



IRF24/2396

Gateway determination report – PP-2024-2040

Wingecarribee Community Heritage Study 2021-23

June 25



Published by NSW Department of Planning, Housing and Infrastructure

dpie.nsw.gov.au

Title: Gateway determination report – PP-2024-2040

Subtitle: Wingecarribee Community Heritage Study 2021-23

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Appendix E1: Report and Minutes to LLP 29 June 2023

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1 Planning Proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Wingecarribee
PPA	Wingecarribee Shire Council
NAME	Wingecarribee Community Heritage Study 2021-23
NUMBER	PP-2024-2040
LEP TO BE AMENDED	Wingecarribee Local Environmental Plan 2010
ADDRESS/ DESCRIPTION	Various throughout LGA
RECEIVED	13/09/2024
FILE NO.	IRF24/2396
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of Planning Proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objective of the Planning Proposal is to amend Schedule 5 (Environmental heritage) and the Heritage Map of Wingecarribee Local Environmental Plan (WLEP) 2010 to affect the recommendations of Council following consideration of the Wingecarribee Community Heritage Study 2021-23, the Community Heritage Study Peer Review 2024 and the advice of the Wingecarribee Local Planning Panel.

The objectives of the planning proposal are to:

- Heritage list 408 new properties recommended to be heritage listed within the Community Heritage Study 2021-23 by adding them to Part 1 of Schedule 5 of the WLEP 2010.
- Amend the existing listing of 4 items in Schedule 5 of the WLEP 2010 to include new elements within the same site.
- Add eight (8) new heritage conservation areas within Part 2 of Schedule 5 of the WLEP 2010.
- Show the 408 new heritage items, seven (7) new general conservation areas, one (1) new landscape areas and (5) extensions to existing general conservation areas on the Heritage Map that forms part of the WLEP 2010.

- Provide protection to properties using existing heritage provisions contained in the Wingecarribee Local Environmental Plan (WLEP) 2010 and applicable Development Control Plans.
- Provide for a savings provision to apply for any development application lodged but not yet determined prior to the making of the amendment to the WLEP 2010.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Wingecarribee LEP 2010 per the changes below:

- Add to clause 1.8A Savings provision the following sub-clause (where “Amendment No xx” is replaced by the actual amendment number, once made) in relation to development applications lodged but not yet determined when the plan is made:
Clause 1.8A Savings provisions relating to development applications Insert after clause 1.8A(5)—
(6) An amendment made to this Plan by Wingecarribee Local Environmental Plan 2010 (Amendment No xx) does not apply to a development application made but not finally determined before the commencement of the amendment.
- Amend the property description for the following four (4) existing heritage items already included in Schedule 5 (for full list see Planning Proposal):
 - Berrima Slab cottage and stone cottage
 - Mittagong Frensham School Group
 - Moss vale St Paul’s International College
 - Sutton Forest “Eling Forest Winery”
- Amend Schedule 5 (Environmental heritage) and the associated Heritage Map for 412 proposed heritage items in the following locations (for full list see Planning Proposal):
 - Balmoral Village (5 new sites)
 - Berrima (5 new sites)
 - Bowral (133 new sites)
 - Braemar (3 new sites)
 - Bundanoon (21 new sites)
 - Burradoo (22 new sites)
 - Burrawang (10 new sites)
 - Colo Vale (2 new sites)
 - East Kangaloon (4 new sites)
 - Exeter (13 new sites)
 - Fitzroy Falls (2 new sites)
 - High Range (1 new sites)
 - Joadja (1 new sites)
 - Kangaloon (11 new sites)
 - Manchester Square (1 new sites)
 - Medway (1 new sites)
 - Mittagong (63 new sites)
 - Moss Vale (53 new sites)
 - New Berrima (1 new sites)
 - Renwick (3 new sites)

- Robertson (32 new sites)
- Sutton Forest (7 new sites)
- Welby (8 new sites)
- Wildes Meadow (7 new sites)
- Wingello (2 new sites)
- Woodlands (1 new sites)
- Amend Schedule 5 (Environmental heritage) and the associated Heritage Map for proposed heritage conservation areas and landscape conservation areas (including extensions to existing conservation areas) in the following localities (for full list see Planning Proposal):
 - Bowral (3 new areas and 3 extensions)
 - Bundanoon (1 extension)
 - Burradoo (1 new area)
 - Exeter (1 new area)
 - Kangaloon (1 new area)
 - Mittagong (1 extension)
 - Robertson (1 new area)
 - Wildes Meadow (1 new area)

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The Planning Proposal covers the entire LGA and proposes to update the heritage provisions in the LEP.

See Appendix B for individual site sheets.

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Heritage maps, which are suitable for community consultation (see Appendix A).

1.6 Background

The current Wingecarribee Local Environmental Plan (WLEP) came into force on 16 June 2010. Schedule 5 of WLEP 2010 currently contains 413 heritage items, 17 heritage conservation areas and 9 archaeological sites. There have been a number of heritage studies within the Shire over the years, one of the most significant being the Wingecarribee Heritage Survey 2009, undertaken by heritage consultants Architectural Projects Pty Ltd. This survey resulted in the inclusion of 81 properties within Schedule 5 of WLEP2010 under Amendment No. 40 made on 28 November 2012. However, a decision on many potential heritage items was deferred, and the full list of recommended items from the 2009 Heritage Survey was not formally adopted by Council.

One of the criticisms of the Wingecarribee Heritage Survey 2009 was the lack of robustness of the data due to the limited project scope and available funding for the project.

In September 2020, a Study Team comprising a group of local professionals with heritage qualifications, expertise and interests was formed to undertake a review of the previously deferred recommended items and other items identified through development applications, field work, examination of historical and contemporary aerial photography, real estate listings, local knowledge and existing and new historical research. This resulted in the Wingecarribee

Community Heritage Study 2021-23 (Appendix C). The study examined 609 items and 16 heritage conservation areas and recommended that 478 items be heritage listed along with the 16 heritage conservation areas. The individual sites have all undergone separate owner consultation.

2 Need for the Planning Proposal

The Planning Proposal is informed by the Wingecarribee Community Heritage Study 2021-23 which has been peer reviewed by the Community Heritage Study Peer Review 2024 (Appendix D-D3) and further amended by the advice of the Wingecarribee Local Planning Panel (Appendix E1& E2). This resulted in a reduction of approximately 70 items proposed to be listed.

The PP is the only way of achieving statutory local listings of local heritage items and heritage conservation items.

3 Strategic Assessment

3.1 Regional Plan

The planning proposal has been assessed against relevant aspects of the South East and Tablelands Regional Plan 2031 and Draft South East and Tablelands Regional Plan 2041 and is considered to comply with the objectives of the plans.

The theme of heritage protection is identified in both plans and the LGA wide update to heritage provisions in the LEP informed by a heritage study which has been peer reviewed will increase heritage protection consistent with the regional plan.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 3 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	The Wingecarribee 2040: Local Strategic Planning Statement (LSPS) was adopted by Council on the 24 June 2020. Heritage character is a strong theme in the LSPS for the whole of the LGA. Identification and listing of heritage items and areas is considered key to helping maintain the character of these areas.
Wingecarribee Local Housing Strategy	The Wingecarribee Local Housing Strategy: Housing our Community (LHS) was adopted by Council on the 24 June 2020. Heritage values is recognised in the LHS as protecting and enhancing the character of towns and villages. It is acknowledged that listing of sites may impact upon future development opportunities, however the listing of heritage items and areas is considered consistent with the values of the community, as defined in the LHS.

3.3 Local Planning Panel (LPP) and consultation

The Draft Community Heritage Study 2021-23 went to the LPP on 29 June 2023 (Appendix E1) with the resolution to support the commencement of Owner and Community Consultation in accordance with the Wingecarribee Community Heritage Study, and recommended peer review be undertaken.

The Draft Community Heritage Study commenced with owner consultations from the 31 July 2023 and public exhibition occurred between the 3 October and 6 November 2023. Peer review of the document and submissions made during the exhibition period was undertaken early 2024.

The results of the peer review and consultation process went back to the LPP on 29-30 May 2024 for consideration and the LPP decided that updates to the Community Heritage Study be made to reflect this which occurred between 31 May and 30 June 2024.

The final summary report was sent to the LPP prior to being reported to Council, with the LPP's advice forming the basis for recommendation prior to proceeding to Gateway. It was resolved that the Community Heritage Study 2021-23 proceed to Gateway at the 7 August 2024 Council meeting.

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 4 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	See Section 3.1
3.1 Conservation Zones	Consistent	The PP does not seek any changes to provisions which protect and conserve environmentally sensitive land.
3.2 Heritage Protection	Consistent	<p>The PP is for the conservation of locally significant heritage items and is based off a LGA wide strategic community-based heritage study, undertaken in accordance with Heritage NSW guidelines and heritage assessment criteria. Further, the study has been independently peer reviewed.</p> <p>The WLEP 2010 contains the compulsory 5.10 clause relating to heritage conservation. The new and existing sites will be subject to these provisions once finalised.</p> <p>Consultation with Heritage NSW is required as part of the gateway determination to ensure Heritage NSW guidelines have been undertaken correctly.</p>
3.3 Sydney Drinking Water Catchments	Consistent	<p>The PP does not propose any activities which would have adverse impacts on water quality. The PP will reduce the development capacity of some sites which will enable further protection.</p> <p>Consultation with Water NSW will be required as part of the gateway determination to ensure there are no adverse impacts on water quality.</p>
3.6 Strategic Conservation Planning	Consistent	The PP is considered consistent with this direction as it does not impact on any avoided land or conservation lands.

