Department of Planning, Housing and Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP-2026-486)*: to amend the Kiama Local Environmental Plan 2011 to add new heritage items and amend existing heritage items at Jamberoo.*

I, the Director, Southern, Western and Macarthur Region, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Kiama Local Environmental Plan 2011 to as described above.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

(a) the planning proposal authority has satisfied all the conditions of the Gateway determination;

(b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and

(c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 8 January 2027.

Gateway Conditions

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

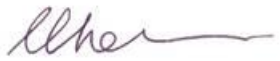
   (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning 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 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

may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 7 May 2026



Chantelle Chow
Director, Southern, Western and Macarthur Region
Local Planning and Council Support
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces

KIAMA MUNICIPAL COUNCIL
your council, your community

Planning Proposal
Jamberoo Heritage Review



RESPECT INNOVATION INTEGRITY TEAMWORK EXCELLENCE

Planning Proposal to amend Kiama LEP 2011 - Jamberoo Heritage Review

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Authorisation

Responsible Officer	Manager Planning and Development
Department	Strategies and Communities
Date prepared	February 2026
Council Resolution number	26/053OC

Version control

February 2026	PP Report for lodgement on Planning Portal and Council endorsement to submit for Gateway	26/17444
August 2026	Updated PP Report following Gateway Determination and for public exhibition	26/69050
October 2026	Updated PP Report following public exhibition	26/99252

Planning Proposal to amend the Kiama LEP 2011 – Jamberoo Heritage Review

This Planning Proposal seeks to amend the Kiama Local Environmental Plan (LEP) 2011 to amend Schedule 5 Part 1 to include six (6) Heritage Items and make minor amendments to three (3) existing Heritage Items in Schedule 5 Part 1.

This Planning Proposal has been informed by the Jamberoo Heritage Study which was prepared by Niche Environment and Heritage in 2022, an independent peer review (City Plan Heritage, 2023) and consideration of public submissions received during public exhibition.

Council received a Gateway Determination on 7 May 2026. The NSW Department of Planning, Housing and Infrastructure (DPHI) did not support progressing with the two proposed Heritage Conservation Areas (Allowrie Street HCA and Churchill Street HCA). Condition 1 of the Gateway required updating the Planning Proposal to remove both HCAs prior to public exhibition. This PP report has been updated to remove the two proposed HCAs.

Although the two HCAs were not supported, the DPHI did recognise the heritage significance of the sandstone kerbing along the Allowrie Street Town Centre area (313 lineal metres in total) and advised that they would support this being listed as a new local heritage item. DPHI acknowledged that this will achieve a similar outcome to the proposed HCA.

The Planning Proposal was placed on public exhibition for 35 days between 24 August and 27 September 2026. Two submissions were received supporting the planning proposal. One submission was received opposing 71 Churchill Street, Jamberoo being listed as a heritage item. Council's Strategic Planning Team and Council's Heritage Advisor *Everick Heritage* have reviewed the submission and the property and support removing this item from the proposal.

This PP report has been updated to remove 71 Churchill Street, Jamberoo as a heritage item, and to remove both HCAs. The 313 linear meters of sandstone kerbing along Allowrie Street have been added as a proposed new heritage item.

1.0 Statement of objectives

The Planning Proposal (PP) applies to a number of properties in the suburb of Jamberoo within the Kiama Municipal Council Local Government Area and proposes amendments to Schedule 5 of the Kiama LEP 2011. The objective of the PP is to implement the Jamberoo Heritage Review.

The Planning Proposal seeks to amend the Kiama LEP 2011 via the following:

1. Amending Schedule 5, Part 1, of the Kiama LEP 2011 to list six new heritage items:
    i. Item I188 – 1 Allowrie Street, Jamberoo (Lot 11 DP 626845) – RSL Hall and sandstone wall
    ii. Item I189 – 19 Chapel Lane, Jamberoo (Lot 1 DP 152116) – Timber Cottage
    iii. Item I190 – 48 Churchill Street, Jamberoo (Lot 72 DP 786971) – Timber House "Elmsmere"
    iv. Item I191 – 65 Churchill Street, Jamberoo (Lot 3 DP 32096) – Timber Cottage (Doctor's Surgery)
    v. Item I192 – Sandstone Kerbing and Culverts along Allowrie Steet road reservation.
    vi. Item I193 – 197 Clover Hill Road, Jamberoo (Lot 1, DP 862101) – Glenn Murcutt Designed House
2. Amending Schedule 5, Part 1, of the Kiama LEP 2011 to make amendments to three existing Heritage Items:
    i. I40 – Commercial Building – update curtilage and property description
    ii. I74 – Jamberoo Uniting Church Hall – update curtilage and property description
    iii. I76 – Jamberoo Uniting Church – reduce curtilage and update property description

3. Amend the following Kiama LEP 2011 Heritage map sheets to reflect these changes:
   i. 4400_COM_HER_007_020_20261015.
   ii. 4400_COM_HER_008_020_20261015.

2.0 Explanation of provisions

2.1 Summary of proposed changes to instrument

The statement of objectives (1.0) sets out the proposed changes. Appendix 1 sets out the specific changes to Scheule 5 of the Kiama LEP 2011. Further details on each proposed amendment are set out below.

2.2 New Heritage Items to be listed

1) Item I188 - RSL Hall and Sandstone Wall - 1 Allowrie Street, Jamberoo (Lot 11 DP 626845)





City Plan Heritage assessed the item as satisfying criterion a), d), and g) for heritage listing.

Niche assessed the item as satisfying criterion a), c) and g).

The Jamberoo RSL Hall is of local heritage significance for its contribution to the Jamberoo community as a place of community celebration and commemoration. The RSL Hall was constructed in c.1952 by the Jamberoo Sub-branch of the Returned and Services League of Australia (RSL) as a place to host community events, functions and, most significantly, commemorative services for ANZAC Day and RSL branch meetings. The building has social values as it was utilised by other community organisations like the Jamberoo branch of the Country Women's Association hosting fundraising events and celebrations at this hall. Today it continues to be used by the community for hosting Anzac Day services and local community markets.

The building is a symmetrical single-storey part-weatherboard and part fibro panel structure situated next to Reid Park on the main street of Jamberoo. It has a shallow-pitched corrugated iron gabled roof that extends over the front entrance to the building. The front verandah is supported by square timber posts featuring timber brackets (not original) and horizontal timber rail balustrade. The front entrance to the building is through a timber-framed French door. On either side of the main entrance are sets of 3 timber-framed double hung windows (clear glazed) with timber sill. The building is setback from the street and features a dwarf sandstone wall that runs along the edge of the footpath.

This PP proposes to: List Lot 11, DP 626845, 1 Allowrie Street, Jamberoo as new heritage item I188 in Part 1 of Schedule 5 of the Kiama LEP 2011.

