

**Hunters Hill Local Environmental Plan 2012 - Planning proposal to amend Schedule 5
Environmental Heritage and heritage maps**

Proposal Title : **Hunters Hill Local Environmental Plan 2012 - Planning proposal to amend Schedule 5
Environmental Heritage and heritage maps**

Proposal Summary : **This planning proposal seeks to amend the Hunters Hill Local Environmental Plan 2012 (LEP 2012), to make minor corrections to heritage maps, minor administrative changes, and add 4 heritage items and remove 1 heritage item under Schedule 5 Environmental Heritage.**

PP Number : **PP_2014_HUNTE_002_00** Dop File No : **14/17056**

Proposal Details

Date Planning Proposal Received : **11-Dec-2014** LGA covered : **Hunters Hill**

Region : **Metro(CBD)** RPA : **The Council of the Municipality of**

State Electorate : **LANE COVE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Housekeeping**

Location Details

Street : **10 Cowell Street**

Suburb : **Gladesville** City : **Sydney** Postcode : **2111**

Land Parcel : **Lot DP 952446**

Street : **7 Batemans Road**

Suburb : **Gladesville** City : **Sydney** Postcode : **2111**

Land Parcel : **Lot 4 DP 9535**

Street : **13 Alexandra Street**

Suburb : **Hunters Hill** City : **Sydney** Postcode : **2110**

Land Parcel : **Lot 1 DP 929967**

Street :

Suburb : City : Postcode :

Land Parcel : **Pedestrian and vehicular tunnel under Victoria Road (heritage item 504 and 505 under the previous Hunter's Hill LEP No. 1)**

Street : **5 Ferdinand Street**

Suburb : **Hunters Hill** City : **Sydney** Postcode : **2110**

Land Parcel : **Lot 1 DP 782745**

Street : **10 Ferdinand Street**

Suburb : **Hunters Hill** City : **Sydney** Postcode : **2110**

Land Parcel : **Lot 4 DP 976381**

Street : **173, 175, 177, 179, 181, 183 Victoria Road**

Suburb : **Gladesville** City : **Sydney** Postcode : **2111**

Land Parcel :

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Street : **18 Gale Street**

Suburb : **Woolwich**

City : **Sydney**

Postcode : **2110**

Land Parcel : **Lot 4 DP 213058**

DoP Planning Officer Contact Details

Contact Name : **Nava Sedghi**

Contact Number : **0285754117**

Contact Email : **navasedghi@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Edna Grigoriou**

Contact Number : **029879944**

Contact Email : **GrigoriouE@huntershill.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy :

Consistent with Strategy :

MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : **0**

No. of Dwellings
(where relevant) : **0**

Gross Floor Area : **0**

No of Jobs Created : **0**

The NSW Government
Lobbyists Code of
Conduct has been
complied with : **Yes**

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting
Notes : **1. Proposed heritage item - 10 Cowell Street, Gladesville**

Background information

The planning proposal seeks to list 10 Cowell Street, Gladesville as a heritage item under

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LEP 2012. The site contains a timber cottage owned by Hunters Hill Council.

Under the previous Hunter's Hill Local Environmental Plan No. 1 (LEP No.1), the site was listed under Schedule 7 Contributory buildings. This listing identified that the cottage contributed to the history, identity and character of the area.

During the preparation of the Hunters Hill standard instrument LEP in 2011, Council referenced the Hunters Hill heritage study prepared by Paul Davies in 2005. Based on the recommendations of the study, 52 properties were identified as potential new heritage items for the LEP 2012. The cottage at 10 Cowell Street, Gladesville was included in the recommendation.

During the public exhibition of the LEP 2012 from 23 April 2012 to 21 May 2012, the cottage was proposed to be listed as a heritage item. No submissions were received in relation to the site's proposed heritage listing.

In support of the planning proposal, Council has provided the draft heritage inventory sheet for the site that was available during the public exhibition period of the LEP 2012. The Statement of Significance indicates that the site contains a "rare surviving timber cottage in vernacular Edwardian style at the periphery of the Gladesville Village commercial centre."

On 23 July 2012, Council resolved to defer the heritage listing of the site under LEP 2012, to allow further consideration of the proposed listing under Schedule 5.

On 24 June 2014, the Hunters Hill Trust (community organisation) wrote to Council expressing the view that Council should undertake the process of heritage listing the cottage.

On 28 July 2014, Council resolved to list the site as a heritage item under Schedule 5 of LEP 2012.

2. Preliminary consultation with the Office of Environment and Heritage (OEH)

The planning proposal was referred to OEH for preliminary support to progress to the Gateway stage. The Department has not received any comments from the OEH to date. Should the planning proposal progress to a Gateway, it is recommended a condition be placed requiring consultation with OEH.

3. Delegation of plan-making functions

Hunters Hill Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Council has provided Attachment 4 - Evaluation criteria for the delegation of plan making functions. Delegation is considered appropriate as the matter is of local significance.

