

30 June 2021

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Wagga Wagga City Council
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Dear Adam,

HERITAGE ADVICE RE: LEP20-007 ESTELLA ESTATE, WAGGA WAGGA

1. BACKGROUND

This letter has been prepared to provide heritage advice in relation to LEP20-007, a Planning Proposal to amend zoning boundaries for an infill urban renewal area in Estella (part of Wagga Wagga LGA).

Due to the acquisition of land for a large park in another area of the suburb, land currently zoned RE1 Public Recreation is no longer required, and is proposed be rezoned to R1 General Residential. A small area of adjoining land which is currently zoned R5 Large Lot Residential, is also proposed to be rezoned to R1 General Residential with the 1000 square meter minimum lot size removed (see below figure for proposed rezoning map).

This heritage advice has been prepared to provide advice on the sufficiency of the existing legislative framework to protect the heritage significance of the *Estella Homestead* heritage item which is located to the south-west of the land proposed to be rezoned (indicated with a star on the below figure). The existing heritage context of the Estella Homestead is outlined below at Section 2 of this letter.



2. HERITAGE CONTEXT

The subject area to be rezoned under this Planning Proposal adjoins an item of local heritage significance listed under Schedule 5 of the *Wagga Wagga Local Environmental Plan 2010*

(WWLEP2020), known as Item 48 described as *Estella Homestead, Outbuildings and Stables* and located at 20 Pine Gully Road, Estella (Lot 1 DP 1048294).

The established statement of significance for the heritage item has been reproduced below, directly sourced from the NSW State Heritage Inventory record for the place:

The Estella house and stables complex is significant as a remnant of the early pastoral settlement around what is now the City of Wagga Wagga. The stone stables are especially notable as they are the only ones of their type located within the study area.¹

The subject area is not located within close proximity to any other heritage items listed under the WWLEP2010 or the NSW State Heritage Register.

The homestead itself is located in the north-eastern corner of the heritage item lot (Lot 1 DP 1048294), indicated by the blue dot on the follow diagram. It appears that the estate was a generally larger land holding until subdivision and redevelopment of the adjacent residential development (named Estella) post 2000.

