

Part 2.3 Justification

Section A – Need for the planning proposal (Q1, Q2)

Q1. Is the planning proposal a result of any strategic study or report?

The planning proposal is due to a resolution of Council made on 28 July 2014.

Meeting No: 4363 Minute No: 239

A motion was moved by Clr Bird, seconded by Clr McLaughlin that Councillors propose the following immediate amendment to Hunters Hill LEP 2012.

- 1. 10 Cowell Street, Gladesville be added to the list of items of Local Heritage Significance under Schedule 5, Hunters Hill Local Environmental Plan 2012 and that the proposed Amendment to Hunters Hill LEP 2012 be placed on public exhibition as a matter of priority.*

Background

In 2005 a Hunters Hill Heritage Review was undertaken by the consultant Paul Davies. The findings of this study recommended that a number of buildings be considered for assessment as potential heritage items. The timber cottage at 10 Cowell Street was identified in Paul Davies study as a potential heritage item. This property is owned by Council.

In 2011 when Council Staff commenced the preparation of Hunters Hill Standard LEP, the Paul Davies study was referenced and approximately 52 potential new heritage items were part of the exhibition of the Standard LEP (these new draft heritage items included 10 Cowell Street).

The schedule for the Standard LEP project was extremely tight and after exhibition was completed (June 2012), 17 draft heritage items were deferred and not included in the adoption of Hunters Hill LEP 2012 by Council (July 2012) as more time was required to assess the implications of listing these potential items. The property 10 Cowell Street was deferred as it is part of an area of land designated as a “Key Site” in Hunters Hill Consolidated Development Control Plan 2013 and due to this it was considered further deliberation was required prior to it being listed.

In May 2013 Moch PTY LTD lodged an application to develop the “Key Site” and build a commercial/retail centre and four residential flat buildings each eight storeys high. The application required the demolition of the timber cottage at 10 Cowell Street.

The application was opposed by many in the Gladesville community as the scale of development was different to its surrounds, it did not offer any tangible community benefits for Gladesville residents and it involved the demolition of 10 Cowell Street.

A number of Gladesville residents and the Hunters Hill Trust wrote to Council in early 2014 requesting that Council pursue the listing of the cottage at 10 Cowell Street. The Councillors requested a report on the matter and this report is attached (see attachment No. 1). As is evident from the attached planning report, Council Planning Staff were not supportive of a planning proposal

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to list 10 Cowell Street being made in 2014. The reason a planning proposal was not supported in 2014 was because Council Planning Staff thought public consultation needed to be carried out to discuss the associated benefits and costs of the options available for the cottage (retention/relocation/demolition) prior to pursuing a listing. While Council Planning Staff were advocating further discussion/consultation with the community the Councillors resolved to immediately pursue the listing of the cottage as shown in the resolution provided above (*Meeting No: 4363 Minute No: 239*).

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the required process for adding items into Schedule No. 5 Environmental Heritage of Hunters Hill LEP 2012 and correcting errors in this Schedule.

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Hunters Hill Local Government area is recognised for its heritage and the table below shows extracts from the Metropolitan Plan for Sydney 2036 that illustrate the importance of building and enhancing on the special characteristics of an area. Accordingly the aspects of this planning proposal that deal with correcting errors in heritage listings can be seen as consistent with the Metropolitan Strategy.

Metropolitan Plan for Sydney to 2036 (Current)
Objective
B3 - Good urban renewal involves building upon the existing strengths of a centre and provides for the retention of existing heritage buildings, high quality urban design and architecture, and well-designed civic spaces to provide a focus for community activity. A centre's existing strengths may include cultural, sporting, recreation and parkland facilities. Urban renewal projects should utilise these assets to help create attractive and inclusive places.

The issue of making an additional listing (i.e. 10 Cowell Street) is more complicated as heritage conservation objectives must be weighed against the objectives for a "Key Site" in a commercial area. Under Hunter's Hill Consolidated Development Control Plan 2013 the strategic objectives for the "Key Site" are

1. Strategic objectives

The Gladesville Village Centre includes a Key Site which is bounded by Victoria Road, Cowell Street, Flagstaff Street and Massey Street.

"Strategic objectives in relation to this Key Site are:

- (a) Encourage co-ordinated redevelopment in order to create a mixed village of housing, shops and businesses.*

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- (b) *Increase current levels of retail activity in order to maintain the village centre’s role as an effective local shopping centre.*
- (c) *Attract a wider range of business activities and local employment opportunities.*
- (d) *Accommodate new residents in a location that is close to trunk bus services which provide direct access to major metropolitan employment centres.*
- (e) *Modernise existing building stock in order to address contemporary housing needs and commercial requirements.*
- (f) *Improve the current network of public places and pedestrian paths.”*

Q4. Is the Planning proposal consistent with Council’s local strategy or local strategic plan?

