

Planning Services

Gateway Determination Report

LGA	Randwick City Council
PPA	Randwick City Council
NAME	Amendment of Randwick Local Environmental Plan 2012 to amend Schedule 5 Environmental Heritage by extending the boundary of the Dudley Street Heritage Conservation Area and listing four properties as local heritage items.
NUMBER	PP 2018 RANDW 002 00
LEP TO BE AMENDED	Randwick Local Environmental Plan 2012
ADDRESS	38, 40, 42 44, 46 Dudley Street and 122 Mount Street
LEGAL DESCRIPTION	Lot 17 DP 6489, Lot 18 DP 6849, Lot 19 DP 6849, Lot 20 DP 6849, Lot 1 DP 952229, Lot 2 DP 952229, Lot 22 6489.
RECEIVED	28 May 2018
FILE NO.	IRF18/3150
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of planning proposal

As shown in **Figure 1** the Planning Proposal seeks to amend Schedule 5 of the Randwick Local Environmental Plan 2012 (RLEP 2012) by extending the Dudley Street Heritage Conservation Area (HCA) boundary to the east to incorporate an additional 6 properties.

The proposal also seeks to include the following four properties within this proposed extended heritage conservation area as heritage items under Schedule 5 of the RLEP 2012.

- 38 Dudley Street, Coogee (Lot 17 DP 6489)
- 42 Dudley Street, Coogee (Lot 19 DP 6489)
- 44 Dudley Street, Coogee (Lot 20 DP 6489, Lot 1 DP 952229)
- 122 Mount Street, Coogee (Lot 22 DP 6489)

