

## Item 7.

### **Public Exhibition - Planning Proposal - 46 Chisholm Street, Darlinghurst - Sydney Local Environmental Plan 2012 Amendment**

**File No: X020345**

#### **Summary**

Weatherboard buildings are an important element to the City's make up as they are amongst the oldest buildings in the city. These buildings contribute a unique character to their streets, and a diversity in city life. However, they are becoming increasingly rare, and have been under threat of demolition.

In 2002, concerns about the increasing number of applications for demolition or redevelopment of weatherboard buildings in its area, South Sydney City Council commissioned a study of this type of building. Following the amalgamation in 2004, the City endorsed a number of heritage listings of weatherboard cottages, and soon after incorporated guidelines based on this study into heritage provisions. These provisions remain in the City's current Development Control Plan 2012. These guide development not only generally within conservation areas but also specifically in relation to weatherboard buildings older than 50 years.

In mid-2018, the City of Sydney received a development application for a proposed development at 46 Chisholm Street, Darlinghurst, involving the demolition of the existing cottage and construction of a pair of two-storey semi-detached terraces. The timber weatherboard cottage at 46 Chisholm Street, is located within the Paddington Conservation Area and identified as a contributory building. The City commissioned an independent heritage assessment to determine if the site should be included as a heritage item within Schedule 5 of the Sydney Local Environmental Plan 2012.

The independent heritage assessment by John Oultram Heritage + Design concluded the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the Sydney Local Environmental Plan 2012 for its historic values, rarity and representativeness. The assessment notes that the house is an example of a mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate.

This report seeks support for listing the weatherboard cottage at 46 Chisholm Street, Darlinghurst, as a heritage item on the Sydney Local Environmental Plan 2012 to ensure its heritage significance is protected. The City has prepared a Planning Proposal to include the site as a heritage item within Schedule 5 of the Sydney Local Environmental Plan 2012.

## Recommendation

It is resolved that:

- (A) the Central Sydney Planning Committee approve the Planning Proposal: 46 Chisholm Street, Darlinghurst, as shown at Attachment A to the subject report, for submission to the relevant local plan-making authority with a request for Gateway Determination;
- (B) the Central Sydney Planning Committee approve Planning Proposal: 46 Chisholm Street, Darlinghurst for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Transport Heritage and Planning Committee on 6 May 2019 that Council seek authority from the relevant local plan making authority, to exercise the delegation of the relevant local plan making authority of all their functions under Section 3.31 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan as amended by Planning Proposal: 46 Chisholm Street, Darlinghurst; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 46 Chisholm Street, Darlinghurst following receipt of the Gateway Determination.

## Attachments

- Attachment A.** Planning Proposal – Proposed Heritage Item - 46 Chisholm Street, Darlinghurst
- Attachment B.** Heritage Assessment
- Attachment C.** Draft Inventory Sheet

## Background

1. Weatherboard buildings are an important element to the City's make up as they are amongst the oldest buildings in the city and demonstrate particular aspects of 19th and early 20th century life. Although once common, they are now rare due to successive periods of redevelopment. These buildings contribute a unique character to their streets, and a diversity in housing stock and city life. However, they are becoming increasingly rare, and continue to be under threat of demolition.
2. Following concerns about the increasing number of applications for demolition or redevelopment of weatherboard buildings in its area, South Sydney City Council commissioned a study of this type of building in 2002.
3. After the amalgamation with the City of Sydney in 2004, the City endorsed a number of heritage listings of weatherboard cottages, as recommended by this study.
4. Soon after, the City incorporated guidelines related to this study into the Heritage Development Control Plan 2006, which has evolved into the current Sydney Development Control Plan 2012. This document guides development of weatherboard cottages within Conservation areas, but also specifically any weatherboard buildings older than 50 years.
5. In mid-2018, the City of Sydney received a development application for a proposal at 46 Chisholm Street Darlinghurst, involving the demolition of the existing single-storey weatherboard cottage, and construction of a pair of two-storey semi-detached terraces. The application triggered a site inspection.
6. The City commissioned an independent heritage assessment to determine if the single-storey weatherboard cottage should be included as a heritage item within Schedule 5 of the Sydney Local Environmental Plan 2012.
7. The heritage assessment by John Oultram Heritage + Design determined the dwelling at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the Sydney Local Environmental Plan 2012 for its historic values, rarity and representativeness. The heritage assessment is at Attachment B of this report, and is supported by the Draft Inventory Sheet at Attachment C.
8. The development application has been refused by the City on the basis of heritage and adverse internal amenity impacts, along with impacts to the streetscape. The application has been through a formal review process, which upheld the refusal determination.
9. The proponent of the development has appealed to the Land and Environment Court regarding the determination.
10. The subject site was not identified in the South Sydney City Council Weatherboard Buildings Study, however, this study was not comprehensive. As has been identified in the independent heritage assessment, the dwelling at 46 Chisholm Street, Darlinghurst is rare in its context, as the only weatherboard cottage in its immediate vicinity and is one of a very limited number in Darlinghurst generally.
11. This report seeks support for public exhibition of a planning proposal for listing the weatherboard cottage at 46 Chisholm Street, Darlinghurst, as a heritage item on the Sydney Local Environmental Plan 2012 to ensure its heritage significance is protected.

12. The City has prepared a Planning Proposal to include the site as a heritage item within Schedule 5 of the Sydney Local Environmental Plan 2012, which is provided at Attachment A.

## **Key Implications**

### **Strategic Alignment - Sustainable Sydney 2030 Vision**

13. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This [choose an item] is aligned with the following strategic directions and objectives:
  - (a) Direction 7 - A Cultural and Creative City - the planning proposal supports the cultural life and diversity of Sydney through the retention of a historic dwelling.
  - (b) Direction 9 - Sustainable Development, Renewal and Design - retention of historic buildings contributes to this Direction.

## **Relevant Legislation**

14. Environmental Planning and Assessment Act 1979
15. Environmental Planning and Assessment Regulations 2000

## **Public Consultation**

16. If the Central Sydney Planning Committee and Council approve the planning proposal, it will be forwarded to the Department of Planning and Industry with a request for a Gateway Determination to allow public exhibition.
17. The public exhibition process for the planning proposal will be subject to the conditions of the Gateway Determination issued by the Department of Planning and Industry.
18. The City will notify the public of the exhibition of the planning proposal on the City's website, in newspapers that circulate in the area and in writing to the land owners, relevant community groups and stakeholders. Exhibition documents will be made available for viewing on the City of Sydney website, the relevant neighbourhood service centre and one stop shop

## **GRAHAM JAHN, AM**

Director City Planning, Development and Transport

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