4.1 Flooding	Consistent	The PP is considered consistent with this direction as it does not impact on any existing flooding provisions.
4.3 Planning for Bushfire Protection	Consistent	The PP is considered consistent with this direction as it does not impact on any existing bushfire provisions or changes in land uses.
4.4 Remediation of Contaminated Land	Consistent	The PP is considered consistent with this direction as it does not impact on any existing land uses.
4.6 Mine Subsidence and Unstable Land	Consistent	The PP is considered consistent with this direction as it does not impact on any existing land subject to mine subsidence.
6.1 Residential Zones	Consistent	While the PP is considered broadly consistent with this direction, parts of the proposal have not been adequately justified and are not supported as they may impact the ability to achieve housing outcomes in residential zones.
9.1 Rural Zones	Consistent	The PP is considered consistent with this direction as it does not seek to rezone land to a rural zone.
9.2 Rural Lands	Consistent	The PP is considered consistent with this direction as it does not impact on any existing controls or any change to minimum lot size.

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 5 Assessment of planning proposal against relevant SEPPs

SEPPs	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Housing 2021	Consistent	The PP does not impact on the operation of the SEPP. However, complying development may be inhibited on listed heritage sites and heritage conservation zones meaning a development application would be required which would allow for considerations of heritage.
Transport and Infrastructure 2021	Consistent	<p>The PP does not impact on the operation of the SEPP, except that complying development under Chapter 2 may be inhibited on heritage sites and heritage conservation zones. Alternate assessment pathways are available for any future development.</p> <p>The PP does not impact existing educational establishments, any future development on these sites would be subject to additional consideration under Chapter 3.</p>

4 Site-Specific Assessment

4.1 Environmental Social and Economic

The planning proposal protects Environmental and Cultural Heritage. There are no direct impacts on biodiversity, climate, or water.

Heritage controls placed over sites would be anticipated to have a positive impact on the greater sites/areas due to the increased protections of locally significant heritage items, and potential social and economic benefits to the wider community through the protection of these sites including preservation of the character of the Southern Highlands.

The indirect impacts of these heritage controls would be the potential economic impacts to property owners when developing impacted sites in the future. It is important to note that heritage listing does not prohibit development, but does introduce additional heritage considerations.

Some economic and social impacts are considered reasonable in the context of protecting sites of local heritage significance from potential inappropriate future development.

4.2 Infrastructure

There are no additional requirements or demands for infrastructure under this proposal.

4.3 Heritage Conservation Areas

The planning proposal seeks to create eight (8) new Heritage Conservation Area (HCA's) and extend four (4) existing HCA to Schedule 5, Part 2, of the Wingecarribee LEP 2010.

A site inspection was undertaken on Friday 11 April 2025 of the proposed HCA sites.

4.3.1 Bowral Northern Entrance Landscape

The Bowral Northern Entrance Landscape comprises the Northern Entrance to Bowral being the road reserve and public lands along Mittagong Road and Station Street, Bowral from Evans Lane in the North to Wingecarribee Street in South. It includes the commemorative planting south of Evans Lane, the reserve along the railway line and the following items in Station Street:

- War Memorial Park,
- Pin Oaks and
- Camelia Collection near the Railway Station.

These three items have been recommended individual LEP listing as well.

The streetscape of the northern part of Station Street is unique because of plantings of historic pin oaks and camellias and has been listed by the National Trust because of its historic, social, and aesthetic significance.

The subject area is zoned SP2 Infrastructure (rail corridor, Classified Road, and Water Supply System) and RE1 Public Recreation.

The proposed HCA is supported as it contains land which is proposed to be listed as local heritage items.

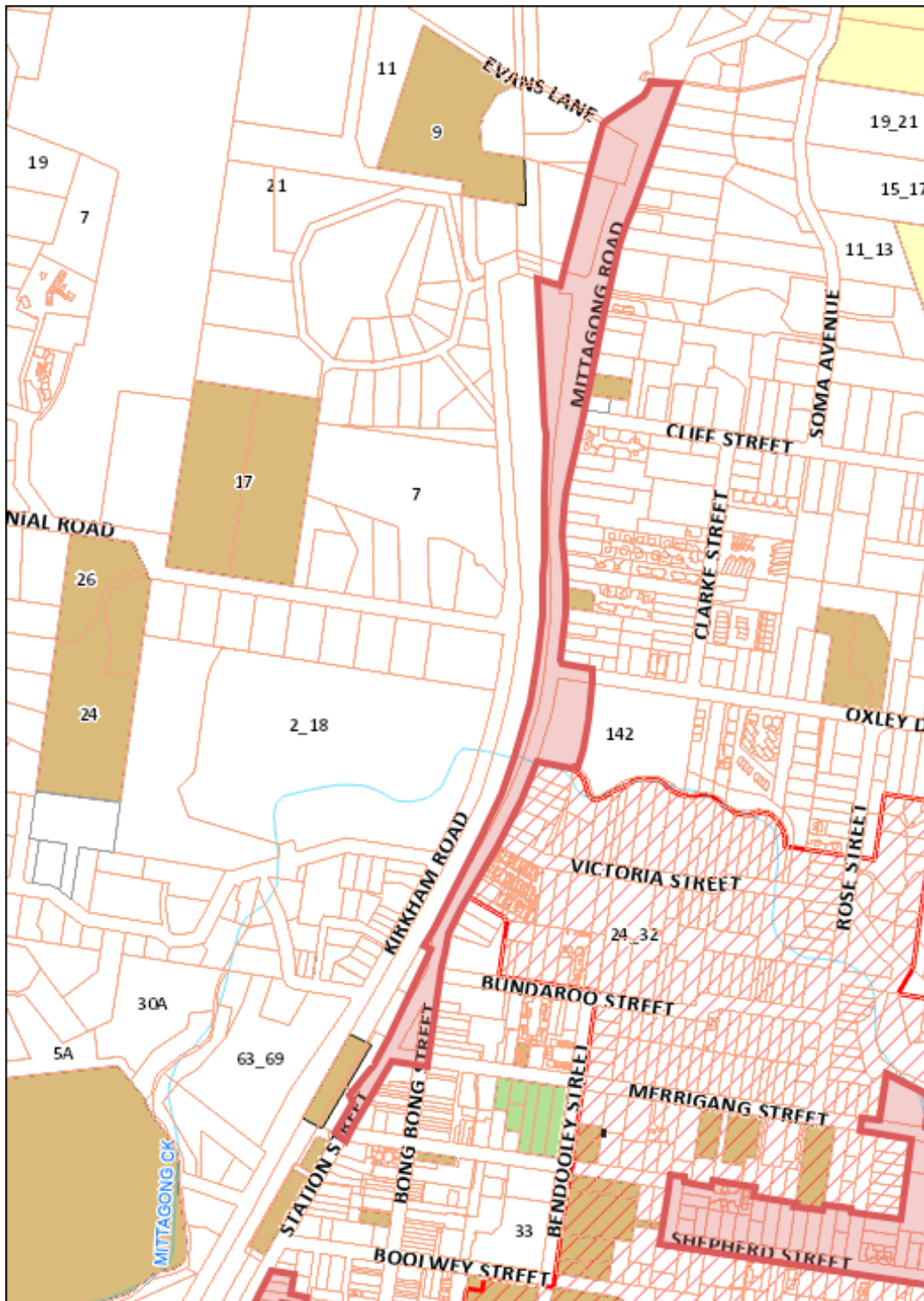


Figure 1: Proposed Bowral Northern Entrance HCA

4.3.2 Bowral Southern Entrance

There are two small parks purposely designed as gateway parks to southern entry of Bowral. The larger of the two parks (Lions Park) at 427 Moss Vale Road is on the western side of Moss Vale Road, at the northern end of the proposed HCA. The smaller park, Maynard Park is not included in the HCA.

421-425 Moss Vale Rd - motor garage and engineering works for Messrs. Hampshire and Moore. currently used as commercial premises and zoned E1 Local Centre. Recommended for individual listing but it contains vacant land in the rear (Area 1 in Figure 2).

441-445 Moss Vale Rd - a collection of late Victorian and Federation weatherboard cottages, currently used as commercial premises and zoned MU1 Mixed zone.

449-451 Moss Vale Rd - Federation brick bungalow and weatherboard houses used as residential dwellings and zoned MU1 Mixed zone.

19 Funston – part of a multi-unit development which retained the Victorian cottage used as a residential dwelling. It is to be clarified that only the existing cottage on the site is to be covered by the listing and not the modern properties which have only recently been constructed. The site is zoned R3 Medium Density Residential (Area 2 in Figure 2).

