

Proposal to include 34 Belmore St, Enmore as a local heritage item (0 dwellings and jobs).

Proposal Title : **Proposal to include 34 Belmore St, Enmore as a local heritage item (0 dwellings and jobs).**

Proposal Summary : **The planning proposal seeks to amend Schedule 5, Part 1 of the Marrickville Local Environmental Plan 2011 (MLEP2011) to include the weatherboard Victorian Filigree freestanding house at 34 Belmore St, Enmore as an item of local heritage significance.**

PP Number : **PP_2017_IWEST_007_00** Dop File No : **17/04946**

Proposal Details

Date Planning Proposal Received : **23-Mar-2017** LGA covered : **Inner West**

Region : **Metro(CBD)** RPA : **Inner West Council**

State Electorate : **MARRICKVILLE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Housekeeping**

Location Details

Street : **34 Belmore Street**

Suburb : **Enmore** City : **Sydney** Postcode : **2042**

Land Parcel : **Lot 4 DP 136**

DoP Planning Officer Contact Details

Contact Name : **Jazmin van Veen**

Contact Number : **0293732877**

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RPA Contact Details

Contact Name : **Maxine Bayley**

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DoP Project Manager Contact Details

Contact Name : **Martin Cooper**

Contact Number : **0292286582**

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Land Release Data

Growth Centre : 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 :

Have there been No
meetings or
communications with
registered lobbyists? :If Yes, comment : The Department of Planning and Environment is not aware of any meetings or
communications with registered lobbyists concerning this proposal.**Supporting notes**Internal Supporting Notes : The planning proposal is supported as it will provide ongoing heritage protection to the
property which has been independently assessed to have local heritage significance.
However, it is recommended that the Gateway Determination include a condition requiring
the assessment of the interiors of the dwelling prior to their inclusion on the heritage
listing or their removal from the listing.External Supporting Notes : The planning proposal seeks to include the weatherboard house at 34 Belmore St, Enmore
as a local heritage item in the Marrickville Local Environmental Plan 2011. An Interim
Heritage Order has previously been issued for the property following community concern
for a development application to demolish the dwelling in 2015.Council is seeking delegation to carry out the plan-making functions under section 59 of
the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is
considered appropriate as the matter is of local significance.**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment : The planning proposal seeks to include 34 Belmore St, Enmore as a local heritage item
within the MLEP2011.**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? Yes

Comment : The planning proposal seeks to amend Part 1 of Schedule 5 of MLEP2011 to include 34
Belmore St, Enmore as a local heritage item as "Weatherboard Victorian Filigree style
freestanding house – "Ashley Villa", including interiors. An amendment to the Heritage
Map Series will also identify the property.

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Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.3 Heritage Conservation

3.5 Development Near Licensed Aerodromes

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

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?

SEPP No 1—Development Standards

SEPP No 19—Bushland in Urban Areas

SEPP No 21—Caravan Parks

SEPP No 30—Intensive Agriculture

SEPP No 33—Hazardous and Offensive Development

SEPP No 50—Canal Estate Development

SEPP No 55—Remediation of Land

SEPP No 62—Sustainable Aquaculture

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

**SEPP (Temporary Structures and Places of Public Entertainment)
2007**

SEPP (Affordable Rental Housing) 2009

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

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 :

A series of maps are provided within the planning proposal showing the location of the subject site, as well as the current and proposed Heritage Map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The planning proposal suggests the proposal is of low impact, but that any public exhibition would be in accordance with the conditions of the Gateway Determination. Given the community concern expressed in relation to the proposed development application which led to the Interim Heritage Order, it is appropriate that a 28 day exhibition be required.

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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 : **Marrickville LEP 2011 was published on 12 December 2011.**

Assessment Criteria

Need for planning proposal :

The planning proposal seeks to heritage list a single dwelling which was proposed for demolition. Following community concern from the Marrickville Heritage Society, the former Marrickville Council placed an Interim Heritage Order (IHO) on the property.

In accordance with the terms of the IHO, a heritage assessment was undertaken which concluded that the house meets the NSW Office of Environment and Heritage's criteria for local heritage listing based on its rarity, intactness and representativeness as an extant freestanding Victorian Filigree timber house on its original lots within the 1876 Ashley Estate subdivision. Following consideration of a report on the heritage assessment's conclusions, Council resolved to list 34 Belmore Street, Enmore, as a local heritage item.

The proposal seeks to include the interiors of the dwelling within the item name of the listing under Schedule 5 MLEP2011. However, the accompanying heritage assessment report notes that the interior of the dwelling has not been assessed. It is proposed that a condition of the Gateway determination require the heritage assessment report be updated to include an assessment of the interiors to determine their significance. Alternatively, if the interiors have no heritage value, the planning proposal should be amended to remove reference to the inclusion of interiors in the listing.

The planning proposal is the only means to afford ongoing heritage protection to the property.

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Consistency with strategic planning framework :

The planning proposal is consistent with the objectives of A Plan for Growing Sydney (2014). A Plan for Growing Sydney notes that 'heritage studies identify buildings and places to be listed as heritage items or heritage conservation areas in a Local Environmental Plan to enable their ongoing protection and management.' This proposed new heritage listing is part of this ongoing process of local government protection of local heritage places.

The draft Central District Plan (dCDP) was released for public exhibition in November 2016 and identifies the importance of heritage conservation. The dCDP includes the following priorities and objectives: - Liveability Priority 7: 'conserve heritage and unique local characteristics'; and - Liveability Action L13: 'conserve and enhance environmental heritage including Aboriginal, European and natural.' It is considered that this planning proposal is consistent with these priorities and actions as it seeks to protect a building with identified heritage values for current and future generations.

The planning proposal is consistent with the Marrickville Community Strategic Plan (Our Place, Our Vision).

Environmental social economic impacts :

The planning proposal is relatively minor but will allow for protection of a greatly appreciated building within the local community.

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**

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
Inner West Cover Letter.pdf	Proposal Covering Letter	Yes

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Inner West Planning Proposal.pdf
Council Report and Resolution.pdf
Heritage Assessment Report.pdf

Proposal
Proposal
Study

Yes
Yes
Yes

Planning Team Recommendation

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

S.117 directions: **2.3 Heritage Conservation**
 3.5 Development Near Licensed Aerodromes
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land
 6.1 Approval and Referral Requirements
 6.3 Site Specific Provisions
 7.1 Implementation of A Plan for Growing Sydney

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

- 1. Prior to community consultation, the Heritage Assessment Report be updated to include an assessment of the significance of the interior of the dwelling or the removal of this component from the proposed listing.**
- 2. The planning proposal must be made publicly available for a minimum of 28 days.**
- 3. Consultation is required with the Office of Environment and Heritage**
- 4. A public hearing is not required under 56(2)(e).**
- 5. The timeframe for completing the LEP is to be 9 months.**

Supporting Reasons : **The planning proposal is minor and seeks to heritage list a single dwelling which has been assessed as being of local heritage significance. While the Heritage Assessment Report has not been endorsed by the Office of Environment and Heritage, the planning proposal is appropriate to delegate to Council for finalisation due to its minor nature.**

Signature:



Printed Name:

MARTIN COOPER

Date:

19/04/2017