

GO3 – Proposed Locality Boundary Change – Brownlow Hill Estate – from Orangeville to Brownlow Hill

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239945 TRIM 3260

EXECUTIVE SUMMARY

- That Council agree in principle with the request for the locality boundary change to include the Brownlow Hill Estate, currently in the locality of Orangeville to be within the locality of Brownlow Hill.
- That this support is based on the evidence that the three (3) land parcels within the estate, Lot 101 DP 1174065, Lot 102 DP 1174065 and Lot 1 DP 614348 are recognised on The NSW Office of Environment & Heritage (OEH) as State Significance and that the history of the Brownlow Estate originally inspired the Locality name of Brownlow Hill. Therefore it is appropriate to contain the Brownlow Hill Estate within the Brownlow Hill boundaries.
- That the proposal be placed on public exhibition for 28 days to invite community feedback.
- An additional report to be submitted to Council after the public exhibition period for final determination prior to the proposal being submitted to The Geographical Names Board (GNB) for approval and finalisation.

REPORT

BACKGROUND

The GNB received a request from a land owner (The Downes Family) to consider a boundary change to include their Brownlow Hill Estate currently in the locality of Orangeville to be in its entirety within the locality of Brownlow Hill. The GNB forwarded the proposal to Wollondilly Shire Council to review the request and to advise if Council supports the proposal.

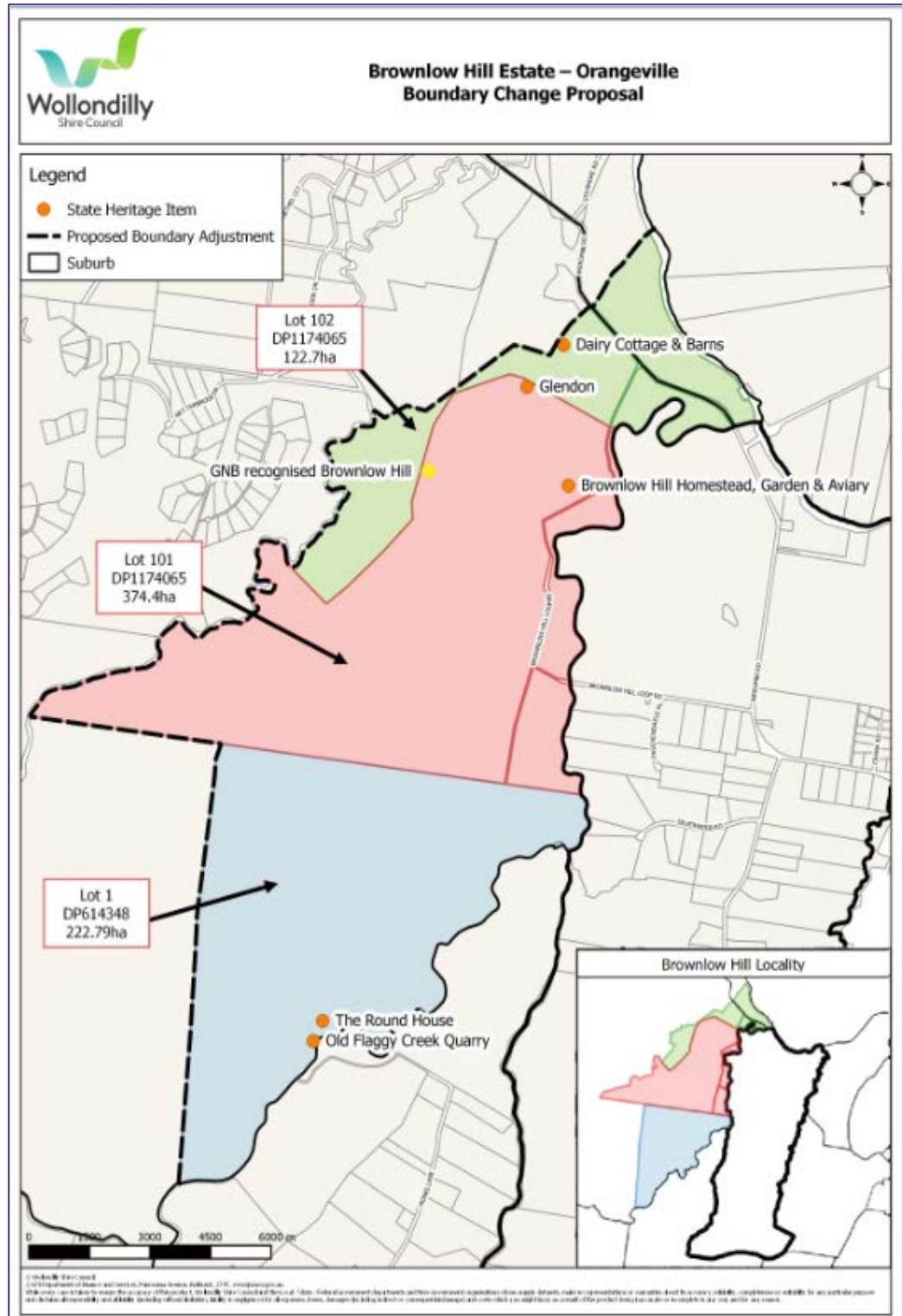
The owners request for their proposed boundary change submission for the Brownlow Hill Estate is as follows:

- To modify the boundary of Brownlow Hill to include the Heritage listed Brownlow Hill Estate within Brownlow Hill.
- The Brownlow Hill Estate is State Heritage listed in NSW. Further in-depth details of the Historical significance of the farm Brownlow Hill Farm can be found on the Office of Environment & Heritage Website. <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageltemDetails.aspx?ID=5051301>

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- Within the Estate/Farm is the location of Brownlow Hill, as named by Governor Macquarie on November 5, 1820, as well as the Brownlow Hill homestead, which was built on that site for Colonial Secretary George Macleay in 1827. It was also George Macleay who named the farm when he received it as a grant-by-purchase from Governor Darling. Due to the historical reference which undoubtedly inspired the suburb name Brownlow Hill, it is requested that Brownlow Hill farm be contained within its boundaries of the locality of Brownlow Hill not Orangeville.
- According to the historical reference the farm name and the hill inspired the naming of the suburb of Brownlow Hill and supports the Brownlow Hill Estate to be contained within the Boundaries of Brownlow Hill not Orangeville. The entire farm currently sits in Orangeville except for a small section in the north between Werombi Road and the Nepean River, which is currently classified as Theresa Park. All these lots are within Wollondilly Shire and has no effect on other land owners as the land borders onto Brownlow Hill Loop Road, to the North is owned by the same owner and the other borders are by creek/river lines.
- The boundary adjustment affects only the properties outlined in Heritage NSW which formed the original Brownlow Hill property boundaries established in April 16 1827 as granted by Governor Darling to George Macleay.

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Map - showing proposed lots to become Brownlow Hill and the points of the State Heritage items within the Brownlow Hill Estate

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Property Department Research/evidence

The Brownlow Hill Estate/Farm is listed on the NSW Office of Environment and Heritage (OEH), State Heritage Register, The Local Environment Plan, The National Trust of Australia and the Register of the National Estate.

The boundary change to include these three (3) lots (known as Brownlow Hill Estate) does not affect other land owners addressing changes. This land to be included within the boundaries of Brownlow Hill is rural setting and landscape and the proposal is in keeping with the current rural setting of Brownlow Hill.

The proposal has a clearer defined border change for Brownlow Hill by intersecting Werombi Road across the road rather than the current boundary running along part of the road’s centreline.

The Brownlow Hill Estate has had continuous family occupation (The Downes family) since 1859 with ownership from 1875 and is still in operation. The Brownlow Hill Estate is firmly placed in the community as one of the most evocative early European Estates in NSW. The OEH refers to the Brownlow Hill Estate as “Brownlow Hill is a rare substantially intact colonial farming estate with outstanding landscape setting with many rare surviving early colonial structures and features. It has one of the most prominent colonial gardens and estates in Australia with the extent of its considerable acreage and pattern of farming largely intact”.