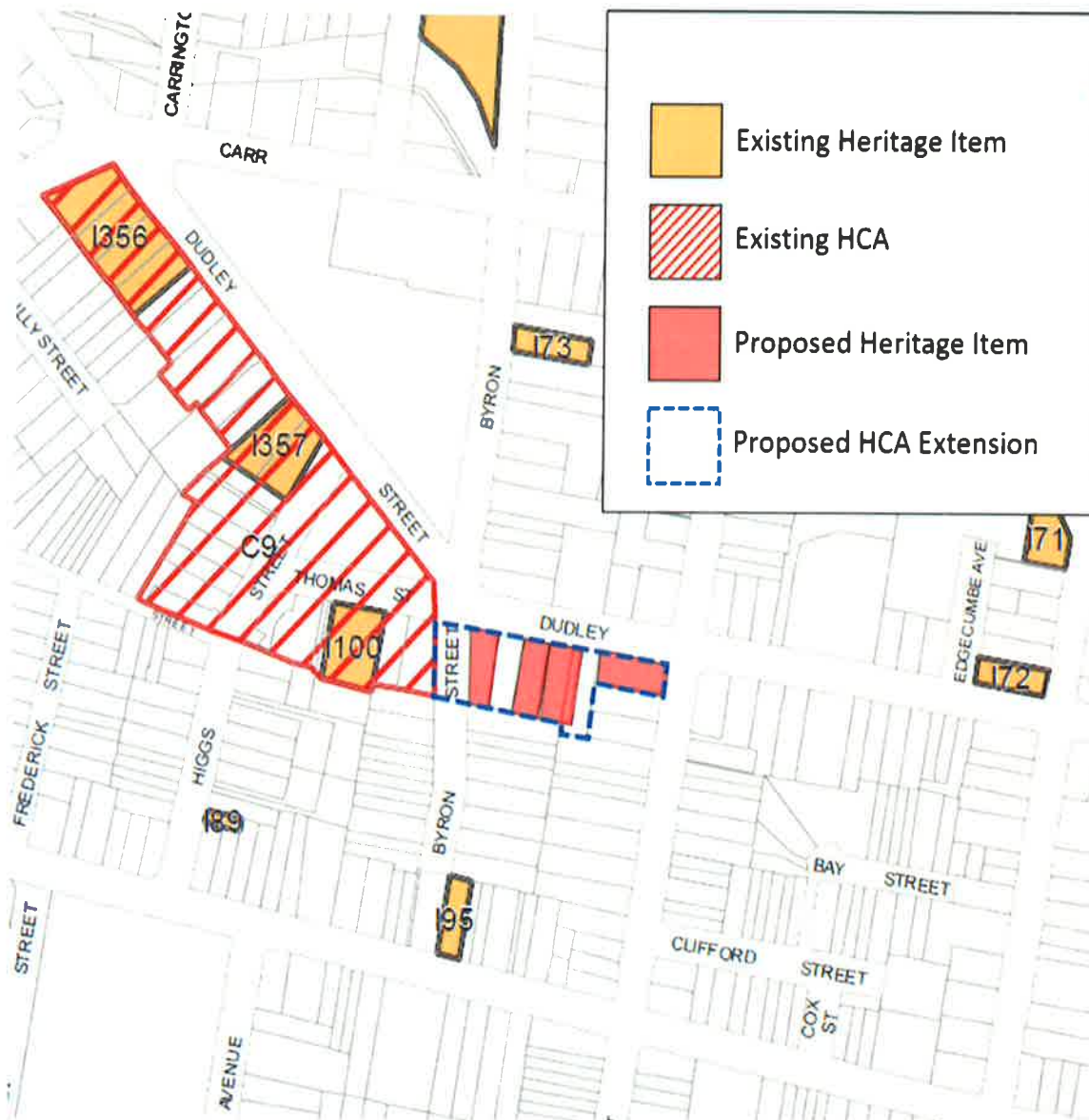


Figure 1: Dudley Street HCA and Proposed Extension

Site description

The site for the planning proposal consists of six properties, located on the southern side of Dudley Street, Coogee between Byron Street and Mount Street (**Figure 2**).

The properties include 38, 40, 42, 44, 46 Dudley Street and 122 Mount Street, Coogee. The development on these properties are generally characterised by a group of Federation and Inter-War dwelling houses and a residential flat building. The buildings across these properties range from 1 to 3 storeys. The total collective site area for all six properties is approximately 3,883m².



Figure 2: Site Map (From Council's Planning Proposal documentation)

Existing planning controls

Under the RLEP 2012 the site has the following planning controls:

- zoned R2 Low Density Residential (**Figure 3**);
- floor space ratio of 0.5:1; and
- maximum building height of 9.5m.

The existing Dudley Street HCA consists of rows of detached dwellings situated at Dudley Street, Higgs Street and Thomas Street, Coogee (**Figure 1**). The houses in this conservation area are characterised by their large sizes and Federation and Inter-War styles and represent the prosperous years of development in the area throughout the early twentieth century.

