

18.4 9 CENTENNIAL AVENUE, CHATSWOOD - HERITAGE REVIEW

ATTACHMENTS:	1. IMPLICATIONS 2. INTERIM HERITAGE ORDER 3. HERITAGE STUDY REVIEW – ARCHITECTURAL PROJECTS APRIL 2018 4. PLANNING PROPOSAL
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JANE GIBSON-STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	2.2 – RESPECT AND CELEBRATE OUR HISTORY AND HERITAGE SITES
MEETING DATE:	23 JULY 2018

1. PURPOSE OF REPORT

To seek Council determination of a Planning Proposal which seeks to list 9 Centennial Avenue, Chatswood as a heritage item of local significance.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Support for public exhibition, a Planning Proposal to list 9 Centennial Avenue West Chatswood in Schedule 5 of *Willoughby Local Environmental Plan 2012* as an item of local significance.**
- 2. Forward the Planning Proposal to the Department of Planning & Environment seeking a Gateway Determination under Section 3.34 of the *Environmental Planning & Assessment Act 1979*.**
- 3. Advise the Department of Planning & Environment that the Planning Manager, Mr Ian Arnott be nominated as delegate and finalise the Planning Proposal.**
- 4. Create a Willoughby Heritage Inventory sheet for 9 Centennial Ave reflecting the outcomes of the heritage assessment prepared by Architectural Projects.**

3. BACKGROUND

The Planning Proposal has been compiled as a result of a Council report on 12 February 2018, that discussed the proposed demolition of a property at 9 Centennial Avenue, West Chatswood. It was resolved at that meeting to issue an Interim Heritage Order for the property. An Interim Heritage Order (IHO) was issued on 14 February 2018.

Following publication within the Government Gazette (Attachment 2) the owner of the property was notified and provided with a copy of the IHO and a notification was placed in the North Shore Times on 22 February 2018.

The IHO temporarily prevents the buildings and structures on the site from being demolished. The IHO ceases to take effect after 6 months from the date of issue unless Council has not resolved to proceed to list the building and site as a heritage item under *WLEP 2012*.

On 12 April 2018 the property owner appealed the imposition of the IHO to the Land and Environment Court. The appeal was heard on 23 May 2018 with a decision issued on 31 May 2018. The judgement concluded that the IHO had been validly made by Council. The judgement also concluded that the IHO be amended to apply to the curtilage of the dwelling house, excluding the separate garage structure on the site, so that the IHO is confined to the item determined as being under threat. The judgment concluded that the applicant had sufficiently complied with two emergency orders issued by Council to protect the dwelling from the weather and making safe the site.

On 13 June 2018 the applicant lodged an appeal against the judgement. This appeal had not been heard at the time of writing this report. This challenge does not prevent the progression of a Planning Proposal to list the property as a heritage item under *WLEP 2012* which is the subject of this report.

4. DISCUSSION

Following the making of the Interim Conservation Order, Council's heritage consultant, Jennifer Hill (Architectural Projects) reviewed the property and recommended that Council proceed with heritage listing. The assessment and recommendation can be viewed in full at Attachment 3.

A Planning Proposal has been prepared by Council staff in order to amend *Willoughby Local Environmental Plan 2012* (WLEP 2012) by including 9 Centennial Ave as an item of local significance within Schedule 5. The Planning Proposal can be viewed at Attachment 4. The Planning Proposal includes a location plan as well as documenting how the proposal is consistent with the strategic objectives of the Greater Sydney Commission's "*A Metropolis of Three Cities – The Greater Sydney Region Plan, March 2018*," and "*the North District Plan 2018*." It is also consistent with the Heritage aims contained within the "*Willoughby City Strategy*" as well as Council's endorsed "*Housing Position Statement*" (June 2017).

The Heritage Study by Architectural Projects will also form part of the Planning Proposal.

The Planning Proposal has been prepared in accordance with the Department of Planning & Environment's "*Guide to Preparing Planning Proposals*," as well as the relevant requirements under Section 3.33 of the "*Environmental Planning and Assessment Act 1979*."

Should Council resolve to proceed, the next steps will be to forward the Planning Proposal to the NSW Department of Planning & Environment for a Gateway Determination.

5. CONCLUSION

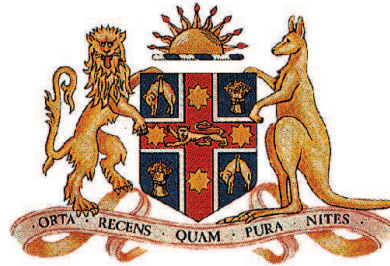
The Planning Proposal is considered to be consistent with the relevant requirements under Section 3.33 of the *Environmental Planning and Assessment Act 1979*.

