

File No: 107/16

4 February 2021

Dear Councillors and Committee Members,

You are kindly requested to attend the **Heritage Advisory Committee Meeting** of Wingecarribee Shire Council to be held in **Nattai Room, Civic Centre, Elizabeth Street, Moss Vale** (venue to be confirmed prior to the meeting) on **Friday 12 February 2021** commencing at **3:00pm**.

Yours faithfully



Mark Pepping

Deputy General Manager Corporate, Strategy & Development Services

DISTRIBUTION:

Committee Members - Councillors

Clr G McLaughlin – Chairperson
Clr P W Nelson – Alternate Chair

Community Representatives

Mr Dennis McManus
Mr Ian Stapleton
Ms Charlotte Webb
Mr Simon Bathgate

Agency Representatives

Ms Linda Emery – Berrima District Historical & Family History Society
Ms Laurel Cheetham – Australian Garden History Society
Ms Mhairi Clark – National Trust of Australia

Staff

Mr Michael Park – Coordinator Strategic Land Use Planning
Ms Sarah Farnese – Strategic Land Use Planner (Heritage)

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Business

1. WELCOME AND APOLOGIES

2. ACKNOWLEDGEMENT OF COUNTRY

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

Heritage Advisory Committee Meeting held on 11 December 2020

4. DECLARATIONS OF INTEREST

5. AGENDA REPORTS

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6. DATE OF NEXT MEETING

The next meeting will be held on **Friday 16 April 2021 in the Nattai Room Civic Centre, Elizabeth Street, Moss Vale commencing at 3:00pm.**

7. MEETING CLOSURE

Our Mission, Our Vision, Our Values

OUR MISSION

To create and nurture a vibrant and diverse community growing and working in harmony with our urban, agricultural and natural environments

OUR VISION

Leadership: *'An innovative and effective organisation with strong leadership'*

People: *'A vibrant and diverse community living harmoniously, supported by innovative services and effective communication with Council'*

Places: *'Places that are safe, maintained, accessible, sympathetic to the built and natural environment, that supports the needs of the community'*

Environment: *'A community that values and protects the natural environment enhancing its health and diversity'*

Economy: *'A strong local economy that encourages and provides employment, business opportunities and tourism'*

OUR VALUES

Integrity, trust and respect

Responsibility and accountability

Communication and teamwork

Service quality



Acknowledgement of Country

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

Declarations of Interest

The provisions of Chapter 14 of the *Local Government Act 1993* regulate the way in which Councillors, Committee Members and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

Where necessary any Councillor, Committee Member and nominated staff of Council should disclose any interest and the reason for declaring such interest in the matters under consideration at this meeting.

Councillors and Committee Members are requested to complete the appropriate form to be handed up at the Meeting.

5 AGENDA REPORTS

5.1 Update on Heritage Matters

Reference: 5650
Report Author: Strategic Land Use Planner (Heritage)

PURPOSE

The purpose of this report is to update the Committee on strategic heritage matters.

REPORT

An update is provided on the following matters:

Welby Park Manor, 28 Old Hume Highway, Welby

Current Status: No change: still on hold awaiting a Councillor briefing session with the owner of the property.

Background:

- Wingecarribee IHO No. 8: gazetted 21 December 2018; lapsed 21 June 2019.
- Report to Council of 12 June 2019 recommended listing of 'Welby Park Manor' and increasing the minimum lot size to prevent further subdivision. Council resolved to defer consideration of the matter for 6 months to allow for further information to be submitted by the owner.
- A report to Council again recommending heritage listing and change in minimum lot size was considered by Council on 12 February 2020. Council again resolved to defer the matter to allow the owners to present their case to Councillors at a Briefing Session. Due to COVID-19 and resistance by the owner to partake in a video conference the Briefing Session is yet to be held.
- Tree clearing that was undertaken on the site in late 2019 is being investigated by Council's Compliance Officer.

Aitken Road Interwar Housing Group and Aitken Road Conservation Area

Current Status: Amendment No. 56 which added the new heritage item and new heritage conservation area was published on 6 November 2020. Amendments to the Bowral DCP have recently finished public exhibition and will be reported back to Council shortly.

Background:

- Wingecarribee IHO No. 9: gazetted 18 January 2019; lapsed 18 January 2020.
- Planning Proposal to create a new heritage item and a new heritage conservation area was exhibited from 15 January to 14 February 2020.
- On 24 June 2020 Council adopted the recommendation to proceed with the amendment to WLEP 2010.
- WLEP 2010 (Amendment No. 56) was published on 6 November 2020.
- Proposed amendments to the Bowral Development Control Plan (DCP) to include the Aitken Road Conservation Area controls were considered by Council on 25 November 2020. The Amendments were on public exhibition until 5 February 2021.
- 'Grantham' (33-37 Aitken Road) and 'Barkfold' (39-41 Aitken Road) have recently been sold, reportedly to locals who plan to renovate the properties.



Rochester Park, 102-104 Old Wingello Road, Bundanoon

Current Status: Planning Proposal has completed re-exhibition. The results of public exhibition will be reported to Council on 24 February 2021.

