

17 REPORTS FOR INFORMATION**17.1 Jamberoo Heritage Review Planning Proposal PP-2026-486 - update and next steps**Responsible Director: Strategies and Communities

Item 17.1

Report

This purpose of this report is to provide an update on the Jamberoo Heritage Review Planning Proposal.

At the Ordinary Meeting on 17 March 2026, Council endorsed the Jamberoo Heritage Review Planning Proposal (PP) PP-2026-486 to amend Schedule 5 of the Kiama Local Environmental Plan 2011 and to submit it for Gateway Determination.

The PP sought to amend the Kiama LEP 2011 as follows:

1. List six new individual heritage items in Part 1 of Schedule 5 Environmental Heritage.
2. List two new local Heritage Conservation Areas (HCA) in Part 3 of Schedule 5 Environmental Heritage.
3. Amend three existing heritage items in Part 1 of Schedule 5 Environmental Heritage.

A draft *Chapter 4 Heritage and Cultural Conservation - Topic 4.4 Heritage Conservation Areas* of the Kiama Development Control Plan 2020 was also prepared to support the 2 new HCAs.

The PP was submitted to the Department of Planning, Housing and Infrastructure (DPHI) and a Gateway Determination was received on 7 May 2026 (see Enclosure 2).

The Gateway Conditions include:

1. *Prior to public exhibition, the planning proposal must be updated to remove all references to the proposed Allowrie Street and Churchill Street Heritage Conservation Areas.*
2. *Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:*
 - (a) *the planning proposal is categorised as basic as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and*
 - (b) *the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023).*
3. *Consultation is required with Heritage NSW under section 3.34(2)(d) of the Act. Heritage NSW is to be provided with a copy of the planning proposal and any*

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relevant supporting material and given at least 30 working days to comment on the proposal.

4. *A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it PP-2026-486 (IRF No 26/3826) may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).*

The DPHI supported progressing with the six new individual heritage items and minor amendments to three existing heritage items. However, the DPHI do not support progressing with the two new Heritage Conservation Areas.

Condition 1 of the Gateway requires that both the Allowrie Street HCA and Churchill Street HCA are removed from the PP, prior to public exhibition occurring.

Staff liaised with the DPHI to obtain further clarification on this decision and provided further justification for the proposed HCAs, particularly the Allowrie Street HCA.

A majority of the sites within the proposed Allowrie Street HCA are either existing heritage items, or are adjoining or adjacent to existing heritage items, and therefore heritage LEP and DCP controls would be considered as part of any development proposal. However, this is not the case for developments that are assessed as complying development.

In regard to applicability of the *State Environmental Planning Policy (Exempt and Complying Codes) 2008*, it is noted that clause 1.17A applies to Heritage Items, and that clause 1.19 applies to Heritage Conservation Areas:

1.19 Land on which complying development may not be carried out

(1)(a) land within a heritage conservation area or a draft heritage conservation area, unless the development is a detached outbuilding, detached development (other than a detached studio) or swimming pool, or

This means that development on land within the proposed HCA that is not a Heritage Item may be carried out as complying development under the SEPP.

The DPHI considered the additional clarification and justification provided by staff, however advised that the Gateway decision should not be altered. Therefore, the Churchill Street HCA and Allowrie Street HCA will no longer be proceeding as part of the planning proposal.

The draft amendments to Topic 4.4 of Chapter 4 to include development controls specific to each HCA are also no longer required.

The DPHI did, however, recognise the significant contribution of the sandstone kerbing along the Allowrie Street Town Centre area, and that they would support this being listed as a Heritage Item (see Enclosure 1) as this will achieve a similar outcome to the proposed HCA. The Planning Proposal Report (Enclosure 3) has been updated to include this additional item (road reserve) for the purpose of public exhibition.

As per Gateway **Condition 2**, the amended planning proposal (Enclosure 3) will now be placed on public exhibition for a minimum of 20 working days.

As per Gateway **Condition 3** the amended planning proposal will be referred to Heritage NSW concurrently for their assessment.

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The table below summarises the steps taken to date, and proposed next steps:

Date	Step
2021 - 2022	Niche Environment and Heritage carried out site inspections and initial engagement with potentially affected landowners.
22 Dec 2022	Jamberoo Heritage Study (Niche Environment and Heritage, 2022) endorsed by Council for exhibition
Early 2023	Public Exhibition and Community Consultation including public information session.
Mid 2023	Independent Peer Review carried out by City Plan Heritage.
April 2024	Question for future meeting: Jamberoo Heritage Review An update was provided at the 16 April 2024 meeting.
July 2025	Strategic Planning Team re-commence project.
September 2025	Information Report to Council – update and next steps
Sept – Oct 2025	Early engagement with affected landowners
October 2025	Council Report – seek endorsement to publicly exhibit the Jamberoo Heritage Review (2023) and Peer Review (2023)
Oct – Nov 2025	Public Exhibition and Community Consultation
Dec 2025-Feb 2026	Review submissions and finalise Heritage Review.
Feb 2026	Prepare Planning Proposal to update Kiama LEP
March 2026	Report Planning Proposal to Council for endorsement to submit to DPHI for Gateway Determination.
May 2026	Gateway Determination received.
August 2026	Information Report to Council – update and next steps
Aug – Sept 2026	Public Exhibition and State Agency Consultation
October 2026	Review submissions and prepare Post Exhibition Report to Council to finalise Planning Proposal.
October 2026	Send request to PCO to make text and map LEP amendments.
November 2026	Notify LEP amendment.

Communication/Community Engagement

Community consultation was carried out in 2022 as part of preparing the study, and in 2023 and 2025 when the Study was on public exhibition.

The amended planning proposal report will be placed on public exhibition to enable further community and stakeholder consultation.

As per Gateway Condition 2 the amended planning proposal will be placed on public exhibition for a minimum of 20 working days.

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As per Gateway Condition 3 the amended planning proposal will be referred to Heritage NSW concurrently for their assessment.

The public exhibition of the Planning Proposal will include notification on Council's Your Say page and consultation with affected landowners. Relevant stakeholders will also be directly notified including the Kiama and District Historical Society and the Jamberoo Valley Ratepayers and Residents Association (JVRRA).

Risk implication

The finalisation of the Jamberoo Heritage Study will ensure that appropriate controls are in place to protect and manage the heritage values within Jamberoo. Finalisation of the Study will also ensure that development proposals put forward to Council are considered against an adopted strategic planning document and current controls.

Enclosures

- 1 Planning Proposal PP-2026-486 - Letter to Council [⇒](#)
- 2 Planning Proposal PP-2026-486 - Gateway Determination [⇒](#)
- 3 Planning Proposal Report - Post Gateway version [⇒](#)

17.2 Resolution Register: 1 April 2026 to 30 June 2026 and update on previous periods

Responsible Director: Office of the Chief Executive Officer

Enclosed for Councillors' information is the Resolution Register for the period 1 April 2026 to 30 June 2026. The Register provides an update on the implementation of Council resolutions for this period and the actions undertaken.

Also enclosed is an update on those resolutions not completed in previous periods.

Communication/Community engagement

The information in this report illustrates what actions have been taken and provides a level of transparency for the community.

Risk implication

The risk associated with this information is not responding to or actioning a resolution. By listing resolutions in numerical order there is minimal risk that this would occur.

Enclosures

- 1 Resolution Register - 1 April 2026 to 30 June 2026 [⇒](#)
- 2 Outstanding Resolution Register - from previous periods up to 31 March 2026 [⇒](#)