It is therefore recommended that Council forward the Planning Proposal to the Department of Planning and Environment, seeking a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*. It is further recommended that Council advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott, be nominated as delegate to process and finalise the Planning Proposal.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome:	2.2 – respect and celebrate our history and heritage sites
Business Plan Objectives, Outcomes/ Services	To identify, conserve and enhance environmental heritage.
Policy	This Planning Proposal is in line with the Council's <i>Housing Position Statement 2017</i> .
Consultation	This Planning Proposal would be publicly exhibited following Gateway Determination.
Resource	Operating resources used to prepare report but additional consultant resources were required to undertake the <i>Heritage Study Review</i> .
Risk	Risk of loss of property and /or their heritage character.
Legal	The Planning Proposal should amend <i>Willoughby Local Environmental Plan 2012</i> .
Legislation	<i>Environmental Planning and Assessment Act 1979 and Heritage Act 1977</i> provisions.
Budget/Financial	The work completed by Architectural Projects is within the allocated heritage review budget.

ATTACHMENT 2



Government Gazette

of the State of

New South Wales

Number 17

Wednesday, 14 February 2018

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

From 1 January 2018, each notice in the Government Gazette has a unique identifier that appears in square brackets at the end of the notice and that can be used as a reference for that notice (for example, [n2018-14]).

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Council Notices

COUNCIL NOTICES

WILLOUGHBY CITY COUNCIL

HERITAGE ACT 1977

INTERIM HERITAGE ORDER

Under Section 25 of the *Heritage Act 1977* Willoughby Council does by this order:

- (i) make an Interim Heritage Order to cover the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B',

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- 1) in the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- 2) in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

MELANIE SMITH
Acting General Manager,
Willoughby City Council
PO Box 57
Chatswood NSW 2057

Dated: 14 February 2018

Schedule "A"

The property situated at 9 Centennial Ave, Chatswood on the land described in Schedule "B"

Schedule "B"

The parcel of land known as Lot D, DP 336587 relating to Willoughby Interim Heritage Order for 9 Centennial Ave, Chatswood, NSW.

[n2018-479]

ATTACHMENT 3

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Building Name

Elouera, Toonburra, Corella

Address

9 Centennial Avenue, West Chatswood

Designer/Architect

FG Castleden

Year

1896

History

The subject land was part of Isaac Nichols' 'Kings Plains', a property comprising 200 acres.

The alluvial soils along the eastern banks of the Lane Cove River between Blue Gum Creek & Swaines Creek were developed as orchards by the Jenkins & Fuller families, descendants of William Henry in the mid nineteenth century. A portion of Nichols' Estate bound by Centennial Avenue, Gordon Road (Pacific Highway), Fullers Road and orchardist William J Fathers 13 acres to the west became Mrs Fuller's estate.

Centennial Avenue was known as Fathers Road, until 1888 when the name was changed to mark the Centenary of European Settlement in Australia. Sands directories show the first occupant of Centennial Avenue (then Fathers Rd) was AC Fathers in 1888. The following year, John Gravell and AC Fathers are listed. Land on the south of Centennial Avenue was subdivided and developed first as the North Shore Railway Estate 1889.

In January 1892, FG Castleden wrote to Willoughby Council stating he was building in Centennial Avenue, (Evening News, 5 January 1892, p3). In June 1892, J de V. Lamb called Willoughby Council's attention to the quality of the work in progress at Centennial Avenue (Daily Telegraph 14 June 1892 p6). The impact of the opening of the Railway Station at Chatswood in 1890, and the extension of the railway to Milsons Point in 1893 is also evident in the Sands directories. In 1893 when pioneer settler Fathers and Gravell are joined by gentlemen W Jenkins at "Keirawarra", J de Villiers Lamb at "Maroombah", and architect FG Castleden on the corner of Centennial and Whitton Road.

Part Lot 63 of the Fullers Estate was purchased by WJR Jenkins in 1896, who at that time was resident of "Keirawarra" on the south corner of Centennial and Pacific Highway.

In January 1896, the Building & Engineering Journal & Builders' News reported as follows:

Messrs. Castleden and Lake of 334 George-street write, the following works have been erected from our designs during the year ending December 31st, 1895, or are now nearing completion:

Cottage situated at Hornsby, for Executor late J. E. Boyd

Residence situated at Wahroonga, for F. Coffee, Esq

Cottages situated at Hornsby, for R. Goss, Esq.

Alterations situated at Pymble, for R. A. Harvey, Esq.

Cottage situated at Wahroonga, for Cecil Hordern, Esq.

Cottage situated at Wahroonga, for Mrs C. M. Hordern

Cottage situated at Chatswood, for Mrs Huxtable

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Architect Frederick George Castleden lived in West Chatswood from 1891 to 1898 and c.1903-1908, a neighbour to William Jenkins, and designed a number of residences for high profile clients in the Chatswood area, in Centennial Avenue, Mowbray Road, and Pacific Highway and in Beaconsfield Road. The tender notices reveal Castleden had several residences under construction in Chatswood in the 1890's. An advertisement in the Sydney Morning Herald of April 1896 placed by Castleden invited tenders for the supply of "Bricks, open kiln and bull nosed, Marseilles roofing tiles, Hardwood, Oregon and Kauri...to be delivered to Chatswood". (SMH, Wed 8 April 1896, p7) It is possible that this tender may relate to the house at 9 Centennial Avenue.