External Supporting
Notes :

Council supports this planning proposal for the following reasons:

- the proposed listing of 10 Cowell Street, Gladesville as a local heritage item is recommended by Council's heritage officer and outcome of the Hunters Hill heritage study;
- the proposed listing of 3 heritage items are a translation from the previous LEP No.1 to LEP 2012;
- the removal of a heritage item is necessary because it is a duplication and it is already listed under another address under Schedule 5; and
- the heritage mapping and administrative amendments under Schedule 5 are considered minor and are necessary to reflect correct heritage data.

Adequacy Assessment

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Statement of the objectives - s55(2)(a)

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

Comment : **The objective of the planning proposal is to:**

- include 10 Cowell Street, Gladesville as a new heritage item within Schedule 5 Environmental Heritage of LEP 2012;
- include 3 heritage items listed under the previous LEP No. 1 within Schedule 5 Environmental Heritage of LEP 2012;
- remove the heritage item at 1b Toocooya Road, Hunters Hill from LEP 2012 because the item is already heritage listed under 24 Ferry Street, Hunters Hill; and
- amend minor administrative errors in Schedule 5 and heritage maps.

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

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

Comment : **The explanation of provisions is considered adequate. The planning proposing seeks to remove 1b Toocooya Road, Hunters Hill from Schedule 5 of LEP 2012. It proposes to list the following addresses as local heritage items under Schedule 5 of LEP 2012:**

- 10 Cowell Street, Gladesville;
- 7 Batesman Road, Gladesville;
- 13 Alexandra Street, Hunters Hill; and
- a pedestrian and vehicular tunnel under Victoria Road, Huntleys Point Road.

The planning proposal also seeks to:

- address a minor error relating to the lot and DP reference for 5 Ferdinand Street, Hunters Hill under Schedule 5 of LEP 2012 and amend the associated heritage map to reflect the site's heritage listing;
- correct a mapping error by removing 10 Ferdinand Street, Hunters Hill from the heritage map;
- amend the heritage map to reflect 173, 175, 177, 179, 181 and 183 Victoria Road, Gladesville within a conservation area; and
- amend the heritage map to reflect the heritage listing of 18 Gale Street, Woolwich.

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

* May need the Director General's agreement

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?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

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

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Section 117 Direction - 2.3 Heritage Conservation

The planning proposal is consistent with this direction in that it proposes to conserve the local heritage significance of 4 properties by adding the properties within Schedule 5 under LEP 2012.

The planning proposal is consistent with relevant State Environmental Planning Policies and other relevant section 117 directions.

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Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council have provided mapping identifying the site location of:

- 13 Alexandra Street, Hunters Hill;
- 1b Toocooya Road and 24 Ferry Street, Hunters Hill;
- 5 and 10 Ferdinand Street, Hunters Hill;
- 173 to 183 Victoria Road, Gladesville; and
- 18 Gale Street, Woolwich.

An aerial photograph has been provided for 10 Cowell Street, Gladesville.

Council has not identified the location for 7 Batemans Road, Gladesville.

For clarity of the intended effect, it is recommended that Council prepare the amending heritage maps in accordance with the Standard Technical Requirements for LEP maps. Existing and amending heritage maps should be exhibited during the public exhibition period of the planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

A public exhibition period of 28 days is recommended by Council. The Department considers a minimum exhibition period of 14 days is appropriate consistent with the Department's guidelines for low impact proposals.

PROJECT TIMELINE

Council's estimated project timeline for completion of the plan is June 2015. The Department considers a 6 month project timeline for completion is adequate.

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 : **February 2013**

Comments in

relation to Principal

LEP :

The LEP 2012 was notified on 1 February 2013 and commenced on 12 August 2013.

The LEP 2012 consolidated 3 former environmental planning instruments for Hunters Hill local government area, which included:

- Hunters Hill LEP No. 1;
- Hunters Hill LEP (Hunters Hill Village) 2009; and
- Hunters Hill LEP (Gladesville Village Centre) 2010.

Assessment Criteria

Need for planning
proposal :

There is a need for the planning proposal for the following reasons:

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1. Addition of 4 heritage items under Schedule 5

• 10 Cowell Street, Gladesville

The planning proposal refers to Council's report, dated 28 July 2014, which recommends further investigations be made into the associated costs/benefits options available for the cottage, including retention, relocation and demolition. However, on 28 July 2012, Council resolved to continue the process to heritage list the cottage under LEP 2012 as a matter of priority. The site's proposed heritage listing was the outcome of the recommendation by Council's heritage officer and the Hunters Hill heritage study. Council's draft heritage inventory sheet indicates the timber cottage is rare local example of Edwardian vernacular style in the Gladesville Village commercial centre.

• 7 Batesman Road, Gladesville, 13 Alexandra Street, Hunters Hill and the pedestrian and vehicular tunnel under Victoria Road

The above 3 items were listed under Schedule 6 Items of the Environmental Heritage under the previous LEP No.1. The proposed heritage listings is essentially a translation of the previous LEP No.1 to LEP 2012.

