

Planning Proposal



(View of Brook Street, Coogee looking south c.1920)

Dudley and Brook Street, Coogee Heritage Conservation Area 'Edgecumbe Estate' and Local Heritage Items

(March 2019)

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ATTACHMENTS

Attachment 1. Heritage Study of Properties on Corner of Brook Street and Dudley Street, Coogee, Randwick City Council, November 2018

Attachment 2. Action Sheet NM64/18, Notice of Motion from Cr Matson – Heritage Reports for 37-41 Dudley Street and 144-150 Brook Street, Coogee (Ordinary Council 28/08/2018)

Attachment 3. 39 Dudley Street, Coogee Interim Heritage Order, Government Gazette of the State of New South Wales

Attachment 4. Notice of Rescission Motion No. MR10/18, Notice of Rescission Motion submitted by Cr Andrews, Roberts and Stravrinis – Heritage Study of Properties in Dudley Street and Brook Street, Coogee (Ordinary Council 11/12/2018)

Attachment 5. LOST Notice of Rescission Motion submitted by Cr Andrews, Roberts and Stravrinis – Heritage Study of Properties in Dudley Street and Brook Street, Coogee (Ordinary Council 11/12/2018)

Attachment 6. 148 Brook Street, Coogee Interim Heritage Order, Government Gazette of the State of New South Wales

Attachment 7. Council Report CP57/18 – Heritage Study of properties in Dudley Street, Coogee

Attachment 8. Proposed Heritage Map

Attachment 9. Draft Heritage Data Forms, 39 and 41 Dudley Street, Coogee and 148 Brook Street Coogee

Attachment 10. Heritage Report for 39 Dudley Street, Coogee prepared by John Oultram Heritage and Design

Attachment 11. Peer Review of Heritage Report for 39 Dudley Street, Coogee prepared by Stephen Davies of Urbis

Attachment 12. Peer Review of previous heritage studies prepared by Sue Rosen Associates

Attachment 13. Assessment of the proposal against the strategic directions of the Eastern City District Plan

Introduction

This planning proposal has been prepared to facilitate the following proposed amendments to the *Randwick Local Environmental Plan 2012* (RLEP 2012):

- Include the following sites as local heritage items:
 - 39 Dudley Street, Coogee (Lot B DP 301192)
 - 41 Dudley Street, Coogee (Lot C DP 301192)
 - 148 Brook Street, Coogee (Lot B DP 305284)
- Create a new heritage conservation area to include:
 - 37 Dudley Street, Coogee (Lot A DP 301192)
 - 39 Dudley Street, Coogee (Lot B DP 301192)
 - 41 Dudley Street, Coogee (Lot C DP 301192)
 - 142A Brook Street, Coogee (Lots 1-6 in SP 13844)
 - 144 Brook Street, Coogee (Lots 1-6 in SP 4898)
 - 146 (referred to as 146A and 146B) Brook Street, Coogee (Lot 2 DP 388326)
 - 148 Brook Street, Coogee (Lot B DP 305284)
 - 150 Brook Street, Coogee (Lot A DP 305284)
 - 152 Brook Street, Coogee (Lot 1 DP 195960)
 - 5 Edgecumbe Avenue, Coogee (SP 12306)

The intention of the planning proposal is to protect and preserve these buildings through the application of the heritage provisions of RLEP 2012. These buildings have been identified by a heritage study that has been prepared by Council as having heritage significance and/or contributing to the heritage significance for the creation of a new heritage conservation area.

This Planning Proposal has been prepared by Randwick City Council in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP & A Act) and the NSW Department of Planning and Environment's "A Guide to Preparing Planning Proposals" (August 2016).

Background

Overview

This Planning Proposal is consistent with the recommendations outlined within the Heritage Study prepared by Council (Attachment 1) to investigate the potential heritage significance of the subject area. The Planning Proposal seeks to amend RLEP 2012 by creating a new heritage conservation area to incorporate the subject area, and to list properties Nos. 39 & 41 Dudley Street, Coogee and No. 148 Brook Street, Coogee as local heritage items.

Timeline of Events

The following motion by Councilor Matson was carried at the Ordinary Council meeting on 28 August 2018 (Attachment 2):

That Council commences a heritage study of the following dwellings in Coogee for the purpose of publically exhibiting a proposal to amend Randwick Local Environmental Plan 2012 to include them as listed heritage items:

- 37 Dudley Street, Coogee

- 39 Dudley Street, Coogee
- 41 Dudley Street, Coogee
- 144 Brook Street, Coogee
- 146 Brook Street, Coogee
- 146A Brook Street, Coogee
- 148 Brook Street, Coogee
- 150 Brook Street, Coogee

Letters were sent by Council to the owners of the subject properties, dated 18 September 2018 in order to advise them of Council's resolution to commence a heritage study of their properties, and to seek their consent to access the subject sites. Positive responses were received from 37 and 41 Dudley Street, Coogee and 144, 146A and 146B, 150 Brook Street, Coogee and 2/1 Edgecumbe Avenue, Coogee. No responses were received from 148 Brook Street, Coogee and access was denied from 39 Dudley Street, Coogee and 1/1 Edgecumbe Avenue, Coogee.

Site inspections to 144 Brook Street, Coogee and 41 Dudley Street, Coogee were carried out on 2 October 2018. 146A and 146B Brook Street, Coogee were viewed on 4 October, 37 Dudley, Coogee was inspected on 17 October 2018 and 150 Brook Street, Coogee was viewed on 25 October 2018.

On 8 October 2018, prior to the completion of the study, an Interim Heritage Order (IHO) was placed on 39 Dudley Street, Coogee (Lot B DP 301 192) (Attachment 3). The IHO was issued in view of the current heritage investigations. Council also received notice of two Complying Development Certificate (CDC) applications, dated 25 September 2018. The separate CDC applications involved the proposed demolition of the existing dwellings at 37 and 39 Dudley Street, Coogee.