The RAI Biographical information states that Castleden designed 4 houses in Centennial Ave., possibly 3 in Beaconsfield including Ismailia, the house at 6-10 Beaconsfield Rd. He was the architect for his own property at the corner of Centennial & Whitton Roads (now demolished), 9 Centennial Ave (the subject house), possibly Asteraea (later Chislehurst and now demolished), possibly 13 Centennial Ave., or the property at the corner of Dardanelles & Centennial Ave. Many Castleden designed houses have been demolished. Only No.9 Centennial Avenue and Nos. 2a, 6-10, 14 and 28 Beaconsfield Road are thought to remain.

W.R.J. Jenkins owned the property at 9 Centennial Ave from 1896, and following his death in 1908 at Elouera, the property was in the estate of W.R.J. Jenkins until 1914. The property then passed to GC Bochner, and then to John Leigh Jones from 1918-1927 and then to his wife following his death. John Leigh Jones renamed the property 'Toonburra'. In 1931, a sale of contents of Toonburra was advertised by the estate of late Mrs E Leigh-Jones. Mrs Marjory Holcombe the executrix of the estate of Mrs E Leigh Jones was the next owner 1928-1933. From 1932-35, Mr A J Benjamin owned the residence 9 Centennial Ave., Chatswood, during the time of his significant contribution to the retail development of Chatswood. The grand house reflected his important position. A garage was added during this ownership (evident in the 1943 Aerial photograph).

Mr A J Benjamin was born in London. By 1906 he had gained 30 years local experience including accountancy. Mr Benjamin became managing partner in the firm founded 20 years previously by Messrs Hill Bros. Known as; Universal Providers' since 1895. It then became known as A J Benjamin's shop or 'Benjamin's' in Victoria Ave., Chatswood. Mr A J Benjamin managed Benjamin's for 10 years, during which time the business 'flourished' & contributed to the economic development of the area. The growth of the building material branch of the business was enormous, indicating the general progress of the district. The output of 3 tons of lime per week in 1906 increased ten times that amount during WW1. In 1913 additional storage was added, windows were replaced. Stables were updated to accommodate 14 horses to deliver goods, & the company secured adjoining premises to double their size. The shop carried varied stock including an ironmongery section, for building purposes, a large drapery section, a grocery department, & the store held wine & spirit & tobacco licenses.

Benjamin's remained Chatswood's own emporium until 1965 when it became Woolworths store. Its decline reflected the shift of commercial interest to the eastern side of the railway after WW1. The business had been described as 'flourishing' & was for many years the largest retail store certainly in Chatswood & probably on the lower north shore, until the arrival of Grace Bros. (Willoughby's Fifty Years 1865-1915, Leplastrier, p.88-89).

Hubert and Annie Clements were next owners of No.9, followed by Gordon Tsu-Shen Lin in 1938 until the early 1950's and the name changed a third time to 'Corella'. The 1943 aerial photograph show the original lot subdivided and houses built on the new lots. This view shows a much smaller garage. Mr Daniel Chen is first listed as owner in the rate books in 1956.

Centennial Avenue has been home to a number of Australia's most eminent politicians, including former Prime Minister Gough Whitlam (who attended 'Astrea' College in Centennial Ave.); former Willoughby Mayor & councillor Greg Bartels; & former leader of the NSW Liberal party, Kerrie Chikarovsky.

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Residence situated at Chatswood, for W. J. R. Jenkins, Esq.

Residence situated at Roseville, for R. K. Manning, Esq. [Noel, 9 Findlay Ave, Roseville]

Cottage situated at Pymble, for R. P. Pymble, Esq. [Hayden Dell, 11 Telegraph Rd, Pymble]

Residence situated at Hunter's Hill, for Thos. Turner, Esq.

Residence situated at Hunter's Hill, for Dr. H. Sanderson Lloyd.

The house at 6-10 Beaconsfield Road is also believed to have been designed by Castleden around 1900. The house is a substantial two-storey residence of masonry construction with face polychrome brickwork, built in the Queen Anne Federation style. It has a steeply pitched gable roof clad in Marseilles tiles, ridges, caps and finials. The shingled gables are highlighted with shaped timber fascias. There are timber framed casement windows with some curved lintels on front façade and an oriel window on the northern façade with four sash windows. A verandah with painted, turned timber supports, verandah posts, timber brackets and square balustrade wraps around three sides of the building. (source SHI) It is heritage listed.

From Castleden's partnership Lake, and drawings of two substantial houses on Cremorne Rd, Cremorne for Mrs Robert Hay dated July 1907, survive. These residences share a number of key characteristics of the house at 9 Centennial Avenue, including a picturesque asymmetrical composition, dominant hipped and gabled roof, bay windows, the use of face brickwork and tall chimneys and dormer windows. The use of roughcast reflects a later date.