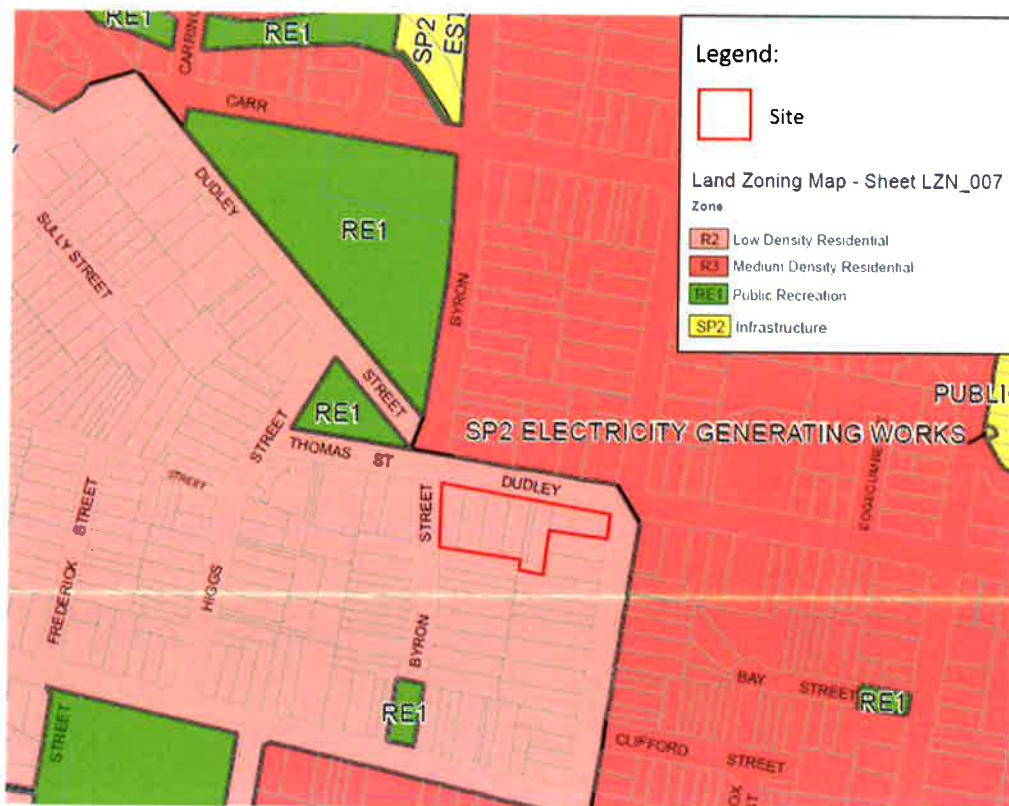


Figure 3: Zoning (RLEP 2012)

Surrounding area

The site of the proposal is primarily surrounded by residential uses. The land north and east of the site is zoned R3 medium density residential and consists of a range of three storey walk up apartment blocks and detached dwellings (**Figure 4**).

To the north-west of the site, the land is zoned for RE1 Public Recreation which consists of several small parks, Coogee Diggers Club is also situated amongst this land approximately 250 metres away (**Figure 5**).

The Dudley Street Heritage Conservation Area, located to the west encompasses dwellings with similar character to those within the proposal site.

To the south-west of the proposal site, includes a series of detached residential dwellings on Byron Street ranging in age. The site is located approximately 700m from Coogee Beach and the Coogee Local Centre (**Figure 5**).



Figure 5: Site Character: 38, 40 and 44 Dudley Street (Planning Proposal)



Figure 4: Surrounding Context Map (Source: Nearmap)

Summary of recommendation

The proposal is recommended to proceed with conditions as its intended outcomes are consistent with relevant strategic and statutory planning frameworks.

PROPOSAL

Objectives or intended outcomes

The objective of the proposal is to extend the Dudley Street Heritage Conservation Area (HCA) and list certain properties within this extended area as local heritage items due to their heritage significance.

The objective of the proposal as outlined in the planning proposal documentation is clear and does not require amendment prior to community consultation.

Explanation of provisions

The proposal seeks to amend Schedule 5 Environmental Heritage of RLEP 2012, by extending the boundary of the Dudley Street HCA by incorporating properties at 38, 40, 42, 44, 46 Dudley Street and 122 Mount Street Coogee.

The proposal also seeks to include the following properties within this extended HCA on the Heritage Items List under Schedule 5 of the RLEP 2012; 38, 42, 44 Dudley Street and 122 Mount Street, Coogee.

The explanation of provisions in the planning proposal is considered to be clear and does not require amendment prior to community consultation.

Mapping

The proposal requires that the RLEP 2012 Heritage Map be amended to illustrate the extension of the Dudley Street HCA boundary and clearly identify the four proposed items of local heritage significance.

NEED FOR THE PLANNING PROPOSAL

On 8 September 2016 the Council placed an Interim Heritage Order (IHO) on an adjoining site (48 Dudley Street). This was placed based on this site following Council's Heritage Planner's recommendation to protect the site. The site was at the time under threat of demolition due to a proposed Complying Development Application. An assessment by Godden Mackay Logan (GML) for this site did not recommend that the site be listed; however, they did identify that this site and adjoining sites (being the subject of this proposal) had contributory value and recommended that these be protected.

Therefore, need for the planning proposal has arisen from the recommendations from this previous heritage report from Godden Mackay Logan (GML) and a further assessment by Colin Brady Architecture + Planning. These reports provide evidence that the proposed properties provide contributory heritage value that can be recognised and protected through the extension of the Dudley Street HCA, and the individual properties that meet local heritage criterion should be listed as items of local heritage significance. Despite the recommendation to include 48 Dudley Street, this dwelling on this site was recently demolished under a court approval. Therefore, the proposal does not relate to this site.

