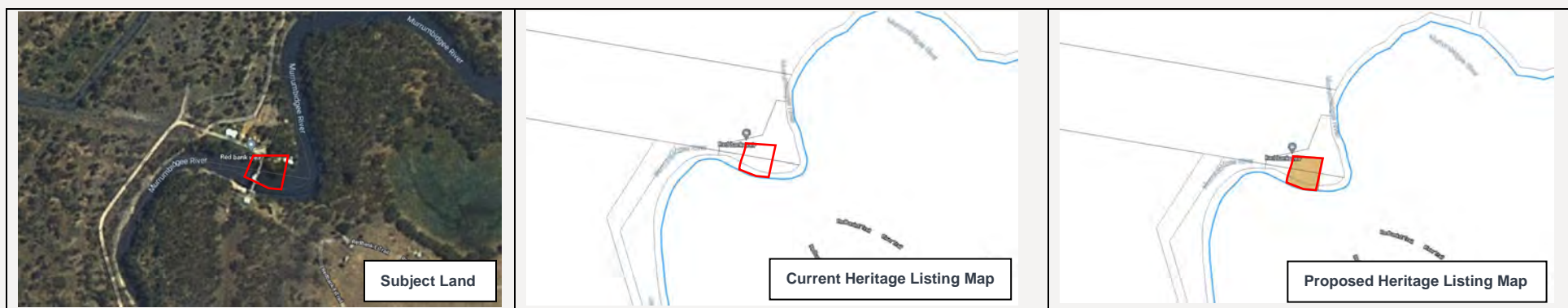


Figure 26 Item 27 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 29.

Table 29 – Assessment of Item 27 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.29. Item 28 – Site of Balranald River Port, Turandurey Street, Balranald

The proposal seeks to list the Site of the Balranald River Port, on land described as Part Lot 7026, DP 1028203 and addressed as Turandurey Street, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Balranald's river port is a place of high historic and associative significance. It is associated with expeditions of Sturt and Mitchell, both figures of national significance. Early in the 19th century, a settlement developed around the river ford. Later, the infrastructure of a working river port developed, including a punt crossing, public wharf, private wharves, toll house, public watering reserve and bathing area. Of archaeological significance are the realigned tree trunk, moved to ease riverboat passage, relic stumps of the wharf and steel rod wharf anchors, all present at this site.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Site of Balranald River Port, **Address:** Turandurey Street, **Property Description:** Part Lot 7026, DP 1028203 **Significance:** Local, **Item No.** I29

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005A as indicated on the map below.



Figure 27 Item 28 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 30.

Table 30 – Assessment of Item 28 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.30. Item 29 – Yanga Woolshed, 312 Windomal Road, Balranald

The proposal seeks to list the Yanga Woolshed, on land described as Part Lot 25, DP751203 and addressed as 312 Windomal Road, Balranald as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Yanga Woolshed was built in the nineteenth century on the banks of the Murrumbidgee. The building is a 130 metre-long timber and corrugated iron structure, which could house up to 3,000 sheep under cover. Forty carefully numbered 'pigeon holes' for sharpened combs are well preserved, providing evidence of the original size of the shed's labour force. The shed originally had a wharf for loading wool onto paddle steamers. The property also contains evidence of early horse and coach transport, early twentieth century rail transport and soldier settlement blocks.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Yanga Woolshed, **Address:** 312 Windomal Road, **Property Description:** Part Lot 25, DP751203, **Significance:** Local, **Item No.** I30

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005 as indicated on the map below.

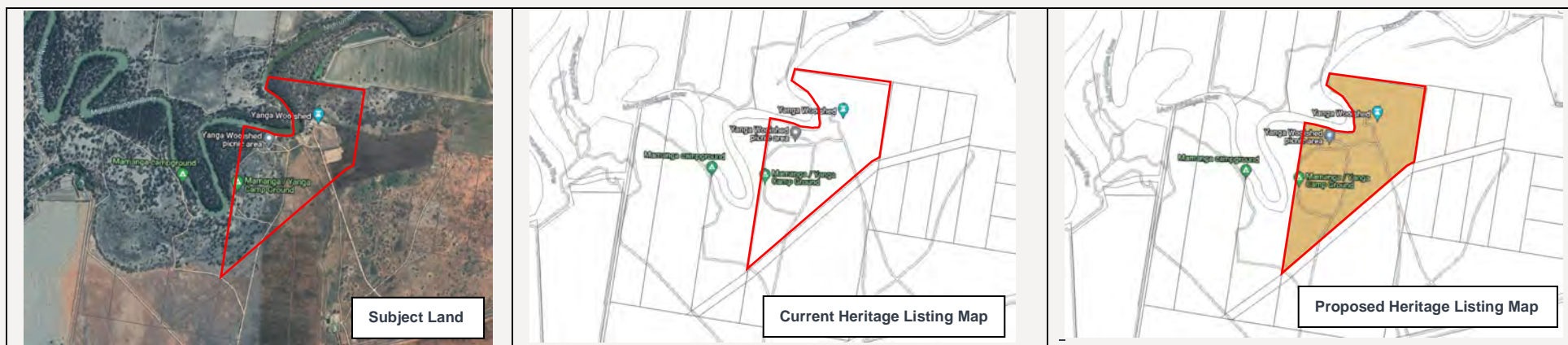


Figure 28 Item 29 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 31.

Table 31 – Assessment of Item 29 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.31. Item 30 – Yanga Regulator No. 102, 312 Windomal Road, Balranald

The proposal seeks to list the Yanga Regulator No. 102 on land described as Part Lot 77, DP751203 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Yanga Regulator is over 50 years old and dates to an early period in the development of the Lowbidgee Flood Control and Irrigation District. Its significance is enhanced by its aesthetic appeal.

The regulator consists of an eight bay open flow concrete (with pebble aggregate – crushed bluestone) structure with timber drop boards, concrete abutments and piers. The structure also has a concrete upslope apron and spillway and steel access platform / walkway.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Balranald, **Item Name:** Yanga Regulator No. 102, **Address:** 312 Windomal Road, **Property Description:** Part Lot 77, DP751203, **Significance:** Local, **Item No.** I31

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005 as indicated on the map below.

