

Planning Services

Gateway Determination Report

LGA	North Sydney
RPA	North Sydney Council
NAME	Planning Proposal to list 'house' at 24 Cranbrook Avenue, Cremorne as an item of local heritage
NUMBER	PP_2017_NORTH_003_00
LEP TO BE AMENDED	North Sydney Local Environmental Plan 2013
ADDRESS	24 Cranbrook Avenue, Cremorne
DESCRIPTION	Lot 17 and DP 8862
RECEIVED	8 August 2017
FILE NO.	17/11170
QA NUMBER	qA416808
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of Planning Proposal

This planning proposal seeks to introduce a local heritage item by listing it in Schedule 5 Environmental Heritage Part 1 Heritage items and amending the relevant Heritage Map of the North Sydney LEP 2013. The proposal outlines the purpose to identify the site as a heritage item of local significance consistent with the outcomes of the heritage assessment undertaken by Lucas Stapleton Johnson.

Site Description

The subject site is located at 24 Cranbrook Avenue, Cremorne and is legally described as Lot 17 in DP 8862. The site adheres to a site area of 682m² in total.

The site contains a single storey detached residential dwelling, with a vehicular driveway located east of the site frontage. Due to the irregular shaped allotment, the dwelling is positioned in the front portion of the site, facing south west to the Cranbrook Avenue and Allister Street intersection. An associated deck and swimming pool is located in the rear backyard. Low density vegetation lines the perimeter of the allotment boundaries.