The proposal offers the most effective way of achieving its desired outcomes to conserve the significance of properties proposed for heritage listing, while extending the heritage conservation area that best supports and contributes to these and all items in the conservation area. The implementation of the proposal also would enable better management of development that may impact on the character of the area through the extension of the HCA boundary, and further protect the four properties that meet the criteria to be considered of local heritage significance.

The planning proposal intends to recognise the significance of these additional properties as local heritage items under Schedule 5 of RLEP 2012, while conserving the collective group of properties that support and contribute to these and other heritage items already under listed under RLEP 2012. This is considered to be sufficient mechanisms for Council to protect the sites and the conservation area, under the current heritage conservation provisions of RLEP 2012.

STRATEGIC ASSESSMENT

State

Greater Sydney Region Plan

In March 2018, The Greater Sydney Commission released *The Greater Sydney Region Plan – A Metropolis of Three Cities* (The Region Plan), which aims to coordinate and manage the growth of Sydney. The Region Plan contains specific objectives for the region over the next 40 years and informs the actions and directions of the District Plans.

Of particular relevance in the plan is 'Objective 13: Environmental Heritage is identified, conserved and enhanced'. This objective seeks to protect environmental heritage for its, social, aesthetic, economic, historic and environmental values.

The objective also identifies a strategy that comprises of three components:

- *"engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place"*

- “applying adaptive re-use and interpreting heritage to foster distinctive local places”
- “managing and monitoring the cumulative impact of development on the heritage values and character of places”

The proposal is consistent with The Region Plan as it seeks to protect and conserve buildings which have been identified as being of local heritage significance, and contributing to the heritage significance of the Dudley Street HCA.

The heritage listing and extension of the Dudley Street HCA allows for the application of adaptive re-use and for the distinctive character of the streetscape to be maintained.

As such the proposal is considered to be consistent in relation to the Greater Sydney Region Plan.

District

Eastern City District Plan

The Eastern City District Plan operates as a bridge between regional and district planning as it allows for the concentrated implementation of The Region Plan at the District level. The Eastern District Plan encompasses the Randwick Local Government Area.

The proposal is consistent with the outcomes and directions outlined in the plan, however of particular relevancy are those associated with heritage, see **Table 1** below.

Planning Priority	Objective
Planning Priority E6	Creating and renewing great places and local centres and respecting the District's heritage
Action 26	<p>a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place.</p> <p>b. applying adaptive re-use and interpreting heritage to foster distinctive local places.</p> <p>c. managing and monitoring the cumulative impact of development on the heritage values and character of places.</p>

Table 1: Relevant District Plan Directions

The proposal can be considered consistent with the plan's Planning Priority E6 as it seeks to provide the statutory mechanisms required to protect and respect the District's heritage and to conserve the aesthetic significant of architecture within this part of the Coogee.

The proposal is also consistent with Action 26 as it seeks to clearly identify and enhance heritage and enables the community to consider the heritage value of these items and the heritage conservation area and whether this should be conserved through mechanisms under RLEP 2012.

Local

Randwick City Plan

The Randwick City Plan is a 20-year vision implemented by Council, which guides and coordinates Council's activities.

Of particular relevance to the proposal is the outcome and the direction in of the City Plan, which are detailed in **Table 2**. The proposal is considered to be consistent with the outcome and direction as it seeks to provide statutory mechanisms to protect the heritage values of this part of Coogee and ensure that these are recognised by the community.

Outcome/Direction	Issue
Outcome 7	Heritage that is protected and celebrated
Direction 7a	Our heritage is recognised, protected and celebrated

Table 2: Randwick City Plan Relevant Directions

Section 9.1 Ministerial Directions

The proposal is considered to be consistent with the following relevant Section 9.1 Ministerial Directions:

- 2.3 Heritage Conservation
- 3.1 Residential Zones

The following directions are of particular relevance to the planning proposal. All other Directions are not relevant to the proposal.

2.3 Heritage Conservation

The Direction applies to the planning proposal as it conserves various items of heritage significance and includes other properties that will support this outcome through their inclusion as part of the extended heritage conservation area.