Palmerston (now Petersen Guest house) at Armidale was designed by Castleden 1909 and built in 1911. The building has a dominant roof, a large porte cochere and is constructed in face brick with terracotta tile shingles. It is heritage listed.

In 1907, Castleden formed partnership with Menkens in Newcastle, and this partnership produced a small number of residences in the following year, including a House for HP Brett Brett St cnr Russel Rd, New Lambton; Two terrace houses corner of Scott and Zara Street for J Donnison; and a Rectory at Hamilton. In 1908 he designed a residence at Terrace Street; and a Cottage at the corner of Winson and Samdon Streets Hamilton. (Frederick B Menkens Architect, Thesis L Reedman, 1956) His residential work in Newcastle is well represented on the State Heritage Inventory including the former Nurses home and The Terrace.

F.G. Castleden, was president of the Associated Architects of Newcastle & District (later the Newcastle Division of the RAAI).

Other: - Owners information/councils

Access to the site was not provided.

Assessment of Significance

Designed by prominent Sydney architects Castleden and Lake in 1895, 9 Centennial Avenue is one of the best surviving houses of the work of FG Castleden, who was very active in Chatswood during the Federation period, and resident of Centennial Avenue.

No. 9 is one of the first substantial residences built in Centennial Ave., (1896) (one of six earliest listings, and one of four earliest grand houses including- Jenkins 'Keirawarra', Castleden's own house, and 'Maroombah' (later Chislehurst). It was the sixth property listed in Centennial Avenue. Centennial Avenue is one of the most significant streets in Chatswood as its name suggests. Due to its proximity to Chatswood station and sweeping views to the west, Centennial Avenue was a preferred location for the new well to do residents of Chatswood following the establishment of the railway station. The high quality of No.9 Centennial Ave reflects the social and economic standing of its first & subsequent owners, and the aspirations of the early residents.

Built for WJR Jenkins by FG Castleden, the house has associative value in its connections with local identities and development. Later it was owned by the Leigh-Jones family, then later by A J Benjamin, who ran the A J Benjamin's store in Victoria Avenue, Chatswood. Benjamins store at that time, and for many years, was the largest retail store in Chatswood & probably the north shore.

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Falk & Jensen 1989, *Willoughby Heritage Study*, Willoughby City Council
 Leplastrier, C 1915, *Willoughby's Fifty Years: a retrospect of the jubilee period of the Council of the Municipality of Willoughby for the years 1865-1915*, Willoughby City Council.
 Sara, JA 1964, 'The Work of F.G. Castleden, 1907-1919: An Architectural Thesis', thesis, University of Newcastle.
 Previous nomination relied on the following research sources:
 Oral & written testimony of past and present residents, and descendants of FG Castleden
 Rate books of Willoughby Council
 Land Title records
 Electoral rolls and Sands directories
 Willoughby Heritage Study Thematic History 1986
 "Newcastle Morning Herald & Miners' Advocate" passim
 "FG Castleden " MS by Les Reedman.
 WDHS Heritage nomination for 9 Centennial Ave, and for Centennial Ave Conservation Zone 2005.: RAI A Biographical information about Architect Castleden

Images

FIGURE NO.	DATE	DESCRIPTION	SOURCE
16.1	undated	9 Centennial Avenue, Chatswood - Parish Map	LPI
16.2	1890	9 Centennial Avenue, Chatswood - Municipality of Willoughby	WCC
16.3	1897	9 Centennial Avenue, Chatswood - Showing development on north side Centennial Avenue	State Library of NSW
16.4	1897	9 Centennial Avenue, Chatswood - Fullers Estate showing Jenkins' land sold	State Library of NSW