The proposed HCA is not supported in its current form as it contains vacant and developable land as well as only a portion of a new multi-unit development. It is recommended that the extent of this HCA is reconsidered by Council and could be resubmitted to the Department in the future.

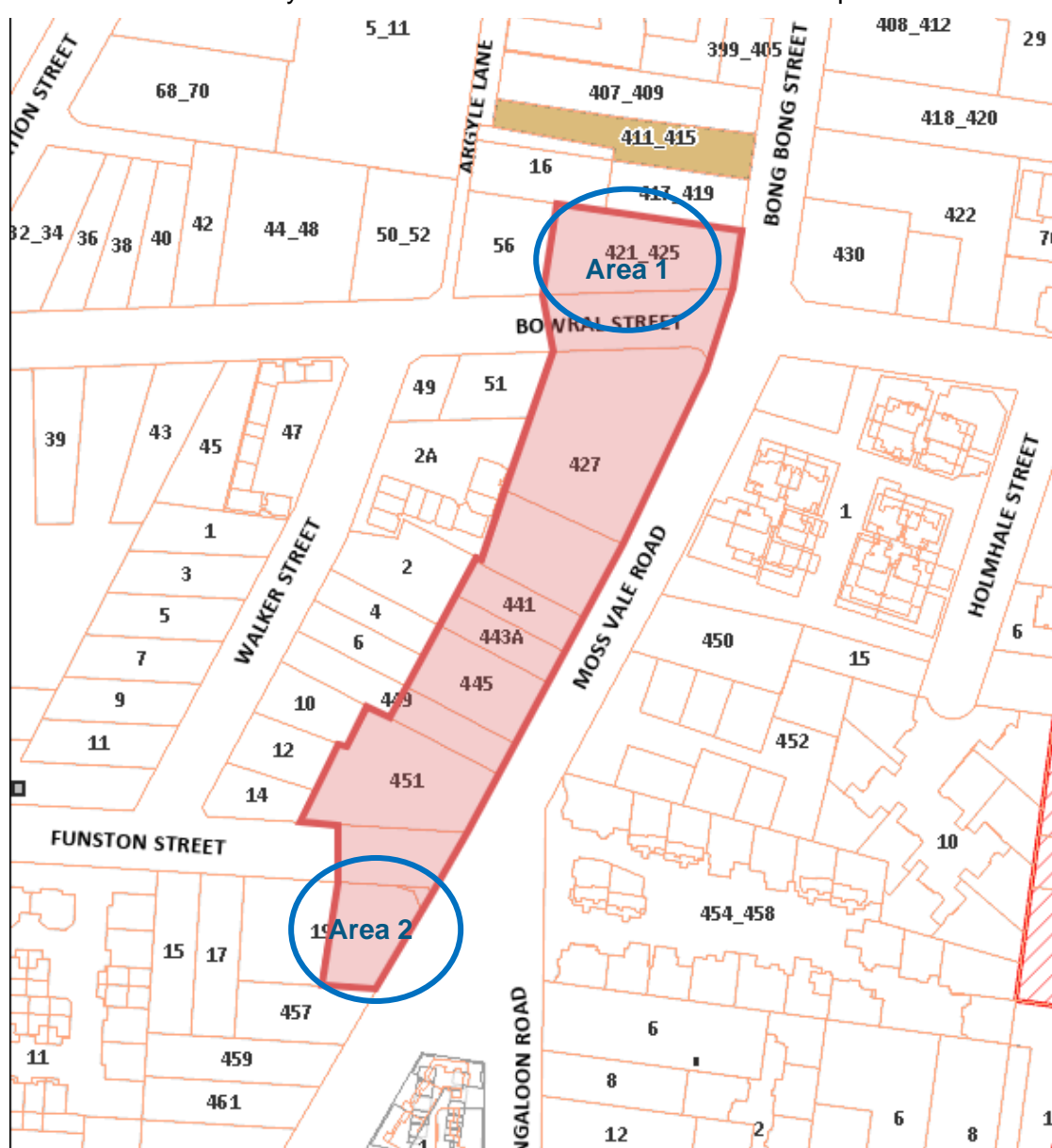


Figure 2: Proposed Bowral Southern Entrance HCA

4.3.3 Station Street (Bowral)

A small precinct comprising of 5 properties (Figure 3) all built for residential purposes at the end of the 19th Century, all are now in commercial use, as per the E1 Local Centre zoning.

All properties within the proposed HCA (except no. 46) are proposed to be listed as individual items due to the contributing historical significance. No.54 is already listed.

The proposed HCA is supported.

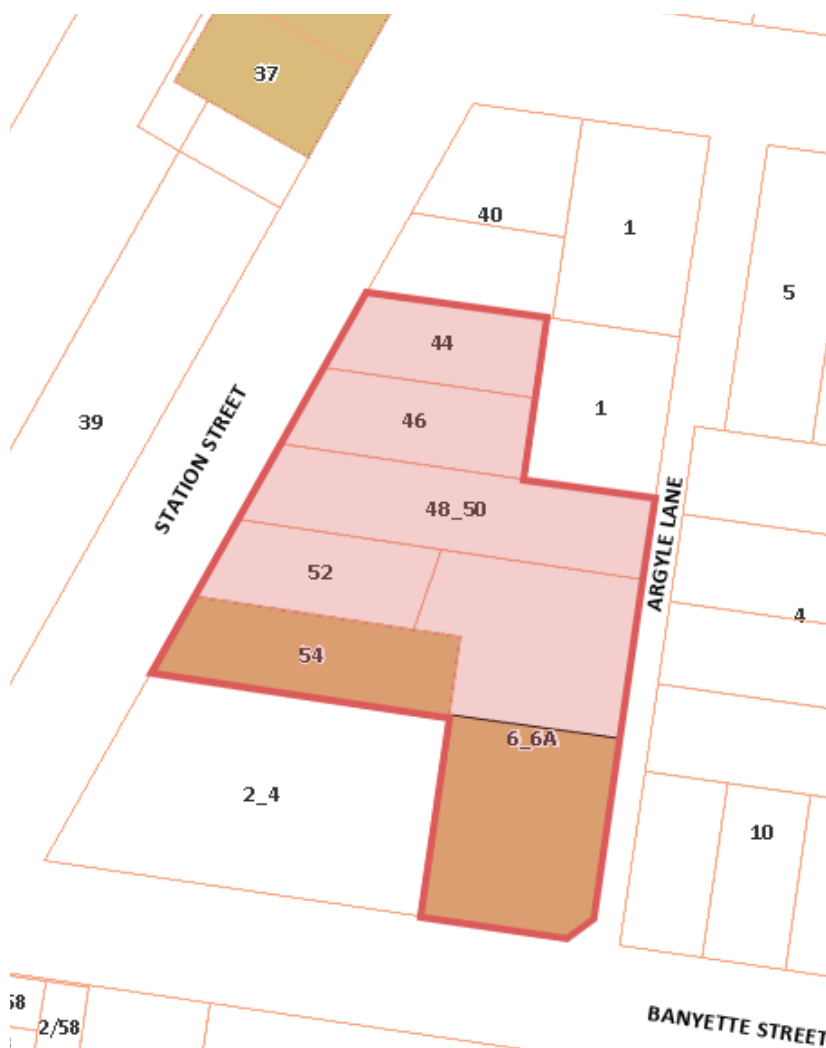


Figure 3: Proposed Station Street HCA

4.3.4 Links Road and Bowral Golf Course (Burradoo)

The precinct (Figure 4) comprises of 22 properties, surrounding Bowral Golf Course and Club House, which are proposed to be an individual listing.

The site is of significance as it is a rare aspect of the local area's heritage in this case the creation in WWI of a high-class subdivision adjacent to a golf links one of the first of its kind in Australia.

There are 21 houses in Links Road between Campbell Street and Burradoo Road. All except No 7 are directly opposite Bowral Golf Course. Three (3) dwelling/items are already heritage listed, with an additional nine (9) dwellings/items (aside from the Golf Course) are proposed to be listed.

The site adjoins the existing Bowral HCA to the North-west and Aitken Rd HCA to the North-east.

The proposed HCA is not supported as further justification is required as the original subdivision layout has been altered by additional development at the rear of properties fronting Link Road. It is recommended that the extent of this HCA is reconsidered by Council and could be resubmitted to the Department in the future.

