

Heritage listing of 'Glen Brae' 28 Cook Road, Killara

Proposal Title : Heritage listing of 'Glen Brae' 28 Cook Road, Killara

Proposal Summary : A planning proposal to include 'Glen Brae' 28 Cook Road, Killara, as a potential heritage item in Schedule 5 and on the Heritage Map of Ku-ring-gai LEP 2015.

PP Number : PP_2015_KURIN_005_00

Dop File No : 15/16028

Proposal Details

Date Planning Proposal Received : 26-Oct-2015

LGA covered : Ku-Ring-Gai

Region : Metro(Parra)

RPA : Ku-ring-gai Council

State Electorate : KU-RING-GAI

Section of the Act : 55 - Planning Proposal

LEP Type : Housekeeping

Location Details

Street : 28

Suburb : Cook Road

City : Killara

Postcode : 2071

Land Parcel : Lot 3 DP 516966

DoP Planning Officer Contact Details

Contact Name : Tai Ta

Contact Number : 0298601567

Contact Email : tai.ta@planning.nsw.gov.au

RPA Contact Details

Contact Name : Craig Wyse

Contact Number : 0294240855

Contact Email : cwyse@kmc.nsw.gov.au

DoP Project Manager Contact Details

Contact Name : Terry Doran

Contact Number : 0298601149

Contact Email : terry.doran@planning.nsw.gov.au

Land Release Data

Growth Centre : N/A

Release Area Name :

Regional / Sub Regional Strategy : N/A

Consistent with Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

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 : **To the best knowledge of the Metropolitan (Parramatta) regional team, there have been no meetings or communications with lobbyists regarding this planning proposal.**

Supporting notes

Internal Supporting Notes : **The regional team supports the planning proposal in principle as it will facilitate the inclusion of Glen Brae, 28 Cook Road, Killara, in the heritage list of Ku-ring-gai Local Environmental Plan 2015.**

External Supporting Notes : **This is a Council initiated planning proposal. The site to which the proposal applies is a house of local heritage significance and its significance has been identified by an assessment of heritage significance, prepared by Robyn Conroy Heritage Planning.**

The proposal does not change the property's existing R2 Low Density Residential zone or development standards. The planning proposal would enable inclusion of the property as a heritage item in Schedule 5 of Ku-ring-gai Local Environmental Plan 2015. This will allow consideration to be given to its attributes at any future development application stage.

Receipt date

The planning proposal was received on 20 October 2015. Further information was requested from Council and received on 26 October 2015.

Adequacy Assessment

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

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

Comment : **This planning proposal seeks to amend Schedule 5 (Environmental Heritage) of Ku-ring-gai LEP 2015 by inserting 'Glen Brae' 28 Cook Road, Killara into that schedule.**

**This planning proposal will result in the amendment of the following map:
Ku-ring-gai Local Environment Plan 2015 – Heritage Map – Sheet HER_015 by colouring the subject property to indicate its status as a local heritage item.**

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

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

Comment : **An independent heritage assessment was carried out for the site after objections were raised to a development application for the site. These objections raised concerns over the**

proposed demolition of the dwelling house. Following assessment, Council has come to the view that the building should be protected by its listing as an item of local heritage significance.

The assessment was carried out by Robyn Conroy Heritage Planning in August 2015. A copy of the assessment is attached.

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

3.1 Residential Zones

3.3 Home Occupations

6.3 Site Specific Provisions

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

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

The Heritage Council supports the proposed listing (see attached letter).

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The property is currently zoned under the Ku-ring-gai Local Environmental Plan 2015 as R2 - Low Density Residential. The zone is not proposed to change as a result of this planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Subject to a Gateway determination to proceed, the planning proposal will be placed on public exhibition in accordance with the Gateway determination requirements. This will involve seeking stakeholder and general community comments prior to being reported to Council.

State agency consultation is not considered necessary.

The affected property owners will be notified and will have the opportunity to provide their comments during the formal exhibition period.

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 :

Comments in relation
to Principal LEP :

The Ku-ring-gai Local Environmental Plan 2015 came into effect on 2 April 2015. This planning proposal is identified as Ku-ring-gai Local Environmental Plan 2015 - Amendment No. 9.

Assessment CriteriaNeed for planning
proposal :

The planning proposal is the only means of including the heritage item at 28 Cook Road, Killara in the Heritage list of Ku-ring-gai Local Environmental Plan 2015.

Consistency with
strategic planning
framework :

The Ku-ring-gai Community Strategic Plan is called Our Community. Our Future. Community Strategic Plan 2030. The protection of an item of local architectural and cultural heritage is consistent with the vision and objectives of this document.

The Planning Proposal seeks to amend the current KLEP 2015 to add the item to Schedule 5 Environmental Heritage. This inclusion is consistent with the relevant aims of the KLEP which are:

- (a) to guide the future development of land and the management of environmental, social, economic, heritage and cultural resources within Ku-ring-gai, and
- (b) to recognize, protect and conserve Ku-ring-gai's indigenous and non indigenous cultural heritage.

Environmental social
economic impacts :

The proposal is generally consistent with the strategic planning framework.

This site is not identified as being of ecological significance, nor has it been identified as biodiversity significant or riparian land under the KLEP 2015.

There are no additional environmental effects envisaged as a result of heritage listing the current property. This planning proposal is solely for the purpose of identifying the current building as an item of local environmental heritage.

Assessment Process

Proposal type :

MinorCommunity Consultation
Period :**28 Days**Timeframe to make
LEP :**6 months**

Delegation :

RPAPublic Authority
Consultation - s56(2)(d)

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 :

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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 :

Documents

Document File Name	DocumentType Name	Is Public
Final Planning Proposal 28 Cook Road Killara.pdf	Proposal	No
Final State Heritage Inventory form SHI 28 Cook Road Killara.pdf	Proposal	No
Council Report 8 September 2015 28 Cook Road.pdf	Proposal	No
20150908 OMC OMC 275 Heritage Listing 28 Cook Road Killara.pdf	Proposal	No
Final 28 Cook Road Killara heritage assessment.pdf	Study	No
Council Letter.pdf	Proposal Covering Letter	No
Letter from Heritage Division OEH.pdf	Proposal	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
 3.1 Residential Zones
 3.3 Home Occupations
 6.3 Site Specific Provisions
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **Recommendations**
 Council be issued with the plan making delegation under Section 23 of the Environmental Planning and Assessment Act 1979.

It is further recommended that the planning proposal proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979, as follows:

- (a) the planning proposal must be made available for 28 days; and**
- (b) the relevant planning authority must comply with notice requirements for public exhibition of planning proposals and the specifications for material that must be available along with the planning proposals.**

2. No consultation is required under section 56(2)(d) of the Environmental Planning and Assessment Act 1979.

3. Letter in support of the planning proposal from the Heritage Division of Office of Environment and Heritage, in respect of 28 Cook Road, Killara being listed as a heritage item, is to be included in the material for public exhibition.

4. The timeframe for completing the LEP is 6 months from the week following the date of the Gateway determination.

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Supporting Reasons :

The regional team supports the planning proposal, in principle, as it has been supported by the Heritage Office and will provide appropriate matters for consideration in any proposed development of the land.

Signature:



Printed Name:

T DORAN

Date:

13/1/16