

### Hornsby Heritage Review - Stage 5

Proposal Title : **Hornsby Heritage Review - Stage 5**

Proposal Summary : **To amend the heritage schedule of Hornsby LEP to implement the recommendations of the Hornsby Heritage Study Review Stage 5. This includes:**

- Addition of 15 new items.
- Removal of 23 items which the Study concludes no longer warrant listing.
- Updating of 8 listings to reflect current significance.

**In addition the proposal updates 5 listings to reflect the current property description and/or street address, and deletes 1 item destroyed in a house fire in August 2012.**

PP Number : **PP\_2013\_HORNS\_002\_00**      Dop File No : **13/09827**

#### Proposal Details

|                                   |                                                                          |                      |                                         |
|-----------------------------------|--------------------------------------------------------------------------|----------------------|-----------------------------------------|
| Date Planning Proposal Received : | <b>05-Jun-2013</b>                                                       | LGA covered :        | <b>Hornsby</b>                          |
| Region :                          | <b>Sydney Region West</b>                                                | RPA :                | <b>The Council of the Shire of Horn</b> |
| State Electorate :                | <b>CASTLE HILL<br/>EPPING<br/>HAWKESBURY<br/>HORNSBY<br/>KU-RING-GAI</b> | Section of the Act : | <b>55 - Planning Proposal</b>           |
| LEP Type :                        | <b>Housekeeping</b>                                                      |                      |                                         |

#### Location Details

|               |                                   |            |               |
|---------------|-----------------------------------|------------|---------------|
| Street :      | <b>Various addresses</b>          |            |               |
| Suburb :      | <b>Various suburbs</b>            | City :     | <b>Sydney</b> |
| Land Parcel : | <b>Refer to planning proposal</b> |            |               |
|               |                                   | Postcode : |               |

#### DoP Planning Officer Contact Details

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#### DoP Project Manager Contact Details

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**Land Release Data**

|                                                                         |                              |                                                      |            |
|-------------------------------------------------------------------------|------------------------------|------------------------------------------------------|------------|
| Growth Centre :                                                         |                              | Release Area Name :                                  |            |
| Regional / Sub Regional Strategy :                                      | <b>Metro North subregion</b> | Consistent with Strategy :                           | <b>N/A</b> |
| MDP Number :                                                            |                              | Date of Release :                                    |            |
| Area of Release (Ha) :                                                  |                              | Type of Release (eg Residential / Employment land) : |            |
| No. of Lots :                                                           | <b>0</b>                     | No. of Dwellings (where relevant) :                  | <b>0</b>   |
| Gross Floor Area :                                                      | <b>0</b>                     | No of Jobs Created :                                 | <b>0</b>   |
| The NSW Government Lobbyists Code of Conduct has been complied with :   | <b>Yes</b>                   |                                                      |            |
| If No, comment :                                                        |                              |                                                      |            |
| Have there been meetings or communications with registered lobbyists? : | <b>No</b>                    |                                                      |            |
| If Yes, comment :                                                       |                              |                                                      |            |

**Supporting notes**

|                             |                                                                                                                                                                                                                                                                     |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Internal Supporting Notes : | <b>Council officers have raised no objections to Council exercising the Minister's plan making powers.</b>                                                                                                                                                          |
| External Supporting Notes : | <b>The 'Hornsby Heritage Review Stage 5' assessed suggested changes to the heritage schedule submitted as part of the public exhibition of the draft Hornsby Principal LEP, as well as other changes suggested by property owners and members of the community.</b> |

**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to implement the recommendations of the 'Hornsby Heritage Study Review Stage 5'.**

**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal includes a list of proposed amendments to the heritage schedule (Schedule D) of Hornsby Shire LEP 1994.**

**It also includes a list of amendments to the heritage schedule (Schedule 5) of the Draft Hornsby LEP 2013, if that instrument is made before the planning proposal is finalised.**

**The planning proposal includes the 'Hornsby Heritage Study Review Stage 5' report (Appendix A), which is a very comprehensive (700 page) review of the proposed changes to heritage items.**

**Appendix B of the planning proposal (Report to Council) includes summary tables of the proposed changes and the reasons for proposing these changes (Attachments 1 and 2). It**

would assist in understanding the reasons for the proposed provisions if these summary tables were directly included as an appendix to the planning proposal, with a reference in Part 2 - Explanation of the Provisions. This is recommended.