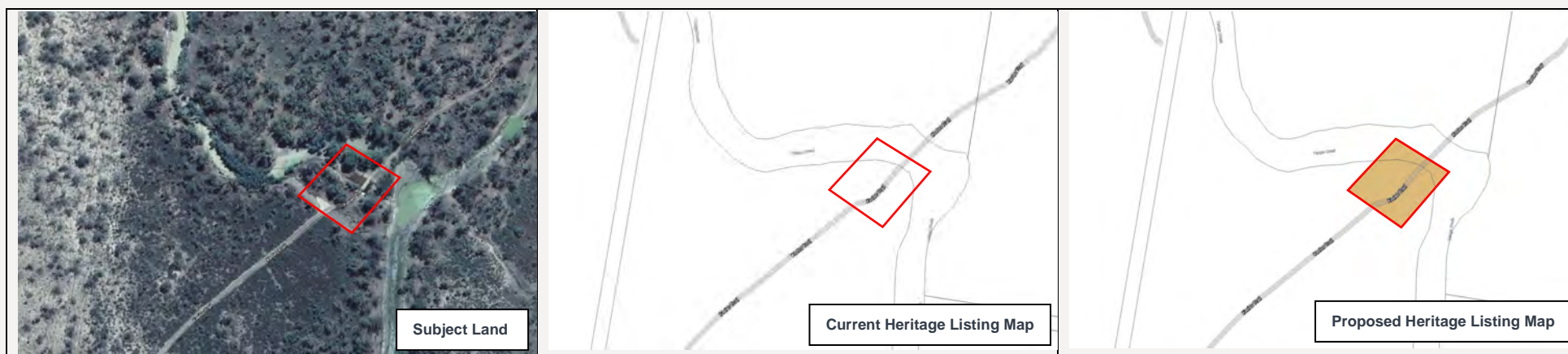


Figure 29 Item 30 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 32.

Table 32 – Assessment of Item 30 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.32. Item 31 – Euston General Cemetery, 2 Cowper Street, Euston

The proposal seeks to list the Euston General Cemetery on land described as Lot 7300, DP1152749 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Euston General Cemetery has historical, social and aesthetic significance. Its monuments record the settler families of the town.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Euston, **Item Name:** Euston General Cemetery, **Address:** 2 Cowper Street, **Property Description:** Lot 7300, DP1152749, **Significance:** Local, **Item No.** I32

The proposed amendment will also be achieved by amending Heritage Map sheet HER_002B as indicated on the map below.

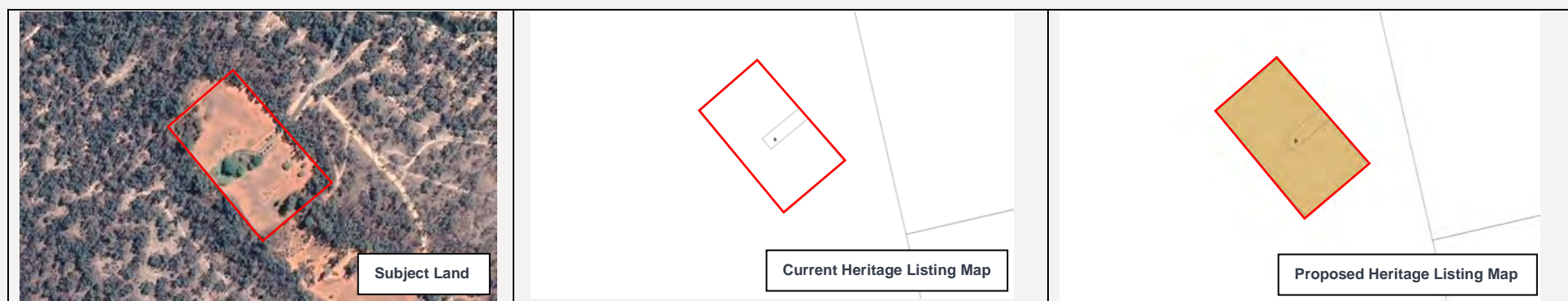


Figure 30 Item 31 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 33.

Table 33 – Assessment of Item 31 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.33. Item 32 – Lock and Weir 15 and Weir Pump Shed, Euston

The proposal seeks to amend the description of the Euston Lock and Weir 15, being Lot 1, DP767662 to include an associated Weir Pump Shed as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Euston Weir Pump Shed has a timber frame and corrugated metal cladding with a timber floor on rails. Rails lead to the shed from the top of the hill and a winch mechanism is situated at the head.

The proposed amendment will be achieved by amending the current heritage listing contained in Schedule 5 as follows:

Suburb: Euston, **Item Name:** Lock and Weir 15 and Weir Pump Shed, **Address:** Murray River, downstream of Euston, **Property Description:** Lot 1, DP767662
Significance: Local, **Item No.** I5

It is noted that the proposed amendment does not require any map changes.

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 34.

Table 34 – Assessment of Item 32 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.34. Item 33 – Courthouse, Euston

The proposal seeks to correct an error in the property description of the Euston Courthouse at 43 Murray Terrace, Euston contained within Schedule 5 of the LEP.

The proposed amendment will be achieved by amending the current heritage listing contained in Schedule 5 as follows:

Suburb: Euston, **Item Name:** Courthouse, **Address:** 43 Murray Terrace, **Property Description:** Lot 59, DP8222092 **Significance:** Local, **Item No.** 16

It is noted that the proposed amendment does not require any map changes.

Section B – Relationship to Strategic Planning Framework Cont.

6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

There is no applicable Section 9.1 Directions for this item.

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The proposal only seeks to correct an administrative error and will not adversely affect critical habitat or threatened species.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will not have any social or economic impacts.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

This item does not require consultation with State or Commonwealth public authorities.

4.35. Item 34 – Site of Euston River Port, Murray Terrace, Euston

The proposal seeks to list the Site of Euston River Port on the bank of the Murray River adjacent to Part Lot 7301, DP 1140998 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Euston owes its growth from 1850s to 1900 as a working river port with large wharf and ferry. It served as a ferry crossing (superseded in 1924 by a bridge across the river to Robinvale) and transport interchange from bullock driven wagons to riverboats. Its public wharf marks a spot on the river frontage that symbolises this significant colonial period traffic.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Euston, **Item Name:** Site of Euston River Port, **Address:** Murray Terrace, **Property Description:** Bank of Murray River adjacent to Part Lot 7301, DP 1140998, **Significance:** Local, **Item No.** I33

The proposed amendment will also be achieved by amending Heritage Map sheet HER_002A as indicated on the map below.