1759 | Willoughby City Council Review Inventory

Figure no. 16.2

1890

9 Centennial Avenue, Chatswood - Municipality of
Willoughby

WCC

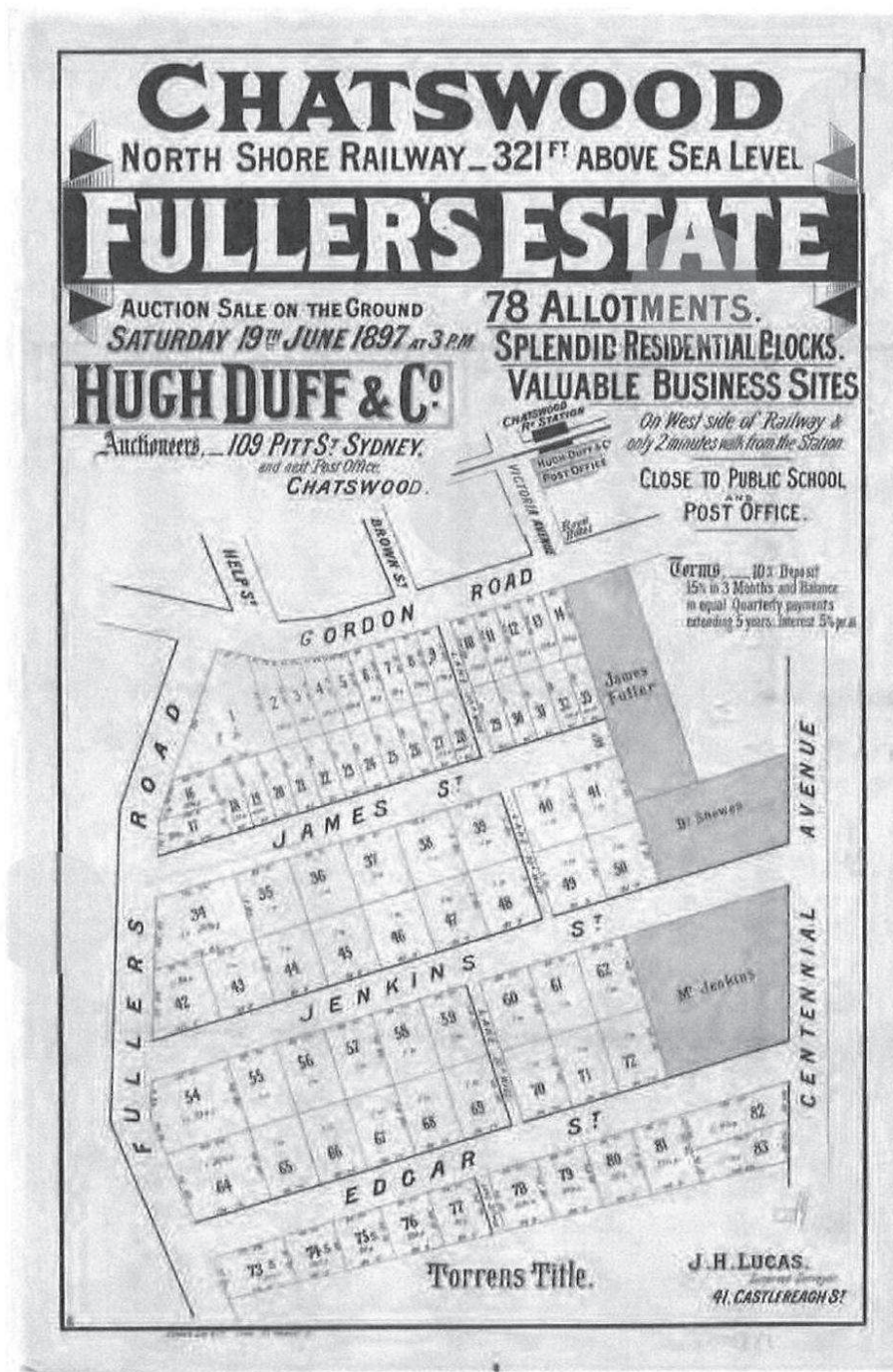


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Figure no. 16.4 | 1897

9 Centennial Avenue, Chatswood - Fullers Estate
showing Jenkins' land sold

State Library of NSW



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1759 | Willoughby City Council Review Inventory

1. LIST OF ILLUSTRATIONS

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16.1	undated	9 Centennial Avenue, Chatswood - Parish Map	LPI
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Attachment 4 – Planning Proposal

PLANNING PROPOSAL – 9 CENTENNIAL AVENUE, CHATSWOOD WEST

Amendment to Willoughby Local Environmental Plan 2012

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Appendix 1 Willoughby City Council Heritage Study Review – Architectural Projects April 2018	
Appendix 2 Interim Heritage Order – 9 Centennial Avenue, West Chatswood.	

Part 1: Objectives or intended outcomes

This Planning Proposal seeks to amend Willoughby Local Environmental Plan 2012 (WLEP 2012) to include 9 Centennial Avenue, Chatswood West as a Local Heritage Item consistent with the findings of the heritage assessment undertaken by Architectural Projects (Appendix 1).

Part 2: Statement of Objectives

The intent of the Planning Proposal can be achieved by amending WLEP 2012 as follows:

Inserting the following new item into Part 1 of Schedule 5:

Suburb	Item Name	Address	Property Description	Significance	Item No
Chatswood West	House (including original interiors)	9 Centennial Avenue	Lot D, DP 336587	Local	I245

The Heritage Map will be amended by including the above property.

The Dual Occupancy Restriction Map includes all Heritage Items and Conservation Areas within Willoughby. This Map will also be amended to include 9 Centennial Avenue, Chatswood West.


Part 3 – Justification

Section A – Need for the Planning Proposal

Q1 - Is the planning proposal a result of any strategic study or report?

Yes. The need to amend WLEP 2012 has arisen from the recommendations of an independent heritage assessment (see Appendix 1 for a full appraisal,. A summary of these findings are as follows:

Table 1

Item Name	Address	Zoning	Recommendation summary	Location Plan
Elouera Toonbura Corella	9 Centennial Avenue West Chatswood	R2 Low Density Residential	<p>Designed by prominent Sydney architects Castleden and Lake in 1895, 9 Centennial Avenue is one of the best surviving houses of the work of FG Castleden, who was very active in Chatswood during the Federation period, and resident of Centennial Avenue.</p> <p>Despite commencement of demolition work, the building retains a relatively high level of integrity. The property is subject to an Interim Heritage Order. Details of which can be viewed at Appendix 2.</p>	

Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. There is no other way to provide long term protection to the heritage significance of the item.