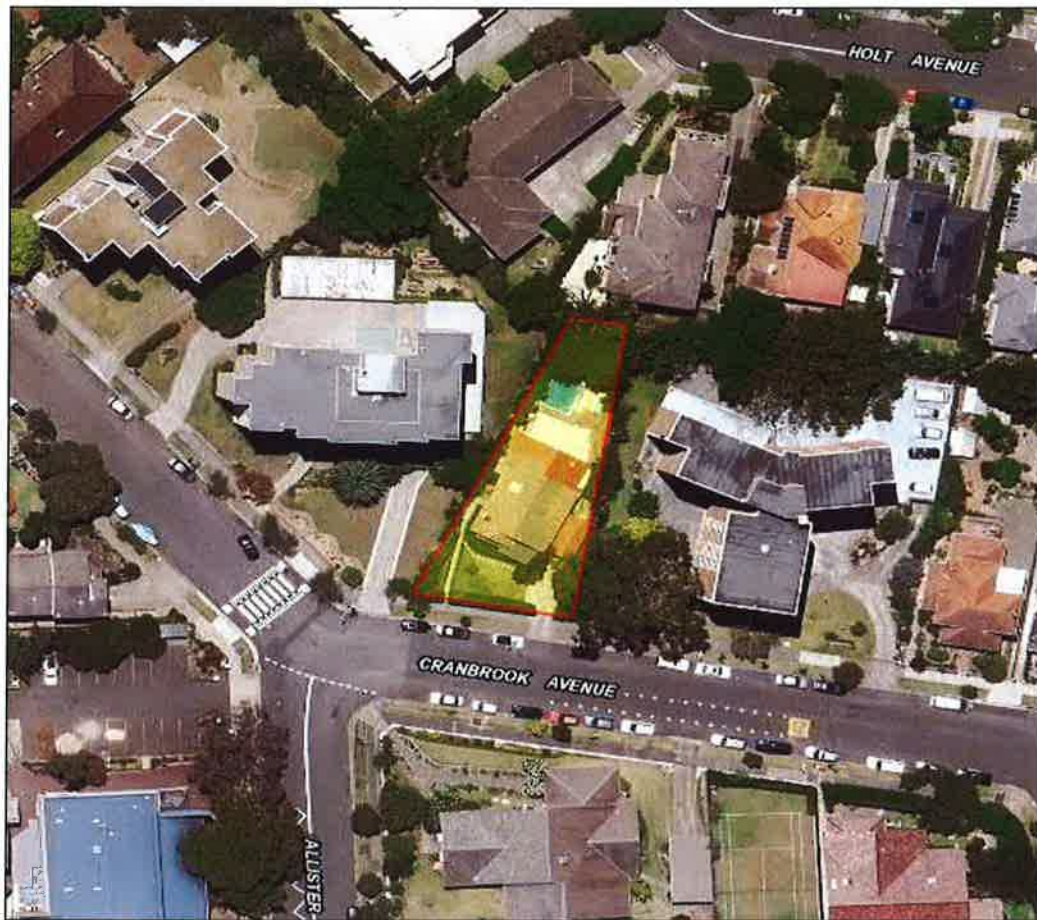


Figure 1: Aerial Map of subject site (SIX Maps)

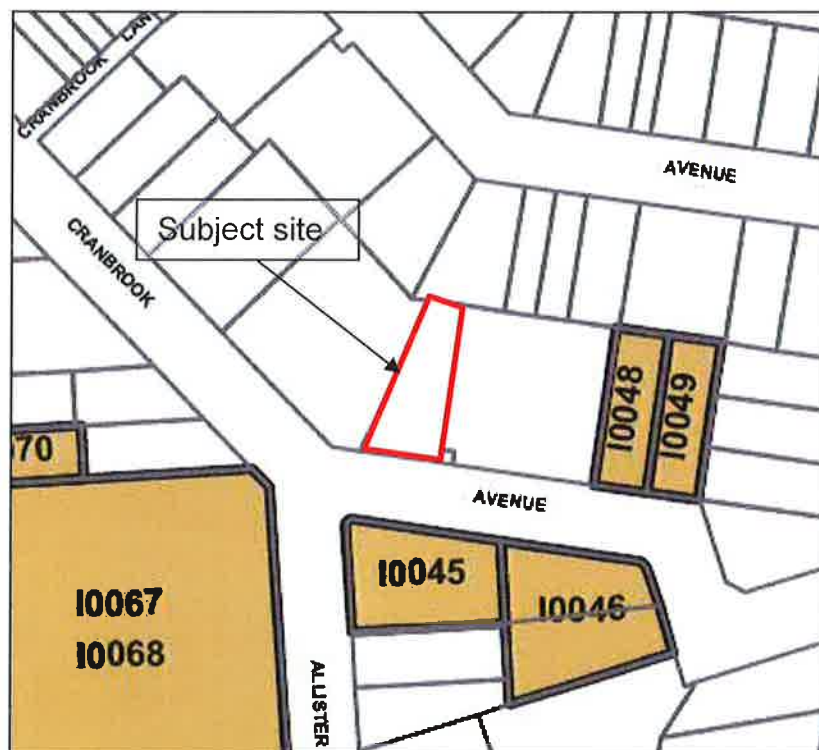


Figure 2: Extract of Heritage Map North Sydney LEP 2013 (NSW Legislation)

Surrounding Area

The subject site is located within an established residential locality, comprised of low to high density residential uses that include detached dwelling and residential flat buildings.

Cranbrook Avenue connects to Spofforth Street to the east and Military Road to the east, providing arterial connectivity to Cremorne and Neutral Bay Junctions.



Figure 3: Extract of Land Zoning Map North Sydney LEP 2013 (NSW Legislation)

Summary of Recommendation

It is recommended that the planning proposal proceed, subject to conditions.

The planning proposal will enlist the subject site as a heritage item to provide a more appropriate reflection of the heritage significance of the site.

PROPOSAL

Objectives or Intended Outcomes

The objective of the planning proposal is to provide long term protection of the heritage significance of the building.

