

Planning Services

Gateway Determination Report

LGA	Ryde
PPA	City of Ryde Council
NAME	Proposal to list the property at 330 Rowe Street, Eastwood as a local heritage item.
NUMBER	PP_2018_RYDEC_003_00
LEP TO BE AMENDED	Ryde Local Environmental Plan 2014
ADDRESS	330 Rowe Street, Eastwood
DESCRIPTION	Lot 3 DP 18275
RECEIVED	2 February 2018
FILE NO.	IRF18/525
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

The planning proposal for the site at 330 Rowe Street, Eastwood seeks to amend Ryde Local Environmental Plan 2014 by including the site as a new local heritage item in Schedule 5 Environmental Heritage Part 1 Heritage Items and amend the relevant heritage map. The site contains a detached single dwelling constructed in 1907.

Site description

The site is rectangular with an area of approximately 1,112m². It is on the southern side of Rowe Street between Darvall Road and Wentworth Road (Figure 1, next page).

A one-storey Federation Queen Anne Style house is contained within the site. Built in 1907, the house was designed with its main elevations to the north and east, with a veranda wrapping around most of the house. The house contains five bedrooms, a dining room, a kitchen/living area, three bathrooms and a laundry.

When viewed from Rowe Street, the house is well set back within the site, resulting in a larger front garden than neighbouring houses (Figure 2, next page). The site includes an in-ground pool in the rear yard in the site's south-eastern corner. There is also a modern double detached garage within the front setback of the site facing the street.



Figure 1: Subject site and surrounding development (source: SIX Maps).



Figure 2: Front view of subject house (source: Paul Davies Pty Ltd).

Surrounding area

The site is within an established residential locality comprised of low-density detached one-storey and two-storey dwellings. No 328 Rowe Street to the east is occupied by a large late 20th-century brick two-storey house. No 332 Rowe Street to the west is occupied by a single-storey dark brick 1930s-1940s house. Directly opposite the site are houses with large front setbacks and thick vegetation along front boundaries, which largely obscure the houses when viewed from the street.

The closest heritage conservation area to the site is the Brush Farm Park Conservation Area (C1) to the west of the site, which contains several heritage items. Additional heritage items are located to the east of the site (Figure 3).

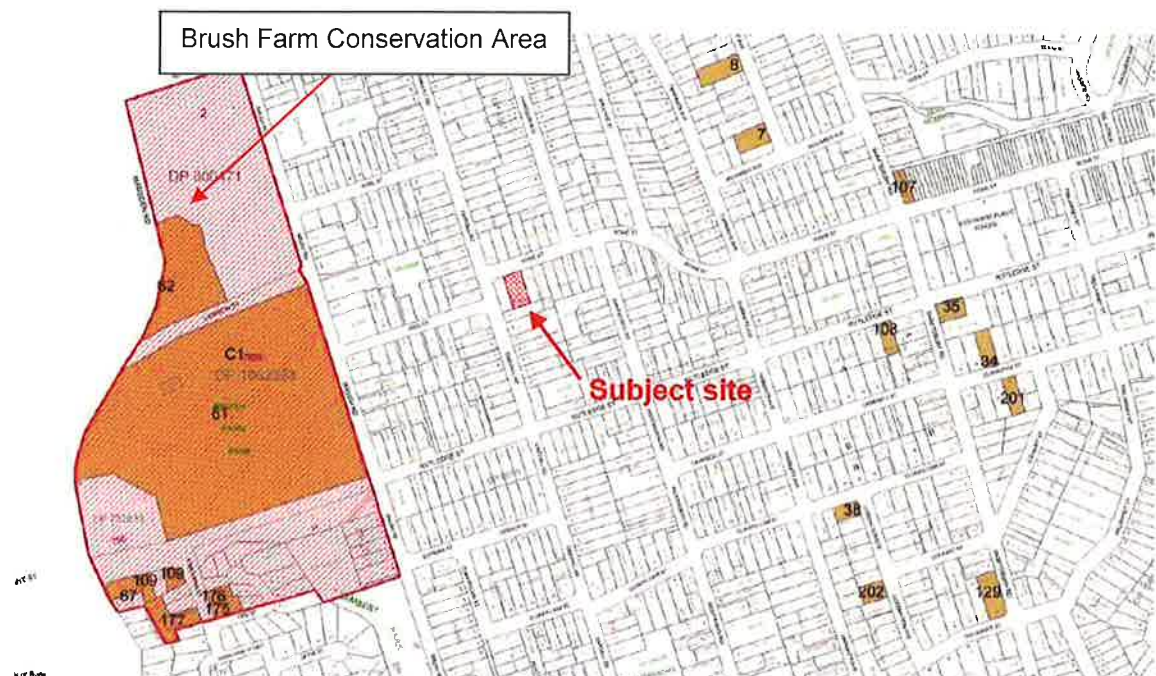


Figure 3: Ryde LEP 2014 heritage map of area.

