



87 Bowden Street, Ryde

Proposal Title : **87 Bowden Street, Ryde**

Proposal Summary : **The planning proposal seeks to list 87 Bowden Street, Ryde as a local heritage item.**

PP Number : **PP_2016_RYDEC_003_00**

Dop File No : **16/05648**

Proposal Details

Date Planning
Proposal Received : **13-Apr-2016**

LGA covered : **Ryde**

Region : **Metro(CBD)**

RPA : **Ryde City Council**

State Electorate : **RYDE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Policy**

Location Details

Street : **87 Bowden Street**

Suburb : **Ryde**

City : **Sydney**

Postcode : **2112**

Land Parcel : **Lot 17 DP 663261**

DoP Planning Officer Contact Details

Contact Name : **Wayne Williamson**

Contact Number : **0292286585**

Contact Email : **wayne.williamson@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Lexie Macdonald**

Contact Number : **0299528222**

Contact Email : **lmacdonald@ryde.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A**

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional 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 Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment :

The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney Region East has not met any lobbyists in relation to this proposal, nor has the A/Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

The proposal applies to land known as the 87 Bowden Street Ryde (Lot 17 in DP 663261), located at the corner of Bowden and Macpherson Streets, Ryde. The subject site is approximately 975 square metres and contains an intact Federation style dwelling and associated garden.

The site is surrounded by low density residential uses and is in the vicinity of a number of local heritage items, including churches and detached and attached houses. The site is not in a conservation area.

The site is currently zoned R2 Low Density Residential, has a maximum building height of 9.5 metres and a maximum floor space ratio of 0.5:1.

DELEGATION OF PLAN MAKING FUNCTIONS

Council is seeking delegation to carry out the Greater Sydney Commission's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the Act). Delegation is considered appropriate as the matter is of local significance.

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment :

The proposal seeks to amend Ryde Local Environmental Plan (LEP) 2014 by including the property at 87 Bowden Street, Ryde as a local heritage item in Schedule 5 Environmental heritage and including the property on Ryde LEP 2014 Heritage Map.

The intended outcome of the proposal is:

- to ensure the protection of the dwelling and its curtilage from development that would adversely affect the heritage significance of the property;
- to conserve the contribution the site makes to the environmental heritage of Ryde LGA;

and

• to permit future use of the building (including adaptive re-use) that is consistent with the cultural significance of the item.

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

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

Comment : **The proposal seeks to:**

• amend Ryde LEP 2014 Schedule 5 Environmental heritage to include the property 87 Bowden Street Ryde (Lot 17 in DP 663261); and

• amend Ryde LEP 2014 Heritage Map to include 87 Bowden Street Ryde.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

3.1 Residential Zones

* May need the Director General's agreement

4.1 Acid Sulfate Soils

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

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? **N/A**

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

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain : **The proposal is considered to be consistent with all relevant SEPPs and Section 117 Directions.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public consultation will be undertaken in accordance with the Gateway determination. Council suggests an exhibition period of 28 days, which is considered reasonable.**

PROJECT TIMELINE

Council has provided an indicative project timeline with a completion date of August 2016. The Department considers a 9 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 : **September 2014**

Comments in relation to Principal LEP : **The Ryde LEP 2014 was notified in September 2014.**

Assessment Criteria

Need for planning proposal :

The City of Ryde Heritage Study 2010 identified the property as an intact Federation style dwelling in excellent condition, representative of a better class of dwelling in Ryde at the turn of the twentieth century.

The Heritage Study recommended the property be included as a local heritage item in Ryde LEP 2014.

The Heritage Study was undertaken in accordance with the NSW Department of Planning (Heritage Branch) guidelines. Council consulted with landowners whose properties were identified for potential heritage listing. At the time, Council did not consult with the Department of Planning (Heritage Branch).

On 17 August 2010, when considering the Draft Ryde Heritage Study 2010, Council resolved not to pursue the heritage listing of any property unless the land owner specifically applied for a heritage listing. As a result the subject property was not heritage listed in Ryde LEP 2014.

