

5 PLANNING PROPOSALS

5.1 Results of Independent Peer Review of Draft Wingecarribee Community Heritage Study 2021-23

Report Author: Senior Strategic Planner

Authoriser: Deniz Kilic

PURPOSE

The purpose of this report is to present the results of the independent peer review of the Draft Community Housing Study to the Panel for endorsement for the purposes of public exhibition.

OFFICER'S RECOMMENDATION

THAT the *Wingecarribee Community Heritage Study 2021-2023 Independent Peer Review 2024* as attached to this report be endorsed for public exhibition for a minimum of 28 days commencing on or before 1 June 2024 and concluding on 30 June 2024 via the Participate Wingecarribee platform.

THAT a report on the results of the public exhibition of the *Wingecarribee Community Heritage Study 2021-2023 Independent Peer Review 2024* and a draft Planning Proposal to effect the final recommendations be considered by the Local Planning Panel at the conclusion of public exhibition.

REPORT

Background

The following table provides a timeline of the milestones of the Draft Community Heritage Study project.

Date	Milestone and Commentary
2021-2023	Compilation of the Draft Community Heritage Study 2021-23 The Draft Community Heritage Study was compiled by a Study Team led by the former (non-Councillor) members of Council's former Heritage Advisory Committee and comprised of members of the Committee and the community with heritage, history and architecture qualifications and experience. The Study was prompted by a Council resolution to re-examine some 250 items that were recommended for heritage listing in a 2009 heritage study but deferred by Council in 2012.
29 June 2023	Initial Consideration of Draft Community Heritage Study 202-23 by Local Planning Panel The Draft Community Heritage Study was first considered by the Local Planning Panel and the following advice was given by the Panel: <i>The Panel acknowledges the enormous amount of detailed work put into the Wingecarribee Community Heritage Study 2021-23 by the Study Team and Council planning staff.</i> <i>The Panel supports the commencement of owner and community consultation in accordance with this report of the Wingecarribee Community Heritage Study 2021-23.</i> <i>The Panel recommends that consideration be given to initiating the Peer Review of the Study concurrently with the proposed community consultation with the final Peer Review to be carried out at the conclusion of the community consultation.</i>
19 July 2023	Council resolution for consultation and public exhibition of Draft Community Heritage Study The Panel's advice was considered by Council as part of a report on the Draft Community Heritage Study where it was resolved: <i>MN 2023/434</i> <i>MOTION moved by the Administrator</i> <i>THAT:</i> <i>The Wingecarribee Community Heritage Study 2021-23 be supported to commence owner and community consultation in accordance with this report.</i> <i>The Study Team and other volunteer contributors be acknowledged and thanked for their significant contribution in research, photography and compilation of the information contained in the Wingecarribee Community Heritage Study 2021-23.</i> <i>DECLARED CARRIED BY THE ADMINISTRATOR</i>

Date	Milestone and Commentary
31 July 2023	Commencement of owner consultations Consultation commences with owners of individual properties affected by the recommendations of the Draft Community Heritage Study. Access to the Draft Study documents was provided by a website link and affected owners of recommended heritage items were invited to attend 15-minute individual one-on-one sessions with Council staff that were conducted from 11 September until 30 October 2023. In total 326 meeting slots were made available to owners on 22 dates and 6 different venues across the Shire.
3 October 2024 to 6 November 2023	Public exhibition of Draft Community Heritage Study Public exhibition of the Draft Study commences. Letters were sent to owners of properties within proposed heritage conservation areas and emails were sent to local village associations and heritage groups. 13 four-hour community drop-in information kiosks were held between 9 October and 2 November 2023 at six locations across the Shire.
13 December 2023	Council consideration of Peer Review Options Council considers a report on the <i>Draft Community Heritage Study – Options for Peer Review</i> where it was resolved: <i>MN 2023/570</i> <i>MOTION moved by the Administrator</i> <i>THAT Council:</i> <i>Council receive and note the report and Council Officers play no further role in the matter.</i> <i>Council support the option for peer review of the Community Heritage Study and all submissions received in response to the public consultation process with the view to the final Heritage Study and Planning Proposal being submitted to the NSW Department Planning Department for Gateway determination no later 30 June 2024.</i> <i>The cost for the independent peer review of the Community Heritage Study and exhibition of same by a suitably qualified heritage contractor reporting directly to the General Manager be considered as part of the December budget quarterly review.</i> <i>In relation to point 2, it will be necessary for the General Manager to prepare a timeline for public exhibition of the final draft study for consideration by both the Planning Panel and Council.</i> <i>The General Manager be delegated authority to place the draft Community Heritage Study, post peer review on public exhibition.</i> <i>DECLARED CARRIED BY THE ADMINISTRATOR</i>
31 January 2024	Appointment of Peer Review consultant The appointment of Mr Robert Staas as the heritage consultant to undertake the independent peer review of the Draft Community Heritage Study is announced.