Background:

- Wingecarribee IHO No. 10: gazetted 22 February 2019; lapsed 22 February 2020.
- Report presented to 14 August 2019 Council meeting. Council resolved to heritage list the site and to amend the minimum lot size from 700m² to 1ha.
- On 17 April 2020 a new DA (20/1139) was submitted for the same subdivision of the site. The applicant subsequently commenced proceedings in the Land and Environment Court on a deemed refusal of this application and the Court gave leave for the proposal to be amended to a 5 lot subdivision without a public road component. The court has approved a modified subdivision comprising 4 lots.
- Public exhibition of the Planning Proposal was conducted from 14 October to 17 November 2020 and re-exhibited from 18 November 2020 to 20 January 2021.

Yarrabin, 32 Kangaloon Road, Bowral—Interim Heritage Order No. 11

Current Status: Public exhibition of the Planning Proposal has been undertaken. The results of public exhibition reported to Council on 10 February 2021 where it was recommended to proceed with the heritage listing of the site and its inclusion in the Bowral Conservation Area.

Background:

- A report was presented to the 12 August 2020 Council Meeting and Council resolved to prepare a Planning Proposal to heritage list the site, include the site in the Bowral Conservation Area and to issue an Interim Heritage Order over the site.
- Wingecarribee IHO No. 11 was gazetted on 21 August 2020.
- The Planning Proposal was publicly exhibited from 22 October to 23 November 2020.

Local Housing Strategy (LHS) & Local Strategic Planning Statement (LSPS)

Current Status: Public re-exhibition has been undertaken. The results of public exhibition will be reported to Council in the first quarter of 2021.

Background:

- The LHS and LSPS were adopted by Council on 24 June 2020.
- On 12 August 2020 a Notice of Motion to review the LHS and LSPS in relation to future housing areas in Colo Vale was adopted and public re-exhibition of the amended strategies was conducted from 14 October to 27 November 2020.
- On 9 December 2020 another Notice of Motion was considered, this one to consult with the Robertson community regarding the removal of the North Eastern Land Release Area in Robertson. Public re-exhibition of the amended statements will be conducted from 8 February to 19 March 2021.

RECOMMENDATION

THAT the report be noted.

ATTACHMENTS

There are no attachments to this report.



5.2 Development Applications Notified to the Committee since the Last Meeting

Reference: 107/16
Report Author: Strategic Land Use Planner (Heritage)

PURPOSE

The purpose of this report is to present a list of development applications (DAs) notified to the Heritage Advisory Committee since the last meeting on 11 December 2020 and to discuss various development application matters.

REPORT

A list of the DAs notified to the Committee is **CIRCULATED UNDER SEPARATE COVER** and should any additional applications be notified between the preparation of the Agenda and the day before the meeting (11 February) an updated version will be distributed to members. The spreadsheet shows DAs notified to the Committee since the last meeting highlighted in yellow on the list and provides an update on other applications previously notified to the Committee as well as the date of any submissions made.

Any submissions made on any notified DAs by any member of the Heritage Advisory Committee in their capacity as a member of the Heritage Advisory Committee must be provided to Council staff to be included in the recommendation of this report and, therefore, reflected in the minutes of the meeting.

A full list of the submissions made by the Committee (if any) since the last meeting will be provided separately to members before the meeting.

RECOMMENDATION

THAT the following submissions made on development applications since the last meeting of the Committee be noted:

Property
Application Number
Application For
Date
Comment

ATTACHMENTS

1. DAs notified to Heritage Advisory Committee since last meeting - *circulated under separate cover*

5.3 Review of Proposed Heritage Items Deferred in 2012 (251 Project)

Reference: 5650/4
Report Author: Strategic Land Use Planner (Heritage)

PURPOSE

The purpose of this report is to discuss the progress of the review of the proposed heritage items that were deferred by Council in 2012.

REPORT

In 2012, Council consulted with the owners of over 350 properties that had been recommended for heritage listing by consultants on behalf of Council in 2009. In November 2012, Council resolved to heritage list a number of those items (around 80 in total) and the others were deferred pending further consultation with owners. The deferred items were, for the most part, those properties whose owners objected to the heritage listing, or whose owners did not respond to consultations on the proposed listing.

With increasing development pressure, it is now critical that previously identified places of heritage significance are listed to provide some certainty to owners or prospective owners and protect them from inappropriate development.

On 27 May 2020, Council resolved as follows in response to a Notice of Motion submitted by Clr McLaughlin:

MN 146/20

MOTION moved by Clr G McLaughlin and seconded by Clr P W Nelson

THAT a report on the proposed heritage items that were deferred in 2012 be brought back to Council for a resolution to progress these heritage items.

Since the Committee's last meeting on 11 December 2020, work continues on updating the descriptions, photographs and statements of significance for the proposed heritage items as well as the potential heritage items.

Dennis McManus will update the Committee at the meeting of the status and highlight areas where input is still required.

RECOMMENDATION

THAT the report be noted.

ATTACHMENTS

There are no attachments to this report.