On the 23 February 2016, Council considered a development application to demolish the property and construct a new two storey building with basement level parking to be used as a childcare centre for 90 children. The development application was refused by Council on a number of grounds including traffic and amenity issues, non-compliance with Development Control Plan 2014 and insufficient information being submitted.

In response to the refusal of the development application, Council also resolved to list 87 Bowden Street, Ryde as an item of local heritage in Schedule 5 of Ryde LEP 2014 and to apply an Interim Heritage Order (IHO) pending further heritage assessment. An IHO relating to the subject property was published in Government Gazette No.19 dated 11 March 2016 and applies for 6 months.

To evaluate the heritage significance of the property in more detail, an independent consultant has been engaged by Council to undertake an assessment of the property. The assessment was not complete at the time the proposal was lodged with the Department. The Gateway will be conditioned to require the assessment be completed prior to public exhibition.

Council should consult with the landowner on the proposal and the independent heritage assessment during the public exhibition period.

The proposal represents the only means of ensuring the heritage significance of the site is recognised and protected from development which may adversely affect the significance of the site and its contribution to the environmental heritage of the City of Ryde.

Consistency with strategic planning framework :

The proposal is consistent with State and local strategic planning framework.

A Plan for Growing Sydney

The proposal is consistent with Direction 3.4 as it promotes Sydney's heritage by contributing to precincts which engage people and reflect the city's heritage and history.

The City of Ryde 2025 Community Strategic Plan:

The proposal responds to the community's sense of identity and connection with their neighbourhood and a desire for a liveable neighbourhood by protecting local heritage.

Ryde Local Planning Study (LPS)

The proposal contributes to objective (d) of the Ryde LPS to identify, conserve and promote Ryde's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development.

Environmental social economic impacts :

ENVIRONMENTAL IMPACTS

The site is not subject to flooding, bushfire hazard, noise impact, or soil instability and does not contain critical habitat or threatened species populations or ecological communities, or their habitats. As such, the proposal is not expected to have any adverse environmental effects.

HERITAGE IMPACTS

The proposal aims to list the property 87 Bowden Street, Ryde as a heritage item within Ryde LEP 2014. As such the property will be protected through Clause 5.10 Heritage conservation of Ryde LEP 2014 from any work that would adversely affect the heritage significance of the site.

SOCIAL IMPACTS

The proposal will have a positive social impact by ensuring the retention of a heritage property which is representative of Federation style housing in Meadowbank/Ryde during the turn of the twentieth century.

ECONOMIC IMPACTS

The proposal will have an economic impact on the future uses of the property. The future uses of the site will be restricted to uses which do not adversely impact the heritage value of the site. This will limit the extent of redevelopment possible for the site and reduce the economic potential of the site.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Office of Environment and Heritage		

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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 :

Documents

Document File Name	DocumentType Name	Is Public
Cover Letter requesting Gateway Determination 87 Bowden.pdf	Proposal Covering Letter	No
Planning Proposal 87 Bowden St, Ryde.pdf	Proposal	No
Council Report - Planning Proposal - 87 Bowden Street Ryde.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
4.1 Acid Sulfate Soils
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
7.1 Implementation of A Plan for Growing Sydney

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

1. Prior to public exhibition, Council is to finalise the independent heritage study for the site and forward a copy to the Director, Sydney Region East at the Department and the landowner.

2. Maps are to be prepared to the standards identified in Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment 2015).

3. The planning proposal be publicly exhibited for a period of not less than 28 days.

4. Council is to consult with Office of Environment and Heritage.

5. A public hearing is not required.

6. The planning proposal is to be finalised within 9 months from the date of the gateway

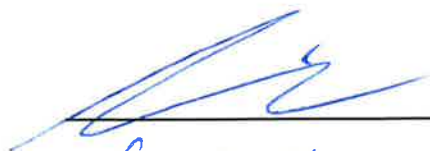
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determination.

Supporting Reasons :

The proposal is supported as it seeks to protect an intact Federation style dwelling in excellent condition, representative of a better class of dwelling in Ryde at the turn of the twentieth century.

Signature:



Printed Name:

Gri Williams

Date:

29/4/2016