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

**2.3 Heritage Conservation**

**3.1 Residential Zones**

\* May need the Director General's agreement

**4.4 Planning for Bushfire Protection**

**5.1 Implementation of Regional Strategies**

**7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997)**

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain : **The planning proposal is consistent with all applicable S.117 directions and SEPPs.**

**Mapping Provided - s55(2)(d)**

Is mapping provided? **No**

Comment :

**Hornsby Shire LEP 1994 does not include maps showing the location of heritage items. The heritage maps for Draft Hornsby LEP 2013 have not yet been finalised, and therefore it is not possible at this time to produce a map showing the changes to be made to these maps.**

**The planning proposal identifies that changes to the heritage maps of Hornsby LEP 2013 will be required if that LEP is made before the planning proposal is finalised.**

**All proposed changes to the heritage schedule are clearly identified by street address and property description. A map is not required to identify the properties for public exhibition. However Council has advised that maps will be available for the public exhibition.**

**Community consultation - s55(2)(e)**

Has community consultation been proposed? **Yes**

Comment :

**It is proposed to exhibit the planning proposal for a period of 28 days. The proposal includes a Consultation Strategy (Appendix G). The strategy includes advertising, letters to affected property owners and to interested community groups.**

**Additional Director General's requirements**

Are there any additional Director General's requirements? **No**

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

**Proposal Assessment****Principal LEP:**

Due Date : **August 2013**

Comments in relation to Principal LEP :      **The planning proposal is to amend either Schedule D of Hornsby Shire LEP 1994 or Schedule 5 of the new Standard Instrument LEP, Hornsby LEP 2013 if, as expected, it is made before the planning proposal is finalised.**

**The planning proposal includes suggested changes to the heritage schedule submitted as part of the public exhibition of the principal LEP. The principal LEP rolls over the existing provisions, with the only changes being corrections to addresses or property descriptions.**

**Assessment Criteria**

Need for planning proposal :      **A planning proposal is required to amend the heritage schedule in the LEP to implement the recommendations of the 'Hornsby Heritage Study Review Stage 5'**

Consistency with strategic planning framework :      **The planning proposal is consistent with the 'Draft Metropolitan Strategy for Sydney to 2031'. In particular it is consistent with the following actions:**

**7.3 Identify significant heritage precincts to inform future planning.**

**7.4 Work with local councils to facilitate heritage protection schemes.**

Environmental social economic impacts :      **The proposal aims to protect the natural and built environment, Where the proposal is to remove a heritage item, this is because the Heritage Study has advised that the the heritage significance of the item has been substantially diminished or that it does not warrant protection as a heritage listed item.**

**Assessment Process**

Proposal type :      **Consistent**      Community Consultation Period :      **28 Days**

Timeframe to make LEP :      **9 Month**      Delegation :      **RPA**

Public Authority Consultation - 56(2)(d) :      **Office of Environment and Heritage**

Is Public Hearing by the PAC required?      **No**

(2)(a) Should the matter proceed ?      **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

**The planning proposal seeks to implement the recommendations of a comprehensive heritage review. Further studies are not required.**

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Identify any internal consultations, if required :

**No internal consultation required**

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

### Documents

| Document File Name                              | DocumentType Name        | Is Public |
|-------------------------------------------------|--------------------------|-----------|
| Hornsby_Heritage_Review_Covering_Letter.pdf     | Proposal Covering Letter | Yes       |
| Hornsby_Heritage_Review_Planning_Proposal.pdf   | Proposal                 | Yes       |
| Hornsby_Heritage_Review_Appendix_B.pdf          | Proposal                 | Yes       |
| Hornsby_Heritage_Review_Appendix_C_to_G.pdf     | Proposal                 | Yes       |
| Hornsby_Heritage_Review_Appendix_A_Volume_1.pdf | Proposal                 | Yes       |

### Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:      **2.3 Heritage Conservation**  
                                 **3.1 Residential Zones**  
                                 **4.4 Planning for Bushfire Protection**  
                                 **5.1 Implementation of Regional Strategies**  
                                 **7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :      **It is recommended that the planning proposal should proceed subject to the following conditions:**

1. Prior to public exhibition the planning proposal be amended to include summary tables in Attachments 1 and 2 of Appendix B as an appendix to the planning proposal, with a reference from Part 2 of the planning proposal.
2. Maps showing the location of the proposed changes to the heritage schedule be included in the public exhibition.
3. Public exhibition for a period of 28 days.
4. Consultation with the Office of Environment and Heritage.
5. Completion within nine months of the week following date of the gateway determination.
6. Delegation be given to Council to exercise the Minister's plan-making powers.

Supporting Reasons :      The planning proposal is to implement the recommendations of the 'Hornsby Heritage Study Review - Stage 5'. This is a very comprehensive study which forms part of the ongoing review of heritage provisions in the Hornsby LEP.

While the planning proposal includes a clear list of the changes proposed (Appendices C and D), it does not directly include a summary of the proposed changes or a summary of the justification for each change. This information is included as Attachments 1 and 2 to the report to Council, which is included as Appendix B. Understanding of the proposed changes during public exhibition would be greatly assisted if these attachments were included directly as an appendix to the planning proposal and referenced in Part 2 Explanation of Provisions.

Signature:



Printed Name:

T. DORAN

Date:

14/6/13