Summary of recommendation

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

The planning proposal will list the subject site as a heritage item to ensure the ongoing conservation of the property.

PROPOSAL

Objectives or intended outcomes

The objective of the proposal is to ensure the protection of the dwelling and associated grounds from any development that could adversely affect the heritage significance of the property.

Explanation of provisions

The explanation of provisions adequately addresses the intended method of achieving the objectives of the planning proposal. The planning proposal intends to:

- amend Ryde LEP 2014 Schedule 5 Environmental Heritage to include the subject property as a local heritage item; and
- amend Ryde LEP 2014 heritage map to identify the subject property as a local heritage item.

Mapping

The planning proposal includes mapping showing the proposed change to the heritage map, which is suitable for community consultation.

Background

Ryde Heritage Study 2010

From 2003 to 2010, City of Ryde Council undertook a heritage assessment of the local government area (LGA). Approximately 71 properties were identified and recommended for heritage listing, together with amendments to existing listings. The site at 330 Rowe Street, Eastwood was identified for heritage listing as it reflected a substantially intact Federation-style dwelling in excellent condition and a representative example of the architectural style because of its high degree of integrity.

On 17 August 2010, Council considered the Draft Ryde Heritage Study 2010 and resolved not to pursue the heritage listing of any identified property unless the landowner applied for a heritage listing. Council advises that at the time, the landowner did not request heritage listing and as a result the site was not heritage listed under the provisions of Ryde LEP 2014.

Development application

On 11 October 2017, a development application was lodged with Council to demolish the existing dwelling and construct a two-storey child care centre for 74 children, with basement parking.

The development application was exhibited from 23 October 2017 to 15 November 2017 (D2017/0412). In response, Council received a petition containing 150 names and several individual submissions. These submissions raised concern regarding the proposed demolition of the building given its heritage significance. Council advises that the development application has since been withdrawn by the applicant.

Interim heritage order

In response to the community's concerns, on 28 November 2017 Council resolved to place an interim heritage order over the subject site, which is in place for up to 12 months. Council also resolved to prepare a planning proposal to list the property as a local heritage item and submit it to the Department of Planning and Environment for Gateway determination.

Heritage assessment report

The planning proposal is supported by a heritage assessment report prepared by Paul Davies Pty Ltd. The report provides an assessment against the formal criteria contained in *Assessing Heritage Significance*, published by the NSW Heritage Office. An item is considered to be of heritage significance if, in the opinion of the Heritage Council of NSW, it meets one or more of the following criteria. The report considers the subject property meets five of the seven formal criteria as summarised below:

Criterion A – historical significance

The house on the site is named "Kingsley" and was built in 1907. It is evidence of the early development of the Eastwood area. The site of the house was originally larger, with the main orientation of the dwelling orientated towards an extensive lawn area as depicted in the Water Board survey of Eastwood in 1937 (Figure 4, page 6) and an image from approximately 1910 shown in Figure 5 (page 6).

Although this land was subdivided in 1938, the orientation of the house (with main elevations to the east and north) is of historical significance as it is evidence of the original much larger landholding the house was built on.

The assessment finds that the item meets the threshold for inclusion under this criterion.

Criterion B – historical significance (association)

The heritage assessment states that the house has historical association with its original owners, Mr James Vinrace Vale and his wife, Mrs Adelaide Selina Vale, who commissioned the design and construction of the house and resided at the property from 1908 to 1912.

Mr Vale was a prominent 20th-century mining engineer and entrepreneur whose activities were frequently reported in newspapers of the time, and he and his wife were later pioneers in the Lake Macquarie district, commemorated in the naming of Vale's Point, Mannering Park.

The house also has historical association with its designer, local architect Mr Charles Robert Summerhayes, who was prominent in the local area. Mr Summerhayes was responsible for several subdivisions in the area, the design of 42 residences in Eastwood in the early 20th century and several other buildings in the area. Mr Summerhayes was also Mayor of Ryde from 1911 to 1912.

The assessment finds that the item meets the threshold for inclusion under this criterion.

Criterion C – aesthetic/technical significance

The report states that the house is a fine representative architect-designed example of the Federation Queen Anne style, with two main northern and eastern elevations distinguished by gable ends and verandas reflective of the original setting of the house within extensive grounds.

The assessment finds that the item meets the threshold for inclusion under this criterion.

Criterion D – social significance

To be considered under this criterion, it must be demonstrated that the house has a strong or special association with a community or cultural group. The heritage assessment submitted with the proposal states that this aspect has not been researched.

The assessment finds that the item does not meet the threshold for inclusion under this criterion.

Criterion E – research potential

To be considered for inclusion under this criterion, it must be demonstrated that the house has potential to yield information that will contribute to the understanding of the area's cultural or natural history. The heritage assessment states that the property is unlikely to have significant archaeological potential.

The assessment finds that the item does not meet the threshold for inclusion under this criterion.