Date	Milestone and Commentary
21 February 2024	Council consideration of update report on Peer Review Council considers a report on the update of the independent peer review where it was resolved: <i>MN 2024/7</i> <i>MOTION moved by the Administrator</i> <i>THAT Council:</i> <i>Note the update on the appointment of the Consultant to undertake the independent Peer Review of the draft Wingecarribee Community Heritage Study 2021-23.</i> <i>The proposed timeline for public exhibition of the peer-reviewed draft Study in accordance with Council's Resolution dated 13 December 2023 be the subject of a further report to the March 2024 meeting noting the delegation in place.</i> <i>Allocate \$22,000 at the next quarterly budget review to fund the heritage peer review.</i> <i>DECLARED CARRIED BY THE ADMINISTRATOR</i>
20 March 2024	Council consideration of further update report on Peer Review Council considered a further report on the revised timeline for the independent peer review where it was resolved: <i>MN 2024/39</i> <i>MOTION moved by the Administrator</i> <i>THAT Council note the revised proposed timeline for public exhibition of the peer-reviewed draft Study in accordance with Council's Resolutions dated 13 December 2023 and 21 February 2024.</i> <i>DECLARED CARRIED BY THE ADMINISTRATOR</i>

The revised proposed timeline included in the 20 March 2024 report is as follows:

Timeframe	Milestone
22 January 2024	Peer Review initiated with independent consultant
15 May 2024	Peer Review Finalised
15 May 2024	Consultant presents peer review outcomes to Local Planning Panel (LPP)
29 May 2024	Extraordinary LPP considers peer reviewed draft Heritage Study
30 May 2024	General Manager places peer-reviewed draft Study on public exhibition for 28 days
30 June 2024	Public exhibition concludes
17 or 31 July 2024	Extraordinary LPP considers outcomes of public exhibition and makes recommendations to proceed to Gateway Determination

7 August 2024	Council considers outcomes of peer review and LPP advice and considers proceeding to Gateway Determination
---------------	--

The Draft Community Heritage Study 2021-23 comprised investigation of 609 individual items and 16 areas, nine (9) of which are new areas and six (6) are extensions to existing conservation areas. Of the 609 individual items, 478 (or 78.5%) were recommended for heritage listing within the Draft Study, 131 (or 21.5%) were not recommended for heritage listing and all 16 proposed areas were recommended as heritage or landscape conservation areas as either standalone new areas or extensions to existing heritage or landscape conservation areas. However, two of these (Sutton Forest/Exeter Landscape Conservation Area and Northern and Southern Extensions to the Berrima Landscape Conservation Area) were recommended by the Draft Study for later implementation.

Scope of Independent Peer Review

Council resolved at the 13 December 2023 meeting to undertake an independent peer review by engaging a suitably qualified and experienced heritage consultant/contractor to review the recommendations of the Draft Community Heritage Study and review all submissions received and make recommendations about the heritage listing of each property within the Study. The Independent Peer Reviewer that was appointed to undertake the peer review was provided copies of all 207 submissions and the draft Study documents that were exhibited in 2023.

The Peer Reviewer was asked to provide 2 deliverables for public exhibition:

1. **Independent Peer Review Report** with heritage practitioner's professional background, peer review methodology and approach to reviewing submissions and a brief itemised response to submissions. Site visits were also conducted.
2. **Independent Peer Review Recommendations Spreadsheet** with Peer Reviewer's final professional recommendation for all 609 items.

These documents are provided as **ATTACHMENT 1** and **ATTACHMENT 2** to this report.

Summary of the Peer Review findings

Of the 609 individual items contained within the Draft Community Heritage Study, 417 items (or 68.5%) are recommended in the peer review report to be heritage listed, 184 (or 30.2%) are recommended not to be listed, and 8 (or 1.3%) are either recommended to be deferred for further study or, in the case of one item, had been demolished since the public exhibition of the Draft Study in late 2023.