The Hunter’s Council Hill Community Strategic Plan 2030 was developed in conjunction with the community and directs Council’s long term strategy. For the Heritage and Built environment the three primary identified goals are:

Hunters Hill LGA Community Strategic Plan 2030	
I.	Our Heritage and Built Environment
<i>Goals</i>	
<ol style="list-style-type: none"> 1. <i>Preserve our heritage buildings, garden areas, parks & reserves, views, waterfront access, streetscapes and tree canopy</i> 2. <i>Accommodate increased population by using our existing housing and new buildings that exemplify architectural excellence, which preserve heritage and character and demonstrate ecologically sustainable principles</i> 3. <i>The focal point of commerce and service is Gladesville and our village centres are thriving.</i> 	

Again while preservation of heritage is a primary goal of Council so is the revitalisation of the Gladesville Commercial area. It is for this reason that Council Planning Staff in their report recommended that further consultative work was required with the community prior to pursuing a listing for the cottage at 10 Cowell Street. The cottage built in 1916 while definitely having heritage value is not considered to have state heritage value and is not considered “rare” as there are 206 residential timber cottages already listed as heritage items in schedule 5 of LEP 2012.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP	Title	Applicable	Comments
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1	Developments Standards	No	Does not apply to this LGA
14	Coastal Wetlands	No	No applicable to this proposal
15	Rural Landsharing Communities	No	Does not apply to this LGA
19	Bushland in Urban Areas	No	No applicable to this proposal
21	Caravan parks	No	Does not apply to this LGA
SEPP	Title	Applicable	Comments
26	Littoral Rainforests	No	Does not apply to this LGA
22	Shops and Commercial Premises	No	No applicable to this proposal
29	Western Sydney Recreation Area	No	Does not apply to this LGA
30	Intensive Agriculture	No	Does not apply to this LGA
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	Listing of the cottage at 10 Cowell Street has the potential to affect the development of land identified as a “Key Site” in Council’s Consolidated DCP 2013.
33	Hazardous and Offensive development	No	Does not apply to this LGA
36	Manufactured Home Estates	No	Does not apply to this LGA
39	Spit Island Bird Habitat	No	Does not apply to this LGA
44	Koala Habitat Protection	No	Does not apply to this LGA
47	Moore Park Showground	No	Does not apply to this LGA
50	Canal Estate Development	No	Does not apply to this LGA
52	Farm Dams and Other Works in Land and Water Management Plan areas	No	Does not apply to this LGA
55	Remediation of Land	No	Does not apply to this LGA
59	Central Western Sydney Regional Open Space and residential	No	Does not apply to this LGA
62	Sustainable Aquaculture	No	Does not apply to this LGA
64	Advertising and Signage	No	No applicable to this proposal
65	Design Quality of Residential Flat Development	No	No applicable to this proposal
70	Affordable Housing (Revised Schemes)	No	No applicable to this proposal
71	Coastal Protection	No	No applicable to this proposal
	SEPP (Affordable Rental Housing) 2009	No	No applicable to this proposal
	SEPP (Building Sustainability Index: BASIX) 2004	No	No applicable to this proposal
	SEPP (Infrastructure) 2007	No	No applicable to this proposal
	SEPP Kosciuszko National Park – Alpine Resorts) 2007	No	Does not apply to this LGA
	SEPP (Kurnell Peninsula)	No	Does not apply to this LGA
	SEPP Major Development	No	
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No	Does not apply to this LGA
	SEPP (Penrith Lakes Scheme) 1989	No	Does not apply to this LGA

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	SEPP (Port Botany and Port Kembla) 2013	No	Does not apply to this LGA
	SEPP (Rural Lands) 2008	No	Does not apply to this LGA
	SEPP (SEPP 53 Transitional Provisions) 2011	No	Does not apply to this LGA
	SEPP (State and Regional Development) 2011	No	No applicable to this proposal

SEPP	Title	Applicable	Comments
	SEPP (Sydney Drinking Water Catchment) 2011	No	Does not apply to this LGA
	SEPP (Sydney Region Growth Centres) 2006	No	Does not apply to this LGA
	SEPP (Miscellaneous Consent Provisions) 2007	No	No applicable to this proposal
	SEPP (Urban Renewal) 2010	No	Does not apply to this LGA
	SEPP (Western Sydney Employment Area) 2009	No	Does not apply to this LGA
	SEPP (Western Sydney Parklands) 2009	No	Does not apply to this LGA