Explanation of Provisions

The intent of the planning proposal is to amend the North Sydney LEP 2013 to:

1. Insert a new heritage item within Schedule 5 Environmental Heritage Part 1 Heritage Items as follows; and

<i>Locality</i>	<i>Item Name</i>	<i>Address</i>	<i>Property description</i>	<i>Significance</i>	<i>Item No.</i>
<u>Cremorne</u>	<u>House</u>	<u>24</u> <u>Cranbrook</u> <u>Avenue</u>	<u>Lot 17, DP</u> <u>8862</u>	<u>Local</u>	<u>I1136</u>

2. Amend and replace the relevant North Sydney LEP 2013 Heritage Map.

Mapping

Indicative mapping have been provided with the proposal and is deemed sufficient. Mapping prepared in accordance with DPE technical guidelines will be required for submission at section 59 stage of Gateway.

NEED FOR THE PLANNING PROPOSAL

The need for the planning proposal has arisen from the recommendations to a heritage assessment of the property prepared in response to the issuing of an Interim Heritage Order (IHO) over the property by Council on 26 May 2017. The intention of the IHO over the property arose from community concern during the assessment of a development application DA 75/2017 that sought to demolish the dwellings at 24 Cranbrook Avenue and construct an eleven (11) storey residential flat building above basement parking.

The heritage assessment concludes that the subject site satisfactorily meets the State Heritage Inventory (SHI) criteria for a local heritage listing. The assessment states the house is of aesthetic significance as a good example of a mostly intact Californian bungalow, designed by a noted early 20th century architect, Edwin Roy Orchard. The assessment notes the house is also of historical significance as forming part of the early history of the residential development of the suburb of Cremorne and retains the original site boundaries first established in 1917 as part of the subdivision of the Cremorne Heights Estate.

It is visually prominent in the streetscape of Cranbrook Avenue. The house, together with No's 7,11, 32 and 34 Cranbrook Avenue, forms part of an important group of early 20th century residences that together represents the range of styles, forms and detailing of domestic architecture at the time.

The planning proposal intends to recognise the significance of the house as a local heritage item under Schedule 5 Part 1 of the North Sydney LEP 2013. A planning proposal is the only means to alter Schedule 5 of the North Sydney LEP 2013 to accurately reflect the heritage significance of the item.

STRATEGIC ASSESSMENT

State

A Plan for Growing Sydney

The planning proposal outlines there are no specific directions and actions identified with A Plan for Growing Sydney.

The Plan, in particular Action 3.4.4, which outlines that 'the government is committed to identifying, protecting and managing areas with heritage significance'. The proposal

demonstrates broad consistency with this Action as it outlines how the amendment propose protects an item of local heritage significance in the North Sydney LGA.

Towards Our Greater Sydney 2056 (draft)

The planning proposal makes no reference to Towards Our Greater Sydney 2056 (draft). The planning proposal is broadly consistent with the Liveable Greater Sydney, Metropolitan Priority Aim, 'respect and enhance heritage areas and assets'. The proposal is generally consistent with this aim, as it will amend the LEP to provide a long-term protection of the heritage significance of the building.

Regional / District

Draft North District Plan (District Plan)

The proposal outlines that the proposed amendment is broadly consistent with the draft North District Plan, Liveability Priority 7, 'conserve heritage and unique local characteristics'.

The proposal is consistent with the *draft North District plan*, as it addresses Action L13 and Liveability Priority 7 by proposing to list the site as a heritage item because of its historic and aesthetic significance of architecture within the Cremorne Heights Estate. The planning proposal is the sufficient mechanism for Council to provide protection of the site, under the current heritage conservation provisions of the North Sydney LEP 2013.

Local

North Sydney Residential Development Strategy (RDS)

The planning proposal outlines the North Sydney RDS identifies the potential for additional dwellings within the LGA and more specifically North Cremorne. The planning proposal outlines the strategy relates to the site as its zoned R4 High Density Residential, however states the property is excluded from the calculations within the RDS, as it was not considered viable for redevelopment due to the site considered as being heritage listed.

The planning proposal considers that the listing of the heritage site as a heritage item under North Sydney LEP 2013 will not have any impact on the dwelling quotas established under the RDS.