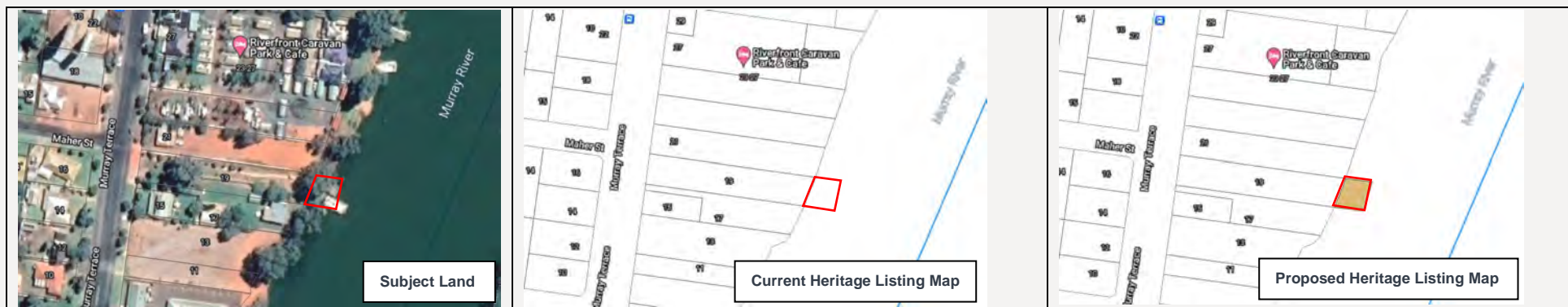


Figure 31 Item 34 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 35.

Table 35 – Assessment of Item 34 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.36. Item 35 – Euston Uniting Church, 14 Selwyn Street, Euston

The proposal seeks to list the Uniting Church, on land described as Lot 1, DP1027646 and addressed as 14 Selwyn Street, Euston as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Euston Uniting Church has social and religious significance, as well as streetscape significance being a modest weatherboard structure.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows

Suburb: Euston, **Item Name:** Euston Uniting Church, **Address:** 14 Selwyn Street, **Property Description:** Lot 1, DP1027646, **Significance:** Local, **Item No.** I34

The proposed amendment will also be achieved by amending Heritage Map sheet HER_002A as indicated on the map below.

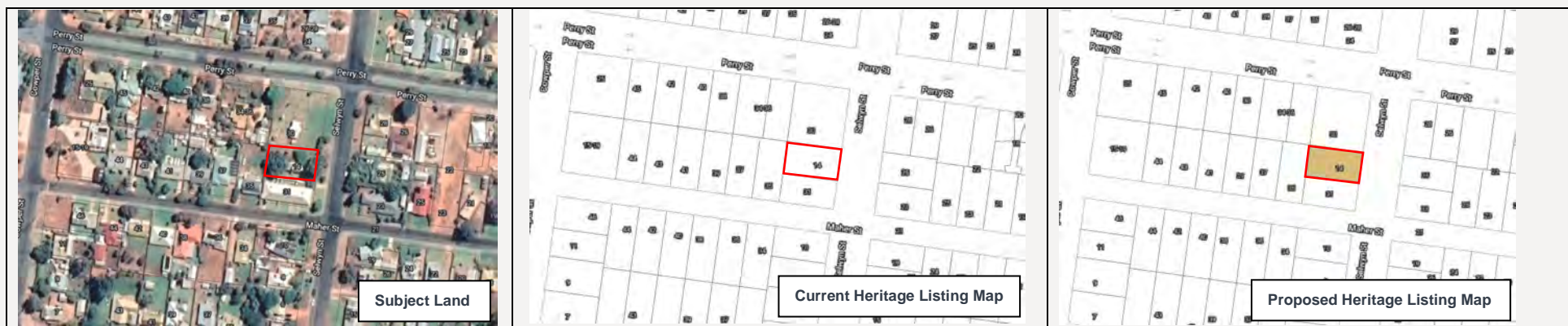


Figure 32 Item 35 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 36.

Table 36 – Assessment of Item 35 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.37. Item 36 – Fossilised Wagon Tracks, 8527 Hatfield The Vale Road, Hatfield

The proposal seeks to list fossilised wagon tracks on land described as Part Lot 4262, DP766950 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Archaeological site with historical, research and rarity significance. This is a highly rare example of colonial road preservation in a desert landscape.

Situated on an old road alignment, these c1850 wagon tracks are thought to have been formed when boggy ground was deeply furrowed. It then dried, the lime content in the soil hardening it. This site has some archaeological education and research potential.

A plan should be made regarding how to protect, promote and interpret this item for heritage tourism.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Hatfield, **Item Name:** Fossilised Wagon Tracks, **Address:** 8527 Hatfield The Vale Road, **Property Description:** Part Lot 4262, DP766950, **Significance:** Local, **Item No.** I35

The proposed amendment will also be achieved by amending Heritage Map sheet HER_004 as indicated on the map below.

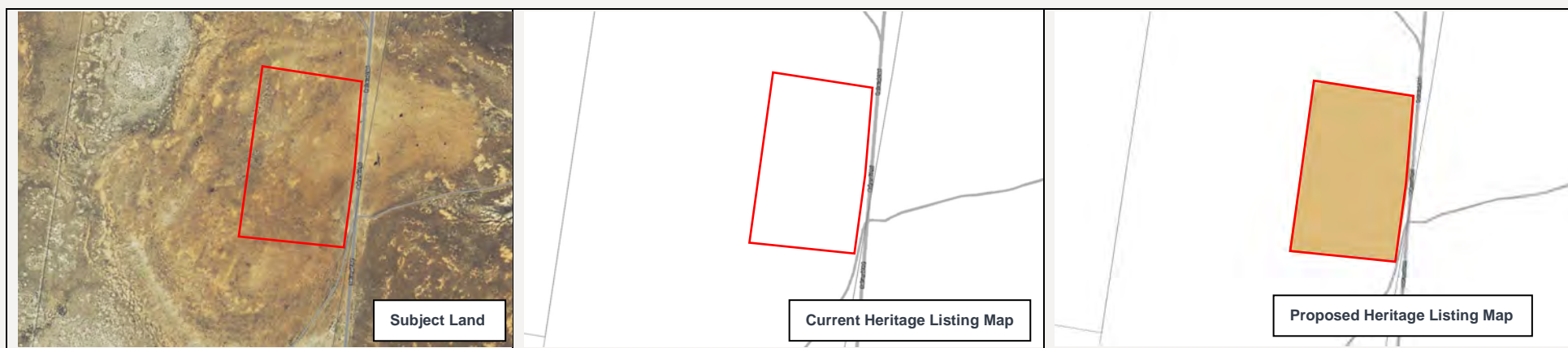


Figure 33 Item 36 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 37.