Section B –Relationship to strategic planning framework

Q3 - Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plans or strategy (including any exhibited draft plans or strategies)?.

Greater Sydney Region Plan – A Metropolis of Three Cities 2018

Released in March 2018, *A Metropolis of Three Cities* sets the planning framework for growth of the Sydney to 2056. The vision seeks to transform Greater Sydney into a metropolis of three cities – the Western Parkland City, The Central River City and the Eastern Harbour City and sets targets of an 725,000 new dwellings and 817,000 new jobs by 2036.

Objective 13 of the *Metropolis of Three Cities* is that “*Environmental heritage is identified, conserved and enhanced.*” In addition Strategy 13.1 prescribes to:

“*identify, conserve and enhance heritage by:*

- *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 Planning proposal is consistent with Objective 13 in that it identifies buildings / an area suitable for preserving for future generations .

North District Plan 2018

The *North District Plan* was released in March 2018 and provides a 20 year plan to manage growth. It is a guide for implementing A Metropolis of Three Cities at a District level and is a bridge between regional and local planning. Willoughby is located within the North District along with Hornsby, Ku-ring-gai, Ryde, Hunters Hill, Lane Cove, North Sydney, Mosman and Northern Beaches Councils. The Plan provides a housing target for Willoughby of 1,250 dwellings to 2021 (with a requirement to contribute to the 20 year District housing target of 92,000). For employment, Willoughby is required to provide additional 8,300 jobs for Chatswood to 2036. Along with North Sydney and Lane Cove Council Willoughby is also required to contribute towards an additional 16,400 jobs for St Leonards.

The planning proposal will not adversely impact the directions and actions in the District Plan to meet jobs and housing targets.

Planning Priority N6 of the *North District Plan* prescribes “*Creating and renewing great places and local centres , and respective the District’s heritage.*”

Objective 13 of the *Metropolis of Three Cities* is replicated as Action 21 in the North District Plan.

The proposal to list the property is consistent with this Action as they are considered worthwhile of conserving and heritage listing.

Q4 - Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

Our Future Willoughby 2028

Our Future Willoughby 2028 is the Council’s community strategic plan, providing a long term vision for the future of the City. *Our Future Willoughby 2028* is used to inform Council’s decision making and planning.

The main Priority within Our Future Willoughby 2028 relevant to this Planning Proposal is:

2.2 Respect and celebrate our history and heritage sites.

The planning proposal is consistent with all of this action as it provides for the protection of a property worthwhile of conserving and heritage listing.

Housing in Willoughby - Position Statement

The Position Statement discusses planning for the future housing needs of Willoughby City over the next 20 years in response to a growing and changing population. It is the precursor to a Housing Strategy for the Willoughby Local Government Area (LGA).

1.2 Principles underpinning the Position Statement

- Respect and promote the heritage and environmental qualities of WCC in planning for new housing.

The planning proposal is consistent with this principle as it protects a building with heritage qualities.

Q5 - Is the planning proposal consistent with applicable State Environmental Planning Policies?

The table below details how the planning proposal is consistent with the relevant State Environmental Planning Policies and does not contain provisions that would affect the application of these policies.

SEPP title	Consistency	Explanation
State Environmental Planning Policy No. 19 – Bushland in Urban Areas	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No. 21 –	N/A	

Caravan Parks		
State Environmental Planning Policy No. 30 – Intensive Agriculture	N/A	
State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	N/A	
State Environmental Planning Policy No. 50 – Canal Estate Development	N/A	
State Environmental Planning Policy No. 55 – Remediation of Land	YES	The planning proposal does not seek to change the permissible land uses on the sites.
State Environmental Planning Policy No. 62 – Sustainable Aquaculture	N/A	
State Environmental Planning Policy No. 64 – Advertising and Signage	N/A	
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)	Yes	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Major Development) 2005	N/A	
State Environmental Planning Policy (Infrastructure) 2007	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	YES	The provision of a new heritage item will affect the ability of the property to carry out exempt and complying development under this SEPP. The planning proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
State Environmental Planning Policy (Affordable Rental Housing) 2009	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.
State Environmental Planning Policy (Coastal Management) 2018	YES	The planning proposal does not contain provisions that would affect the application of this SEPP.

Q6 - Is the planning proposal consistent with the applicable Ministerial Directions (9.1 Directions)?

The table below details how the planning proposal is consistent with the applicable Section 9.1 Ministerial Directions.