96.6% of the items recommended to be heritage listed by the Peer Review were also recommended for listing within the Draft Study. The Peer Review has recommended for heritage listing a further 14 items that were not recommended in the Draft Study.

There are 70 items not recommended for heritage listing by the Peer Review that *were* recommended for heritage listing by the Draft Study and of them, 36 (or 51.4%) are contained within existing conservation areas, 19 (or 27.1%) are contained in proposed conservation areas and 15 (or 21.4%) are outside existing or proposed conservation areas.

In relation to conservation areas, 14 of the 16 heritage and landscape conservation areas are recommended for listing as conservation areas by the Peer Review, one area is recommended to be deferred for further investigation, and one area is not recommended. The table below contains a summary of the recommendations for each area.

Area Name	Peer Review Recommendation
Berrima—Northern and Southern Extensions to the Berrima Landscape Conservation Area	The proposed area should be included as an extension to the Berrima Landscape Conservation Area with a review of the Statement of Significance to exclude references to Sutton Forest and Exeter. <i>Note: this proposed area was recommended for later implementation within the Draft Community Heritage Study 2021-23.</i>
Bowral—Bowral Northern Entrance Landscape Conservation Area	The proposed area should be included as a new landscape conservation area subject to a review of the Statement of Significance. It is further recommended that a Plan of Management be prepared for this area.
Bowral—Bowral Southern Entrance Heritage Conservation Area	The proposed area should be included as a new heritage conservation area subject to the area being reduced to the western side of Moss Vale Road and the Statement of Significance amended accordingly.
Bowral—Bowral Conservation Area Extension (Shepherd Street North)	The proposed area should be included as an infill extension to the Bowral Conservation Area subject to amendments to “many” early buildings being replaced with “some” early buildings and other corrections.
Bowral—Bowral Conservation Area Extension (Merrigang Street)	The proposed area should be included as an extension to the Bowral Conservation Area.
Bowral—Bowral Conservation Area Extension (Holly and Elm Streets)	The proposed area should be deferred pending a more detailed assessment of its value as a conservation area.
Bowral—Bowral Conservation Area Extension (Glebe Estate)	The proposed area should be included as an extension to the Bowral Conservation Area.
Bowral—Station Street Heritage Conservation Area	Subject to inclusion of the church buildings at the rear, the proposed area should be included as a new heritage conservation area.
Bundanoon—Bundanoon Conservation Area Extension (Church Street)	The proposed area should be included as an extension to the Bundanoon Conservation Area.
Burradoo—Links Road & Bowral Golf Course Heritage Conservation Area	The proposed area should be included as a new heritage conservation area.

Area Name	Peer Review Recommendation
Exeter—Exeter Village Heritage Conservation Area	The proposed area should be included as a new heritage conservation area. However, further community consultation should be undertaken regarding the expansion of this area and planning controls for the area.
Kangaloon—Kangaloon Village Heritage Conservation Area	The proposed area should be included as a new heritage conservation area. It's further recommended that a larger Cultural Landscape Area should be identified and analysed.
Mittagong—Mittagong Conservation Area Extension	The proposed area should be excluded as an infill extension to the existing Mittagong Conservation Area.
Robertson—Robertson Heritage Conservation Area	The proposed area should be included as a new heritage conservation area.
Sutton Forest—Sutton Forest/Exeter Landscape Conservation Area	The proposed area should be included as a new Cultural Landscape Conservation Area. <i>Note: this proposed area was recommended for later implementation within the Draft Community Heritage Study 2021-23.</i>
Wildes Meadow—Wildes Meadow Village Heritage Conservation Area	The proposed area should be included as a new heritage conservation area.

CONSULTATION

Owner consultations and Public Exhibition of Draft Community Heritage Study 2021-23

Owner consultations commenced in early September 2023 following the sending out of a letter to owners of recommended heritage items dated 31 August. Public exhibition commenced on 3 October and public exhibition and the submission period closed on 6 November 2023. The submission period was subsequently extended a further 2 weeks to allow for late submissions.