The heritage assessments concluded that the sites and the extended conservation area satisfies the relevant State Heritage Inventory criteria for a local heritage listing and thereby the proposal is warranted.

The proposal will not alter the existing heritage conservation provisions which already satisfy the requirements of this Direction. Therefore, the proposal is considered to be consistent with Direction 2.3 Heritage Conservation.

3.1 Residential Zones

Under this Direction, a Planning Proposal must broaden housing choice, make efficient use of existing infrastructure, reduce consumption of land for housing on the urban fringe, and be of good design.

As the subject site is located within an R2 Low Density Residential Zone, this direction is considered relevant. The proposal is considered to be consistent with this direction as the proposal does not seek to alter the sites zoning, existing residential uses or the range of permissible uses across the site.

State Environmental Planning Policies

The proposal is considered to be consistent with all relevant State Environmental Planning Policies (SEPPs).

SITE-SPECIFIC ASSESSMENT

Social

The planning proposal is response to concerns about the demolition of properties that have been recognised to contribute to the aesthetic and heritage values of the existing Dudley Street Heritage Conservation Area.

Council subsequently engaged an external heritage consultant to undertaken further assessment of the properties. This assessment further qualified GML's original recommendations to warrant the listing of these sites under RLEP 2012. The intent of the planning proposal is thought to satisfy the concerns of the local community.

Conserving buildings of heritage significance and the heritage conservation area will also allow residents to have a positive understanding and connection with the area's history.

Additionally, the public exhibition of the planning proposal will provide additional opportunity for the owners of the properties and the wider community to determine whether the listings is appropriate.

Environmental

The need for the planning proposal has arisen from the recommendations from two heritage assessments. It is considered that the proposed amendments will facilitate the conservation of this part of Dudley Street for heritage purposes. In light of this consultation with Office of Environment and Heritage (OEH) will be required.

Economic

The proposal is not expected to generate any negative economic impacts. The proposal simply seeks to extend the Dudley Street HCA and list properties as items of local heritage significance.

CONSULTATION

Owners

Council has already engaged with land owners and intends to engage with the community throughout the process of the proposal.

Community

Council has proposed that community consultation for The Proposal will be consistent with the Department's requirements of the Gateway Determination and the consultation guidelines contained in "*A Guide to Preparing LEPs*". A consultation period of 28 days is considered adequate and will be outlined in the conditions of the Gateway determination.

Agencies

Council has not identified any agencies that should require consultation at this time. However, Council have stated they will consult with any agencies nominated by the Department as part of the requirements of the Gateway determination.

The Office of Environment (OEH) should be consulted as the proposal is in relation to the extension of a HCA and listing of heritage items. This has been outlined in the conditions of the Gateway determination.

TIME FRAME

Council has included a project timeline which has projected a finalisation date of September 2018, indicating 5 months. Given the nature of the proposal, a project timeline of 6 months is considered adequate.

LOCAL PLAN-MAKING AUTHORITY

Council has requested to be the local-plan making authority, this request is considered to be appropriate as the matter is of local significance.

CONCLUSION

The proposal is supported to proceed with conditions, as it:

- is supported by independent heritage reports that identify the subject properties as having contributory heritage value and/or local heritage significance;
- is consistent with the objectives and directions of applicable strategic and statutory planning frameworks; and
- will allow for better management surrounding the conservation of identified heritage in the area.

RECOMMENDATION

It is recommended that the delegate of the Greater Sydney Commission, determine that the Planning Proposal should proceed subject to the following conditions:

1. The Planning Proposal should be made available for community consultation for a minimum of 28 days.
2. Consultation is required with the Office of Environment and Heritage.
3. The time frame for completing the LEP is to be 6 months from the date of the Gateway determination.
4. Given the nature of the Planning Proposal, Council should be the local plan-making authority.
5. The Heritage Map accompanying the Planning Proposal must be updated to clarify the changes proposed prior to community consultation.
6. The Planning Proposal is to be updated to reference the amended *Environmental Planning and Assessment Act 1979*.

 21/6/18
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