Criterion F – rarity

The heritage assessment states that the subject house is locally rare as it is known to have been designed by prominent early 20th-century local architect Mr Charles Robert Summerhayes. There is only one other house in the Ryde LGA known to

have been designed by Mr Summerhayes, being his own residence, "Woomerah", at 31 Trelawney Street, Eastwood.

The assessment finds that the item meets the threshold for inclusion under this criterion.

Criterion G – representative

The heritage assessment considers that the house is a fine representative example of an architect-designed Federation Queen Anne Style residence.

The assessment finds that the item meets the threshold for inclusion under this criterion.



Figure 4: Water Board Plan 1937 showing the building footprint and boundaries.



Figure 5: Image of house in approximately 1910 of eastern and northern elevations (source: Paul Davies Pty Ltd).

NEED FOR THE PLANNING PROPOSAL

The need for the planning proposal has arisen from a Council resolution of 28 November 2017, which resolved to prepare a planning proposal to list the property as a local heritage item.

The heritage assessment submitted with the proposal concludes that the subject house should be retained and conserved. A planning proposal is the best way to protect the heritage significance of the property.

STRATEGIC ASSESSMENT

State

A Plan for Growing Sydney

The plan is a long-term strategic plan for metropolitan Sydney that outlines goals to guide future development across the city.

Action 3.4.4 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 proposes to protect an item of local heritage significance in the Ryde LGA.

Draft Greater Sydney Region Plan

The plan provides a 40-year vision for Greater Sydney promoting collaboration across government to align land-use planning with future transport services. It is designed to inform district plans, local plans and the assessment of planning proposals.

The proposal is broadly consistent with Objective 13 of the plan, which seeks to ensure that environmental heritage is conserved and enhanced. The objective states that heritage identification, management and interpretation are required so heritage places and stories can be experienced by current and future generations. The ongoing conservation of the subject house positively responds to this objective.

Regional / district

Revised Draft North District Plan

The proposal outlines that the proposed amendment is broadly consistent with the plan's Planning Priority N6 *Creating and renewing great places and local centres, and respecting the District's heritage*.

The proposal states that it seeks to ensure future generations can appreciate the unique aesthetic significance of the property. Ensuring the property's protection respects the district's heritage and can retain the character of Eastwood and the local centres in the City of Ryde.

Local

The City of Ryde 2025 Community Strategic Plan

The planning proposal states that it is in line with the goals and strategies of the plan as it responds to the community's sense of identity to their neighbourhood and a desire for liveable neighbourhoods by protecting local heritage.

The Ryde Heritage Study 2010 sought heritage recommendations from the community and the subject site was identified for heritage listing. As previously mentioned, this heritage listing was not acted on at the time as Council resolved to only list properties where the owners consented to the heritage listing.

The proposed listing of the site responds to this previous heritage consultation with the community and will assist with its ongoing conservation.

Section 9.1 Ministerial Directions

Direction 2.3 Heritage Conservation

This Direction applies to the planning proposal as it conserves an item of environmental heritage. 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 report concludes that the property satisfies the threshold for five of the seven formal criteria contained in *Assessing Heritage Significance*, published by the NSW Heritage Office.

It is considered that the planning proposal is consistent with this Direction.

The proposal is consistent with all other relevant section 9.1 Directions.

State environmental planning policies

No SEPPs 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. The concerns relate to the detrimental impacts the demolition of the house would have on the historical understanding of the area. The intent of the planning proposal to retain the subject house responds to the community's concerns.

Environmental

The planning proposal will not affect any critical habitat, threatened species, populations, ecological communities or their habitats, nor is it expected to have any adverse environmental effects.

Economic

The site is not within any identified urban renewal areas and there is limited potential for substantially increased density on the site under current planning controls.

CONSULTATION

Community

Council has recommended consultation will be undertaken in accordance with the requirements made by the Gateway determination. Council advises that a consultation period of 28 days is anticipated. In light of the existing development application and community interest, a public exhibition period of 28 days is considered appropriate.

Agencies

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

TIME FRAME

The planning proposal includes a project timeline, which anticipates a time frame of approximately six months for completion of the LEP. This time frame is considered appropriate.

LOCAL PLAN-MAKING AUTHORITY

Council has not requested authorisation to be the local plan-making authority. Considering the level of community response to the development application, it is recommended that Council not be authorised to be the local plan-making authority.

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 will ensure the long-term protection of the heritage significance of the site.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree the proposal is consistent with section 9.1 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 28 days;
2. consultation is required with the Office of Environment and Heritage;
3. the time frame for completing the LEP is to be six months from the date of the Gateway determination; and
4. Council is not authorised to be the local plan-making authority.

Wayne Williamson
Team Leader, Sydney Region East

Amanda Harvey
Director, Sydney Region East
Planning Services

Contact Officer: Kris Walsh
Senior Planner, Sydney Region East
Phone: 9274 6299