Table 37 – Assessment of Item 36 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.38. Item 37 – Site of Talbett’s Punt, Kyalite Road, Kyalite

The proposal seeks to list the Site of Talbett’s Punt, Kyalite on land described as Lot 6, DP751228 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The village of Wakool Crossing, present-day Kyalite, was founded by Henry Talbett, who in about 1848 established a punt service across the Wakool River at the location. When he became established Talbett brought out his family from Ireland, including his parents and siblings. His brother John came to Wakool Crossing with his family and assisted Henry Talbett to construct an inn and a general store on land Henry had purchased near his punt

In September 1860 the Burke and Wills expedition to central Australia crossed the Wakool River by Talbett’s punt at Wakool Crossing. Henry Talbett was paid £9.6.0 ‘for portage, provisions &c.’ by the expedition leader, Robert O’Hara Burke.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Kyalite, **Item Name:** Site of Talbett’s Punt, **Address:** Kyalite Road, **Property Description:** Lot 6, DP751228, **Significance:** Local, **Item No.** I36

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005C as indicated on the map below.

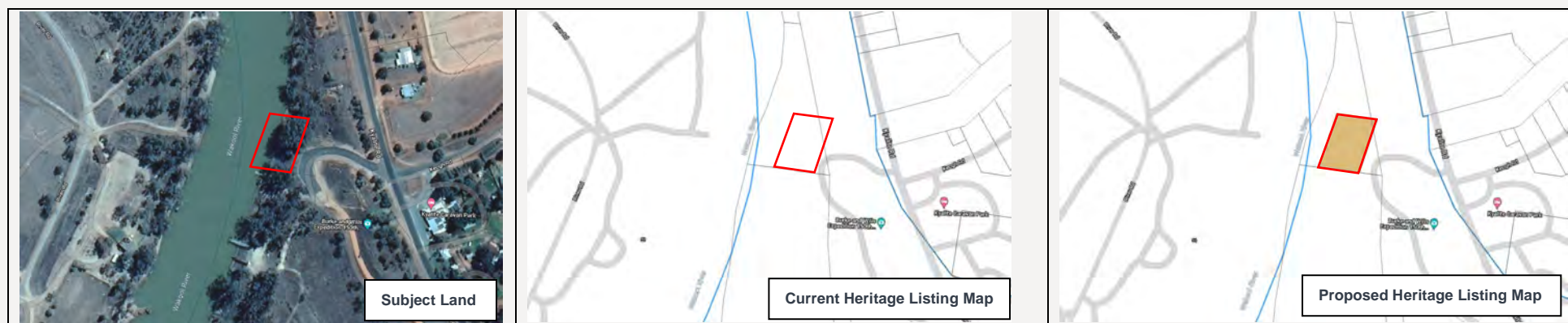


Figure 34 Item 37 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 38.

Table 38 – Assessment of Item 37 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.39. Item 38 – Federation Period Rural house, kitchen and history collection “Norwood”, 3003 Yanga Way, Kyalite

The proposal seeks to list a Federation Period Rural house, kitchen and history collection (“Norwood”) on land described as Part Lot 277, DP761085 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The building is a good example of a relocated rural homestead, extended during the Federation period. Private museum contains a collection of local historical significance.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Kyalite, **Item Name:** Federation Period Rural house, kitchen and history collection “Norwood”, **Address:** 3003 Yanga Way, **Property Description:** Part Lot 277, DP761085, **Significance:** Local, **Item No.** I37

The proposed amendment will also be achieved by amending Heritage Map sheet HER_005 as indicated on the map below.

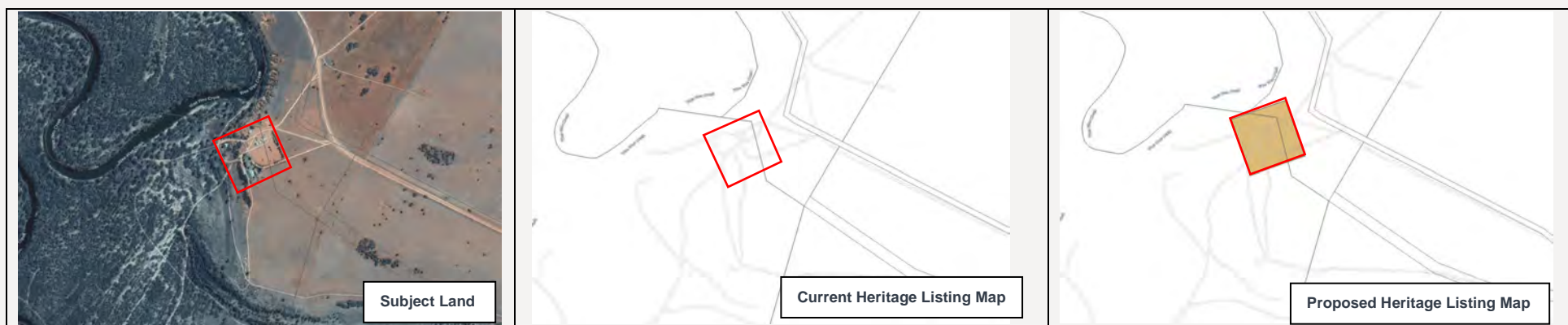


Figure 35 Item 38 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 39.

Table 39 – Assessment of Item 38 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.40. Item 39 – Mungo Woolshed, 3046 Turlee Leaghur Road, Mungo

The proposal seeks to list the Mungo Woolshed on land described as Part Lot 7303, DP1173617 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

The Mungo Woolshed is a good example of a Chinese built drop log construction wool shed.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Mungo, **Item Name:** Mungo Woolshed, **Address:** 3046 Turlee Leaghur Road, **Property Description:** Part Lot 7303, DP1173617, **Significance:** Local, **Item No.** I38

The proposed amendment will also be achieved by amending Heritage Map sheet HER_001 as indicated on the map below.