2) Item I189 - Timber Cottage - 19 Chapel Lane, Jamberoo (Lot 1 DP 152116)





City Plan Heritage assessed the item as satisfying criterion c) and g) for heritage listing.

Niche also assessed the item as satisfying criterion c) and g) for heritage listing.

A single-storey timber cottage built upon a brick base with a part-weatherboard and part-fibro panel façade that replicates some features of the inter-war Californian Bungalow architectural style. The dwelling was built in approximately 1949.The cottage at 19 Chapel Lane is of local heritage significance for its demonstration of the inter-war Californian Bungalow style architecture prevalent within the Jamberoo village. The cottage has a part-weatherboard and part-fibro panel façades, decorative timber bracketed hoods over timber-framed windows with decorative valances, and verandah posts that are supported on masonry piers. Though the cottage has been internally modified and the verandah closed and re-opened over the years, it is not known the extent to which the other features of the house have been modified and whether they are original since the 2016 real estate images.

This PP proposes to: List Lot 1, DP 152116, 19 Chapel Street, Jamberoo as new Heritage Item I189 in Part 1 of Schedule 5 of the Kiama LEP 2011.

3) Item I190 - Timber House "Elmsmere' - 48 Churchill Street, Jamberoo (Lot 72 DP 786971)



City Plan Heritage assessed the item as satisfying criterion a), b), c) and g) for heritage listing.

Niche assessed the item as satisfying criterion a), c) and g) for heritage listing.

The house called 'Elmsmere' was inhabited by Mr. John Nelson and family from the start of the 20th Century. It is identified as having local heritage significance for being an early prominent residence on Churchill Street. The cottage was likely constructed in the late 19th Century due to its Georgian-style architectural features. The house was occupied from as late as 1903 by the Nelson family, a prominent social family within the village. The Nelson family would host various social functions and events at their property 'Elmsmere' thanks in part to its impressive design and curated gardens, making the place a local attraction of sorts. Following the passing of Mr John Nelson, the house would be resided in by another member of a prominent family in Jamberoo, Mr John Wilson. John was an experienced farmer whose father operated the farm at Saddleback, and though John lived away from the area throughout most of his life, he returned to Jamberoo in the final years of his life and chose to live at the prominent Elmsmere cottage. Aesthetically, the cottage is a good and intact representative example of late a 19th Century cottage. The cottage features some Georgian style architectural elements, including the front L-shaped verandah with decorative wrought iron brackets and rusticated timber weatherboard cladding.

This PP proposes to: List 48 Churchill Street, Jamberoo (Lot 72 DP 786971) as new Heritage Item I190 in Part 1 of Schedule 5 of the Kiama LEP 2011.

4) Item I191 - Timber Cottage (Doctor's Surgery) - 65 Churchill Street Jamberoo (Lot 3 DP 32096)





City Plan Heritage assessed the item as satisfying criterion a), c) and g) for heritage listing.

Niche assessed the item as satisfying criterion a) and g) for heritage listing.

The cottage at 65 Churchill Street is of local heritage significance as a relatively intact timber weatherboard cottage from the early 20th Century. It is believed that the cottage was originally built in c.1913 under the ownership of Mrs Sarah Knight. The cottage would have been amongst the earliest built along Churchill Street, particularly to the north of the Anglican Church and Jamberoo Public School. Aesthetically, the building retains its architectural features common in Federation-era architecture. This includes the corbelled brick chimney and bullnosed corrugated roof to the verandah on the front elevation. The building's prominent setting and weatherboard appearance gives the building a charming historic presence that contributes to the streetscape of Churchill Street.

This PP proposes to: List 65 Churchill Street, Jamberoo (Lot 3 DP 32096) as new Heritage Item I191 in Part 1 of Schedule 5 of the Kiama LEP 2011.

5) Item I192 –Sandstone Kerbing and Culverts along Allowrie Steet road reservation (313 linear meters))





City Plan Heritage assessed the sandstone kerbing and culverts as a significant part of Allowrie Street.

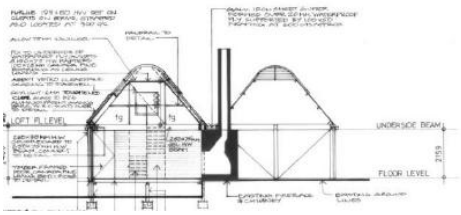
Niche assessed the sandstone kerbing and culverts as a significant part of Allowrie Street.

There are 313 linear meters of sandstone kerbing and culverts along Allowrie Street. It is locally hewn sandstone, set in mortar on concrete base so appears to be modern. The sandstone kerbing is highly significant as a physical and historical anchor for the town. It defines the original 19th-century boundaries of the village centre and physically links the historic streetscapes, civic buildings, and dairying heritage of the region. The kerbing sets the historical footprint of early commercial and social settlement in Jamberoo.

Jamberoo's sandstone kerbing has deep local roots, with early 19th-century sections famously hewn from local quarries and boulders in the Minnamurra Rivulet. Modern landscaping uses split-faced, sawn-top sandstone garden edging sourced from nearby suppliers or laid by excavation teams. Boyles had a sandstone quarry on their property below Jamberoo Mountain. Much of this stone was used to build the churches and the schools of Jamberoo. Sandstone was also cut from huge boulders on the upper Minnamurra Rivulet. Some of this stone was used to extend the kerbing on the western end of Allowrie Street. The remainder of the kerbing stone was obtained from Boyle's quarry. Many of the early houses had chimneys and paths of sandstone. Sandstone was also cut in an area north of the Upper Minnamurra Rivulet where some cut stone remains on this site today.

<u>This PP proposes to:</u> List 313 linear meters of sandstone kerbing and culverts along the Allowrie Street road reserve as a new Heritage Item I194 in Part 1 of Schedule 5 of the Kiama LEP 2011.

6) Item I193 - 197 Clover Hill Road Jamberoo - Glenn Murcutt Designed House (Lot 1 DP 862101)







City Plan Heritage assessed the item as satisfying criterion b), c) and f) for heritage listing.

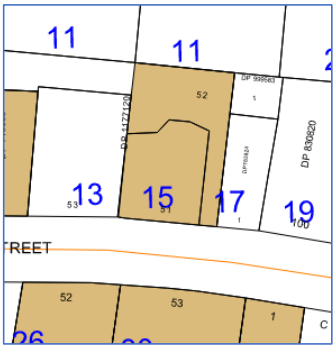
Niche assessed the item as satisfying criterion b) and c) for heritage listing.

The Fredericks White House is of local level significance as an early work of internationally renowned architect Glenn Murcutt and as a great example of 20th Century Modernist architecture in New South Wales. The building was constructed in 1981-1982 for Neville and Jill Fredericks and was built to accommodate the climatic conditions of Jamberoo whilst being an environmentally responsive building utilising Murcutt's ethos of 'touching the Earth lightly.' The house is built around a remnant fireplace that was part of a previous farmhouse that was demolished (which belonged to either John Gray, Ernest Sawn or Frank Herbert). The property was sold to the White Family in 1996 and Murcutt would undertake some sympathetic modifications to the house in 2001-2004. The house has been nationally recognised, with Murcutt winning a Merit Award for Outstanding Architecture from the Royal Australian Institute of Architects.

