

WINGECARRIBEE SHIRE COUNCIL COMMUNITY HERITAGE STUDY

RESPONSE TO SUBMISSIONS TO PEER REVIEW - JULY 2024 BY ROBERT STAAS - HERITAGE CONSULTANT

Following a public meetings of the Wingecarribee Shire Council Local Planning Panel on 29th and 30th May, and the publication of the Peer Review undertaken of the Community Based Heritage Study, further submissions were invited from affected property owners and interested residents for consideration prior to finalisation of recommendations for a final list of proposed heritage items and conservation areas to be incorporated in a Gateway Submission pending changes to the existing Local Environmental Plan Schedule 5.

The further submissions made to Council fall into three general categories:

- Support for the Heritage Study and its implementation and for individual listings.
- Objection to inclusion in the Heritage List of particular items for various reasons.
- Provision of further information to allow for more accurate identification of Heritage Values.

In making further recommendations to Council in regard to these submissions it should be noted that while the Peer Review included external visitation to properties identified in the Community Heritage Study, no internal inspections or further detailed research and analysis of the sites was made.

The Peer Review identified a number of issues that have been further mentioned in the current submissions including the following:

- The extensive use of Real Estate material in assessing recent modifications to or current state of some properties. The weight to be given to this material in any future assessment is minimal and does not nullify the assessment process.
- The inclusion of interior spaces in the identification of any listed item where these cannot be verified or shown to be of significance. It was recommended that such references be deleted from any final listing unless further evidence is forthcoming.
- The identification of gardens associated with properties where these may be quite recent constructions altering or replacing original garden settings. Careful wording of the final heritage identifications should be established.
- The loose use of some listing criteria when identifying properties, it only being necessary for one value to be established. In general I have established to my satisfaction that those properties recommended for inclusion meet at least one criterion for heritage listing.
- Perceived unfair procedural matters relating to notification, consultation and property rights. These are matters beyond the scope of the Peer Review which was carried out to a specific brief set by Council.
- Reduction of curtilages for some properties with large sites where an appropriate reduced curtilage is appropriate to protect identified heritage values.

Additionally some submissions object to the potential financial obligations associated with heritage listing or the complication of further planning controls associated with inclusion in Schedule 5 of the LEP.

SUBMISSION BY COMMUNITY BASED HERITAGE STUDY TEAM IN RESPONSE TO PEER REVIEW

A comprehensive submission was received from the members of the original Community Based Heritage Study in relation to issues raised and recommendations made in the Peer Review of the Study. The areas of concern were in regard to:

1. Handling of gardens.
2. Handling of interiors.
3. Requested reinstatement of 15 Heritage items as heritage items in their own right.
4. Need for updated Development Control Plans for current and proposed Heritage Conservation Areas.
5. Support for the Peer Review recommendations relating to 6 items subject to challenge at the Public Meeting of the planning Panel of May 2024.
6. Requesting reinstatement of the Northern Street Block of the proposed Central Area Mittagong HCA.

Despite the undoubted joint expertise of the Study Team and the amount of work undertaken to carry out the Community Based Study, the Peer Review represents the professional opinion of the author and the requested changes in regard to items 1 - 4 are not recommended.

In regard to item 5, some further recommendations are made in this response to submissions.

In regard to item 6, I agree that for completeness the listing of the area on the northern side of the Hume Highway in Mittagong is appropriate to recognise the original development pattern and protect the remaining contributory elements. This modification is also in response to the detailed submission by Mr Tim McCartney.

In regard to the listing of the prominent Pin Oaks and Camellias in Station Street Bowral, I have subsequently recommended their inclusion as heritage items to acknowledge the public concern regarding their retention and upkeep. This recommendation includes the establishment of a Significant Tree Register in the near future which is a priority for Council and will include other trees identified in the Community Heritage Study but not recommended for individual heritage listing.

MATTERS RELATING TO EXETER VILLAGE HERITAGE CONSERVATION AREA & SUTTON FOREST/EXETER LANDSCAPE CONSERVATION AREA

In response to submissions to Council and further investigation, the Exeter Village Conservation Area is NOT proposed to be deferred, however a recommendation to investigate a larger area than that proposed in the Community Heritage Study will be made.

In relation to the Peer Review it is recommended that the area as identified be included in the first Planning Proposal be adopted.

In regard to the wider Sutton Forest / Exeter Landscape Conservation Area and the proposed extension of the Northern and Southern boundaries of the Berrimah Landscape Conservation Area, while identified in the Community Heritage Study, these have been deferred and identified for further consultation in the future for possible implementation in a second Planning Proposal together with any deferred heritage items that are eventually identified for listing.

GENERAL SUBMISSIONS

The following submissions are of a general nature rather than being related to a specific properties identified in the Community Heritage Study or the subsequent Peer Review documentation.