The following consultation and notifications occurred during the consultation and public exhibition period:

- Sent letters to owners of properties affected by the Draft Community Heritage Study (including those within the proposed heritage conservation areas) and notified community interest and heritage groups. *(Note: owners within the proposed Northern and Southern Extensions to the Berrima Landscape Conservation Area and the Sutton Forest/Exeter Landscape Conservation Area were not notified due to the proposed later implementation of these areas. These owners will be consulted at a later date.)*
- 26 documents were made available on Council's community engagement platform (*Your Say Wingecarribee* and later *Participate Wingecarribee*) made up of 21 documents comprising the 3 volumes of the Draft Community Heritage Study and 5 supporting documents including fact sheets. A submission form was included on this site.

- Individual one-on-one owner consultation sessions were made available from 11 September until 30 October 2023. In total 326 meeting slots were made available to owners on 22 dates and 6 different venues across the Shire.
- 13 four-hour community drop-in information kiosks were held between 9 October and 2 November 2023 at 6 locations across the Shire. These were open to owners of properties affected by the Draft Study and interested members of the community.

A total of 207 submissions were received resulting from the consultations and public exhibition. These were supplied to Mr Staas as part of the Peer Review for consideration and assessment.

Public Exhibition of Draft Community Heritage Study 2021-23—Peer Review 2024

At the Council Meeting of 20 March 2024 it was resolved that the Peer Review of the Community Heritage Study 2021-23 would be considered by the Local Planning Panel at an Extraordinary Meeting on 29 May 2024 and that public exhibition of the Peer Review would commence on 30 May. To allow sufficient time for public forum and consideration of the Draft Study and Peer Review by members of the Panel, an additional day was added to the extraordinary Local Planning Panel meeting. Therefore, public exhibition will commence as soon as possible following consideration of the Peer Review by the Planning Panel and will commence no later than 1 June. As per the 20 March 2024 resolution, public exhibition will conclude on 30 June and the results of public exhibition will be reported to the Local Planning Panel in July and Council in August 2024. These meetings will include consideration of a Planning Proposal to effect the recommendations of the peer reviewed Community Heritage Study.

The Planning Proposal process will include mandatory public exhibition following the receipt of a Gateway Determination from the Department of Planning, Housing and Infrastructure.

SUSTAINABILITY ASSESSMENT

- **Environment**

The listing of heritage significant sites throughout the Shire assists in protecting existing private green space (including gardens) and would encourage development proposals that are sympathetic to heritage and streetscape values.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

The Wingecarribee Shire is renowned for its heritage character. Heritage listing of sites and areas serves to maintain this character which, among other things, has a positive effect on tourism.

- **Culture**

Identifying, protecting and promoting places of significant cultural heritage is one of the strategies identified in the Community Strategic Plan: Wingecarribee 2041 under goal 3.2 (Unique towns, villages and rural landscapes) under the Places theme. Council is committed to ensuring that places of heritage significance are identified, investigated and, as appropriate, listed within Schedule 5 of the Wingecarribee Local Environmental Plan 2010 through a formal Planning Proposal process. This report is consistent with this goal and strategy.

- **Governance**

There are no relevant Governance matters in relation to this report. However, the Planning Proposal to be prepared from the recommendations of this Study will be processed in accordance with relevant legislation and Departmental guidelines.

RELATIONSHIP TO CORPORATE PLANS

The Community Heritage Study is consistent with the Community Strategic Plan, the Wingecarribee Local Strategic Planning Statement and the Wingecarribee Local Housing Strategy.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications arising from this report. The public exhibition of the Peer Review and the future Planning Proposal will be prepared utilising existing Council resources.

RELATED COUNCIL POLICY

There is no other relevant Council policy.

CONCLUSION

The findings of the Independent Peer Review of the Draft Community Heritage Study have been presented in this report along with a summary of the previous community engagement and exhibition undertaken in 2023.

The Peer Review has produced a list of recommendations along with justification for all 609 individual items investigated as part of the Draft Community Heritage Study along with the 16 proposed heritage conservation areas, landscape conservation areas and existing conservation area extensions.

It is recommended that the *Community Heritage Study 2021-23—Independent Peer Review 2024* be put on public exhibition from 1-30 June 2024 and a report considered by the Local Planning Panel at the conclusion of the public exhibition period.

ATTACHMENTS

1. Wingecarribee Independent Peer Review 2024 Vol 1 Report Final.2 [5.1.1 - 104 pages]
2. Wingecarribee Independent Peer Review 2024 Vol 2 Spreadsheet Final.2 [5.1.2 - 32 pages]