This PP proposes to: List 197 Clover Hill Road, Jamberoo (Lot 1 DP 862101) as a new Heritage Item I192 in Part 1 of Schedule 5 of the Kiama LEP 2011.

2.3 Amendments to existing Heritage Items

1) 15 Allowrie Street Jamberoo – Heritage Item I40 Commercial building

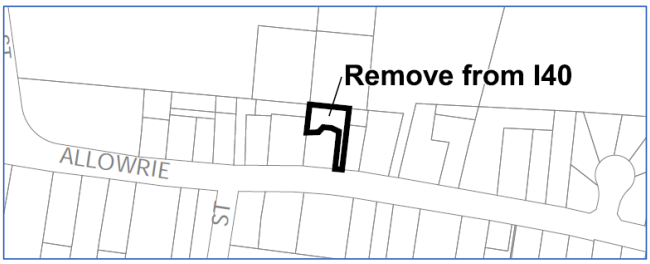


The property description for the Heritage listing states Lot 1 DP 783821.

This allotment has been subdivided into 2 lots - lots 51 and 52 DP 1177120.

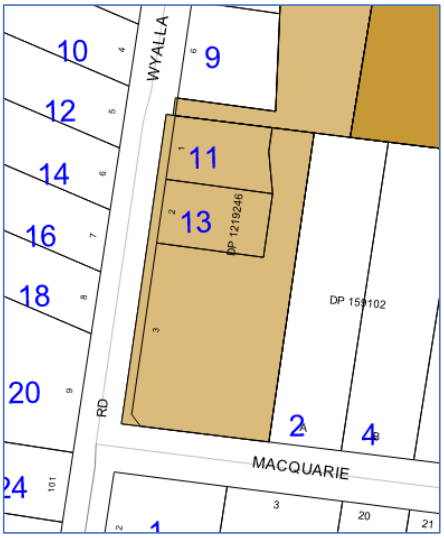
- Lot 51 incorporates the heritage listed commercial building and should be retained in the heritage map.
- Lot 52 does not include a heritage listed building.

The heritage map layer will be updated to include only Lot 51 DP 1177120, and the property description updated accordingly.



This PP proposes to: Amend the curtilage of Heritage Item I40 as shown above (see also Appendix 5) and update the property description in Part 1 of Schedule 5 of the Kiama LEP 2011 to Lot 51, DP 1177120.

2) 15 Wyalla Road Jamberoo – Heritage Item I74 Jamberoo Uniting Church Hall

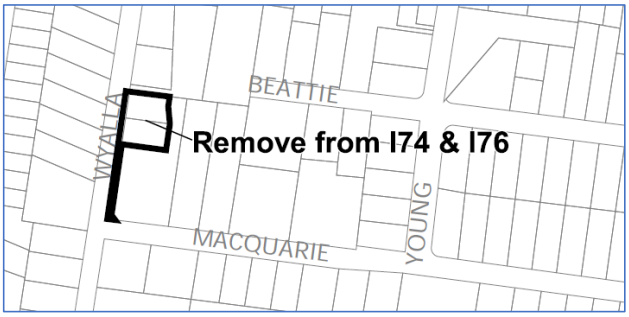


The property description for the Heritage listing states Lot 48, DP 779575.

This allotment has been subdivided into 3 lots - 1, 2 and 3 DP 1219246.

- Lots 1 and 2 are residential allotments and do not contain a heritage listed building.
- Lot 3 includes the two Heritage Items (I74 and I76) and should be retained in the heritage map

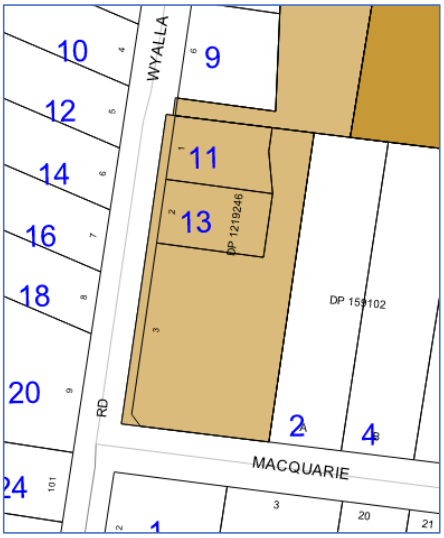
The heritage map layer will be updated to include only Lot 3, DP 1219246, and the property description updated accordingly.



Note: There is also a minor encroachment of the heritage layer into the road reserve as a result of a cadastre shift which will be corrected.

This PP proposes to: Amend the curtilage of Heritage Item I74 as shown on the map above and Appendix 5 and update the property description in Part 1 of Schedule 5 of the Kiama LEP 2011 to Lot 3, DP 1219246.

3) 15 Wyalla Road Jamberoo – Heritage Item I76 Jamberoo Uniting Church

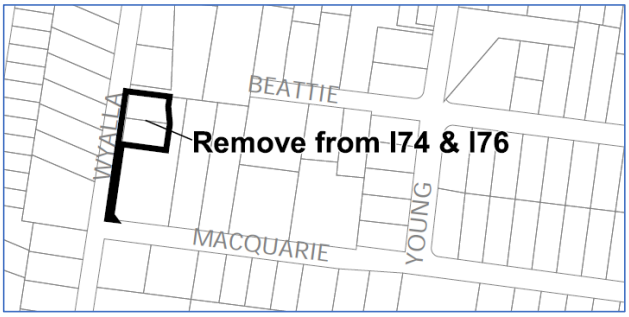


The property description for the Heritage listing states Lot 48, DP 779575.

This allotment has been subdivided into 3 lots - 1, 2 and 3 DP 1219246.

- Lots 1 and 2 are residential allotments and do not contain a heritage listed building.
- Lot 3 includes the two Heritage Items (I74 and I76) and should be retained in the heritage map

The heritage map layer will be updated to include only Lot 3, DP 1219246, and the property description updated accordingly.



Note: There is also a minor encroachment of the heritage layer into the road reserve as a result of a cadastre shift which will be corrected.

This PP proposes to: Amend the curtilage of Heritage Item I76 as shown on the map above and Appendix 5 and update the property description in Part 1 of Schedule 5 of the Kiama LEP 2011 to Lot 3, DP 1219246.

3.0 Justification for objectives

3.1 Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is the direct result of the *Kiama Local Strategic Planning Statement* (LSPS) *2020* (updated 2025).

The LSPS identifies the need to review and update the Kiama LEP 2011 to ensure that the planning principles are current and will enable Development Applications to be made that will achieve the community's vision.