2. Removal of heritage item under Schedule 5

The heritage item (house) located at 1b Toocooya Road, Hunters Hill (DP 76916) is proposed to be removed because this corner site has already been listed under 24 Ferry Street, Hunters Hill (DP 76916). 1b Toocooya Road was amalgamated with 24 Ferry Street. The primary address for the site is 24 Ferry Street and therefore removing 1b Toocooya Road under Schedule 5 will remove duplication of heritage data.

3. Amending minor mapping and administrative errors under Schedule 5

• 5 Ferdinand Street, Hunters Hill

The site contains a house that was heritage listed under the previous LEP No.1

The address is listed as heritage item No. I115 under Schedule 5 of LEP 2012, however the property description is incorrectly referenced as Parts of Lots 3 and 4, DP 976381. An amendment is needed to update the property description to Lot 1 DP 782745. In addition, the heritage item is not mapped, and therefore the discrepancy needs to be rectified via a mapping amendment to Sheet HER_002C.

• 10 Ferdinand Street, Hunters Hill

This site was not heritage listed under the previous LEP No. 1.

The address is not listed under Schedule 5 of LEP 2012, however is highlighted as heritage item No. I115 on the heritage map. As indicated above, item No. I115 corresponds to 5 Ferdinand Street, Hunters Hill. Therefore, 10 Ferdinand Street, Hill has mistakenly been mapped as a heritage item and needs to be deleted from Sheet HER_002C.

• 173, 175, 177, 179, 181 and 183 Victoria Road, Gladesville

The above sites were identified to be in a heritage conservation area under the previous Hunters Hill Local Environmental Plan (Gladesville Village Centre) 2010 (LEP 2010). During the translation of LEP 2010 into LEP 2012, the subject sites were inadvertently omitted from the heritage conservation area map. The proposed amendment to identify the sites to be located within a conservation area is required to correct a standard instrument translation error.

• 18 Gale Street, Woolwich

The site contains a house that was heritage listed under the previous LEP No.1.

The address is listed as heritage item No. I158 under Schedule 5 of LEP 2012, however not included on the heritage map (Sheet HER_003C). The proposed amendment is necessary to correct a discrepancy between Schedule 5 and the corresponding heritage map.

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Consistency with strategic planning framework :

The planning proposal is consistent with A Plan for Growing Sydney and the draft Inner North Subregional Strategy. In particular, the proposal is consistent with the action 3.4.4 of A Plan for Growing Sydney in that it will enable ongoing protection and management of heritage items.

It is recommended that the planning proposal be updated to address consistency with A Plan for Growing Sydney.

Environmental social economic impacts :

1. Environmental

Given the nature of the planning proposal, it is not expected that it will have any adverse impacts on critical habitat or threatened species, populations or ecological communities, or their habitats.

2. Social and Economic

The Council owned cottage at 10 Cowell Street, Gladesville is located within a B4 Mixed Use zone and within the Gladesville Village Centre. The site's proposed heritage listing may potentially have impacts on any future development application for additional housing, retail or commercial development surrounding the site or on the site.

Should the planning proposal proceed to public exhibition, Council has expressed it will address any social and/or economic issues that may be raised by public submissions as a result of heritage listing the site under LEP 2012.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Essential Energy Sydney Catchment Authority**

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 :

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 :

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Documents

Document File Name	DocumentType Name	Is Public
Council cover letter.pdf	Proposal Covering Letter	Yes
Planning proposal.pdf	Proposal	Yes
Planning proposal - Attachments 1 to 6.pdf	Proposal	Yes
Planning Proposal Report - Additional Information 11 December 2014.pdf	Proposal	Yes
Council report 28 July 2014.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**
7.1 Implementation of the Metropolitan Plan for Sydney 2036

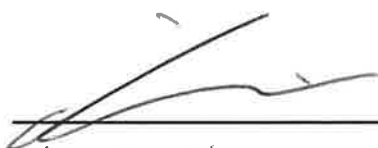
Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

1. Prior to public exhibition, the planning proposal is to be revised to demonstrate consistency with A Plan for Growing Sydney, released on 14 December 2014.
2. The planning proposal is exhibited for a minimum of 14 days consistent with the Department's guidelines for low impact proposals.
3. Council is to ensure that amending heritage maps are prepared in accordance with the Standard Technical Requirements for LEP maps. Existing and amending heritage maps are to be exhibited during the public exhibition period of the planning proposal.
4. Council must consult with the Heritage Division of the NSW Office of Environment and Heritage.
5. A public hearing is not required.
6. The planning proposal be completed within 6 months.
7. A written authorisation to exercise delegation under section 59 of the Act is issued to Council in relation to the planning proposal.

Supporting Reasons : **The planning proposal should be approved for the following reasons:**

- it corrects minor errors and mapping discrepancies;
- it addresses errors made during the translation of the previous LEP No.1 to LEP 2012;
- seeks to protect items considered as local heritage; and
- Council proposes to progress the planning proposal under delegation. The matter is considered to be of local significance and the use of Council's delegation is supported.

Signature:



Printed Name:

W. Williamson

Date:

19/1/2015