

# MINUTES

of the

**Local Planning Panel**

held in

**Council Chambers,**

**Wingecarribee Shire Council Civic Centre,**

**68 Elizabeth Street, Moss Vale**

on

**Monday 15 & Tuesday 16 July 2024**

The meeting commenced at **10:30 am**  
in closed session in the **Bong Bong Room**

**MINUTES OF THE LOCAL PLANNING PANEL  
MONDAY 15 JULY & TUESDAY 16 JULY 2024**

---

Table Of Contents

<b>1 OPENING OF THE MEETING .....</b>	<b>3</b>
<b>2 ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>3</b>
<b>3 APOLOGIES.....</b>	<b>3</b>
<b>4 DECLARATIONS OF INTEREST .....</b>	<b>3</b>
<b>5 PLANNING PROPOSALS .....</b>	<b>5</b>
5.1 Results Of Public Exhibition Of Independent Peer Review Of Draft Community Heritage Study 2021-23.....	5
<b>6 DEVELOPMENT APPLICATIONS.....</b>	<b>9</b>
<b>7 MEETING CLOSURE .....</b>	<b>9</b>

**MINUTES OF THE LOCAL PLANNING PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL  
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON MONDAY  
15 JULY 2024 COMMENCING AT 11:05 AM**

<b>Present:</b>	Chairperson	Steven Layman
	Expert - on-line from 1pm 15 July 2024	Stephen Leathley
	Expert	Linda Kelly
	Community Representative	Richard Colley
	Community Representative	Anthony Geoffrey Neill
<b>In Attendance:</b>	Executive Manager, Strategic Outcomes	Deniz Klic
	Coordinator Strategic Planning	Susan Stannard
	Senior Strategic Planner	Sarah Farnese
	Executive Assistant Director Communities and Place	Leesa Stratford

## **1 OPENING OF THE MEETING**

The Chairperson opened the meeting and welcomed members of the public and the press.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

The Chairperson acknowledged country:

“Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.”

## **3 APOLOGIES**

There were no apologies

## **4 DECLARATIONS OF INTEREST**

There were no declarations of interest declared for the meeting.

**Linda Kelly and Stephen Leathley** advised the Chairperson that they had previously, in respect of the extraordinary Panel meeting of 29 and 30 May 2024, declared a non-pecuniary interest in item 5.1- Results of Independent Peer Review of Wingecarribee Community Heritage Study 2021-2023 for the following reasons:

1. They are expert members on the Wingecarribee Local Planning Panel on which Dennis McManus sits as a community member. Dennis McManus was a member of the Study Team

**MINUTES OF THE LOCAL PLANNING PANEL  
MONDAY 15 JULY & TUESDAY 16 JULY 2024**

---

involved in the preparation of the Community Heritage Study to be considered at this meeting. They all have no professional or personal relationship with Dennis McManus and have only sat on a handful of meetings with him over the past 3 years. This is considered to be a non-significant interest and they intend to participate in the determination of the item.

2. They are expert members on the Wingecarribee Local Planning Panel on which Robert Staas was formerly a community member. Robert Staas carried out the Peer Review of the Community Heritage Study which is to be considered at this meeting. They have no personal or professional relationship with Robert Staas and have only sat on a handful of meetings with him over the last 3 years. This is considered to be an interest of non-significance and they intend to participate in the determination of the item.

It is noted that Robert Staas had resigned as a community Panel member prior to the present meeting. Accordingly, it was considered unnecessary to declare any interest on their parts.

It is noted that as per the resolution of Council dated 26 June 2024, Denis McManus is not a current Community Representative on the Wingecarribee Local Planning Panel. Accordingly, it was considered unnecessary to declare any interest on their parts.

## 5 PLANNING PROPOSALS

### 5.1 Results of Public Exhibition of Independent Peer Review of Draft Community Heritage Study 2021-23

**Report Author:**

**Coordinator Strategic Policy**

**Authoriser:**

**Executive Manager Strategic Outcomes**

#### PURPOSE

The purpose of this report is to provide details of the Public Exhibition of the Independent Peer Review of the Draft Community Heritage Study and make recommendations about heritage listings arising from the Peer Review and consideration of submissions.

*The following persons addressed the Panel to speak **against the item**:*

<i>Ceinwen Kirk-Lennox</i>	<i>item 289</i>	<i>Barry Anstee</i>	<i>General comments</i>
<i>Colin Anlezark</i>	<i>item 434</i>	<i>Bundanoon Capital</i>	
		<i>Investments</i>	<i>item 260</i>
<i>Kevin Packham</i>	<i>item 275</i>	<i>Ray Hirst</i>	<i>item 442</i>
<i>Bob Morgan</i>	<i>item 287</i>		

*The following persons addressed the Panel to speak **in favour of item**:*

*Martin McGrane      Stephen Blackman      Angela Williamson      Dennis McManus*

#### OFFICER'S RECOMMENDATION

THAT:

1. The properties and areas listed as "Yes" in the final column of the List of Recommendations at ATTACHMENT 1 are SUPPORTED for heritage listing.
2. The properties and areas listed as "No" in the final column of the List of Recommendations at ATTACHMENT 1 are NOT SUPPORTED for heritage listing at this time.
3. The properties and areas listed as "Defer" in the final column of the List of Recommendations at ATTACHMENT 1 are to be DEFERRED for further investigation and consultation with a future report to be provided to the Local Planning Panel and Council by June 2025. This includes the proposed Berrima Landscape Conservation Area North and South Extensions and proposed Exeter/Sutton Forest Landscape Conservation Area.