Theme 5 of the Kiama LSPS 2020 is to foster vibrant and accessible places.

Planning Priority 14, of the Kiama LSPS 2020, is to identify and safeguard areas and items of heritage significance. The following actions have been identified to achieve this Planning Priority:

- Establish a holistic review program of the existing heritage register contained in Schedule 5 of the Kiama LEP 2011.
- Update associated inventory sheets to ensure all relevant information is available regarding the heritage significance of heritage listed items/areas.
- Identify any new Heritage Items to be included in Schedule 5 of the Kiama LEP 2011.
- Create Heritage Conservation Areas (HCA).

The first area reviewed as part of this program was the Kiama Town Centre. This was completed in 2024 and resulted in two new Heritage Conservation Areas, and seven new individual heritage listings.

Jamberoo Village was selected as the second area to be reviewed based on the volume of Heritage Items and this review is currently in progress.

The Gerringong Heritage Review is expected to be completed alongside the Gerringong Town Centre Study and will commence in a future budget year.

The Kiama Local Housing Strategy 2025 also identifies the need to review the LEP to ensure the planning controls will enable development to occur. In terms of heritage, the unique heritage and architecture of the buildings, and their importance to the community is reiterated throughout.

The non-negotiable principles for greenfield development include:

- *Heritage places, items and values are identified and preserved as appropriate*

The Planning Proposal and proposed inclusion of these new heritage items within Schedule 5 of the Kiama LEP 2011 is a direct result of the Jamberoo Heritage Report prepared by Niche Environment and Heritage and the Independent Peer Review Report prepared by City Plan Heritage.

The Heritage Review Report prepared by Niche was placed on public exhibition in 2023 and received 11 submissions.

Both the Independent Heritage Review Report prepared by City Plan Heritage, and the Heritage Review Report prepared by Niche were place on public exhibition between 24 October 2025 and 30 November 2025 and received 8 submissions.

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

A Gateway Determination was received on 7 May 2026.

Both the Allowrie Street HCA and Churchill Street HCA were not supported by NSW DPHI. Condition 1 of the Gateway Determination required removal of the two new Heritage Conservation Areas from the Planning Proposal prior to public exhibition.

Notably, 313 linear meters of sandstone kerbing formed part of the proposed Allowrie Street HCA. Although the HCA is not supported, NSW DPHI supports the sandstone kerbing being listed as a new Local Heritage Item to ensure its protection.

The planning proposal report has been updated to remove both HCA areas, and to include the sandstone kerbing as a new heritage item.

The planning proposal report was placed on public exhibition for 35 days between 24 August and 27 September 2026. Two submissions were received supporting the proposal, and one submission was received opposing listing 71 Churchill Street, Jamberoo as a new heritage item.

This property was reviewed by the Strategic Planning team and Council's Heritage Advisor *Everick Heritage Pty Ltd* and is not being proceeded with.

The PP report has been updated to remove the property as a proposed new item.

3.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal seeks to list six new individual Heritage Items of local heritage significance and make minor amendments to three existing Heritage Items.

A Planning Proposal is the mechanism available for amending the current provisions of the LEP. It is the only mechanism available to add these Heritage Items to Schedule 5 of the LEP.

3.3 Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies?

The applicable regional plan is the Illawarra-Shoalhaven Regional Plan (ISRP) 2041. It is considered that the proposed amendments to the Kiama LEP 2011 are consistent with the objectives contained within the plan, specifically Objective 23:

- *Objective 23: Celebrate, conserve and reuse cultural heritage*

Strategy 23.1 aims to identify, conserve and enhance cultural heritage values.

Through the Kiama LSPS 2020 consultation process, the community expressed the importance of protecting the local heritage and character of Kiama.

Niche Heritage conducted the Jamberoo Heritage Review Study and informed recommendations for potential new individual Heritage Items and new Heritage Conservation Areas.

City Plan Heritage conducted the Independent Peer Review Heritage Study and informed the recommendations that now form part of this Planning Proposal.

Both studies and public submissions were considered, and this PP proposes to proceed with listing six new Heritage Items and minor amendments to three existing Heritage Items.

A Gateway Determination was received on 7 May 2026.

Both the Allowrie Street HCA and Churchill Street HCA were not supported by NSW DPHI. Condition 1 of the Gateway Determination requires the removal the proposed two new Heritage Conservation Areas prior to public exhibition.

The 313 linear meters of sandstone kerbing along Allowrie Street formed part of the proposed Allowrie Street HCA. Although the HCA is not supported, NSW DPHI does support the sandstone kerbing and culverts being listed as a new local heritage item to ensure its protection.

The planning proposal report has been updated to remove the HCA areas, and to include the sandstone kerbing as a new heritage item.

The PP report was placed on public exhibition between 24 August to 27 September 2026. Three submissions were received. Following exhibition, the PP report has been updated to remove 71 Churchill Street, Jamberoo from the proposal.

Listing new Heritage Items protects our cultural heritage that the community value highly.

3.4 Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes, refer to section 3.1.1.

The Planning Proposal is the indirect result of the Kiama Local Strategic Planning Statement 2020 (LSPS) and other strategies. The LSPS identifies the need to review and update the Kiama Local Environmental Plan (LEP) 2011 to ensure that the planning principles will enable Development Applications to be made that will achieve the community's vision. The Kiama Local Housing Strategy 2025 also identifies the need to review the LEP to ensure the planning controls will enable development to occur.

The PP is consistent with the overall intent of the Illawarra Shoalhaven Regional Plan 2041, in particular Objective 23, and outcomes such as conserving local heritage and protecting region's local character.

3.5 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

N/A. There are no SEPPs that are applicable to this Planning Proposal.

3.6 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Council finds the proposal consistent with all applicable Section 9.1 Ministerial Directions.

Note: This PP has been assessed against the s9.1 Ministerial Directions issued in 2024 as it was lodged before 1 July 2026.