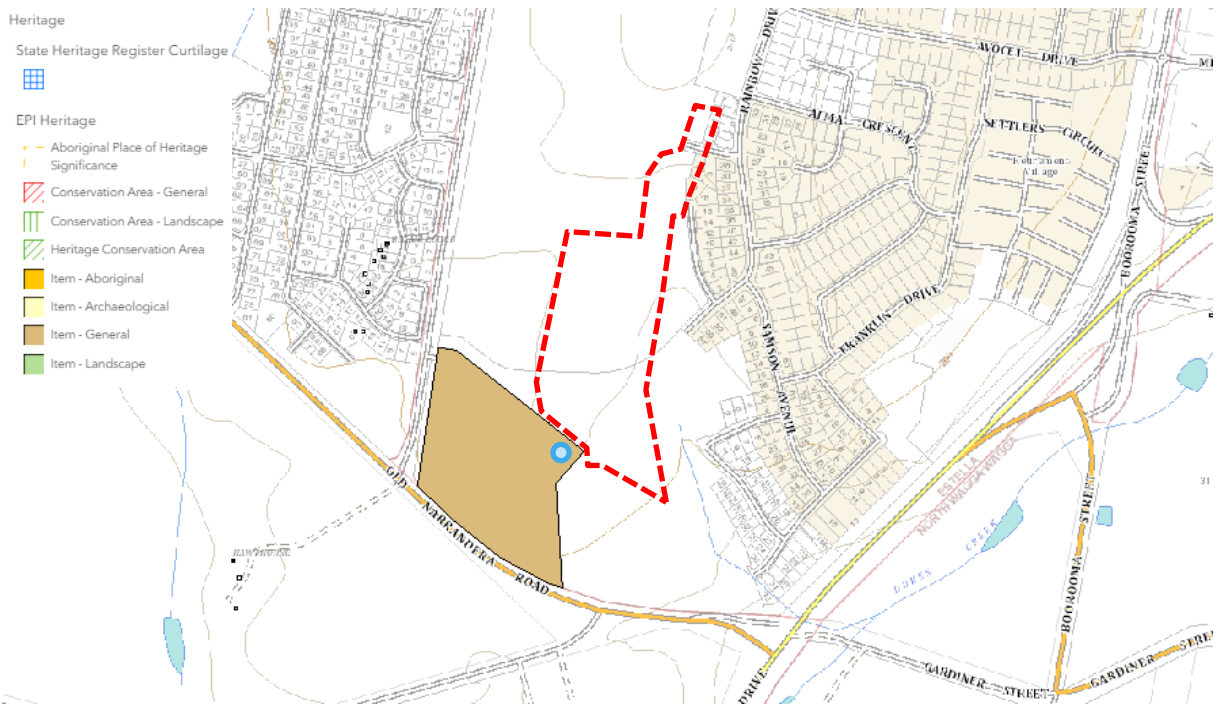


Figure 1 Extract of the heritage map for the subject area, showing the heritage item shaded brown, homestead indicated with a blue dot, and the subject land area for rezoning outlined in red (portion adjoining heritage item shown only)

Source: NSW Planning Portal 2021

¹ <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2560142>



Figure 2 Extract of 1966 historic aerial for the subject area, showing the heritage item outlined in yellow and approximate subject land area outlined in red (portion adjoining heritage item only)