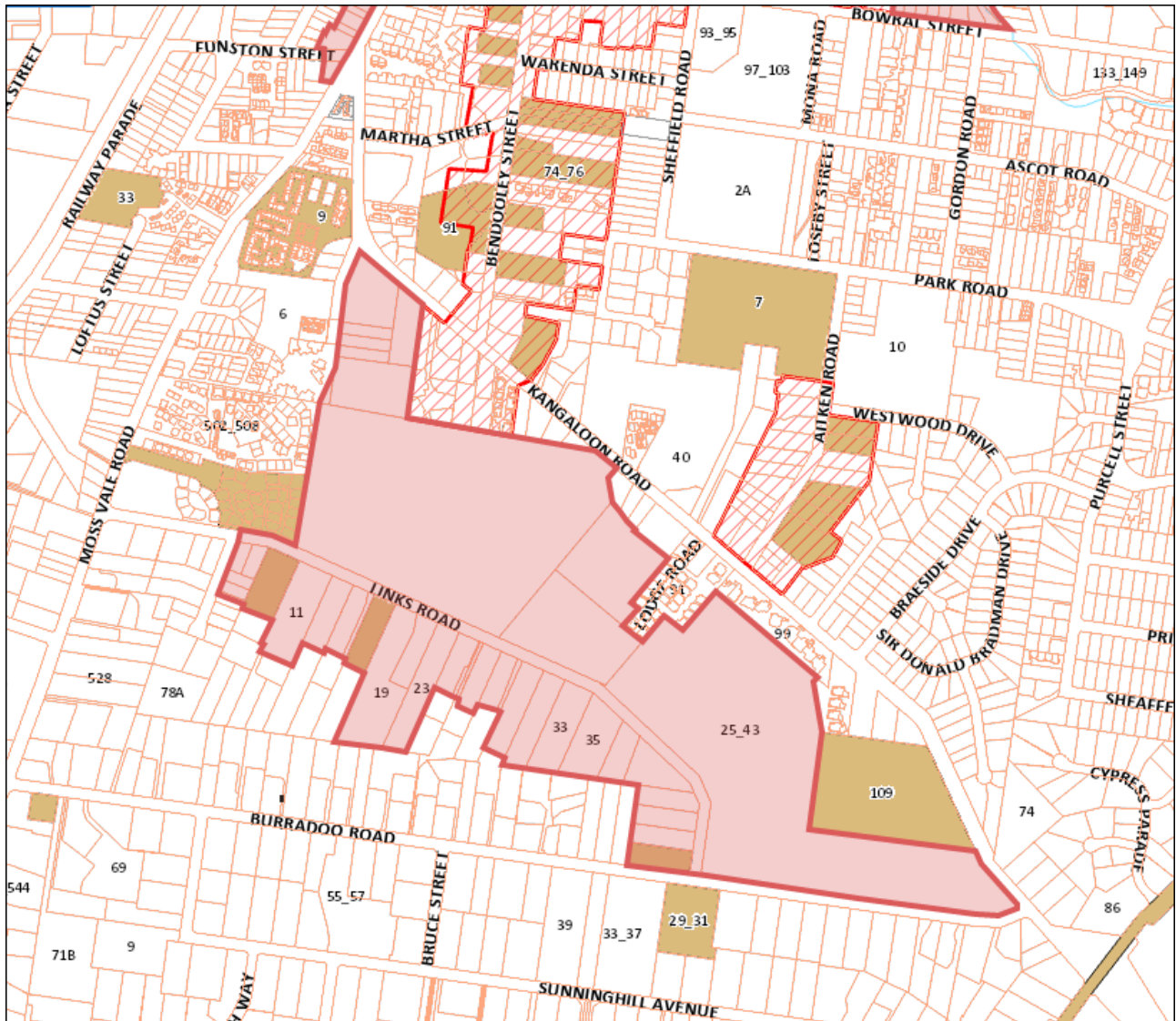


Figure 4: Links Road and Bowral Golf Course HCA

4.3.5 Exeter Village HCA

The village of Exeter is of significance to the local area as it was founded in the late 1880s by pioneering family, the Badgery's, and named after the cathedral city in England where they originated from. The town demonstrates aesthetic value in the local area because of its setting, gardens and architectural forms and for its strong association with the Exeter community from its establishment in the late 1880s.

The proposed HCA (Figure 5) includes all of the existing heritage listings within the village apart from the school site to the east. There are 13 proposed new local listing located within Exeter Village (identified as stars on Figure 5):

1. Village Pump Antiques, 2 Bundanoon Road
2. Adorna' (aka 'Akrigg Cottage') 1920s Californian bungalow, 6 Bundanoon Road
3. 'Busker's End' Victorian brick and timber house, 2-6 Buskers Avenue

4. General Store & Post Office, 1 Exeter Road
5. 'Halcyon' small weatherboard cottage, 2 Exeter Road
6. 'Whare Tau' Federation house, outbuildings and grounds, 23 Exeter Road
7. Former Post Office, 5-7 Middle Road
8. 'Apolima' and grounds, 30-44 Middle Road
9. 'Elouera' late Victorian house, 28 Ringwood Road
10. 'Blue House' Victorian weatherboard cottage, 1 School Lane
11. 'Hillview' garden, 12-14 School Lane
12. 'Lantern Hill' Claude Crowe garden, 235 Wera Road (not identified on below map)
13. 'Summerfield' Federation period house, 16-18 Wilsons Lane

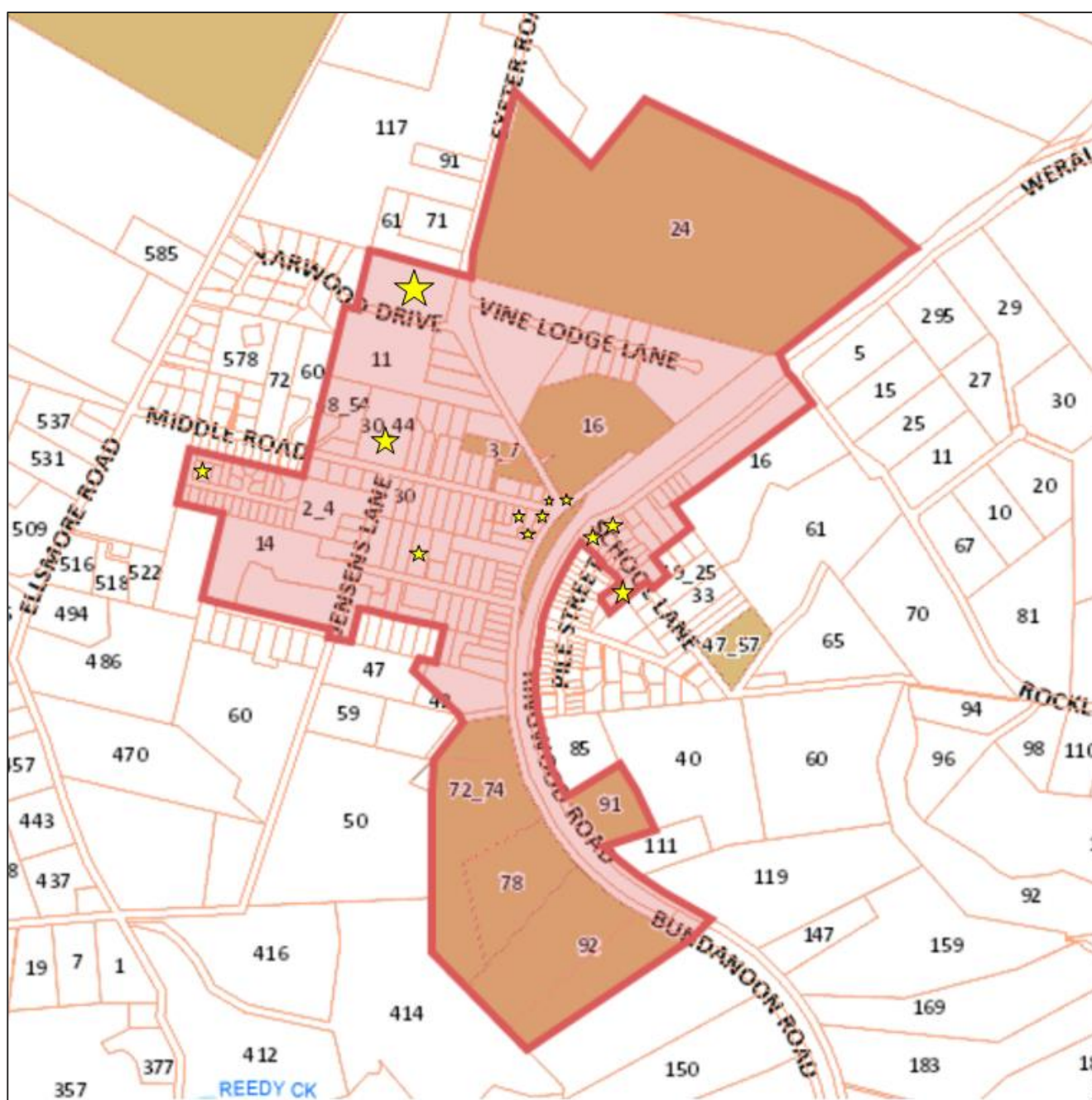


Figure 5: Proposed Exeter Village HCA

The PP states that the proposed HCA focuses on key heritage elements, particularly around the central intersection and grew out from there. The HCA creates a 'landscape buffer' around the 'heritage core' that reflects the surrounding rural lands.