Assessment of Section 9.1 Ministerial Directions – Compliance Checklist

Ministerial Direction	Comment
1. Planning Systems	
1.1 Implementation of Regional Plans	The PP is consistent with the Illawarra Shoalhaven Regional Plan 2041. It is considered that the proposed amendments to the Kiama LEP 2011 are consistent with Objective 23: Celebrate, conserve and reuse cultural heritage Strategy 23.1 aims to identify, conserve and enhance cultural heritage values. Therefore, the PP is consistent with Direction 1.1.
1.2 Development of Aboriginal Land Council Land	The sites included in this PP are not identified on the Land Application map of *State Environmental Planning Policy (Aboriginal Land) 2019.* Therefore, this direction does not apply to the PP.
1.3 Approval and Referral Requirements	This direction does not apply to the PP.
1.4 Site Specific Provisions	This direction does not apply to the PP.
Planning Systems – Place-based	
1.5 to 1.22	These directions do not apply to the Kiama LGA.
2. Design and Place	

There are currently no Directions in this Focus Area.	
3. Biodiversity and Conservation	
3.1 Conservation zones	There are no sites located in environmentally sensitive areas, nonetheless the PP seeks to protect and conserve heritage values. This direction does not apply to the PP.
3.2 Heritage Conservation	The PP will not alter the existing provisions of the Kiama LEP 2011 and Kiama DCP 2020 which give effect to heritage conservation. The PP seeks to list 6 new individual Heritage Items and make minor amendments to 3 existing Heritage Items. Once listed the provisions of Clause 5.10 Heritage Conservation of the Kiama LEP would apply to the heritage sites. The provisions of Clause 5.10 of the Kiama LEP seek to conserve the environmental heritage of Jamberoo. Although the Allowrie Street HCA and Churchill Street HCA were not supported by the NSW DPHI and these have been removed from the PP, NSW DPHI supports the 313 linear meters of sandstone kerbing and culverts along Allowrie Street being listed as a new local heritage item to ensure its protection and this is now included in the PP. The planning proposal report has been updated to remove the HCA areas, and to include the 313 linear meters of sandstone kerbing along Allowrie Street as a new local heritage item. Therefore, the PP is consistent with Direction 3.2.
3.3 Sydney Drinking Water Catchments	This direction does not apply to the PP.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	This direction does not apply to the Kiama LGA.
3.5 Recreation Vehicle Areas	The direction does not apply to the PP.
3.6 Strategic Conservation Planning	The direction does not apply to the PP.
4. Resilience and Hazards	
4.1 Flooding	The PP seeks to list new Heritage Items in the Kiama LEP 2011 for Jamberoo and does not propose additional urban development on flood affected land. Therefore, the PP is considered consistent with Direction 4.1
4.2 Coastal Management	The sites included in this PP are not located within a Coastal Management Zone and therefore the direction does not apply to the PP.

4.3 Planning for Bushfire Protection	This direction does not apply to the PP.
4.4 Remediation of Contaminated Land	This direction does not apply to the PP.
4.5 Acid Sulfate Soils	This direction does not apply to the PP.
4.6 Mine Subsidence and Unstable Land	The direction does not apply to the PP.
5. Transport and Infrastructure	
5.1 Integrating Land Use and Transport	The direction does not apply to the PP.
5.2 Reserving Land for Public Purposes	The direction does not apply to the PP.
5.3 Developing Near Regulated Airports and Defence Airfields	The direction does not apply to the PP.
5.4 Shooting Ranges	The direction does not apply to the PP.
6. Housing	
6.1 Residential Zones	The PP applies to sites that are located in a Residential zone. The PP seeks to list new Heritage Items in the Kiama LEP 2011 for Jamberoo. The PP will not impact on the environment, resource lands, or the access to infrastructure and services on the sites. Therefore, the PP is consistent with Direction 6.1.
6.2 Caravan Parks and Manufactured Home Estates	The direction does not apply to the PP.
7. Industry and Employment	
7.1 Business and Industrial Zones	The PP seeks to list one new Heritage Item located on Allowrie Street, in a Business Zone. The PP will not result in a loss of employment zone and will not reduce the potential floor space area for employment uses and related public services in Employment Zones. The PP will no longer be proceeding with the potential new Heritage Conservation Areas. Therefore, the PP is consistent with Direction 6.1.
7.2 Reduction in non-hosted short-term rental accommodation period	The direction does not apply to the PP.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	The direction does not apply to the PP.

8. Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	The direction does not apply to the PP.
9. Primary Production	
9.1 Rural Zones	The sites in the PP are not located in a rural zone therefore this Direction does not apply to the PP.
9.2 Rural Lands	The direction does not apply to the PP.

3.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The PP seeks to add six new individual heritage items of local heritage significance to Schedule 5 of the LEP.

Due to the nature of the PP it is considered unlikely that any environmental effects will occur as a result of the proposed changes. It is unlikely that the PP will have an adverse effect on any critical habitat, threatened species, populations or ecological communities or their habitats.

The PP will not alter any existing measures to conserve that critical habitat or threatened species, populations or ecological communities, or their habitats.

The Biodiversity Conservation Act 2016, State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and Chapter 2 of the Kiama Development Control Plan 2020 will continue to apply to development involving the removal of vegetation.

3.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Due to the nature of the PP it is considered unlikely that any environmental effects will occur as a result of the proposed changes. None of the sites this PP applies to are identified as items of environmental heritage in Schedule 5 of the Kiama Local Environmental Plan 2011.

3.9 Has the planning proposal adequately addressed any social and economic effects?

The PP is considered to have positive social effect for the community. The PP seeks to amend Schedule 5 in the LEP to include six new heritage items and make minor amendments to three existing heritage items. This will have positive social effects for the community as it will ensure the protection and retention of local heritage and that appropriate development controls and/or restrictions are in place to guide any future development. This will ensure best practice urban design and development that retains character and is sympathetic to adjoining heritage.

Social heritage are the non-physical aspects of our culture in our society. By retaining items of cultural significance this has positive effects on restoring the social effects of heritage.

The PP is considered to have positive economic effect for the community. Amending the LEP to include new Heritage Items will have a positive effect on the community as it ensures that cultural heritage and local character will be protected. Jamberoo has a strong existing cultural heritage and tourism function that will continue to support development and performance. Kiama's local economy has a strong reliance on tourism, therefore retaining and protecting cultural heritage and local character will have positive economic effects.

The PP does not propose to increase development potential and therefore does not impact on existing public infrastructure.

3.10 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Pre Gateway consultation

The proposal is minor in nature and as such, no State or Commonwealth authorities have been consulted as part of the preparation of this Planning Proposal.

Post Gateway Consultation

Consultation is required with Heritage NSW under section 3.34(2)(d) of the Act, for a period of at least 30 working days.

4.0 Mapping

The PP seeks to amendment the following LEP Heritage Maps to be amended:

- Proposed New Items – Jamberoo Town Centre
- Proposed New Item - Jamberoo
- Items Proposed to be Amended

The following LEP HER Map Sheets are to be amended.

- Appendix 2 – LEP Map – HER Sheet 7
- Appendix 3 – LEP Map – HER Sheet 8

5.0 Community Consultation

Community consultation has occurred as part of the Jamberoo Heritage Review project.

In 2022 initial community consultation was carried out as part of preparing the initial heritage review study, and in 2023 when the Study was on public exhibition.

As part of re-commencing the project in 2025, the Jamberoo Heritage Study (Niche Environment and Heritage) and the Independent Peer Review (City Plan Heritage) were placed on public exhibition 24 October - 30 November 2025.

In total, 19 submissions were received during both exhibition periods and were considered in the preparation of this Planning Proposal. The Public Exhibition Engagement Report provides a summary of submissions, response and the proposal for the Planning Proposal.