The Department notes that the size and irregular shape of the allotment would not support intensified residential development.

North Sydney Local Development Strategy (LDS)

The planning proposal outlines that the amendments are consistent with the North Sydney LDS as it reflects the outcomes sought by the Metropolitan Plan and former draft Inner North Subregional Strategy.

North Sydney Community Strategic Plan 2013-2023

The planning proposal outlines the proposal is consistent with the North Sydney Community Strategic Plan 2013-2023, in particular the Our Built Environment direction and Our Social Vitality direction which outlines that effective management of North Sydney's heritage for preservation and value.

North Sydney Council Delivery Program 2013/14 - 2016/17 (Delivery Program)

The planning proposal outlines the amendments is consistent with the North Sydney Delivery Program as it supports the vision and the directions of the Community Strategic Plan.

Section 117(2) Ministerial Directions

Direction 2.3 Heritage Conservation

The Direction applies to the planning proposal as it conserves an item of environmental heritage significance. It requires that a planning proposal contain provisions that facilitate the conservation of items identified in a study of environmental heritage of the area.

The heritage assessment concluded that the subject property satisfies the relevant State Heritage Inventory criteria for a local heritage listing and thereby warrants a listing as a heritage item under the North Sydney LEP 2013.

The planning proposal seeks to undertake minor amendments to the heritage map and Schedule 5, Part 1 of North Sydney LEP 2013 to include an additional item of heritage significance resulting from the recommendations of a heritage assessment of the subject site.

The planning proposal recognises that the amendments do not alter the existing heritage conservation provisions which already satisfy the requirements of this Direction. It is considered that the planning proposal is consistent with Direction 2.3 Heritage Conservation.

State Environmental Planning Policies

No State Environmental Planning Policies are considered relevant to the subject site or the proposal.

SITE SPECIFIC ASSESSMENT

Social

The planning proposal is in response to objections raised during the exhibition of a development application relating to the demolition of the dwelling. In response to the resident's concerns of the heritage significance of the property, Council subsequently engaged an external heritage consultant to undertake a comprehensive heritage assessment of the subject site.

The heritage assessment determined the subject site and building had sufficient heritage significance to warrant the listing as a heritage item under the North Sydney LEP 2013. The intent of the planning proposal would satisfy the concerns of the local community.

Additionally, as considered in the planning proposal, the public exhibition of the planning proposal will provide additional opportunity for the owners of the property and the wider community to determine whether heritage listing of the subject site is considered appropriate.

Environmental

Heritage

The need for the planning proposal has arisen from the recommendations to a heritage assessment. It is considered that the proposed amendments will list and thereby facilitate the conservation of the item for heritage purposes. Consultation with Office of Environment and Heritage will be required in relation to this matter.

CONSULTATION

Community

Council has recommended consultation will be undertaken in accordance with the requirements made by the Gateway Determination. A public exhibition period of fourteen (14) days is required as the proposal is of 'low impact' as described in A Guide to Preparing LEPs (Department of Planning and Environment 2016)

Agencies

The Office of Environment and Heritage should be consulted during public exhibition as the proposal relates to a proposed item of heritage significance.

TIMEFRAME

Council have proposed a timeframe for completion of the LEP of 6 months. This timeframe is considered to be appropriate.

DELEGATION

Council have requested delegation to make the plan. The planning proposal is deemed to be of local significance and Council is therefore authorised to exercise delegations.

CONCLUSION

The planning proposal is supported to proceed, subject to conditions as outlined below. The planning proposal is considered to have planning merit as it provide a long-term protection of the heritage significance of the subject site.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. Agree the proposal is consistent with section 117 Direction 2.3 Heritage Conservation.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 14 days.
2. Consultation is required with the Office of Environment and Heritage.
3. The timeframe for completing the LEP is to be 6 months from the date of the Gateway determination.

4. Given the nature of the planning proposal, Council should be authorised to exercise delegation to make this plan

 29/8/17
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