All of the following general submissions are in support of the process to date and of the results and urge adoption of the recommendations.

A number of general submissions deal with the potential expansion of Heritage Conservation Areas and Landscape Conservation Areas, particularly in relation to Berrima and Sutton Forest / Exeter. These matters have now been deferred and are currently under consideration by Council separately to the adoption of the Community Heritage Study and Peer Review recommendations. Further action in regard to these areas will be undertaken in 2025.

David Williamson (Exeter)

Submission in strong support of the process and the recommendations urging adoption of the study and its use in any future planning in the Shire.

Mark Singer (Exeter)

Submission in support of the study congratulating Council on the process and urging implementation of planning controls to ensure the retention of the established character of the Southern Highlands.

Brian John Wood (Exeter)

Submission strongly urging Council to adopt the recommendations for the Heritage Conservation Area for Exeter with the potential to extend the area in the future. This matter of an expanded area has been deferred for future consideration by Council in 2025.

Brian Thornton (Exeter)

Submission in full support of the Community Heritage Study in protecting the cultural and historic integrity of Exeter. The submission also seeks to have a larger Landscape Conservation Area adopted to protect the wider setting of the village. This action is outside the current consideration of the Heritage Study and the Peer Review. The issue of this Landscape Conservation Area has been deferred but will be taken into consideration by Council in further action to be undertaken in consideration of establishing buffer zones for a number of villages in the Shire.

Lance and Gina Pryke (Exeter)

Submission in support of recommendations in the Community Heritage Study and Peer Review in relation to the creation of a Landscape Conservation Area to better protect the established heritage character of Exeter. The submission goes further to make suggestions for additional listing of areas in the village and the surrounding countryside which lie outside the scope of the present review but are under consideration by Council for further study in 2025.

Mike and Dawn Jonas (Exeter)

Submission in support of adoption of the Heritage Conservation Area for Exeter Village and a request regarding the defining of a larger Landscape Conservation Area as a buffer to the village. This matter is currently deferred and is under consideration by Council for action in 2025.

Rick Beers (Exeter)

Submission in support of the adoption of heritage controllers for the village of Exeter and for recommendations of the Peer Review. The resident supports a new DCP and a Significant

Tree Register as well as expansion of the protected area for the village. These matters will be under consideration by Council in 2025.

Stephen Edward Blackman (Exeter)

Submission in support of the recommendations of the Peer Review in relation to Exeter and requesting further consideration of an expansion of the area of protection to ensure the retention of the existing character. The Submission also requests consideration of additional traffic speed restrictions to enhance safety in the village. These matters are under consideration for further study by Council.

David Wilson (Moss Vale)

Submission confirming support for the Community Heritage Study and urging Council to implement the recommendations.

Narelle Ann Bower (Moss Vale)

Submission congratulating the team for undertaking the Community Heritage Study and the process of the Peer Review and urging Council to adopt the results.

David Baxter (Moss Vale)

Submission in support of the Community Heritage Study and its implementation to protect significant buildings in Moss Vale from demolition and unsympathetic development.

David Collingridge (Burradoo)

Submission on behalf of The National Trust Southern Highlands Branch in support of the Community Heritage Study.

Katie Locke (Moss Vale)

Submission in support of the Community Heritage Study and recommending the individual heritage listing of Sturt workshops, garden and collections.

Clive West (Berrima)

Submission commending Council on the Community Heritage Study and the listing of items to be protected by future legislation action.

Eric Savage (Berrima Residents Association)

Submission in support of the recommendation of the Peer Review and the Independent Planning Panel to list the extension of the Berrima Landscape Conservation Area and the Berrima Bridge Nursery.

Ruth Bailey (Bowral)

Submission on behalf of the Australian Garden History Society indicating broad agreement with the Peer Review and the recommendations that would protect the towns villages and landscapes of the Southern Highlands. The submission recommends the inclusion of the 'heritage' camellias and Pin Oaks at Bowral railway Station site for inclusion as originally recommended in the Community Heritage Study.

Despite my previous comments that these items are included in the proposed Heritage Conservation Area, I have no objection to their specific listing as heritage elements pending the creation of a future Significant Tree Register. It is therefore recommended that the original listing in the Community Heritage Study now be adopted.

Ruth Bailey (Bowral)

Submission in support of the extension of the Shepherd Street Heritage Conservation Area as recommended in the Peer Review to Council.

Ian Bowie (Bowral)

Submission commending the results of the Peer Review of the Community Based Heritage Study and making comment on additional requirements for appropriate documentation of Heritage Conservation Area to ensure future positive planning outcomes to conserve heritage values.

Andrew Kennard (Robertson)

Submission in support of the Community Heritage Study and in particular the recommendations for the village of Robertson. Mr Kennard also supports the individual listing of his own property at 1 Hoddle Street Robertson.