No	Title of Direction and objectives	Comment	Compliance
1. Employment and Resources			
1.1	Business and Industrial Zones: (a) encourage employment growth in suitable locations,	The planning proposal is not located on a business or industrial zone.	N/A

No	Title of Direction and objectives	Comment	Compliance
	(b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.		
1.2	Rural Zones The objective of this direction is to protect the agricultural production value of rural land.	The planning proposal does not involve the rezoning from a rural zone.	N/A
1.3	Mining, Petroleum Production and Extractive Industries The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	The planning proposal does not seek to alter the permissibility of these types of land uses.	N/A
1.4	Oyster Aquaculture The objectives of this direction are: <ul style="list-style-type: none"> (a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, (b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers. 	The Direction does not apply as the planning proposal does not propose any changes in land use.	N/A

No	Title of Direction and objectives	Comment	Compliance
1.5	<p>Rural Lands</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic development of rural lands for rural and related purposes. 	The Direction does not apply as the planning proposal does not affect development in a rural zone.	N/A
2. Environment and Heritage			
2.1	<p>Environment Protection Zones:</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	The planning proposal is not located in an environmental protection zone.	N/A
2.2	<p>Coastal Management</p> <p>The objective of this direction is to protect and manage coastal areas of NSW.</p>	The planning proposal is not part of the Coastal Management SEPP.	N/A
2.3	<p>Heritage Conservation</p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	The creation of a new heritage item is consistent with this Direction.	YES
2.4	<p>Recreation Vehicle Areas</p> <p>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p>	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.	N/A
2.5	<p>Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</p> <p>The objective of this direction is to</p>	The Direction does not apply as the planning proposal does not relate to any of the identified LGAs.	N/A

No	Title of Direction and objectives	Comment	Compliance
	ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.		
3. Housing, Infrastructure and Urban Development			
3.1	<p>Residential Zones.</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. 	<p>The planning proposal does not seek to reduce any residential zoning under WLEP 2012.</p> <p>The Planning Proposal will limit the ability of the property to carry out a dual occupancy development. WLEP 2012 includes heritage items and conservation areas in the Dual Occupancy Restriction Map.</p> <p>The Planning Proposal is consistent with this Direction in that it enables there to be a choice of heritage dwellings to provide for existing and future housing needs.</p>	YES
3.2	<p>Caravan Parks and Manufactured Home Estates</p> <p>The objectives of this direction are: to provide for a variety of housing types, and to provide opportunities for caravan parks and manufactured home estates.</p>	The Direction does not apply as the planning proposal does not seek to permit caravan parks or manufactured home estates under WLEP 2012.	N/A
3.3	<p>Home Occupations</p> <p>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p>	The planning proposal does not alter the existing provisions within WLEP 2012 that relate to home occupations.	YES
3.4	<p>Integrating Land Use and Transport</p> <p>The objective of this direction is to</p>	The planning proposal does not alter the zoning or the permissible land uses of any parcel of land to which WLEP	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. 	2012 applies.	
3.5	<p>Development Near Licensed Aerodromes</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the 	The planning proposal does not apply as it is not in the vicinity of a licensed aerodrome,	N/A

No	Title of Direction and objectives	Comment	Compliance
	Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.		
3.6	<p>Shooting Ranges</p> <p>The objectives are:</p> <ul style="list-style-type: none"> (a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, (b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, (c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. 	The Direction does not apply as none of the properties within the planning proposal are adjacent to or adjoin an existing shooting range.	N/A
4. Hazard and Risk			
4.1	<p>Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>All of the sites area identified as Class 5 Acid Sulfate Soils risk</p> <p>Given the urban location of the properties and that the proposed listing will limit residential redevelopment, any risks associated with acid sulfate soils are considered to be minor.</p>	YES
4.2	<p>Mine Subsidence and Unstable Land</p> <p>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p>	The Direction does not apply as the planning proposal does not relate to land affected by mine subsidence nor has it been identified as being unstable land.	N/A
4.3	Flood Prone Land	The planning proposal does not include land that has been	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>(a) The objectives of this direction are: to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	identified as flood prone.	
4.4	<p>Planning for Bushfire Protection</p> <p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	The planning proposal does not include bush fire prone land.	YES
5. Regional Planning			
5.1	<p>Implementation of Regional Strategies</p> <p>(revoked 17 October 2017)</p>		
5.2	<p>Sydney Drinking Water Catchment</p> <p>The objective of this Direction is to protect water quality in the Sydney drinking water catchment.</p>	The Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
5.3	<p>Farmland of State and Regional Significance on the NSW Far North Coast</p> <p>(a) The objectives of this direction are: to ensure that the best agricultural land will be available for current and future generations to grow food and fibre,</p> <p>(b) to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and</p> <p>(c) to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.</p>	This Direction does not apply to the Willoughby LGA	N/A
5.4	<p>Commercial and Retail Development along the Pacific Highway North Coast.</p> <p>The objectives for managing commercial and retail development along the Pacific Highway are:</p> <p>(a) to protect the Pacific Highway's function, that is to operate as the North Coast's primary inter and intra-regional road traffic route;</p> <p>(b) to prevent inappropriate development fronting the highway;</p> <p>(c) to protect public expenditure invested in the Pacific Highway;</p> <p>(d) to protect and improve</p>	This Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>highway safety and highway efficiency;</p> <p>(e) to provide for the food, vehicle service and rest needs of travellers on the highway; and</p> <p>(f) to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.</p>		
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010	
5.6	Sydney to Canberra Corridor	Revoked 10 July 2008	
5.7	Central Coast	Revoked 10 July 2008	
5.8	<p>Second Sydney Airport: Badgerys Creek</p> <p>The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.</p>	This Direction does not apply to the Willoughby LGA	N/A
5.9	<p>North West Rail Link Corridor Strategy</p> <p>The objectives of this direction are to:</p> <p>(a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)</p> <p>(b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.</p>	This Direction does not apply to the Willoughby LGA	N/A
5.10	Implementation of Regional Plans	The planning proposal is	YES