Summary of the Brownlow Hill Estate - Lots proposed for boundary/locality change:-

NSW OEH recognised Brownlow Hill Estate (State Heritage)	Land area	Heritage Significance
Lot 101 DP 1174065	374.4 hectares	Brownlow Hill Estate: Homestead, Aviary, Garden, Trees, Stables and Glendon
Lot 102 DP 1174065	122.7 hectares	Brownlow Hill Estate: Old Dairy
Lot 1 DP 614348	222.9 hectares	Brownlow Hill Estate: Round House
Lot 1 DP 34265	Historic (not a current lot) as it was consolidated into Lots 101 & 102	
Total land Area	720 hectares	

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Property access is from three (3) locations:

1. From the north of Werombi Road, Orangeville into Brownlow Hill Loop Road, Orangeville.
2. From the east side of the property from Brownlow Hill Loop Road, Brownlow Hill across Orangeville border into the estate.
3. Via Monks Road, Mount Hunter. With the proposed change – Brownlow Hill Loop Road would be in its entirety in the locality of Brownlow Hill.

The approximate area of the current Locality of Brownlow Hill is 989.0814 hectares, with the addition of the three (3) proposed properties the area will increase by 720 hectares.

Strategic Planning Comments:

The Wollondilly Growth Management Strategy does not identify Brownlow Hill as a location for anticipated growth within the next 20 to 25 years. They also confirmed that there are no planning proposals to rezone land or change minimum lot sizes for subdivision that have been lodged for this area either.

Zoning – Lot 1 & Lot 101 are both zoned RU2 Landscape under WLEP 2011.

Lot 102 has two zonings of RU2 & RU1. Lot 102 can't be further subdivided due to its minimum lot size.

However the other two larger Lots 101 & 1 are quite large and may be further subdivided with approval from Council based on current minimum lot size. Note, there is no certainty that these properties would be developed into additional lots and all still would be subject to full merit assessment. The current minimum Lot size is expressed below:

- Lot 101 – 374.4 hectares - with a minimum lot size of 40 hectares.
- Lot 1 – 222 hectares - with a minimum lot size of 40 hectares.
- Lot 102 - 122.7 hectares – can't be further subdivided as stated above.

Strategic Planning stated that they didn't expect that a change in the locality boundary as proposed would affect the permitted land uses on the site. They may however need to carry out minor amendment to the LEP (for example, the schedule of heritage items in the LEP would need to be updated to reflect the new addresses).

The NSW Geographical Names Board (GNB) comments:

The GNB has reviewed the proposal of the three (3) lots to be changed to Brownlow Hill and stated that there is no boundary line concern with these three (3) proposed lots for change as they do not bisect any other land owner's cadastral lots.

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In the GNB Manual – The GNB Secretariat considers “less than 10 parcels affected. No advertising is required for the proposal subject to all parties being in agreement and the proposal having full support of the Local Government.” This report is recommending from a Local Government view to include public exhibition for this proposed boundary change and advertisement because of the size of the land to be changed (over 730 hectares) regarding community interest.

Note: Brownlow Hill was first assigned as a locality (in name only) on 30 April 1976. On 17 May 1991 the boundaries were officially determined for the locality and the boundaries were advertised for the public for comment before being assigned. However GNB did state that not all the public may have seen or been aware of the change. I have confirmed with the owners of the Brownlow Hill Estate that they were not communicated or aware of this boundary gazette in the past. GNB has no issues with new proposed boundary changes if the proposal has the support of Council.

This case meets the Geographical Names Board (GNB) guidelines that a locality boundary change can be submitted subject to all parties being in agreement and the proposal having the full support of the Local Government.

CONSULTATION

- Executive
- The Geographical Names Board
- Strategic Planning
- The NSW Office of Environment

FINANCIAL IMPLICATIONS

This proposal has no financial implications for Council.

ATTACHMENTS

Nil.

RECOMMENDATION

1. That Council agree in principle for the locality boundary change of the (3) land parcels within the Brownlow Hill Estate (Lot 101 DP 1174065, Lot 102 DP 1174065 and Lot 1 DP 614348), currently in the locality of Orangeville to be within the locality of Brownlow Hill.
2. That the proposal be placed on public exhibition for 28 days to invite community feedback.
3. That an additional report be submitted to Council after the public exhibition period for final determination prior to the proposal being submitted to the Geographical Names Board NSW (GNB) for approval and finalisation.