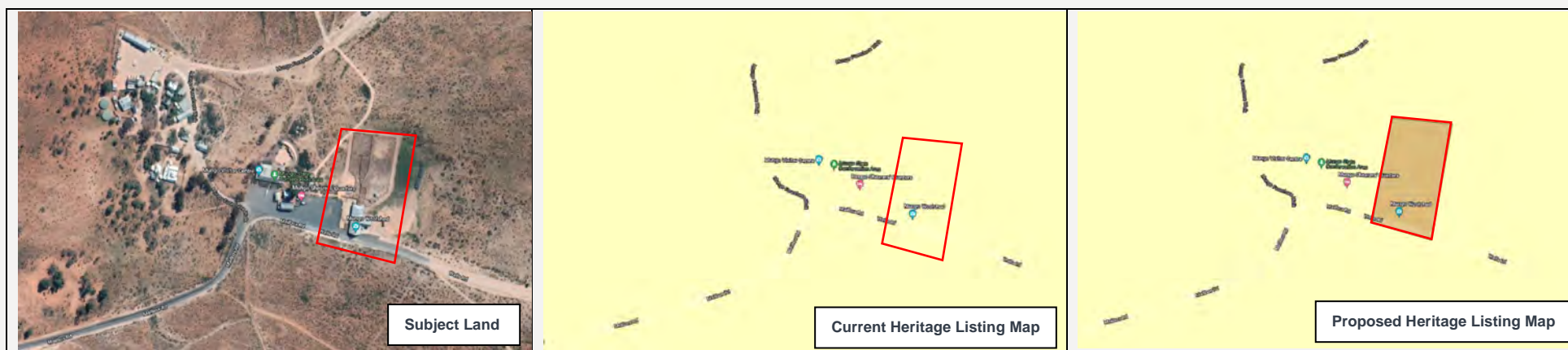


Figure 36 Item 39 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 40.

Table 40 – Assessment of Item 39 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

4.41. Item 40 – St Barnabas Anglican Church (Oxley), Oxley Street, Oxley

The proposal seeks to list St Barnabas Anglican Church (Oxley) on land described as Lot 6, Section 37, DP758821 as a local heritage item within Schedule 5 and the Heritage Map of the LEP consistent with the recommendations of the *Balranald Shire Community Heritage Study*.

Historic, aesthetic and rarity significance. Historically developed to service an isolated community at a change station providing services to horse-drawn coach travellers. It is of moderate aesthetic value. Built c1890 this is an increasingly rare and substantially intact example of an isolated church of the Federation period.

Oxley was a settlement established at the terminus of John Oxley's 1817 expedition and near the pastoral station purchased by Thomas Darchy, whose family vault is at the village cemetery across the river. In 1860, Oxley was at the centre of a large police district with a licensed public house and branch of the Australian Stock Bank. In 2013 the items of significance, comprising the church, bell-tower, fence and outhouse were in good condition.

The proposed amendment will be achieved by adding the listing to Schedule 5 as follows:

Suburb: Oxley, **Item Name:** St Barnabas Anglican Church (Oxley), **Address:** Oxley Street, **Property Description:** Lot 6, Section 37, DP758821, **Significance:** Local, **Item No.** I39

The proposed amendment will also be achieved by amending Heritage Map sheet HER_004 as indicated on the map below.

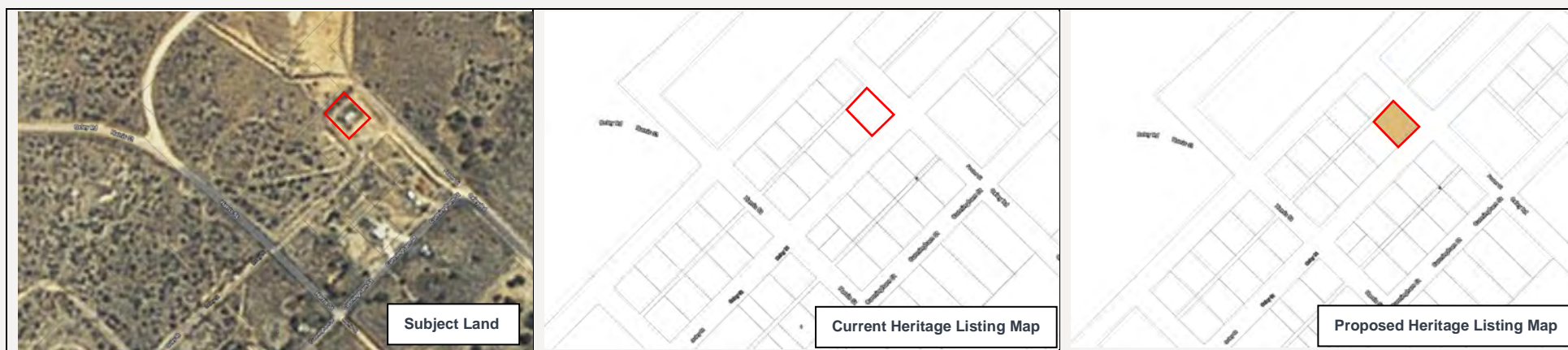


Figure 37 Item 40 – Recommended Mapping Changes

Section B – Relationship to Strategic Planning Framework Cont.**6. Is the planning proposal consistent with any applicable State Environmental Planning Policies (SEPPs)?**

There is no applicable SEPPs for this item.

7. Is the planning proposal consistent with any applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with the following Section 9.1 Directions outlined in Table 41.

Table 41 – Assessment of Item 40 against applicable Section 9.1 Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Far West Regional Plan 2036</i> as it conserves and adaptively re-uses European heritage assets.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment A.</p>
3. Biodiversity and Conservation			
3.2	Heritage Conservation	Yes, as the Planning Proposal seeks to amend Schedule 5 and the Heritage Map of the LEP.	<p>The Planning Proposal is consistent with this direction as it aims to protect the heritage significance of the site by listing it within Schedule 5 and the Heritage Maps of the LEP.</p> <p>More specifically, the Planning Proposal has been prepared based on the recommendations of the <i>Balranald Shire Community Heritage Study</i> as outlined above.</p>

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There will be no adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal will have no other likely environmental effects.

10. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive social effect as it seeks to preserve and protect an area of heritage significance.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal will not result in additional demand for public infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken yet with any state or federal public authorities. In accordance with the requirements of the Gateway Determination, it is expected that as a minimum, consultation will be required with the NSW Heritage Branch.

5. Mapping

The Planning Proposal seeks to amend the following maps of the LEP as follows:

Please note that references to Item No's refers to those items outlined in Section 4.2 to 4.41 of this Planning Proposal.