Source: NSW Historical Imagery Image 1475_3W_082

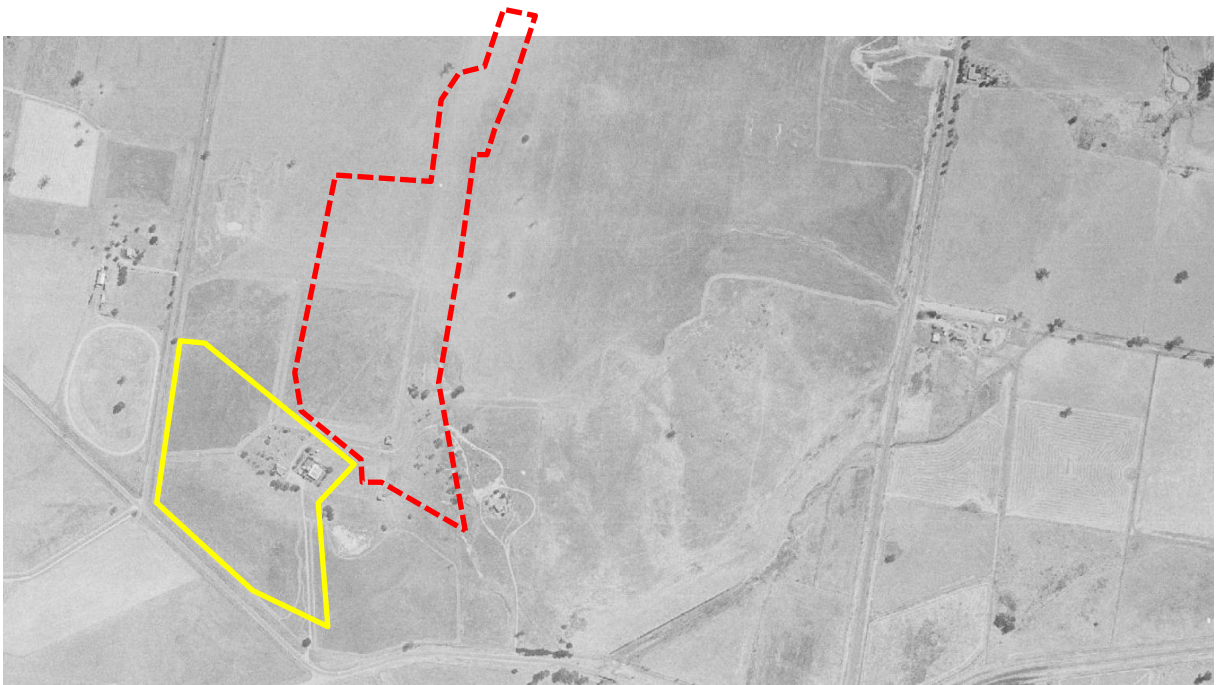


Figure 3 Extract of 1980 historic aerial for the subject area, showing the heritage item outlined in yellow and approximate subject land area outlined in red (portion adjoining heritage item only)

Source: NSW Historical Imagery Image 2906_02_075

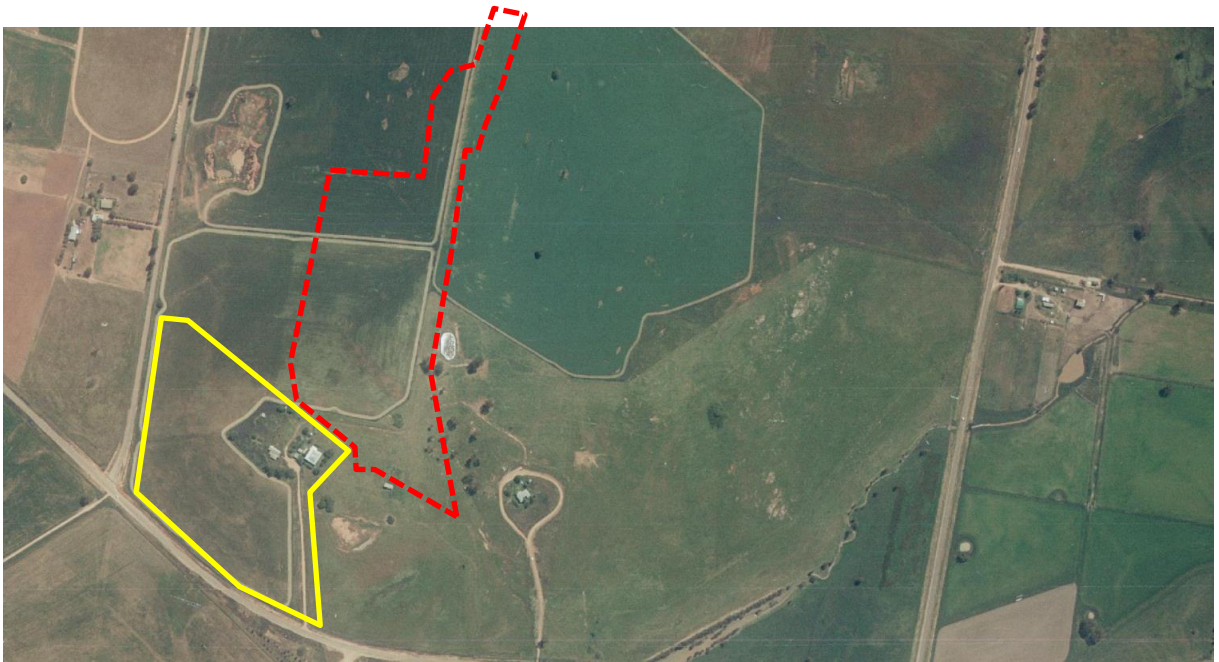


Figure 4 Extract of 1990 historic aerial for the subject area, showing the heritage item outlined in yellow and approximate subject land area outlined in red (portion adjoining heritage item only)