However, the proposed HCA is a 'blanket' approach that covers a significant portion of the village area and includes a number of non-heritage sites. It is not considered to be justified and cannot be supported in its current form and should be scaled back to include potentially a central 'heritage core', and landscape buffers along the main roads of Bundanoon Road, Exeter Road, Badgery's Way, Werai Road, and Ringwood Road (as they are currently identified), entering and exiting the village. It is recommended that the extent of this HCA is reconsidered by Council and could be resubmitted to the Department in the future.

4.3.6 Kangaloon Village

The proposed HCA (figure 6) is located within an area of historical significance. The original village dates back to the 1860s and comprises of seven (7) properties, five (5) structures, all of which are currently zoned C3 Environmental Management. The village contains three (3) 19th century residences, the 1913 Community Hall, and the 1931 former St Marks Church. There have been no new buildings in the village since 1931.

The proposed HCA contains one (1) existing local heritage item, Milk Stand and *Pinus radiata* (opposite hall) located at 1515 Kangaloon Road and Kangaloon Road reserve. It is proposed that the following properties within the proposed HCA will be individually listed:

- Kangaloon Community Hall 1913 – 1536 Kangaloon Rd
- 'Glenburn'—19th century weatherboard cottage – 1515 Kangaloon Rd
- Former Post Office and store – 1544 Kangaloon Rd
- 19th Century timber weatherboard house – 1531 Kangaloon Rd

It was proposed to include the Former St Mark's Anglican Church as an individual listing however the peer review (Appendix D) recommended the property be excluded from the final heritage list due to substantial alterations to the original fabric of the building.

The proposed HCA is supported.

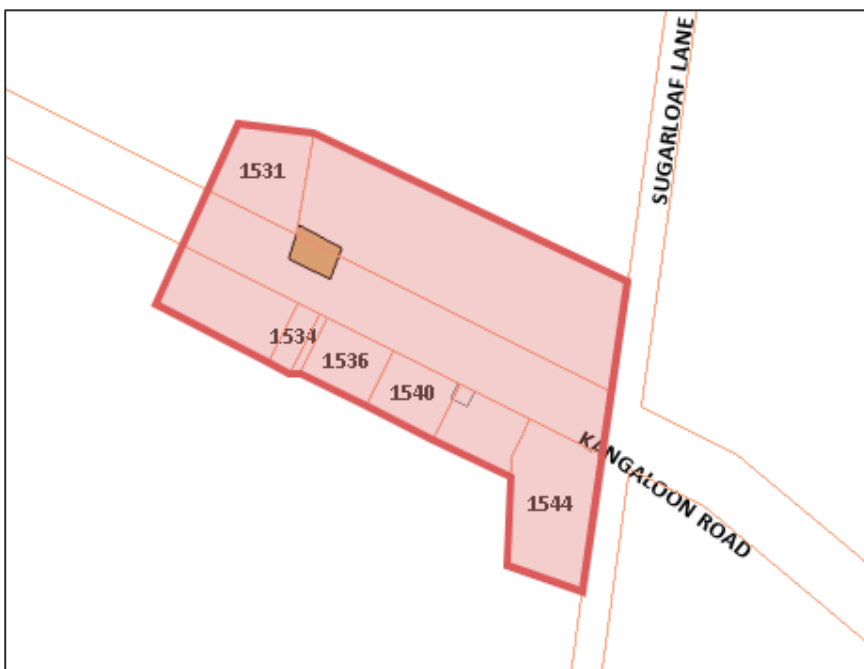


Figure 6: Proposed Kangaloon Village HCA

4.3.7 Robertson

The Robertson local area is of historical significance as it was a government planned town from the 1860s. The town possesses a rare aspect due to the very elongated main street compared to all other main streets in the Shire. The aesthetic value of its setting is due to the tree lined main street and the architectural form of main street buildings.

The peer review (Appendix D) determined that the proposed area be included for listing due to the:

“exceptional clarity the historic linear development of the Village and retains a remarkable number of contributory items and potential heritage items that suggest the whole area along Hoddle Street from the railway crossing in the west to The Cheese Factory site in the east be designated a Heritage Conservation Area.

The elongated street alignment of the main street following ‘Hoddle’s Line’ track and the establishment of a town site in 1862 under the Land Reform Acts promoted by John Robertson are quite evident in the current village character and make it unique in the Southern Highlands” (pg.55).

The proposed HCA (figure 7) comprises of 4 historically significant buildings which are already listed, an additional 26 properties to be listed (yellow stars in figure 7). An additional 9 properties (blue stars in figure 7) were identified to be listed however have been deferred at this time.

The proposed HCA covers a significant portion of the village area and includes a number of non-heritage sites. As such, the proposed HCA is not supported in its current form. It is recommended that the extent of this HCA is reconsidered by Council and could be resubmitted to the Department in the future.

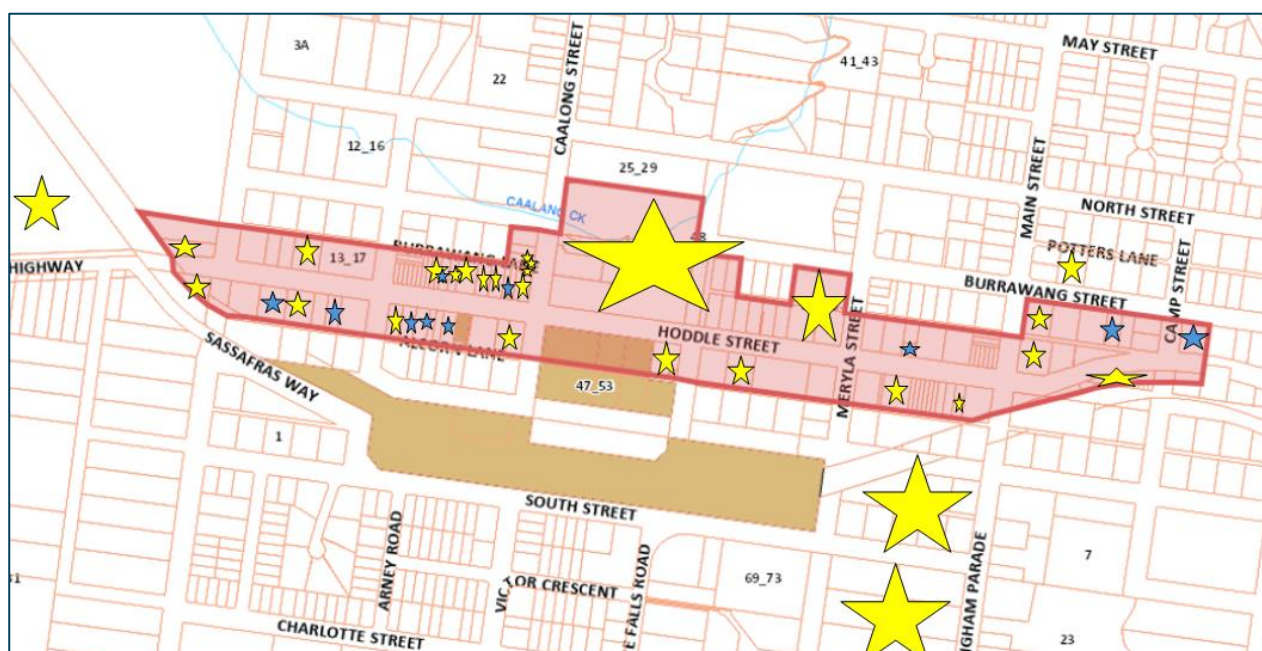


Figure 7: Proposed Robertson HCA

4.3.8 Wildes Meadow Village

A small precinct encapsulating the former Wildes Meadow (originally Myra Vale) village which was a bustling village at the turn of the 20th Century.

The proposed HCA (figure 8) comprises of eight (8) houses on the northern side of the road with four (4) of these having early cottages which are to be individually listed (yellow stars in figure 8):

- Blacksmith’s cottage – 375 Wildes Meadow Rd

- 'Daisy Hill' – 381 Wildes Meadow Rd
- Former Post Office – 383 Wildes Meadow Rd
- 'Ferriby' – 391 Wildes Meadow Rd

On the southern side there are two houses: nos. 390 (which is new) and 372 which may have early elements as there was definitely a house on this site in 1963. All the properties identified within the HCA are currently zoned C3 Environmental Management. The remaining five (5) properties within the proposed HCA were identified to be individually listed, however have been deferred at this time.

Best heritage practice suggests that this opposite side of the street should be considered for inclusion in any conservation area, and it formed an important part of the Myra Vale village so there may be archaeological remains of earlier buildings or uses.

The proposed HCA is supported.

