
**MM22/18 HERITAGE PROTECTION - 68 DENISTONE ROAD,
DENISTONE - Mayor, Councillor Jerome Laxale**

File Number: URB/08/1/10 - BP18/1031

REPORT SUMMARY

Council on the 28 August 2018 received a Local Development Application (LDA) for the consolidation of the 3 existing lots and subdivision to create 2 lots at 68 Denistone Road, Denistone (LDA2018/340).

The LDA was available for community comment between 3 September and 19 September 2018. Council received six (6) submissions during the notification period, all objected to the development raising heritage as a concern, five (5) submissions specifically refer to the heritage of the building, and one (1) refers more generally to the heritage of the area. Council also received correspondence prior to the lodgement of the Development Application, prompted by the sale of the property in February 2018. The correspondence requested consideration be given to listing.



Figure 1- 68 Denistone Rd, Denistone – External Façade and Landscaping

Additional images are attached for reference.

Council, dated 25 September 2018, submitted on 25 September 2018.

ITEM 0 (continued)
Background

68 Denistone Road, Denistone is not listed as an item of heritage significance under the provisions of Ryde Local Environmental Plan 2014.

Whilst demolition of the dwelling at 68 Denistone Road, Denistone is not proposed as part of the present LDA, the application is accompanied by an indicative site plan which shows the Applicant's demolition and redevelopment intentions (the construction of a duplex and triplex that would be subject to future applications).

Council's Heritage Advisor has undertaken a preliminary assessment of the property and considers 68 Denistone Road, Denistone, to have cultural heritage significance and to be a good representative example of an Inter-War Californian Bungalow. The dwelling displays a high degree of design integrity and is significantly enhanced by its established landscaped garden setting, which contains a number of significant landscape features and comprises the heritage curtilage. The interior of the dwelling also displays a remarkably high degree of integrity with many fine features. It is also one of the more prominent dwellings in the streetscape.

Given that this property is considered to have local heritage significance and is under imminent threat of harm through demolition, it is prudent that Council resolve to follow the necessary process to impose an Interim Heritage Order (IHO) over the property.

Interim Heritage Order (IHO)

An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides Council with the time to further assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted.

The legal effect of an IHO made by a Local Council is that approval is required for any development for the life of the order and demolition is prohibited during that period.

One of the key requirements for Council imposing an IHO over a property is that it must consider that the subject property is being or is likely to be harmed. In this case, the lodgement of the Development Application foreshadowing the demolition of the property constitutes a threat of harm.

I am therefore proposing that due to the imminent threat of harm through demolition at 68 Denistone Road, Denistone, that Council delegate the General Manager to impose an IHO.

RECOMMENDATION:

Council, dated 25 September 2018, submitted on 25 September 2018.

ITEM 0 (continued)

That Council delegate the General Manager to place an Interim Heritage Order over 68 Denistone Road, Denistone; and

- (i) Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and
- (ii) That the Planning Proposal seeking heritage listing of 68 Denistone Road, Denistone be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and
- (iii) That upon receipt of the Gateway Determination, the General Manager place the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.
- (iv) That a report on the outcomes of community consultation be presented to Council as soon as practicable.

ATTACHMENTS

1 Photos of 68 Denistone Road, Denistone

Report Prepared By:


Councillor Jerome Laxale
Mayor