Source: NSW Historical Imagery Image 3757_03_147

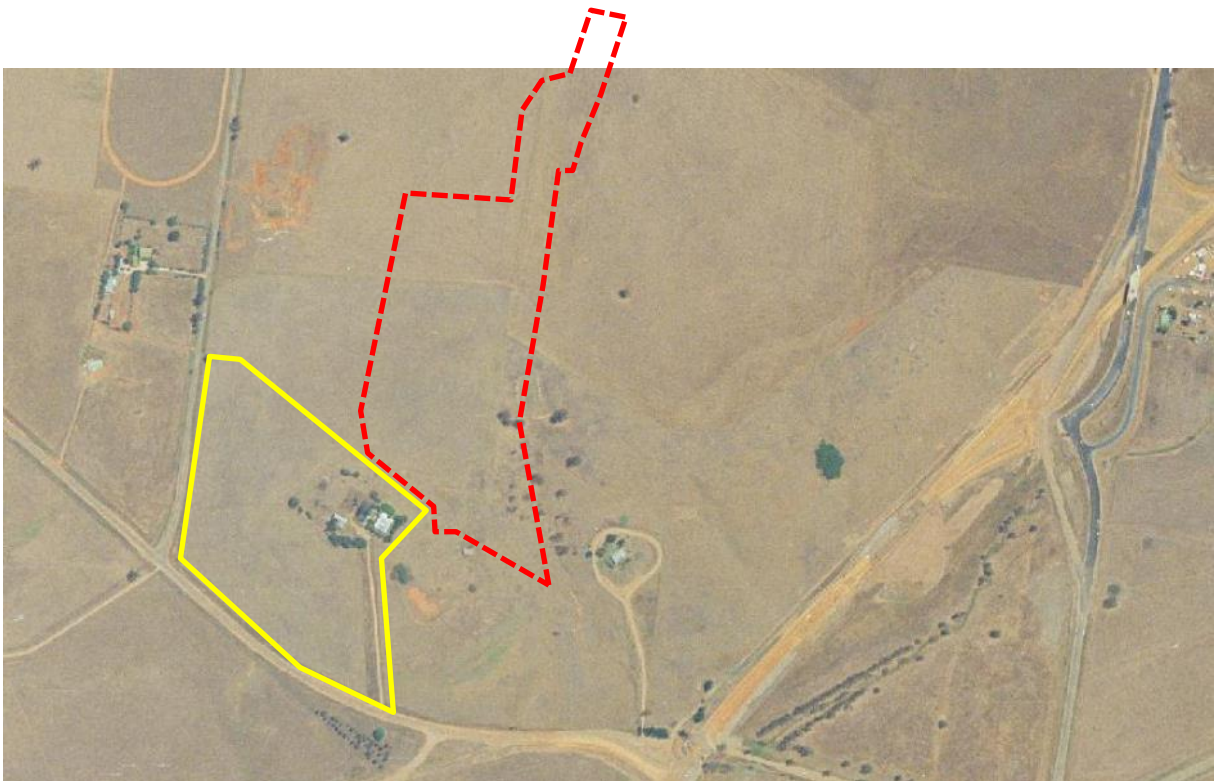


Figure 5 Extract of 2002 historic aerial for the subject area, showing the heritage item outlined in yellow and approximate subject land area outlined in red (portion adjoining heritage item only)

Source: NSW Historical Imagery Image 4337_02_269

3. DISCUSSION

We have been asked to provide advice on the sufficiency of the existing legislative framework to protect the heritage significance of the *Estella Homestead* heritage item in the event that the subject land (adjacent) is rezoned from RE1 Public Recreation and R5 Large Lot Residential to R1 General Residential.

We understand that the implications of the above changes in relation to the adjacent Estella Homestead heritage item are as follows:

- Land formerly zoned RE1 Public Recreation along the eastern half of the northern boundary of the heritage item will be rezoned to R1 General Residential. The western half of the northern boundary of the heritage item already adjoins R1 General Residential zoned land. The effect of the proposed rezoning will be that the former recreation land can be developed with residential development with an expected lot size of approximately 600 square metres, subject to Council consent.
- A small area of land formerly zoned R5 Large Lot Residential along the northern end of the eastern boundary of the heritage item will be rezoned to R1 General Residential. The effect of the proposed rezoning will be that the land can be developed with residential development with an expected lot size of approximately 600 square metres instead of 1,000 square metres, subject to Council consent. The remainder of the adjacent R5 Large Lot Residential to the east of the heritage item will be retained as R5 Large Lot Residential land.