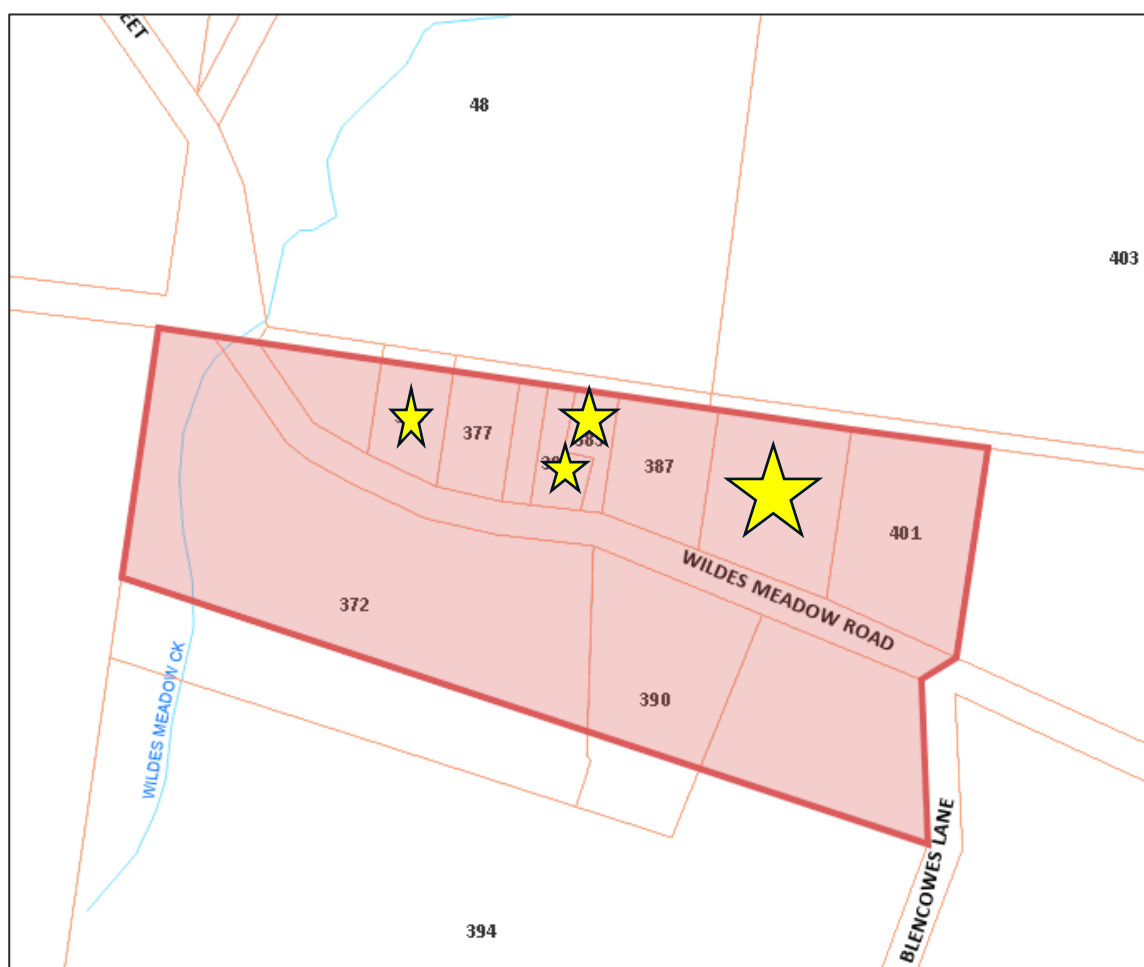


Figure 8: Proposed Wildes Meadow Village HCA

4.3.9 Bowral Extension – Glebe St

It is proposed for this area to be included as an extension to the existing mapped area of the Bowral Conservation Area (figure 9). A small precinct to the east of the Glebe Estate (Church of England lands) that has not previously been included in the Bowral Conservation Area. Although this precinct forms part of the second Glebe Subdivision that occurred in 1922, the exclusion of this area is an anomaly and should be corrected so that the entirety of the Glebe subdivision areas of 1917 and 1922 are within the Bowral Conservation Area.

The area is significant for its streetscape character and the beauty of its setting and the cohesiveness of residential development along its length. The private gardens contribute to the streetscape quality.

The site comprises of 11 properties, three (3) of which are to be individually listed (yellow stars in figure 9) and the remaining eight (8) properties were identified to be individually listed, however have been deferred at this time.

The proposed HCA is supported.

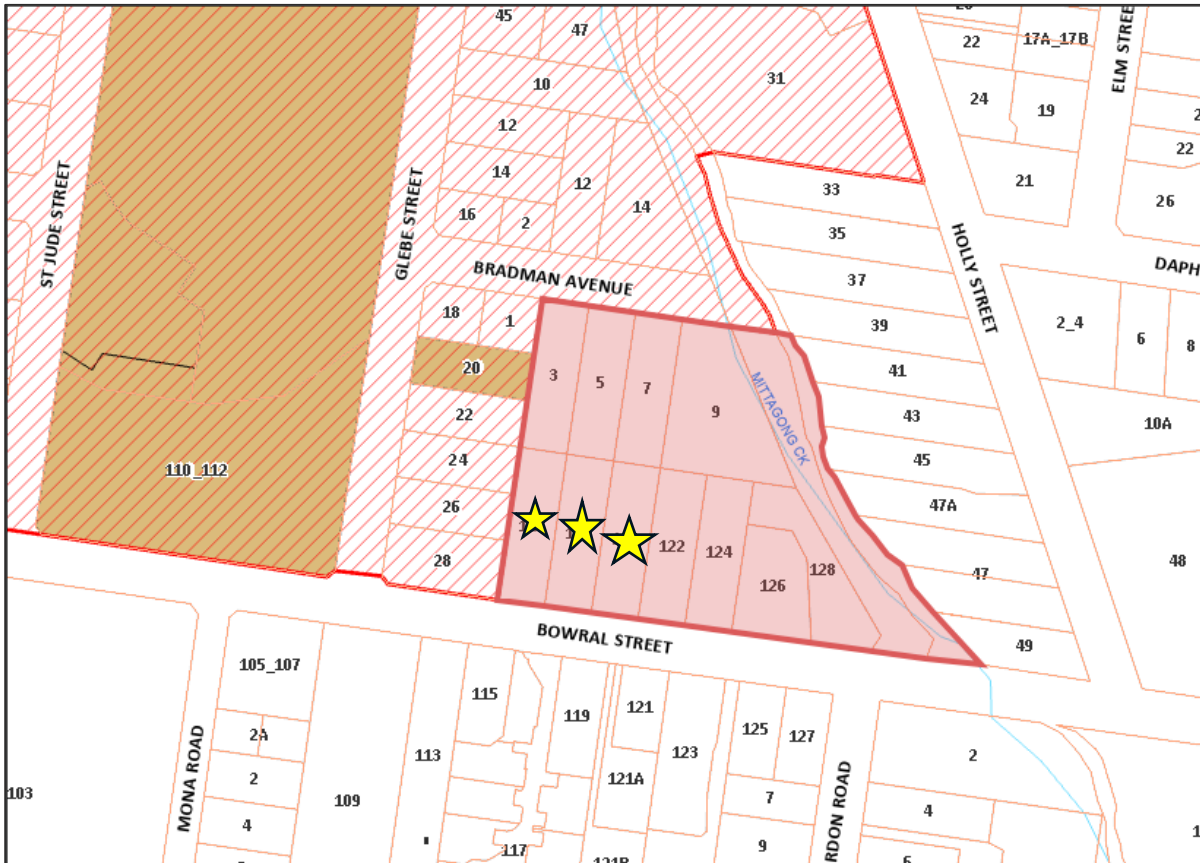


Figure 9: Proposed Bowral HCA Extension – Glebe Estate

4.3.10 Bowral Extension – Merrigang St

The identified extension area (figure 10) is significant as it demonstrates the development of this part of Bowral during the Victorian, Federation and Interwar eras. The streetscape character and the beauty of its setting and the cohesiveness of residential development along its length. The private gardens make a positive contribution to streetscape quality. The area is representative of subdivision occurring in Bowral in the late 19th Century and into the early 20th Century as the popularity of Bowral grew.

There are 10 items proposed for individual heritage listings within the proposed HCA. An additional five (5) items were considered for individual listing, however, have been deferred at this time.

The proposed HCA is supported.