No	Title of Direction and objectives	Comment	Compliance
	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	consistent with A Metropolis of Three Cities – The Greater Sydney Region Plan in that it identifies buildings / an area suitable for preserving for future generations .	
6. Local Plan Making			
6.1	Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The planning proposal does not alter any concurrence, consultation or referral requirements under WLEP 2012 nor does it identify any development as designated development.	YES
6.2	Reserving Land for Public Purposes (a) The objectives of this direction are: to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition	The planning proposal does not include any land for public purposes.	YES
6.3	Site Specific Provision: The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The planning proposal does not allow a particular development to be carried out.	YES
1. Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	The planning proposal is consistent with the objectives and strategies of A Metropolis of Three Cities – The Greater Sydney Region Plan.	YES
7.2	Implementation of Greater	This Direction does not apply to	N/A

No	Title of Direction and objectives	Comment	Compliance
	<p>Macarthur land Release Investigation.</p> <p>The objective of this direction is to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy)</p>	the Willoughby LGA	
7.3	<p>Parramatta Road Corridor Urban Transformation Strategy</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> (a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit, (b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and (c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure. 	This Direction does not apply to the Willoughby LGA	N/A
7.4	<p>Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).</p>	This Direction does not apply to the Willoughby LGA	N/A

No	Title of Direction and objectives	Comment	Compliance
7.5	<p>Implementation of Greater Parramatta Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan)</p>	This Direction does not apply to the Willoughby LGA	N/A
7.6	<p>Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p> <p>The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.</p>	This Direction does not apply to the Willoughby LGA	N/A
7.7	<p>Implementation of Glenfield o Macarthur Renewal Corridor</p> <p>The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.</p>	This Direction does not apply to the Willoughby LGA	N/A

Section C – Environmental, social and economic impact

Q7 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this proposal?

No. the planning proposal has no impact on critical habitat or threatened species, populations or ecological communities or their habitats.

Q8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No the proposed heritage listing is unlikely to result in any adverse environmental impacts.

Q9 - Has the planning proposal adequately addressed any social and economic effects?

The proposed listing at 9 Centennial Avenue is subject to an Interim Heritage Order following a complying development proposal for demolition. In response to residents' concerns regarding this proposed demolition and previous notices of Motion for heritage listing, Council engaged Architectural Projects to undertake a heritage assessment of the site. The assessment concluded that the building had heritage significance. Accordingly, the intent of the planning proposal would satisfy the concerns of the local community.

The public exhibition of the planning proposal will provide additional opportunity for the property owners and wider community to consider the proposed heritage listing.

Progression of the planning proposal proceeding, will not result in any impact on jobs, existing social infrastructure or existing retail centres.

Section D – State and Commonwealth Interests

Q10 - Is there adequate public infrastructure for the planning proposal?

The planning proposal will have no impact on the demand for public infrastructure.

Q11 - What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The planning proposal has not been considered by any State or Commonwealth Agencies. This will take place after the gateway determination. It is unlikely that any Commonwealth Agencies will need to be consulted for this type of planning proposal. The Views of the NSW Office of Environment & Heritage – Heritage Division is likely to be a requirement of the gateway determination.

Part 4 - Mapping

The Planning Proposal requires amendment of the WLEP 2012 Heritage Map. The property will be included on the Heritage Map along with the appropriate numbering detailed in Part 2 Statement of Objectives. The item will also be included in the Dual Occupancy Restriction Map.

Part 5 – Community Consultation

It is anticipated that the planning proposal will be publicly exhibited for 28 days in accordance with NSW Department of Planning & Environment's "*A Guide to preparing local environmental plans.*"

The planning proposal will be advertised in the North Shore Times and will be available to view on Council's website. Affected property owners and adjoining landowners will be notified. Local area progress associations will also be notified.

Part 6 – Project Timeline

The following table provides an indicative timeline for the planning proposal:

Planning proposal presented to Council	July 2018
Planning proposal submitted to Gateway	August 2018
Gateway Determination received by Council	September 2018
Community Consultation (28 days)	October 2018
Report to Council on public exhibition	November 2018
Planning proposal submitted to Department of Planning & Environment requesting notification on Government website (if delegated)	December 2018
Notification of Plan on Legislation website	February 2019