**MINUTES OF THE LOCAL PLANNING PANEL  
MONDAY 15 JULY & TUESDAY 16 JULY 2024**

---

4. The Community Heritage Study 2021-23, as amended by the recommendations of the Independent Peer Review 2024 and additional amendments listed in ATTACHMENT 2 to this report, be SUPPORTED.
5. The draft Planning Proposal prepared under section 3.33 of the Environmental Planning & Assessment Act 1979 to give effect to above supported heritage listings, supported heritage conservation areas and extensions, be SUPPORTED. The Planning Proposal seeks to amend Schedule 5 of the Wingecarribee Local Environmental Plan 2010 to add new heritage items and new heritage conservation areas and amend the Heritage Map of the Wingecarribee Local Environmental Plan 2010 to give statutory effect to the above supported heritage listings and heritage conservation areas and extensions.
6. The Planning Proposal be sent to the Department of Planning, Housing and Infrastructure with a request for a Gateway Determination in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979.
7. Interim Heritage Order No. 14 applying to 48-50 Old Hume Highway, Mittagong, comprising Lot 4 DP 876468, be allowed to lapse on 23 August 2024, in recognition that the house has been demolished.
8. The heritage assessment recommending the heritage listing of 2 Pioneer Street, Mittagong, (Community Heritage Study Item No. 434), comprising Part Lot 222 Sec U DP 20, as confirmed by the Independent Peer Review and which is the subject of Wingecarribee Interim Heritage Order No. 15, be SUPPORTED.
9. Interim Heritage Order No. 15 applying to Part Lot 222 Sec U DP 20, 2 Pioneer Street, Mittagong, be extended for a further six (6) months until 23 February 2025 to allow for the preparation and processing of the subject Planning Proposal.
10. The properties nominated as part of the community engagement phase of the Draft Community Heritage Study as detailed in Table 4 to this report be examined for potential heritage recognition as heritage items or conservation areas along with the items marked as deferred AND THAT those items are reported back to the Local Planning Panel by June 2025.
11. Contributory building mapping be undertaken for all existing and proposed heritage conservation areas with the results reflected in the next-generation comprehensive Development Control Plan.
12. The Local Planning Panel and Council consider a final summary report following public exhibition of the Planning Proposal as part of the Gateway process.

**PANEL'S ADVICE**

1. The properties and areas listed as “Yes” in the “Panel Final Recommendation” column of the *List of Recommendations—Community Heritage Study 2021-23 & Peer Review 2024 (Updated)* (ATTACHMENT 1 to the Minutes) are SUPPORTED for heritage listing and included in the draft Planning Proposal.
2. The properties and areas listed as “No” in the “Panel Final Recommendation” column of the *List of Recommendations—Community Heritage Study 2021-23 & Peer Review 2024 (Updated)* (ATTACHMENT 1 to the Minutes) are NOT SUPPORTED for heritage listing.
3. The properties and areas listed as “Defer” in the “Panel Final Recommendation” column of the *List of Recommendations—Community Heritage Study 2021-23 & Peer Review 2024 (Updated)* (ATTACHMENT 1 to the Minutes) are to be DEFERRED for further investigation and consultation with a future report to be provided to the Local Planning Panel and Council by June 2025. This includes the proposed Berrima Landscape Conservation Area North and South Extensions and proposed Exeter/Sutton Forest Landscape Conservation Area.
4. The Community Heritage Study 2021-23, as amended by recommendations made by the Independent Peer Review and the Panel as listed in ATTACHMENT 2 to the Minutes, be SUPPORTED.
5. A draft Planning Proposal be prepared under section 3.33 of the Environmental Planning & Assessment Act 1979 to give effect to the listing of items and areas identified in item 1 above, be SUPPORTED. The Planning Proposal should seek to amend Schedule 5 of the Wingecarribee Local Environmental Plan 2010 to add new heritage items and new heritage conservation areas and amend the Heritage Map of the Wingecarribee Local Environmental Plan 2010 to give statutory effect to the above supported heritage listings and heritage conservation areas and extensions.
6. The Planning Proposal be sent to the Department of Planning, Housing and Infrastructure with a request for a Gateway Determination in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979.
7. Interim Heritage Order No. 14 applying to 48-50 Old Hume Highway, Mittagong, comprising Lot 4 DP 876468, be allowed to lapse on 23 August 2024, in recognition that the house has been demolished.
8. The heritage assessment recommending the heritage listing of 2 Pioneer Street, Mittagong, (Community Heritage Study Item No. 434), comprising Part Lot 222 Sec U DP 20, as confirmed by the Independent Peer Review and which is the subject of Wingecarribee Interim Heritage Order No. 15, be SUPPORTED.
9. Interim Heritage Order No. 15 applying to Part Lot 222 Sec U DP 20, 2 Pioneer Street, Mittagong, be extended for a further six (6) months until 23 February 2025 to allow for the preparation and processing of the subject Planning Proposal.

**MINUTES OF THE LOCAL PLANNING PANEL  
MONDAY 15 JULY & TUESDAY 16 JULY 2024**

---

- 10. The properties nominated as part of the community engagement phase of the Draft Community Heritage Study as detailed in Table 4 to the report be examined for potential heritage recognition as heritage items or conservation areas along with the items marked as deferred AND THAT those items are reported back to the Local Planning Panel by June 2025.**
- 11. Contributory building mapping be undertaken for all heritage conservation areas with the results reflected in the next-generation comprehensive Development Control Plan.**
- 12. The Local Planning Panel and Council consider a final summary report following public exhibition of the Planning Proposal as part of the Gateway process.**

**Vote: Unanimous**



## **6 DEVELOPMENT APPLICATIONS**

Nil

## **7 MEETING CLOSURE**

Following deliberations including a site inspection of 2 Pioneer Street Mittagong, the Panel reconvened to publicly announce its recommendations.

There being no further business the meeting closed at 2.28pm 16 July 2024