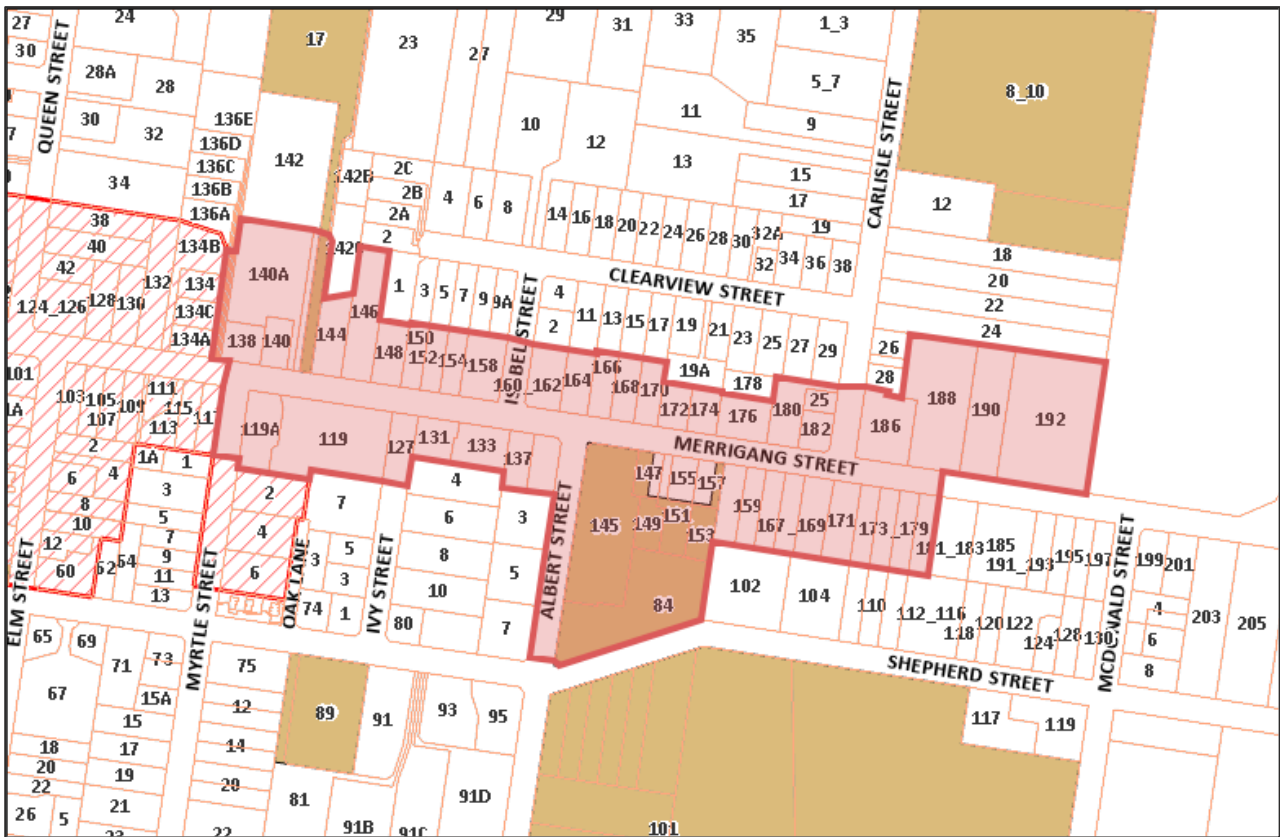


Figure 10: Proposed Bowral HCA Extension – Merrigan Street

4.3.11 Bowral Extension – Shepherd St North

The Shepherd Street North Extension precinct (figure 11) is proposed to “link” the 2 existing areas of the current ‘Bowral Conservation Area’. The area includes a number of “neutral” dwellings zoned R2 or R3, Bowral Bowling Club (zoned RE2), Venables Park (zoned RE1) which includes Mittagong Creek, a source of flooding (figure 12), and a NSW Government Building (zoned R2). There are no individual items proposed to be listed within the proposed HCA.

The peer review (Appendix D) considered the site as not able to “*meet the threshold for listing as a stand alone conservation area. However as an infill between the two existing areas and given the presence of some contributory elements I recommend that the area be included for listing (pg.48)*”

The proposed HCA is not considered to be justified and therefore is not supported as it does not meet the threshold for a conservation area and as there are no proposed properties within the area identified to be individually listed. It is recommended that the extent of this HCA is reconsidered by Council and could be resubmitted to the Department in the future.

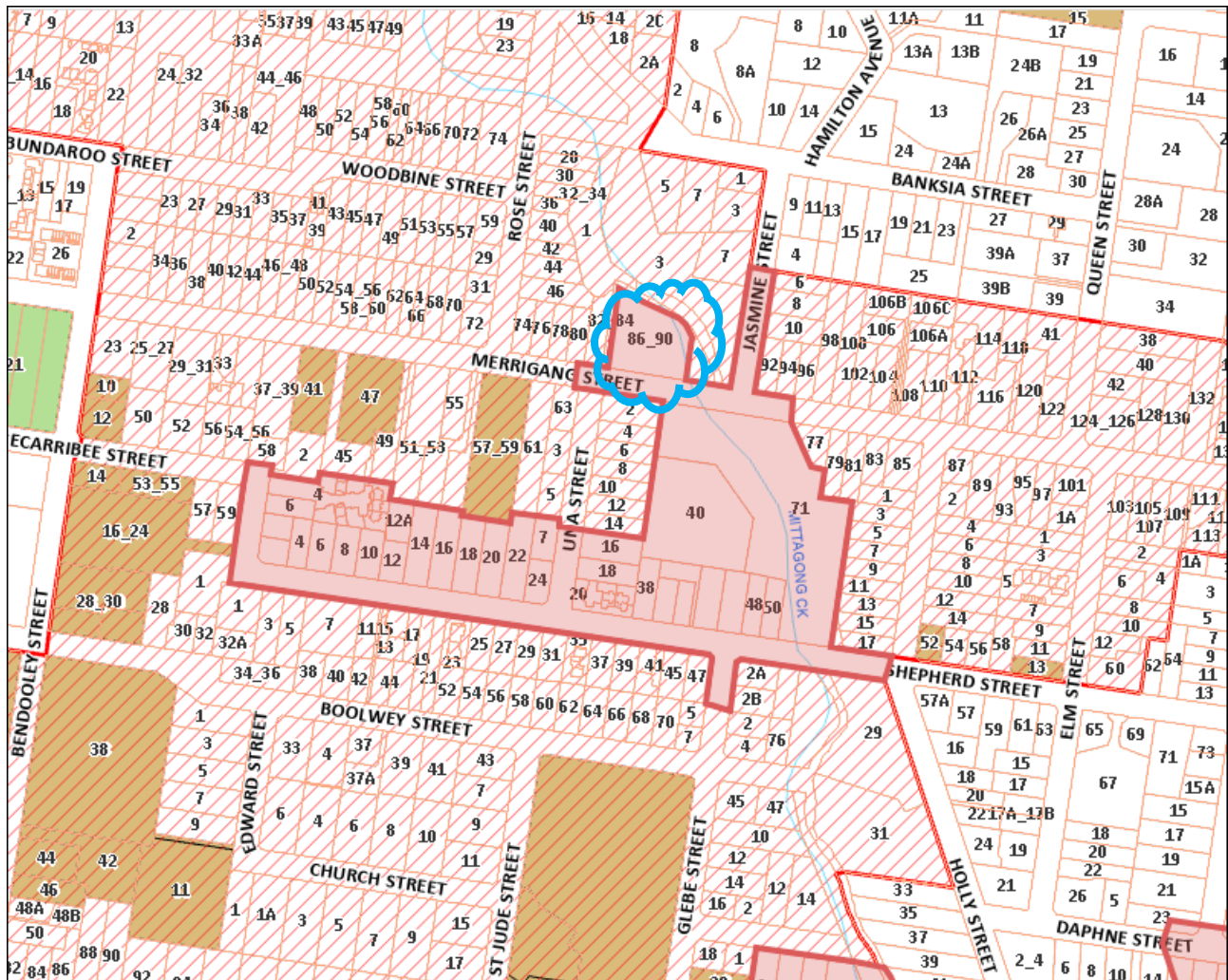


Figure 11: Proposed Bowral HCA Extension – Shepherd Street North

4.3.12 Bundanoon Extension

The proposal includes a precinct to the south of the existing Bundanoon Conservation Area along Church Street (figure 12). The area is of significance to the history of the local area due to its setting and the character of its buildings and because it illustrates early development of this part of Bundanoon from the late 1800s, and because of its strong regard with which it is held by the Bundanoon community.

The proposed extension includes the existing individually listed Bundanoon Public School, a number of contributory residential properties zoned R5, and the road reserves along Church Street and Phillip Street. There are no additional properties within the proposed HCA to be individually heritage listed. Apart from the existing school site, the remainder if the proposed HCA is zoned R5 Large Lot Residential.

The proposed HCA is supported.