Ivan Kototovic (Consultant Planner) Bowral

Submission supporting the Peer Review recommendations relating to the exclusion of No. 329-339 Bong Bong Street Bowral from the proposed final Heritage List.

Caroline Cosgrove (Bundanoon)

Submission in support of the Peer Review recommendations for Bundanoon with further comments regarding certain properties identified for deletion from the final list and recommendations for additional potential items. In general the matters raised by Ms Cosgrove require further detailed assessment that is beyond the scope of the Peer Review process as set out by Council. Information and recommendations made in the submission could be further investigated by Council as part of the finalisation of the submission to Government or form part of subsequent studies still to be finalised.

Peter Kabila (Heritage Consultant)

Submission in support of the Heritage Study process and the making of heritage listings for the identified properties to ensure the safeguarding the towns, villages and landscapes in the Shire.

Dawn Jonas and Stephen Blackman (Exeter Village Association Inc.)

Submission relating to the desirability of a larger Rural landscape listing for the Village of Exeter to provide a buffer to the village from any future development. While it is recognised that the rural landscapes surrounding a number of villages in the Shire have considerable value in establishing and maintaining heritage values, such listing are now considered to fall outside the scope of the current listing process and will be deferred for separate study. The current recommended Heritage Conservation Areas for the villages provide the initial protection required to allow adequate control over undesirable development patterns.

Angela Williamson (Exeter)

Submission in support of the Heritage Study and offering general comments on the desirability of maintaining heritage qualities through active policies aimed at protecting heritage values.

The submission provides support for the inclusion of the trees in Station Street in the Bowral Southern Entry Heritage Conservation Area which are now recommended for inclusion.

Amy Press (Bundanoon)

Submission in support of the Community Heritage Study on behalf of the Bundanoon History Group and requesting reconsideration for potential listing of 17-19 Panorama Avenue and requesting further investigation of some properties and gardens.

In regard to the cottage at 17-19 Panorama Avenue, it was my assessment that the amount of change being undertaken to the original house was such that it strongly negated heritage values that may have existed there, while the total removal of the original garden setting also militated against listing.

As suggested elsewhere the detailed assessment of properties which have indicated substantial change to the building fabric or garden settings is beyond the scope of the Peer Review process but could be contemplated as a separate exercise by Council at a later date.

Shylie Brown (Mittagong)

Submission in support of the recommendations of the Community Heritage Study and subsequent Peer Review and recommending the establishment of a Heritage Fund by Council to assist affected owners.

Graham Ferguson

Submission in support of the Community Heritage Study and of recommendations made in the Peer Review and recommending legal protection for identified sites.

John Barrett - Friends of Bowral

Submission relating to the Pin Oak trees and Camellia bushes in Station Street at the northern entry to Bowral. As identified elsewhere in these responses, the individual listing of these items is not objected to despite the original recommendation for their deletion. This recommendation is made in the knowledge that Council will subsequently undertake to establish a Significant Tree Register for the Shire.

Stephen Utick - Camellia Specialist

Submission regarding retention of the Camellia bushes on Station street adjoining Bowral Station requesting the individual listing of these as items in the final Planning Proposal. As stated elsewhere in this review of submissions there is no objection to these being listed considering the number of specific submissions relating to this issue. That listing is recommended to council along with the recommendation that a Significant tree Register be established by Council covering the Shire.

ADDITIONAL LISTING PROPOSALS

The following submissions were made in regard to potential additional heritage items identified by members of the public but not included in the original Community Based Heritage Study and therefore not covered by the Peer Review process.

Barry Anstee (Woodlands)

Submission criticising the Community Heritage Study and the Peer Review for inaccuracies and lack of appropriate research in the process and suggesting that nominations by the community should be taken into consideration and a detailed reassessment be made by a "Qualified Heritage Consultant Practice" before any further action is taken by Council.

Submissions recommending the inclusion of Upper Wellby reservoir 1930, Lower Welby Reservoir 1908, Boxvale Walking Track Tunnel and the dams located within the Tooth's malting site and Frenchman School site. These items do not form part of the current study but may be considered in the future subject to careful study of their identified heritage values to the Shire.

Mr Anstee has made several submissions in regard to the Community Heritage Study including failure to notify affected owners in relation to the Berrima Heritage Conservation Areas and Landscape Conservation Areas which have now been recommended for deferral and will be dealt with by further action of the Council in 2025.

Item No. 13 (1 Aitken Road Bowral)

11 Aitken Road Bowral

Mr Nick Corbett

The submission identifies a purported error in the study where 11 Aitken Road is located in the Aitken Road Conservation Area.