Direct landowner consultation has also occurred, including regular updates and an information session on 16 October 2025.

A Gateway Determination was received on 7 May 2026.

Condition 1 of the Gateway required removal of the two Heritage Conservation Areas prior to public exhibition and consultation with Heritage NSW.

Notably, 313 linear meters of sandstone kerbing formed part of the proposed Allowrie Street HCA. Although the HCA is not supported, NSW DPHI support the sandstone kerbing and culverts being listed as a new local heritage item to ensure its protection.

The planning proposal report was updated to remove the HCA areas, and to include the sandstone kerbing as a new heritage item.

The planning proposal was placed on public exhibition for 35 days between 24 August and 27 September 2026.

Public exhibition included:

- Information available on the NSW Planning Portal.

- A link to the NSW Planning Portal from Council's Your Say website.
- Notification letters to affected land owners.
- Notification letters to identified State agencies and as required by the Gateway Determination.

A total of three submissions were received. Two submissions supported the proposal and one submission opposed listing 71 Churchill Street, Jamberoo as a new heritage item.

This property was reviewed by the Strategic Planning team and with Council's Heritage Advisor *Everick Heritage* and is not being proceeded with. The PP report has been updated to remove the property as a proposed new heritage item.

Due to the HCA areas not progressing, the draft Chapter 4 Heritage and Cultural Conservation, Topic 4.4 Heritage Conservation Areas will not progress and therefore was not required to be placed on public exhibition.

Project Timeline

The timeframe for the Planning Proposal is that, from date of Gateway determination to date of submission to the Department of Planning, Housing and Infrastructure (DPHI), to finalise the LEP is a period of nine months.

Step in process	Timeframe	Target date
Submit to DPHI seeking a Gateway Determination	2 weeks from Council endorsement	March 2026
Received Gateway Determination	4 weeks from submission date	May 2026
Preparation of any outstanding studies (if required)	N/A	N/A
Consult with State/Commonwealth agencies	4 weeks from receiving Gateway Determination	August 2026
Exhibition of PP and technical studies (assuming no requirement to resubmit to DPHI)	4 weeks from completing agency consultation	August – September 2026
Date of Public Hearing (if required)	N/A	N/A
Review of Public Submissions and preparation of report to Council	4 weeks from end of exhibition period	October 2026
Report to Council for final endorsement	First available Council meeting after completion of review of submissions (allow 8 weeks)	November 2026
Seek Parliamentary Counsel Office's (PCO) opinion.	2 weeks from date of Council meeting minutes being published	November 2026
Submit maps to DPHI for review	2 weeks from date of Council meeting minutes being published	November 2026
Submit to DPHI to publish LEP amendment	2-4 weeks from date PCO's opinion requested	December 2026
Anticipated publication date of LEP amendment	2 weeks from date of submission to DPHI	December 2026

Appendix 1 – Summary of Changes to instrument

1. New Heritage Items - Add the following items to **Part 1 Heritage Items** of Schedule 5 of the Kiama LEP 2011.

Suburb	Item name	Address	Property description	Significance	Item No
Jamberoo	Jamberoo RSL Hall and Sandstone wall	1 Allowrie Street	Lot 11 DP 626845	Local	I188
Jamberoo	Timber Cottage	19 Chapel Lane	Lot 1 DP 152116	Local	I189
Jamberoo	Timber House - 'Elmsmere'	48 Churchill Street	Lot 72 DP 786971	Local	I190
Jamberoo	Timber Cottage (Doctors surgery)	65 Churchill Street	Lot 3 DP 32096	Local	I191
Jamberoo	Sandstone Kerbing and Culvert	Allowrie Street Road Reserve	N/A	Local	I192
Jamberoo	Glen Murcott Designed House	197 Clover Hill Road	Lot 1 DP 862101	Local	I193

2. Amended existing Heritage Items - Amend the following items to **Part 1 Heritage Items**, Schedule 5 of the Kiama LEP 2011.

Suburb	Item name	Address	Property description	Significance	Item No
Jamberoo	Commercial building	15 Allowrie Street	~~Lot 1, DP 783821~~ **Lot 51, DP 1177120**	Local	I40
Jamberoo	Jamberoo Uniting Church Hall	15 Wyalla Road	~~Lot 48, DP 779575~~ **Lot 3 DP 1219246**	Local	I74
Jamberoo	Jamberoo Uniting Church	15 Wyalla Road	~~Lot 48, DP 779575~~ **Lot 3 DP 1219246**	Local	I76

Appendix 2 – LEP Map – HER – Sheet 7

Tracy – please insert map as an image here 26/99257

Item 15.4

Enclosure 2

Item 15.4

Enclosure 2

Appendix 3 – LEP Map – HER – Sheet 8

Tracy – please insert map as an image here 26/99258

KIAMA MUNICIPAL COUNCIL
your council, your community

Public Exhibition Engagement Report
PP-2026-486 Jamberoo Heritage Review

This report provides a summary of community feedback received during the public exhibition of the Jamberoo Heritage Review Planning Proposal PP-2026-486.

Public exhibition period
24 August – 27 September 2026

Promotional activities
Dedicated Your Say Page | Media release | Monthly newsletter (980 opens)

How community got involved

48	6	4
Website visitors	**Landowners engaged**	**submissions received**

What we heard during this exhibition period
- Two submissions supported the PP and asked for reconsideration of the HCA areas.
- One submission provided updated information for one of the properties.
- One submission was received opposing listing 71 Churchill Street, Jamberoo as a heritage item.

Outcome
The post exhibition Planning Proposal report seeks to amend the Kiama Local Environmental Plan 2011 to list six (6) new heritage items and minor amendments to three (3) existing heritage items.

The Planning Proposal was updated to:
- remove the proposed Heritage Conversation Areas in accordance with the Gateway Determination;
- remove 71 Churchill Street, Jamberoo as a proposed Heritage Item;
- list the 313 linear meters of sandstone kerbing along Allowrie Street as a new Heritage Item.

What's next
The post exhibition report to Council will include the updated Planning Proposal to amend the KLEP 2011 with a recommendation that Council endorse finalisation of the Jamberoo Heritage Review Planning Proposal.