Table 42 Summary of LEP Maps to be amended

Map Reference Number	Description of Amendment
<u>Land Zoning Maps:</u> <ul style="list-style-type: none"> LZN_005 	<p>A description of the proposed changes is summarised as follows:</p> <ul style="list-style-type: none"> <u>LZN_005:</u> Rezone Lots 1-3, DP1124489 and Lots 4 & 5, DP1122923 from C1 National Parks and Nature Reserves to RU1 Primary Production (Item 6).
<u>Heritage Maps:</u> <ul style="list-style-type: none"> HER_001 HER_002A HER_004 HER_005A 	<p>A description of the proposed changes is summarised as follows:</p> <ul style="list-style-type: none"> <u>HER_001:</u> The Planning Proposal seeks to add the following properties as local heritage items within Schedule 5 and on Heritage Map HER_001: <ul style="list-style-type: none"> Mungo Woolshed, 3046 Turlee Leaghur Road, Mungo (Heritage Item I38) (Item 39). <u>HER_002A:</u> The Planning Proposal seeks to add the following properties as local heritage items within Schedule 5 and on Heritage Map HER_002A: <ul style="list-style-type: none"> Site of Euston River Port, Murray Terrace, Euston (Heritage Item I33) (Item 34). Euston Uniting Church, 14 Selwyn Street, Euston (Heritage Item I34) (Item 35). <u>HER_004:</u> The Planning Proposal seeks to add the following properties as local heritage items within Schedule 5 and on Heritage Map HER_004: <ul style="list-style-type: none"> Redbank Weir, Oxley Road, Balranald (Heritage Item I28) (Item 27). Fossilised Wagon Tracks, 8527 Hatfield The Vale Road, Hatfield (Heritage Item I35)(Item 36). St Barnabas Anglican Church (Oxley), Oxley Street, Oxley (Heritage Item I39) (Item 40). <u>HER_005A:</u> The Planning Proposal seeks to add the following properties as local heritage items within Schedule 5 and on Heritage Map HER_005A: <ul style="list-style-type: none"> Balranald Island, Balranald (Heritage Item I9) (Item 8). Chinese Cemetery (Site of), Ballandella Street, Balranald (Heritage Item I10)(Item 8). St Barnabas Anglican Church, 101-105 Ballandella Street, Balranald (Heritage Item I11) (Item 9).

	<ul style="list-style-type: none"> ○ St Dymphna's Catholic Church, 106 Church Street, Balranald (Heritage Item I12) (Item 10). ○ Catholic Presbytery, 106 Church Street, Balranald (Heritage Item I13) (Item 11). ○ St Joseph's Catholic School, 108-116 Church Street, Balranald (Heritage Item I14) (Item 12). ○ Bridge House Hotel, 55-59 Court Street, Balranald (Heritage Item I15) (Item 13). ○ Aboriginal Church, 9 Endeavour Drive, Balranald (Heritage Item I16) (Item 14). ○ Wyburn Escape Regulator, Ivanhoe Road, Balranald (Heritage Item I17) (Item 15). ○ Balranald Gaol, 83 Market Street, Balranald (Heritage Item I18) (Item 16). ○ Wintong Homestead, 83 Market Street, Balranald (Heritage Item I19) (Item 17). ○ Horse and Dog Trough, 85 Market Street, Balranald (Heritage Item I20) (Item 18). ○ Malcolm & Son Stock & Station Agent Building Museum, 86 Market Street, Balranald (Heritage Item I21) (Item 19). ○ Theatre Royal, 88-92 Market Street, Balranald (Heritage Item I22) (Item 20). ○ CWA Building, 120 Market Street, Balranald (Heritage Item I23) (Item 21). ○ Masonic Temple Gallery, 51 Myall Street, Balranald (Heritage Item I24) (Item 22). ○ Balranald General Cemetery, Moa Street, Balranald (Heritage Item I25) (Item 24). ○ Grave of Josiah Viles, Moa Street, Balranald (Heritage Item I26) (Item 25). ○ Balranald Stock Pound, O'Connor Street, Balranald (Heritage Item I27) (Item 26). ○ Site of Balranald River Port, Turandurey Street, Balranald (Heritage Item I29) (Item 28).
<p><u>Natural Resources Sensitivity – Biodiversity Maps:</u></p> <ul style="list-style-type: none"> • NRB_002A • NRB_002B • NRB_002C • NRB_005 • NRB_005A • NRB_005B 	<p>A description of the proposed changes is summarised as follows:</p> <ul style="list-style-type: none"> • <u>NRB_002A, NRB_002B, NRB_002C, NRB_005, NRB_005A and NRB_005B:</u> The Planning Proposal seeks to amend the Natural Resources Sensitivity – Biodiversity Maps as it broadly relates to the main townships of Balranald and Euston and its immediate surrounds to better reflect the environmental conditions of land. The maps have been amended to generally align with the NSW State Vegetation Type Map (Release Date: 28 April 2023, Version: C1.1.M1.1) (Items 3 & 4). • <u>NRB_002B:</u> The Planning Proposal also seeks to remove the Euston Cemetery from this map in recognition of the limited environmental features this land presents (Item 5).
<p><u>Riparian Land Map, Waterways Map, Groundwater Vulnerability Maps:</u></p> <ul style="list-style-type: none"> • CL1_002B 	<ul style="list-style-type: none"> • <u>CL1_002B:</u> The Planning Proposal seeks to remove the Euston Cemetery from this map in recognition of the limited environmental features this land presents (Item 5).

The Planning Proposal seeks to introduce the following map sheets within the LEP as follows:

Table 43 Summary of LEP Maps to be Introduced

Map Reference Number	Description of Amendment
<u>Heritage Maps:</u> <ul style="list-style-type: none"> HER_002B HER_002C HER_005 HER_005C 	<ul style="list-style-type: none"> <u>HER_002B:</u> The Planning Proposal seeks to add the following properties as local heritage items within Schedule 5 and on Heritage Map HER_002B. <ul style="list-style-type: none"> Euston General Cemetery, 2 Cowper Street, Euston (Heritage Item I32) (Item 31). <p>Please note that the LEP already contains a Map Sheet titled HER_002B, which is to be renumbered HER_002C as part of this process consistent with the current map referencing numbers.</p> <ul style="list-style-type: none"> <u>HER_002C:</u> The Planning Proposal seeks to renumber Heritage Map Sheet HER_002B to HER_002C as a new Map Sheet has been created as per Item 31 above. Please note that Heritage Item I5 currently identified on HER_002B will remain unchanged. <u>HER_005:</u> Create a new Heritage Map to add the following properties as local heritage items within Schedule 5 and via new Heritage Map HER_005. Please note that no heritage map currently covers these areas: <ul style="list-style-type: none"> Yanga Woolshed, 312 Windomal Road, Balranald (Heritage Item I30) (Item 29). Yanga Regulator No. 102, 312 Windomal Road, Balranald (Heritage Item I31)(Item 30). Federation Period Rural House, Kitchen and History Collection “Norwood”, 3003 Yanga Way, Kyalite (Heritage Item I37) (Item 38). <u>HER_005C:</u> Create a new Heritage Map to add the following properties as local heritage items within Schedule 5 and via new Heritage Map HER_005C. Please note that no heritage map currently covers these areas: <ul style="list-style-type: none"> Site of Talbett’s Punt Kyalite Road, Kyalite (Heritage Item I36) (Item 37).