The submission seeks to have the study modified to list a group of houses, part of 'Baker's Subdivision' (1,3,5,7,11 Aitken Road Bowral) together with Annesley & Westwood Buildings, 10 Westwood Drive and Losely Park with Bowral High School into an extended Aitken Road Conservation Area.

This submission should have been made at an earlier stage of the study process if consideration were to be given to expanding the existing Heritage Conservation Area.

This submission is supported by a well documented history of the area and the individual sites that should be added to any future record of the individually listed items identified and the area generally.

The Peer Review was not tasked with identifying additional heritage items or conservation areas that did not form part of the Community Heritage Study. While there may be arguments for the identified mid 20th century houses in Aitken Street to be added to a larger area as part of a Conservation Area, it was my opinion that none of them justified individual heritage listing. The listing of the former School buildings at Annesley was supported by the review. And I understand the High School to be already listed in the LEP.

No further action is required in regard to these submissions in the current review process.

INDIVIDUAL PROPERTY SUBMISSIONS

The following responses are made in relation to submissions by individuals relating to particular properties in the Community Heritage Study identified by their Item No.

Item No.28

2 Alfreda Street Bowral - 'Willyama'

Mr Howell

The submission argues against the proposed heritage listing of the property and deals substantially with inaccuracies in descriptions and confusion between earlier studies and the current study. It is clear that the property was given a substantial addition with some modification of external characteristics and that the site was re-landscaped sometime after the original identification in 2009. Nevertheless it remains one of the substantial examples of Inter War Mediterranean architecture in the Bowral area and demonstrates evidence of the influences that this style had on Australian domestic architecture following its adoption by a number of prominent architects in the early 1920s.

The Community Heritage Study evidence sheet should be modified to identify the changes made to the original structure and further research should be undertaken to confirm it's comparative significance.

A second submission was made by the owner detailing matters related to the whole heritage process and associated legislation together with reasons as to why adoption of the Community Heritage Study will have an adverse impact on the operations and finances of

Council. The submission also enumerates what are seen as onerous obligations on private property owners resulting from heritage listing, including financial burdens and emotional stress.

It is a well recognised obligation for Local Government Authorities to identify and protect local heritage by means of listing in Local Environmental Plans and to administer associated Planning Controls to regulate despoliation of heritage values within their areas of administration. The current process is in fact a delayed result of previous inaction by former Councils to identify and list local heritage which has resulted in the loss of some significant properties as well as inappropriate changes to others.

Much of the material raised in the submission goes beyond the scope of the Peer Review and should be dealt with by Council separately. Despite my opinion that this property should be included in the final heritage list, I recommend that Council defer consideration of this property to allow further investigation and consultation with the owner.

Item No. 82

43 - 47 Centennial Road, Bowral. Peppers 'Craigieburn' Resort
Mr Donald Cameron, Director

Submission of a formal Conservation Management Plan by Weir Phillips Heritage Consultants on behalf of the owners which includes a full Statement of Significance to be adopted as part of the listing of the property, to which currently there no objection.

Item No.83

54 Centennial Road Bowral 'Cotswold Cottage'
Benjamin Johnston on behalf of Mirsini , John and Theo Chaperones

Submission recognising the potential heritage values of the property but questioning accuracy of details in the Community Heritage Study Evidence Sheets and the level of investigation undertaken in recommending the proposed listing. The submission seeks to have the evidence sheets modified to reflect the more detailed information available to the owners consultants.

A list of proposed changes to the wording of the evidence sheets is provided in the submission and I am in general agreement with those changes based on the professional opinion of the author. I would therefore recommend that subject to modification of information provided in support of the proposed listing that it be included in the final heritage list.

Item No.109

10 Elm Street Bowral
Mr David Dredge

Submission in objection to the inclusion of the property as a heritage item due to potential financial implications and in consequence of alterations made to the original fabric.

Financial considerations of the type referred to are not a basis for not listing identified heritage items, in the absence of any specific reasons to exclude this property. I therefore recommend its inclusion in the final heritage list.

Item No.151

2/33 Merrigang Street Bowral
Jeanette Simpson

Submission in regard to substantial changes to the original semi detached house identified in the Community Heritage Study for individual listing. Despite the historical values associated with the development of this property, it would seem that the building fabric has undergone more modification than would first appear. I am of the opinion that a detailed physical inspection of the property would need to be undertaken before any definitive opinion could be made as to its current heritage value. For this reason I would recommend that it be deferred from the current listing process or if access is provided and it can be demonstrated to have low value that it be deleted from any final heritage list.

Item No.166

120 Merrigang Street Bowral
Warren Fahey on behalf of the owner

This is a further submission in relation to the proposed listing of the Victorian weatherboard house owned by Jennifer Partington. The submission provides no further information as to why the proposed listing should not be included. Previous concerns centred on future Planning controls while the current submission cites substantial additions to the house as negating any heritage values.