Summary of feedback received and responses

Feedback received	Response	Outcome
Strong support of the Jamberoo Heritage Review PP The Planning Proposal is supported. Preserving the unique architectural, cultural, and landscape values of Jamberoo Village is critical to keeping its historical identity intact for future generations.	These comments are noted. The PP is being progressed and finalised.	No change as a result of this submission.
Support for the heritage listing of the sandstone kerbing The sandstone kerbing not only has strong heritage value, but also contributes significantly to the streetscape of the town centre, reinforcing Jamberoo's charm as a historical rural village. The sandstone kerbing being listed as a heritage item is supported.	These comments are noted. The post-exhibition planning proposal seeks to list the 313 linear meters of sandstone kerbing as a new heritage item.	No change as a result of this submission.
Objection to the removal of the Heritage Conservation Areas Disappointed at the removal of the two HCA's and strongly urge that DPHI reconsider at least one of the HCA areas. Jamberoo Village faces significant pressure from housing growth, and it is important to ensure that its historical significance and current rural charm are protected. Council's resolution to write to the Minister for Planning and Housing to request reconsideration of listing two HCAs is supported.	These comments are noted. A request was sent to the Minster for Planning to review the decision to not progress with listing one or both of the heritage conservation areas. This request was denied and the HCA areas are not supported by DPHI and will not be proceeded with.	No change as a result of this submission.
Incorrect property information The Statement of Significance for 197 Clover Hill Road Jamberoo notes on pg44 that *"The building was constructed in 1981-1982 for the artist Fredericks White…"* This is incorrect.	This information has been clarified. The correct information is provided on pages 43 and 44, the building was constructed in 1981-1982 for Neville and Jill Fredericks, purchased by the White Family in 1996 and modifications made in 2001-2004. The Heritage Information Sheet will be updated.	No change to the Planning Proposal. Heritage Information Sheet will be updated.

Feedback received	Response	Outcome
Strongly opposing the heritage listing of 71 Churchill Street, Jamberoo A detailed submission was received opposing the listing of this property. The submission outlined concerns regarding the basis for the proposed listing, and that the assessments may not accurately reflect the existing condition, fabric, history or identity of this particular property. The submission raised that there have been extensive alterations, the front verandah, has been replaced, much of the original external fabric has not been retained, the original chimney has been removed, modifications of the awnings, extensive plastic cladding to exterior and changes to the property's landscaping and setting. The rear of the dwelling has also previously been subdivided and developed on (an existing dwelling is situated to the rear).	The reasons for objecting to the heritage listing was reviewed by Council's Strategic Planning team and Council's Heritage Advisor Everrick Heritage. A site inspection was also carried out by Council's strategic planning team. Removing the property from the planning proposal and proposed heritage listing is supported based on the following: - The statement of significance in both studies overstates how much original internal fabric and spatial arrangement have been retained since the dwelling's construction. - While the cottage remains a relatively intact and attractive example of an Interwar dwelling, substantial internal changes have occurred. - Although it retains the general form, character and visual appeal of an Interwar cottage, it cannot reasonably be described as highly intact - The suggestion that the building is clad in plastic cladding is not supported by the available photographic evidence. - The dwelling retains some heritage value, although its intactness and integrity are more limited than the assessment suggests because of its presentation or potential community contention. It is acceptable to not list 71 Churchill due to the altered and generally unremarkable presentation. - Having reviewed the other potential heritage items within Jamberoo, 71 Churchill Street does not appear to be the strongest representative example of the Interwar cottage typology. While the dwelling presents as a pleasant, recognisably historic residence, it has been altered to a notable degree and has a standard, unremarkable streetscape presence.	The post exhibition PP has been updated to: • Remove 71 Churchill Street, Jamberoo as a new heritage item.

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your council, your community

Phone enquiries:
(02) 4232 0444

Reference:
SC5269 26/79795

14 September 2026

The Hon. Paul Scully MP
Minister for Planning and Public Spaces
GPO Box 5341
SYDNEY NSW 2001

By email: office@scully.minister.nsw.gov.au
and to: Katelin McInerney MP – kiama@parliament.nsw.gov.au
swam@dphi.nsw.gov.au

Dear Minister

Planning Proposal Gateway Determination (Ref: PP-2026-486)

Planning Proposal:	PP-2026-486
Property Description:	Jamberoo Heritage Review
Proposed:	To amend Schedule 5 of the Kiama Local Environmental Plan 2011 to include new heritage items, update existing heritage items and include new heritage conservation areas

I am writing in response to the Gateway Determination issued on 7 May 2026 in relation to the Jamberoo Heritage Review Planning Proposal PP-2026-486.

The Gateway Assessment conducted by the Department of Planning, Housing and Infrastructure (DPHI) supported progressing with the new and amended heritage items.

The Gateway Assessment conducted by the DPHI did not support progressing with the proposed Allowrie Street and Churchill Street Heritage Conservation Areas (HCAs).

Condition number 1 of the Gateway requires that prior to public exhibition, the planning proposal must be updated to remove all references to the two proposed HCAs. The following justification was provided:

> *Given less than 50% of the proposed Heritage Conservation Areas (HCAs) consist of heritage items (existing and proposed) and contributory buildings, that existing heritage items are protected under existing Kiama LEP and DCP controls, and proximate buildings must be visually sympathetic to nearby heritage items, the Department was unable to support the HCAs.*
>
> *The HCAs may also unnecessarily or unreasonably restrict the future (albeit modest) development potential of sites on Allowrie Street and Churchill Street (including for housing). A Gateway condition has therefore been recommended requiring the planning proposal to be updated to remove all references to the HCAs prior to public exhibition.*

Council, at their ordinary 18 August 2026 meeting, resolved to write to you as the Minister for Planning and Public Spaces to express disappointment in the NSW Department of Planning, Housing and Infrastructure (DPHI)'s decision not to support the establishment of Heritage Conservation Areas (HCAs) in the Jamberoo Village, as advised in the DPHI's letter to Council on 7 May 2026 (refer attachment 1).

Council is unaware of any current policy regarding the above mentioned requirements for a HCA and is seeking justification as to why the assessed HCAs are not able to be supported from a heritage significance and conservation perspective.

The Jamberoo Heritage Study prepared by Niche Environment and Heritage in 2022 (with assistance from Council staff and members of the Kiama and District Historical Society), and the independent peer review study prepared by City Plan Heritage in 2023, both recommended to list two new local Heritage Conservation Areas (HCA) in the Kiama Local Environmental Plan 2011 in Part 3 of Schedule 5 Environmental Heritage. It is worth acknowledging that the peer review study, prepared by City Plan Heritage in 2023, was funded by the NSW Department of Planning, Housing and Infrastructure.

The proposed new heritage conservation areas were Allowrie Street HCA and Churchill Street HCA.

Allowrie Street HCA:

Allowrie Street is primarily a business zone and a significant historical streetscape that contributes to Jamberoo's local heritage and character. Figure 1 below demonstrates that the number of heritage items and contributory buildings is the same as the number of neutral buildings within the area and therefore 50% of the HCA area (not including undeveloped land).

The Allowrie Street HCA meets the Heritage NSW Guidelines and is supported by both consultant studies, including the peer review that was funded by the Department. It is acknowledged that several buildings along the Allowrie Street HCA are identified as heritage items and that any new Development Applications for land in proximity to these heritage items are also affected by the controls of the LEP and DCP, specifically Section 5.10 (5) (c) of the Kiama LEP 2011 and Clause 4.36 - 'Development in the Vicinity of Heritage Items' of the Kiama DCP 2020. However, it is worth noting that there would be no protection of heritage significance or scrutiny of design afforded if the land were proposed to be developed in accordance with the Exempt and Complying Codes SEPP. This will likely result in development that has not been designed to consider the Heritage Significance of the area or adjoining Heritage Items.