Clause 5.10 'Heritage Conservation' of the *WWLEP2010* provides for the conservation of the environmental heritage of Wagga Wagga. Under Subclause (4), before granting consent the Council must consider the potential heritage impacts of a proposal on the heritage significance of the adjacent heritage item.

To assist the Council in their consideration of heritage impacts under Subclause (4), Subclause (5) requires that the proponent submits a 'heritage assessment' (i.e. a Heritage Impact Statement) with the proposal which should include the following information:

- Outline of the heritage context of the area including identification of all heritage items within the area in in the proximity.
- Identification of heritage significance of the subject area in line with the Heritage NSW Guideline for Assessing Heritage Significance, as well as identification of the established significance of the vicinity heritage items.
- Assessment of the proposal against relevant heritage related planning provisions (LEP, DCP, Heritage NSW Guidelines for Statements of Heritage Impact) to ascertain the potential heritage impacts of the proposal.
- Provision of mitigation measures included in the proposal to avoid, minimise or manager potential heritage impacts.

Further to the above, future approvals for works in the vicinity of the Estella Homestead heritage item are subject to and should be assessed against the provisions under *Section 3.2.4 Development in the vicinity of a heritage item*, under the Wagga Wagga Development Control Plan 2010, outlined below as follows:

Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item, in particular through an impact its setting. Determining whether a property is within the setting of a heritage item is a necessary component of the site analysis for proposal. Advice from Council's heritage advisor may be required to determine this. The analysis should consider historical property boundaries, significant vegetation and landscaping, archeologically features and significant views.

Objectives

O1 Encourage development in the vicinity of a heritage item to be designed and sited to protect the significance of the heritage item.

Controls

C2 Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:

- a) Providing an adequate area around the heritage item to allow its interpretation.*
- b) Retaining original or significant landscaping associated with the heritage item.*
- c) Protecting and allowing the interpretation of archaeological features associated with the heritage item.*
- d) Retaining and respecting significant views to and from the heritage item.*

A robust heritage impact assessment must be included as part of any future proposal to analyse how the proposal appropriately responds to the above provisions and mitigates potential heritage impacts. Council will use this assessment to determine whether or not the proposal sufficiently conserves the heritage significance of the Estella Homestead.

4. CONCLUSION

The existing legislative framework for heritage considerations as outlined above is considered to be sufficient in providing a framework for the proper assessment of potential heritage impacts of future proposals at Subdivision / Concept Development or Development Application stages.

Rezoning the land to the immediate north east of the existing Estella Homestead heritage item to R1 General Residential does not necessarily equate to new residential development being located immediately along this boundary if it cannot be demonstrated that the proposal respects and conserves the identified heritage significance of the adjacent heritage item.

A robust heritage impact statement must be prepared at all stages of future development to assist the Council / consent authority in their determination of the proposal and to assess the appropriateness of the proposal in respect to the heritage context of the place. Future proposals should be of a design which considers historical property boundaries, significant views to and from the heritage item, and a consideration of scale, massing and architectural design which respects the adjacent heritage item and minimises or removes adverse visual impacts.

Rezoning of the land to R1 General Residential does not negate the possibility of a sensitive subdivision response which incorporates appropriate physical and visual buffers and vegetative screening to minimise impacts.

I trust that the above advice assists. Please don't hesitate to contact the undersigned should you wish to discuss any aspect of this letter.

Yours sincerely,

A handwritten signature in cursive script that reads "Ashleigh Persian".

Ashleigh Persian
Associate Director | Heritage
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