An additional submission relating to this property was also made by Stephen Thomas Partington objecting to the proposed listing on similar grounds to other submissions and in particular the fact that extensive changes have been made to the original building.

The property presents in its original form and detail to Merrigang street and together with other similar cottages provides strong evidence of the original Victorian character of the street. As noted elsewhere in the Peer review, the mention of interiors should not be included except where evidence for surviving significant interiors exists. I continue to recommend listing of this property without reference to interiors.

Item No. 215

60 Shepherd Street, Bowral
Garry Yeats

Submission acknowledging its heritage qualities but objecting to proposed heritage listing on the grounds of changes made to the original building over time and due to the health condition of the owner. Based on the submission and the available evidence the recommendation for listing remains.

Item No.225

17 St Jude street, Bowral
Ms Annabelle Wentworth

Submission in objection to the listing of this property claiming it to not meet thresholds for inclusion under the listing criteria for 'Aesthetic value' and 'Representativeness'. As discussed in the Peer Review appreciation of the relative merits of properties to reach thresholds for inclusion as heritage items is not wholly empirical and relies on professional assessments that are of essence subjective in nature. In my opinion, this property, unlike some others nearby which were also identified for heritage listing, meets the thresholds for

listing as a good representative example of a particular style and scale of development that has the added qualities of providing accurate evidence of the development in this section of Bowral in the inter war period. I continue to recommend it for inclusion in the final heritage list.

Item No. 255

6 & 8 Amos Lane Bundanoon (Private cemetery)
Anderson Family Representatives

A submission has been made on behalf of members of the Anderson family who object to the identification of their private cemetery at Bundanoon in the current Community Heritage Study Peer Review for inclusion as a heritage item in the future changes to the LEP. Private cemeteries are often included in Local Heritage Listings as a means of ensuring future conservation and to record any significant historical information.

This private cemetery is already identified, described, photographed and located on the Australian Cemeteries Index site and so is already accessible on line for any future public reference or research. There is no real issue of despoliation of the site due to its private ownership and location. I accept the arguments put forward by the Anderson family and concur that heritage listing of the site would have low community value. I therefore recommend it be deleted from the final heritage list

Item No. 256

10 Anzac Parade Bundanoon
Mr Paul Sant

Submission in respect of the information in the Community Heritage Study relating to the interiors of the former boarding house requesting that it be deleted from the final list of heritage items, that the listing be modified by changes to the evidence sheet or that the matter be deferred subject to further investigations.

In my opinion the place demonstrates heritage values associated with its former use and its remaining character and I would therefore recommend that the alterations to the information suggested by the owners be adopted in the final listing recommendation.

Item No. 260

38 - 40 Church Road , Bundanoon
Dharmit Goradia, Bundanoon Capital investments

Submission objecting to the recommendations of the Peer Review in relation to the property known as 'Eastdene' but indicating that heritage listing may be acceptable under certain conditions to be negotiated. In their opinion there is inadequate information to support the recommendations of the Community Heritage Study in relation to the property. However the arguments put forward by the owners for detailed studies to be undertaken, go well beyond the requirements for making an identification in a shire wide Heritage Study for Local heritage listing.

The submission discounts any significance relating to the garden setting and I agree that without detailed examination, inclusion of gardens in individual listings should not proceed without substantial evidence of their significance beyond simply a pleasant setting for a building.

In the event that a fully documented Heritage Assessment by an independent Heritage professional showed there to be insufficient reason to make the Local significance identification for this site, Council should defer the matter, however based on the available evidence I continue to recommend that this clearly significant late 19th century property be included in the list to proceed to gateway approval for inclusion in Schedule 5 of the LEP without reference to the gardens.

Item No. 274

12 - 16 Hill Street Bundanoon
Fr. Marek Dutkiewicz

Submission in regard to the extent of the proposed listing of the Church property in Bundanoon giving historical information regarding the two vacant lots adjoining the Church building site. I agree with the reasoning given by the owners that the adjoining lots while owned by the Church are not part of the historic curtilage of the building as originally established. For this reason I recommend that Lots 13 & 14 in DP 1510, 12 & 14 Hill Street be deleted from the description in the final listing for this site.

Item No.275

9 Panorama Road Bundanoon
Mr Kevin and Ms Ann Packham

Submission in relation to public advertising of Peer Review of Community Heritage Study recommended listing of the above property together with a previous objection to listing made in November 2023 in response to notification from Council. They question the procedures adopted for the study and the identification of potential heritage items. These matters are adequately addressed in the preliminary volume of the original study and the approach to the Peer Review is also outlined in the currently advertised documentation.

The owners state that there was no option to address the public meeting of 29th May 2024 except by personal attendance.