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

s. 117 Directions				
1. Employment & Resources				
Section	Title	Applicable	Consistent	Comments
1.1	Business and Industrial Zone	No	N/A	
1.2	Rural Zones	No	N/A	
1.3	Mining, Petroleum & Extractive Industries	No	N/A	
1.4	Oyster Aquaculture	No	N/A	
1.5	Rural lands	No	N/A	
2. Environment & Heritage				
Section	Title	Applicable	Consistent	Comments
2.1	Environment Protection Zones	No	N/A	
2.2	Coastal protection	No	N/A	
2.3	Heritage Conservation	Yes	Yes	The amendment aims to: <ul style="list-style-type: none"> • Add a potential heritage item to schedule 5 of Hunters Hill LEP 2012 • Correct omissions of heritage data in instrument and maps • Remove the duplication of

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				a heritage item
2.4	Recreation Vehicles	No	N/A	
3. Housing Infrastructure & Urban Development				
Section	Title	Applicable	Consistent	Comments
3.1	Residential Zones	No	N/A	
3.2	Caravan Parks and Manufacture Home Estates	No	N/A	
3.3	Home Occupations	No	N/A	
3.4	Integrating Land Use & Transport	No	N/A	
3.5	Development near licensed aerodromes	No	N/A	
3.6	Shooting Ranges	No	N/A	
4. Hazard & Risk				
Section	Title	Applicable	Consistent	Comments
4.1	Acid Sulphate Soils	No	N/A	The Planning Proposal will not result in additional construction or excavation works.
4.2	Mine Subsidence and Unstable	No	N/A	
4.3	Flood Prone Land	No	N/A	
4.4	Planning for Bush Fire Protection	No	N/A	
5. Regional Planning				
Section	Title	Applicable	Consistent	Comments
5.1	Implementation of Regional Strategies	No	N/A	
5.2	Sydney Drinking Water Catchments	No	N/A	
5.3	Farmland of State and regional Significant on the NSW Far North Coast	No	N/A	
5.4	Commercial and Retail	No	N/A	
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	N/A	
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Directions 5.1)	No	N/A	
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A	
5.8	Second Sydney Airport:	No	N/A	

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	Badgerys Creek			
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6. Local Plan Making

Section	Title	Applicable	Consistent	Comments
6.1	Approval and Referral Requirements	No	N/A	
6.2	Reserving Land for Public Purposes	No	N/A	
6.3	Site Specific Provisions	No	N/A	
Metropolitan Planning				
Implementation of the Metropolitan Strategy		Yes	Yes	Consistent with the terms of this strategy see Q3

Consideration of deemed State Environmental Planning Policies (SEPPs) – former Regional Environmental Plans (REPs)

REP Title	Applicable	N/A
8. Central Coastal Plateau Areas	No	N/A
9. Extractive Industry	No	N/A
16. Wash Bay	No	N/A
18. Public Transport Corridors	No	N/A
19. Rouse Hill Development Area	No	N/A
20. Hawkesbury-Nepean River (No 2-1997)	No	N/A
24. Homebush Bay Area	No	N/A
25. Orchard Hills	No	N/A
26. City West	No	N/A
28. Parramatta	No	N/A
30. St Marys	No	N/A
33. Cooks Cove	No	N/A
SREP (Sydney Harbour Catchment) 2005	No	N/A

Section C – Environmental, social and economic impact (Q7, Q8, Q9)

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The properties being discussed in this planning proposal have not been identified as containing critical habitat or threatened species, population or ecological communities, or their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

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Council has not identified any other likely environmental effects resulting from this planning proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The Council is the owner of the only new property to be listed as a heritage item under Schedule 5. Councillors in a council meeting dated 28 July 2014 (minutes No 239/14) made a resolution to request that this item be listed as a heritage item. If the Department approves this Planning Proposal, public exhibition will take place and at this point Council will address any social and/or economic issues raised by the community.

Section D – State and Commonwealth interests (Q10, Q11)

Q10. Is there adequate public infrastructure for the planning proposal?

Analysis of public infrastructure is not relevant to this proposal.

Q11. What are the views of states and Commonwealth public authorities consulted in accordance with Gateway determination?

Consultation will occur if the Department approves the planning proposal.

Part 2.6 Project Timeline

Planning Proposal Project Timeline – Hunters Hill LEP 2012 Amendment (No. 2)

Stage	Completion Date
Submission Date of Planning Proposal	29 September 2014
Completion of required technical information	11 December 2014
Gateway determination from Department of Planning	December 2014 / January 2015
Government agency consultation	January/February 2015
Public Exhibition	February/March 2015
Consideration of proposal post exhibition	March/April 2015
Date of submission to the Department to finalise the LEP	April/Early May 2015
Anticipated date Department will approve delegation to make the plan	May 2015
Anticipated date plan will be forwarded to the Department for notification	June 2015

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