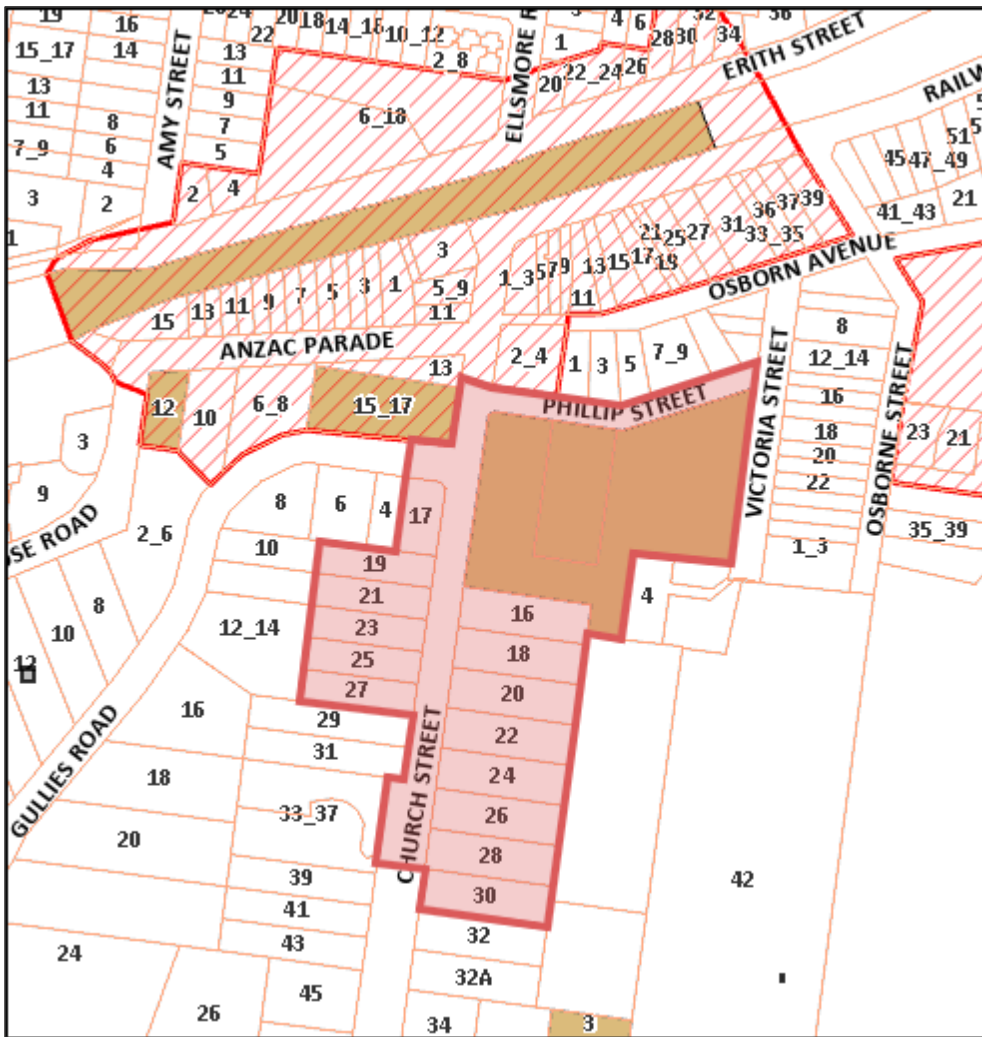


Figure 12: Proposed Bundanoon HCA Extension

4.3.13 Mittagong Extension

The proposed Mittagong extension (figure 13) to the HCA includes some early buildings on the north side of Main Street/Old Hume Highway between Queen and Pioneer Streets. The extension will “fill-in” the existing missing section of the existing HCA, to create a continuous “flow” of the area and help support the streetscape.

Within the proposed HCA there is only one (1) property proposed to be individually listed (yellow star in figure 14), and one (1) existing individually listed building. All properties within the proposed HCA extension are zoned E1 Local Centre. There are three (3) dwellings in the existing HCA along Pioneer Street which are to be individually listed.

The peer review (Appendix D), concluded that

“There is no heritage justification for the proposed joining of the two existing Heritage Conservation Areas by the inclusion of this strip of development, none of which has any heritage or streetscape value for the town and which is likely to have redevelopment pressures in the future” (pg.54).

During a site inspection it was noted that the subject area included a petrol station, on the corner of Main and Pioneer Streets, and a number of commercial properties which appear to have been constructed during the 1960’s onwards. There is limited significance in the streetscape along Main

Street, however the streetscape along Pioneer Street, and the proposed listing of additional dwellings within the existing HCA, could be considered of some significance.

It is considered that the proposed HCA extension to the existing Mittagong Conservation Area be excluded due to insufficient supporting information and justification. It is recommended that the extent of this HCA is reconsidered by Council and could be resubmitted to the Department in the future.

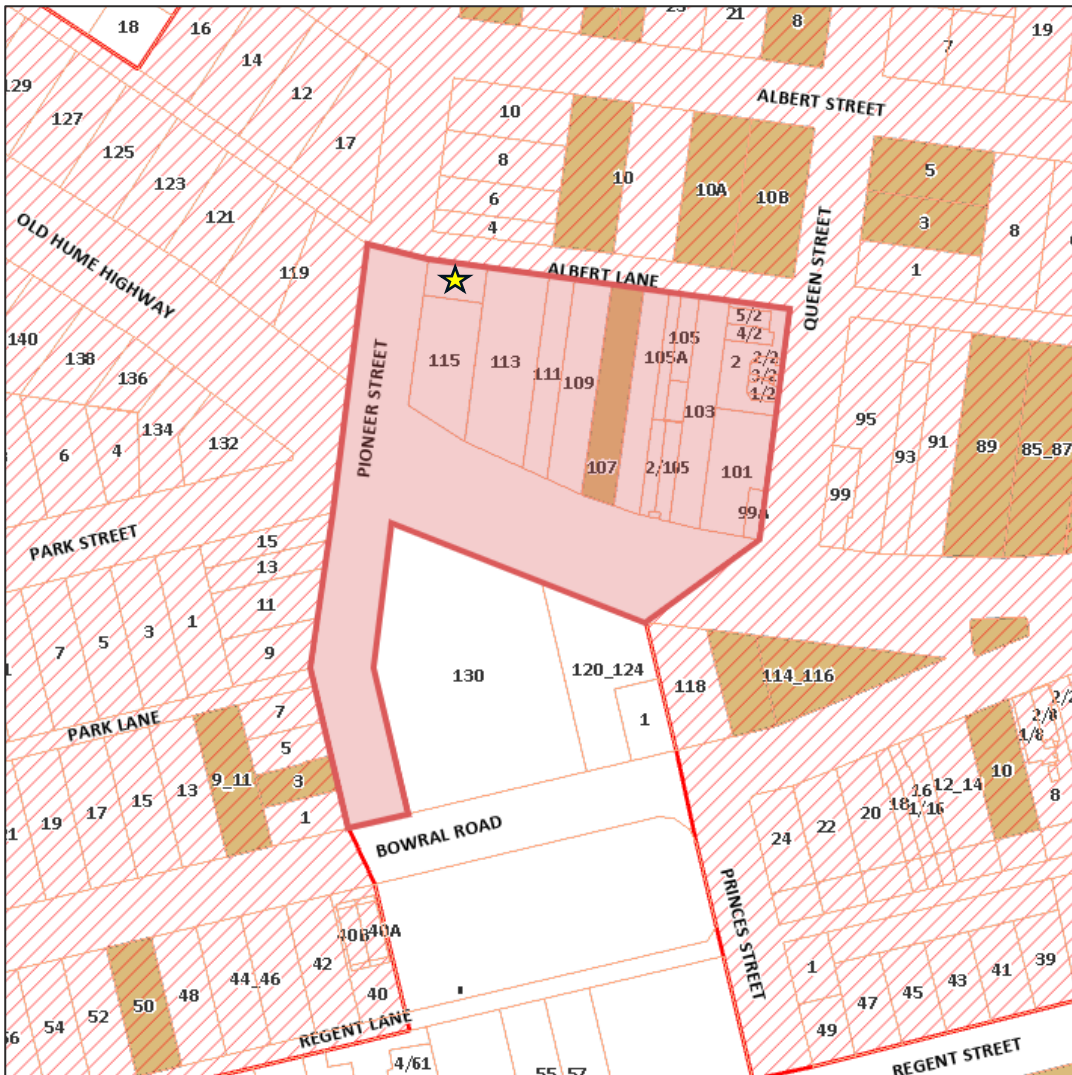


Figure 13: Proposed Mittagong HCA Extension

5 Consultation

5.1 Community

The planning proposal is categorised as standard under the LEP Making Guidelines (August 2023). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Heritage NSW
- Water NSW
- Rural Fire Service (RFS)

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion timeframe of 12-months in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local Plan-Making Authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

The Department recommends that Council not be authorised to be the local plan-making authority for this proposal to allow the Department to consider any submissions.

8 Assessment Summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The PP is consistent with local and regional strategic planning.
- The PP is generally considered to have strategic and site merit.
- The PP will facilitate the protection of culturally significant heritage items in the WLEP 2010.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included in the Gateway determination:

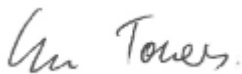
1. The planning proposal is to be updated by:
 - a) Remove the following proposed Heritage Conservation Areas and associated references:
 - i. Proposed Bowral South Entrance Heritage Conservation Area
 - ii. Proposed Exeter Village Heritage Conservation Area
 - iii. Proposed Robertson Heritage Conservation Area
 - iv. Proposed Links Road and Bowral Golf Course (Burradoo) Heritage Conservation Area
 - v. Proposed Bowral Heritage Conservation Area extension – Shepherd St North
 - vi. Proposed Mittagong Heritage Conservation Extension
 - b) Produce Draft Heritage Maps showing the proposed individual heritage listings including curtilages.
2. Prior to community consultation, the planning proposal is to be revised to address conditions 1 and forwarded to the Department for review and approval.

3. Consultation is required with the following public authorities:

- Heritage NSW
- Water NSW
- Rural Fire Service (RFS)

4. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway not authorise council to be the local plan-making authority and that an LEP completion timeframe of 12-months be included on the Gateway.



25/6/25

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26/6/2025

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