The owners reiterate the point that the property is not readily visible from the public domain and that a site inspection was not made prior to the original identification or in subsequent review of the proposed listing information. Individual on site inspections did not form part of either study and given the scope of the study would not be practical. Should the owners seek to have the Council Heritage Officer inspect the site this could be arranged.

The owners raise concerns regarding future access to the property, but should be aware that Council officers can with appropriate reasons access properties whether they are heritage listed or not. Listing does not change the rights of property owners in this regard.

Listing does not impose arduous obligations in regard to garden maintenance beyond those that would normally apply.

A subsequent submission by the owner deals with the issue of curtilage as a result of an approved subdivision of the site. It would be my recommendation that any listing apply to the remnant site area after the subdivision if the title has been modified accordingly or subject to a site inspection that a defined cartilage be agreed for the house and garden.

I remain of the opinion that this property is a good representative example of Mid 20th century residential design and with its previous associations is a good candidate for inclusion in the final heritage list.

Item No. 284

159 Railway Avenue Bundanoon
Mr Matthew Adamo and Mr Brent Morrison

Submission to formally object to the inclusion of this property as a heritage item in the Community Heritage Study and as recommended by the Peer Review.

The objection claims the study is not valid as a being representative of the community and was not carried out by authors having appropriate heritage expertise, resulting in inaccuracies within the study.

The authors of the submission claim that the location of the subject property would preclude accurate assessment of its identification and current condition, the size of the site would require a more defined 'reduced curtilage' and heritage listing would impose an unacceptable financial burden.

Photographs of the site dated February 2023 are available on line and indicate that externally the property reflects the characteristics of a James Peddle bungalow. Additionally the entry gates and avenue of trees are significant in the streetscape despite the inability to view the house from the public domain. They signify the presence of a substantial site at this location.

It is well established that this house was built for a member of the well known merchant family, Eric David Lloyd Jones to designs by the pioneering 20th century architect James Peddle in 1919. This makes the house one of a few from the early period of this important architect's practice when he was introducing the bungalow idiom to Australia following his time in California. A handful of designs by this architect are identified in the Southern Highlands, all for prominent owners.

This information together with plans and elevations of the house are included in the publication 'Images of the Pacific Rim' by Erika Esau, Chapter 4. The information in that book was confirmed by the well known Heritage Architect, Howard Tanner.

Despite some changes to the fabric, it demonstrates the adoption of this style by a wealthy member of Sydney society for a country retreat. A style which was seminal in the evolution of residential design in Australia. For this reason alone it demonstrates a high degree of Significance.

Given the strident statements of the owners in regard to the listing and despite my previous recommendation, I suggest that this property be deferred for a detailed inspection at an early date and assessment prior to finalisation of its inclusion in the final heritage list.

Item No. 284

195 Railway Ave, Bundanoon. "Spring Hill"
Mr Michael Belshaw

Submission identifying a separate sandstone entry and bridge related to the property which is not mentioned in the Community Heritage Study but forms part of the early development of the site. The submission notes that an application for a 40 lot subdivision of the site may have a significant detrimental effect on the identified heritage values.

A detailed inspection of the site is required prior to finalisation of any proposal to include the property in the Planning Proposal, however as indicated previously this property has significant potential for heritage values in the area for its historical and architectural qualities.

Item No. 287

1 - 3 Eridge Park Road, Burradoo. "Harby House & Garden"
Mr Brian McDonald

Submission concurring with the Peer Review recommendations for this site and seeking consultation in regard to the proposed reduced curtilage adopted for final listing. It is recommended that the final description in the Planning Proposal be modified to be 'Part of lot1 in DP119043'.

Item No. 288

11 Holly Road Burradoo
Mr Nick Tang

Submission confirming agreement with the Peer Review recommendation to exclude this property from the proposed heritage list. The property has undergone substantial modification from its original design and is no longer of any particular significance for its original design character and detail.

Item No. 289

7 Links Road, Burradoo. 'Yeulba'
Mr Richard Lennox

Submission from owner objecting to the listing of this property or its inclusion in the proposed Heritage Conservation Area because of inadequate research, inability to meet thresholds for listing and infringement of private ownership rights. The submission was supported by a report from Architect Megan Jones.

The earlier submissions were reviewed in the Peer Review process and in my opinion the property reaches a threshold for inclusion as a Local heritage item in the current Planning Proposal. It is not part of my brief to provide a detailed rebuttal of material provided but to review the material available and make a professional opinion in regard to the recommendations of the Community Heritage Study.

Item No. 315

11 - 29 Railway Road, Burradoo
Kendal Mackay

Submission on behalf of Oxley College objecting to the inclusion of this property without further consultation and confirming the matters raised in the Peer Review response to a previous submission. The consultant seeks to limit the area of the proposed listing to the immediate context of the historic house 'Elvo' due to significant planning constraints on the larger school site. The submission provides a proposed curtilage for the heritage item which is generally in accordance with the Peer Review recommendations and could be adopted for purposes of listing in the Planning Proposal.