The Planning Proposal seeks to delete the following maps of the LEP as follows:

Table 44 Summary of LEP Maps to be Deleted

Map Reference Number	Description of Amendment
<u>Additional Permitted Uses Map:</u> <ul style="list-style-type: none"> APU_002B 	<ul style="list-style-type: none"> <u>APU_002B:</u> Delete existing additional permitted uses map to reflect the fact that there is no listing within Schedule 1 of the LEP (Item 2).

Further details regarding the proposed amendments to the individual map sheets are provided in Section 4 of this Planning Proposal.

Council requests the ability to lodge the template maps at Section 3.36 stage rather than prior to exhibition. The maps provided as part of this Planning Proposal are considered to provide sufficient detail for public exhibition purposes.

Specifically, the draft LEP maps and associated Map Cover Sheet will be prepared in accordance with the NSW Department of Planning & Environment's: *Standard Technical Requirements for Spatial Datasets and Maps* (Version 2.0, August 2017).

6. Community Consultation

The Planning Proposal will be exhibited in accordance with the requirements of Part 1, Division 1, Clause 4 of Schedule 1 of the EP&A Act, the NSW Department of Planning and Environment's: *Local Environmental Plan Making Guideline* and any conditions of the Gateway Determination (to be issued).

As the Planning Proposal is categorised as a 'standard' proposal, it is expected to be placed on public exhibition for 20 days or as otherwise outlined in Council's Community Participation Plan. Council may determine to exhibit the Planning Proposal for a longer period consistent with the notification period requirements for the accompanying Development Application.

Written notification of the community consultation will be provided in a local newspaper and on Councils' website. In addition to this, any affected landowner/s will be notified in writing, as well as any Public Authorities, Government Agencies and other key stakeholders as determined by the Gateway Determination.

As a minimum, the Planning proposal will be notified to the following parties:

- Affected landowner/s (including those subject to land rezoning and heritage listings).
- National Parks and Wildlife Services
- Biodiversity Conservation Division of the NSW Department of Planning and Environment
- Heritage Branch of the NSW Department of Planning and Environment
- NSW Department of Primary Industries
- NSW Department of Planning, Housing and Infrastructure – Crown Land
- Civil Aviation Services Authority
- Transport for NSW
- NSW Rural Fire Service
- Water NSW
- Any other agency determined by the Gateway Determination.

The future consultation process is expected to include:

- written notification to affected landowners.
- public notices to be provided in local media, including in a local newspaper and on Councils' website.
- static displays of the Planning Proposal and supporting material in Council public buildings; and
- electronic copies of all documentation being made available to the community free of charge via download from Council's website.

The written notice will contain:

- a brief description of the intended outcomes of the Planning Proposal.
- an indication of the land which is affected by the proposal.
- information on where and when the Planning Proposal can be inspected.
- the name and address of Council for the receipt of submissions.
- the closing date for submissions; and
- confirmation whether the Minister has chosen to delegate Plan Making powers to Council.

During the public exhibition period the following documents will be placed on public exhibition:

- the Planning Proposal.
- the Gateway Determination.
- any technical information relied upon by the Planning Proposal (including the endorsed Heritage Study)
- relevant council reports.

An electronic copy of all of the above information to be placed on public exhibition will be made available to the public free of charge.

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and will prepare a report to Council.

7. Project Timeline

The project timeline for the Planning Proposal is outlined in Table 45.

It is noted however, that there are many factors that can influence compliance with the timeframe including Council staffing resources, the cycle of Council meetings and submissions received, and issues raised. Consequently, the timeframe should be regarded as indicative only.

Table 45 Project Timeline (indicative)

Project Milestone	Anticipated Timeframe	Anticipated Dates
Council Report (seeking Gateway Determination) Council planning officers to prepare a report to council seeking council endorsement of the Planning Proposal and referral to the NSW DPIE seeking the issuing of a Gateway Determination.	2 weeks to prepare council report and include on council agenda.	October 2023
Request Gateway Determination Council to request a Gateway Determination from the NSW Department of Planning to proceed to Planning Proposal to public exhibition (including any delegation of plan-making powers to council)	2 weeks following Council resolution and request for a Gateway determination	November 2023
Public Exhibition Undertake public exhibition of Planning Proposal in accordance with the conditions of the Gateway Determination.	2 weeks to prepare and place a public notice in the paper and 4 weeks to publicly exhibit the Planning Proposal.	Late November 2023 through to early February 2024 <i>(extended due to Christmas break)</i>
Consider Submissions & Finalise Document Council planning officers to consider, respond and report on submissions received and issues raised (if any) and where necessary, recommended relevant changes to the Planning Proposal.	2 weeks to collate, consider and respond to submissions received (if any).	March 2024
Council Report (consideration of submissions) Council planning officers to prepare a report to council post public exhibition that considers any submissions received.	4 weeks to prepare council report and include on council agenda.	April 2024

Submission to NSW DPIE/Parliamentary Counsel Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.	4 weeks	May 2024
Notification Finalisation/gazettal of Planning Proposal	2 weeks	June 2024

8. Conclusion

The Planning Proposal seeks to amend the *Balranald Local Environmental Plan 2010* by correcting a number of identified mapping anomalies and updating Schedule 5 and the Heritage Maps of the LEP to implement the recommendations of the Balranald Shire Community Heritage Study.

The Planning Proposal also seeks to introduce a new local provision to allow for boundary adjustments in certain rural and environmental zones.

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the relevant guidelines prepared by the NSW Department of Planning and Environment. The Planning Proposal sets out the justification for the proposed amendment and considers the environmental, social and economic impacts of the proposal.

This Planning Proposal provides an analysis of the physical and strategic planning constraints and opportunities and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is consistent with the strategic planning framework including State, Regional, District and local planning strategies for Balranald Shire.
- The proposal is consistent with the relevant State Environmental Planning Policies and Section 9.1 Ministerial Directions.
- The proposal is consistent with the recommendations of the Balranald Shire Community Heritage Study.
- The proposal is not expected to have any negative economic, environmental or social impacts on the local area.