The introduction of the HCA into the Schedule 5 does not alter any permitted land uses, development controls or place specific limitations that will reduce the potential for future housing. What it does do is require thoughtful design and consideration of its surrounds and heritage significance of the area. Council currently offers a free Heritage Advisor service that can assist any future applicant for development in the proposed HCA.



Figure 1: Allowrie Street Heritage Conservation Area

Churchill Street HCA:

Niche Heritage and City Plan Heritage both identified and recommended the Churchill Street Heritage Conservation Area, however City Plan Heritage recommended a reduced curtilage. Figure 2 below outlines the proposed HCA with the reduced curtilage and the classification of each property.

In this proposed HCA, there is no cohesive dominant aesthetic or common period character; the existing heritage items date from different periods (late-19th and early-20th Century) to that of the proposed heritage items and contributory buildings (early to mid-20th Century), and the neutral buildings are of late-20th Century construction. What is, however, evident is the streetscape that is predominantly featuring landscaped gardens with most of the buildings obscured and set behind these leafy gardens, and the heritage items and contributory buildings concentrated towards the mid-to-southern portion of the nominated HCA boundary. Acknowledging that the Anglican Church and Public School are the key elements that would be in the centre of the development along Churchill Street this is essentially evident within the scattered contributory buildings with large number of development dating from the late 20th Century. There is limited development within the proposed HCA that is considered detracting, with only four allotments (8%) ranked as such.

Based on the findings of the survey and contributory ranking undertaken during the on-foot survey, it was considered by City Plan Heritage that a reduced curtilage would be more appropriate to establish along Churchill Street. The alignment of the northern boundary should be terminating at the northern contributory buildings, which are 75 (west side) and 80 (east side) Churchill Street. Council were supportive of the reduced curtilage.

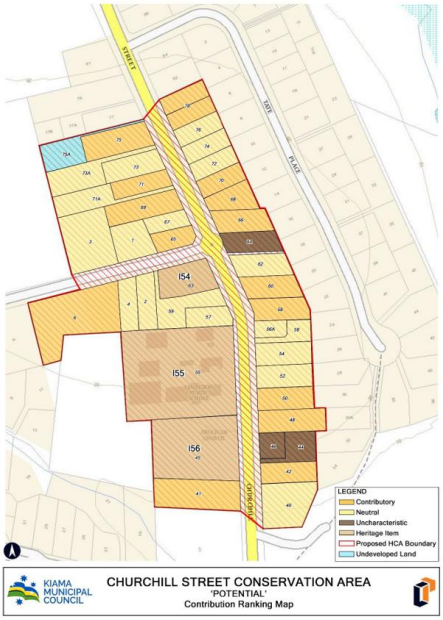


Figure 2: Churchill Street Heritage Conservation Area

The proposed HCAs were also supported by draft Development Control Plan (DCP) controls which also aim to ensure the proposed HCAs do not unnecessarily restricting housing development.

The HCAs were both supported by Council as well as the community and residents of Jamberoo.

All information on the Jamberoo Heritage Review, including both studies, can be viewed here: Jamberoo Heritage Review | Kiama Council's Your Say platform

In summary, Council respectfully requests that as the Minister for Planning and Public Spaces you review the decision of the Department in not proceeding to establish the Allowrie Street and Churchill Street HCAs and make minor amendments to the Gateway Determination to support Council progressing with the Allowrie Street HCA.

Should you have any questions regarding this matter please contact Cheryl Lappin, Manager Planning and Development, on 4232 0444.

Yours faithfully

Jane Frawley
Chief Executive Officer

Attachment 1 Minutes of Council Meeting

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 18 AUGUST 2026

Council Chambers - 11 Manning Street, KIAMA NSW 2533

17.1 Jamberoo Heritage Review Planning Proposal PP-2026-486 - update and next steps

Councillor Draisma declared a conflict of interest in this item, disclosed and left the Chamber.

Councillor I Draisma left the meeting at 05:54 pm.

26/214OC

Resolved that Council delegates to the Chief Executive Officer to:

1. Write to the Minister for Planning and Public Spaces, the Hon Paul Scully MP, expressing disappointment in the NSW Department of Planning, Housing and Infrastructure (DPHI)'s decision not to support the establishment of Heritage Conservation Areas (HCAs) in the Jamberoo Village, advised in the DPHI's letter to Council on 7 May 2026.
2. Provide the background information and reports that Council have worked on since 2022 that supports the establishment of the two HCAs, accompanying the letter to the Minister.
3. Request that the Minister review the decision not to proceed with establishing HCAs in the Jamberoo Village.
4. Provide a copy of the representation and background information to the MP for Kiama, Katelin McInerney, seeking support to reconsider the NSW DPHI's decision

(Councillors Larkins and Warren)

For: Councillors Brown, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

Councillor I Draisma returned to the meeting at 05:56 pm.

Department of Planning, Housing and Infrastructure

Ref: MDPE26/3129
Your Ref: SC5269 26/79795

Ms Janet Frawley
Chief Executive Officer
Kiama Municipal Council
cathieb@kiama.nsw.gov.au

9 October 2026

Dear Ms Frawley

Thank you for your correspondence to the Hon Paul Scully MP, Minister for Planning and Public Spaces, about the Gateway determination for the Jamberoo Heritage Review Planning Proposal. The Minister asked me to respond on his behalf.

I acknowledge your concerns about the Gateway determination issued by the Department of Planning, Housing and Infrastructure.

I also acknowledge your specific concern that the Gateway assessment conducted by the Department did not support progressing with the proposed Allowrie Street and Churchill Street Heritage Conservation Areas (HCAs). The Department does not support Council's request to amend the Gateway determination to progress the HCAs, and affirms its position, as provided in the response sent to Council on 8 July.

As you are aware, the Department did accept an updated planning proposal from Council, which included an additional local heritage listing for the sandstone kerbing on Allowrie Street. This will ensure the sandstone kerbing will be preserved and protected.

The Department further affirms that existing and proposed heritage items would be protected under existing Kiama Local Environment Plan (LEP) and Development Control Plan (DCP), and neighbouring buildings would need to be sympathetic to nearby heritage items. While it is acknowledged that complying development may be possible in the proposed HCAs, the NSW Government offers this as a streamlined approval pathway only if specific planning standards are met.

Should you have any questions, Chantelle Chow, Director, Southern, Western and Macarthur Region, at the Department can be contacted on 0456 779 068 or Chantelle.Chow@dphi.nsw.gov.au

Yours sincerely

Sargeant

Anthea Sargeant
A/Deputy Secretary
Planning Land Use Strategy and Housing Infrastructure