The recommendation would be as follows:

"Burradoo - "Elvo" building and curtilage including Pin Oak, 11-29 Railway Road, Burradoo. Part of Lot 14, DP 858747.

I consider this to be an acceptable modification to the Community Study listing of the whole site. I also maintain that a Conservation management Plan should be prepared to confirm aspects of the site's significance to the Southern Highlands Community.

Item No. 354

Middle Road, Exeter. 'The Hill'

Mr Andrew Mylonas

The submission raises objections based on possible errors of history research in the evaluation of the property and the extent of more recent alterations to the original house and gardens. The property is one which is difficult to evaluate without an on site inspection and in that respect it is recommended that it be deferred to allow further evaluation prior to recommending listing.

Items No. 361 & 362

1059 Nowra Road, Fitzroy Falls. 'Ulster Park'

1131 Nowra road, Fitzroy Falls. 'Former Emmanuel Church'

Mr Paul Rappoport on behalf of the owner

Submission providing a detailed assessment of the changes to the original house and indicating that this material be incorporated into any final heritage inventory sheet and be reflected in the final heritage listing description. Also information regarding changes undertaken to the Chapel to repair damage to the fabric that should be noted in the inventory. The owners accept the recommendations of the Peer Review in relation to these items.

Item No. 365

1291 Kangaloon Road, Kangaloon. "Fernleigh"

Mr Brett James Williams

Submission objecting to the proposed heritage listing of the property known as 'Fernleigh' and seeking further consultation prior to further action being taken in regard to the property. The submission provides evidence of an historical nature and in regard to substantial changes to the original structure to support the objection.

In light of the submission and potential confusion in regard to the history and use of this site, I recommend the property be deferred from listing pending a full evaluation including on site inspection and additional research.

Item No. 366

1320 Kangaloon Road, Kangaloon. "Willowvale"

Submission objecting to the proposed heritage listing of the property known as 'Willowvale' as a result of potential errors in the Community Heritage Study relating to the history and use of the property and as a result of the substantial modifications to the early structure.

In light of the submission and potential confusion in regard to the history and use of this site, I recommend the property be deferred from listing pending a full evaluation including on site inspection and additional research.

Item No. 409

13 Edward Street Mittagong

Ms. Deborah Gillroy

This submission objects to listing of the house at 13 Edward Street Mittagong on the grounds of potential future restrictions on development.

The submission provides additional information on the history of the house that should be added to the existing information provided in the Community Heritage Study.

The submission also recommends the listing of the St Josephs Convent in Alice Street Mittagong.

This matter falls outside the scope of the Peer Review.

Heritage Listing is an obligation placed on Council by State Government legislation and is not subject to constraints outlined in the objection relating to personal concerns on future actions under the Local Environmental Plan. In general Council provides for sympathetic development that maintains identified heritage values of properties. The subject site demonstrates obvious heritage value to the area and its inclusion is recommended.

Item No.413

18-20 Hillside Close Mittagong

Mr. Barry & Ms.Margaret McCann

This submission provides some additional information regarding the subject site and house and requests that any listing be restricted to the original portion of the house.

It is normal practice to identify a Heritage property by its lot number and to include the whole site as its curtilage, however in reality when considering future development the Council take the state of the building and site into their assessment of the acceptability and impact on any heritage values. When any future development is proposed the current information provided by the owners will be available in the files. There is no reason to change the current recommendations for this property.

Item No. 432

174 - 178 Oxley Drive, Mittagong. 'Redlands'

Mr Tim & Ms Chelsea Doyle

Submission identifying changes to the original site of Redlands and seeking to maintain the historical significance of the house and gardens for inclusion in the Heritage inventory and requesting assistance with the completion of the laneway providing access to the property. The matters contained in the submission fall outside the issues dealt with by the Peer Review and no further change to the current recommendations is required.

Item No.434

2 Pioneer Street Mittagong

Mr Avi Baner

A detailed submission made on behalf the owner by Colin Anlezark as part of a recent development application for demolition of the property to create a car park associated with the adjoining Service Station, objects to the proposed Heritage Listing of 2 Pioneer Street Mittagong.

As previously indicated regarding this property, it is a physical and visual anchor point in a group of significant heritage buildings in Pioneer Street and while in quite poor condition would be capable of conservation to create a new dwelling or commercial building. Its demolition for car parking would in my opinion degrade the heritage values of this section of Mittagong. I therefore continue to recommend its retention and sympathetic adaptation rather than demolition.