Therefore, the proposed amendment to the LEP is appropriate and well-considered and warrants approval subject to the conditions of a Gateway Determination.

Attachment A:

Balranald Shire Community Heritage Study 2006-2007 & Balranald Shire Review 2013

Attachment B:

Consistency with Far West Regional Plan 2036

Table 46 Consistency with Far West Regional Plan

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Goal 1 – A diverse economy with efficient transport and infrastructure networks		
Direction 1 – Grow the agribusiness sector, value-added manufacturing opportunities and supply chains.	Not applicable, as the proposal does not relate to agribusiness.	N/A
Direction 2 – Protect productive agricultural land and plan for greater land use compatibility	Yes, as the Planning Proposal relates to rural land.	The Planning Proposal is consistent with this direction as it will protect productive agricultural land and avoids land use conflicts. Whilst it is acknowledged that the Planning Proposal seeks to introduce a new local provision that will allow for flexibility in the adjustment of boundaries between the rural and environmental/conservation zones, the clause will not allow for the construction of any new dwellings within rural areas and therefore avoids land use conflicts.
Direction 3 – Sustainably manage mineral resources	Not applicable, as the proposal does not relate to mineral resources.	N/A
Direction 4 – Diversify energy supply through renewable energy generation	Not applicable, as the proposal does not relate to renewable energy generation.	N/A
Direction 5 – Promote tourism opportunities	Yes, as the Planning Proposal will promote heritage and the protection of environmental areas.	The Planning Proposal is consistent with this direction, which acknowledges the importance of European and

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
		cultural heritage tourism, as well as the importance of areas of natural significance. Specifically, the Planning Proposal seeks to protect areas and items of heritage and environmental significance via an amendment to Schedule 5 and the Heritage Maps of the LEP.
Direction 6 – Unlock economic potential through improved freight transport infrastructure	Not applicable, as the proposal does not relate to transport or freight.	N/A
Direction 7 – Improve regional air connections	Not applicable, as the proposal does not relate to air transport.	N/A
Direction 8 – Enhance access to telecommunications	Not applicable, as the proposal does not relate to telecommunications.	N/A
Direction 9 – Sustainably manage water resources for economic opportunities	Not applicable, as the proposal does not relate to water resources.	N/A
Direction 10 – Enhance the economic self-determination of Aboriginal communities	Yes, as the Planning Proposal relates to areas of Aboriginal Cultural significance.	The Planning Proposal is consistent with this direction as it seeks to protect and promote areas of Aboriginal Cultural significance, which could assist with the self-determination of Aboriginal communities.
Direction 11 – Support new planning and land management arrangements	Not applicable as the proposal does not relate to changes in land management arrangements.	N/A

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 12 – Enhance the productivity of employment lands	Not applicable, as the proposal does not relate to employment lands.	N/A
Goal 2 – Exceptional semi-arid rangelands traversed by the Barwon-Darling River		
Direction 13 – Protect and manage environmental assets	Yes, as the Planning Proposal seeks to adjust the environmental maps of the LEP.	<p>The Planning Proposal is consistent with this Direction as it seeks to better reflect the environmental values and features of land as they are mapped in the terrestrial biodiversity and waterways map.</p> <p>Upon review, Council have identified a number of anomalies in relation to these maps. Specifically, this includes instances of developed land and other lands that contain no environmental features according to relevant environmental databases as being mapped for environmental protection purposes.</p> <p>Conversely, there are instances of environmentally sensitive land (heavily treed, adjacent to waterways) that is not currently mapped and protected in the LEP.</p> <p>It is understood that the data that originally informed the preparation of Council's local environmental maps were based on a state-wide layer and were never meant to be used at the local level as they had not been 'ground truthed'.</p>

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
		<p>Therefore, the purpose of the subject amendment is to better reflect the environmental values of the land following a review of recent aerial photography and more importantly, environmental databases (NSW State Vegetation Type Map (Release Date: 28 April 2023, Version: C1.1.M1.1), BioNet data etc).</p> <p>In doing so, the LEP will better protect and manage areas of environmental significance.</p>
Direction 14 – Manage and conserve water resources for the environment	Not applicable as the proposal does not relate to water resources.	N/A
Direction 15 – Manage land uses along key river corridors	Not applicable as the proposal does not propose any new land uses along river corridors.	N/A
Direction 16 – Increase resilience to climate change	Not applicable as the proposal does not rezone land that would be subject to natural disasters and climate change.	N/A
Direction 17 – Manage natural hazard risks	Not applicable to the proposal.	N/A

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 18 – Respect and protect Aboriginal cultural heritage assets	Yes, as the Planning Proposal seeks to include a number of items of Aboriginal cultural significance within Schedule 5 and the Heritage Maps of the LEP.	The Planning Proposal is consistent with this direction as it seeks to protect and promote areas of Aboriginal Cultural significance via inclusion within Schedule 5 and the Heritage Maps of the LEP.
Direction 19 – Conserve and adaptively re-use European heritage assets	Yes, as the Planning Proposal seeks to include a number of additional items within Schedule 5 and the Heritage maps of the LEP.	<p>The Planning Proposal is consistent with this direction as it seeks to implement the recommendations of the <i>Balranald Shire Community Heritage Study</i>.</p> <p>By updating the list of the Heritage Schedule, this will ensure that heritage items can be preserved and adaptatively re-used ongoing.</p>
Goal 3 – Strong and connected communities		
Direction 20 – Manage change in settlements	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 21 – Strengthen communities of interest and cross-regional relationships	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 22 – Collaborate and partner with Aboriginal communities	Yes, as the Planning Proposal seeks to include a number of items of Aboriginal cultural significance within Schedule 5 and the Heritage Maps of the LEP.	The Planning Proposal is consistent with this direction as it seeks to implement the recommendations of the <i>Balranald Shire Community Heritage Study</i> , which was prepared in consultation with local Aboriginal groups.
Direction 23 – Improve access to local health services, aged care and seniors' housing	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 24 – Enhance access to education and training	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 25 – Improve public and community transport services	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 26 – Manage and conserve water resources for communities	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 27 – Provide greater housing choice	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 28 – Deliver greater opportunities for affordable housing	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 29 – Manage rural residential development	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A
Direction 30 – Create healthy built environments	Not relevant to the proposal only seeks to undertake a number of housekeeping amendments.	N/A

Attachment C: LEP Information Checklist