Item No.442

1 Queen Street Mittagong - 'Hamilton'
Mr Raymond and Ms. Rayma Hirst

Submission of an objection against proposed heritage listing of their property and voicing concern regarding heritage planning actions in Mittagong in the past.

There is no obvious reason to alter the current recommendation for individual heritage listing of this property as has been made in both the Community Heritage Study and the Peer Review.

Item No.452

38 Waverley Parade, Mittagong. "Wychwood"
Mrs Maree Tynan

Submission supporting the proposed heritage listing of the property but objecting to the inclusion of the 'interiors' and 'garden' in the description of the property as there is no evidence to support their inclusion in the proposed listing of the site. I concur with the submission and recommend that without any specific evidence or documentation, that any specific mention of gardens or interiors be deleted in the final listing.

Item No.493

7009 Illawarra Highway Moss Vale
Ms. Caroline Fagan Danger

Submission confirming a presentation to the Local Planning Committee relating to the limited heritage values associated with her property at No.7009 Illawarra Highway Moss Vale. My previous assessment discounted the purported historical associations but recognised this property as a good representative example of its kind that warranted individual heritage listing for its contribution to the development of the area. I continue to recommend its inclusion in the final heritage list and consider that future investigation will enhance its identified significance to the community.

Item No. 497

2 Narellan Road, Moss Vale
Ms Beatrix Kirkland

Submission objecting to inclusion of this property in the Community Heritage Study or its listing as a heritage item. The owners enumerate 9 reasons why , in their opinion the house should not be included in the final seriate list.

1) Inadequacy of the initial assessment by 'unqualified' personal without reference to the DPE guidelines. I am satisfied that the authors of the Community Heritage Study included appropriately qualified members with the experience to make appropriate assessments based on the "Assessing Heritage significance Guidelines". Such assessments are always open to further clarification based on subsequent information. Part of the process is subjective.

2) Historical Significance, this is not given high weighting in the current example beyond its representative value as an example of historically positioned development at the time of expansion of the town.

3) Historical Associations, the study identifies previous owners indicating the pattern of ownership and the class of occupiers for this location in the town. Again the weighting to be

given to this aspect of assessment is not great and would not of itself indicate significance but does provide background to the evolution of the place.

4) Aesthetic Significance, while the garden may have been re-landscaped, the house itself despite some modification provides obvious visual clues of development of the period and includes distinctive characteristics which evidence its age and prominence in the street. I consider the aesthetic value to be highly representative of this period of development. The place is not identified as unique or outstanding but as representative of a class of development.

5) Intactness. The building form is intact and recognisable and the visible modifications do not detract from an understanding of the original character.

Items 6 - 9 are not reasons for excluding an item from heritage listing.

Council has undertaken the appropriate assessments and reviews to identify a final list of items for inclusion in the submission for inclusion in Schedule 5 of the Local Environmental Plan and I continue to recommend this property for inclusion.

Item No. 508

10 Throsby Street, Moss Vale. 'Wroxton'

Ms Danielle Le Guay

Submission objecting to inclusion of the property in the Community Heritage Study claiming that inclusion in the existing heritage Conservation area is sufficient to protect its heritage values.

The owner claims the study was inadequate and biased in its execution.

There is a claim that while it is a representative example of 'Federation' era housing it is not unique. Reference is made to a similar house in station street Bowral which is a heritage item.

In my opinion the property is highly 'representative' of the 'Federation' style applied to a single residential building and maintains all of the principal attributes of the style in terms of the assessment criterion it is important in demonstrating the principal characteristics of a class of cultural places. This is the reason that many similar house are listed by local governments throughout NSW including those identified in the submission as have appropriately researched and identified heritage inventories.

I consider the property to have been appropriately identified for inclusion in the final heritage list.

Item No. 576

7360 Illawarra Highway Sutton Forrest. 'Hands Federal Store'

Mr Ray Elbourne

Submission objecting to proposed heritage listing of his property or further bureaucratic interference on personal grounds.

A separate submission by Ms Ann Elbourne stating a preference for the property to be deleted from the proposed heritage list on the basis that the owners would eventually carry out appropriate work to the building that respected its significance and noting a lack of confidence in Council in regard to the planning process.

A separate submission by Max Elbourne makes the same objection to listing without any substantiated reasons.

The objections provide no substantive reason as to why the listing is not accurate or appropriate and I continue to recommend inclusion in the Planning Proposal.

Item No.583

17 Bendooley Street Welby

Mr. Peter Ward

The submission questions why the property has been recommended for listing when it was originally discounted in the Community Heritage Study.

I was not aware of any reasons why this property was originally recommended to be excluded having originally been identified for consideration. It appeared to me to have considerable integrity as a good example of it's kind and contributed to an understanding of the evolution of Welby. The submission does not specifically object to the inclusion of the property in the final heritage list and I continue to recommend it to Council.