A Class 1 application for appeal was lodged by Norman Lipson (owner of 39 Dudley Street, Coogee) pursuant to 30(1) of the Heritage Act 1977 (NSW) (Heritage Act) against the making of the IHO by Randwick City Council over the property at 39 Dudley Street, Coogee.

A heritage study of the properties entitled 'Heritage Study of properties on corner of Brook Street and Dudley Street, Coogee' dated November 2018 was prepared by Council. The study involved historical research, based on desktop investigations as well as site inspections carried out to a number of properties on 2, 4, 17 and 25 October 2018. It included site details on each property and a preliminary assessment of heritage significance, and an analysis of their contributory value.

The 'Heritage study' was reported to the Ordinary Council Meeting on 27 November 2018 (CP57/18) and the following was resolved:

'That

- a) Council endorse the Heritage Study dated 25 October 2018 which recommends that 37, 39 and 41 Dudley Street and 144, 146A, 146B, 148 and 150 Brook Street Coogee be considered for incorporation into a heritage conservation area, and that 39 and 41 Dudley Street, and 148 Brook Street, Coogee, be considered for local heritage listing.*
- b) Council prepare a Planning Proposal to amend the Randwick Local Environmental Plan 2012 to list and create a Heritage Conservation Area to incorporate 37, 39 and 41 Dudley Street, Coogee and 144, 146A, 146B, 148 and 150 Brook Street*

Coogee, and to list 39 and 41 Dudley Street, Coogee and 148 Brook Street, Coogee as local heritage items.

- c) *Council refer the Planning Proposal to the Randwick Local Planning Panel (RLPP) for advice prior to resolving that it be forwarded for "Gateway Determination".*

A rescission motion on the item was submitted by Councillors Andrews, Roberts and Stavrinou and it was referred to the Ordinary Council meeting on 11 December 2018 (Attachment 4).

On 10 December 2018, an Interim Heritage Order (IHO) was placed on 148 Brook Street (Lot B DP 305284) (Attachment 5) in view of the current investigations (refer to Attachment 4 of Planning Proposal). Council received notice of a CDC application (dated 7 December 2018) for demolition of the existing dwelling. Council were made aware of works being undertaken on the property on 8 December 2018.

An Ordinary Council meeting was held on 11 December 2018, and the resolution which passed at the Ordinary Council meeting (Attachment 6) on 27 November 2018 was upheld.

A development application (DA) was lodged with Council on 17 December 2018 (DA944/2018) for demolition of the dwelling at 148 Brook Street, Coogee and construction of a four-storey residential flat building on the site.

The owners of 39 Dudley Street commissioned a heritage assessment of their property which was prepared in November 2018 by John Oultram Heritage & Design. A peer review of this study was also commissioned by the owners of 39 Dudley Street. This peer review was prepared by Stephen Davies of Urbis.

On 14 February 2019, the subject Planning Proposal was referred to the Randwick Local Planning Panel for assessment. The Panel resolved to support the Planning Proposal in principle. The resolution is as follows:

That the Randwick Local Planning Panel advises Council that:

In principle the panel supports the planning proposal to amend Schedule 5 of the RLEP 2012 to include a new Heritage Conservation Area (HCA) 'Edgecumbe Estate'. However, the planning panel considers that:

- 1. Given there are conflicting expert heritage opinions regarding the listing of 39 Dudley Street and 148 Brook Street as individual heritage items, an independent peer review should be undertaken.*

Furthermore, this review should consider whether 5 Edgecumbe Avenue should also be included as part of the new Heritage Conservation Area; and any other recommended amendments to the new heritage conservation area.

- 2. The planning proposal should address all strategic directions of the Eastern City District Plan, particularly in relation to housing supply in the Randwick LGA.*

As a result of the Local Planning Panel advice, Sue Rosen Associates were engaged to undertake the peer review of the draft Heritage Study (Nov 2018) that recommended the proposed heritage listing of sites at No. 39 and No. 41 Dudley Street and No. 148 Brook Street, Coogee, and the creation of the new 'Edgecumbe Estate' Heritage Conservation Area. Sue Rosen's engagement also included a review of the inclusion of No. 5 Edgecumbe Avenue into the proposed heritage conservation area.

Site Description and Context

The properties subject to the planning proposal are located on the northern frontage of Dudley Street and western frontage of Brook Street, within the block bounded by Mount Street, Dudley Street, Brook Street and Carr Street, Coogee (see Image 1 below).

The three sites located fronting Dudley Street contain a continuous grouping of Inter-War bungalows, one to two storeys in height. The subject sites fronting Brook Street comprise a mix of two to three storey Inter-War residential flat buildings and single storey bungalows.



Image 1: Aerial photograph of the subject properties (37, 39 & 41 Dudley Street, Coogee, 142A, 144, 146, 148, 150 & 152 Brook Street, Coogee and 5 Edgecumbe Street, Coogee) outlined in 'red'.

The surrounding context is characterised by a variety of lot and building sizes, featuring a mix of Federation and Inter-War buildings comprising single and multi-dwelling residences, and some contemporary infill development fronting Edgecumbe Avenue, Coogee and further east along Dudley Street, Coogee.

The following table provides a photo and description of each of the sites:

37 Dudley Street, Coogee



(Source: Google Maps)

Inter-War bungalow with triple fronted gable roof form, battened infill to main and secondary gables, first floor hipped roof extension with front dormer and gable ends to east and west elevations and matching gabled car port structure on eastern side. Casement bay windows to front elevation with timber shingles below.

Lot size: 415.95m² (approximately)

39 Dudley Street, Coogee



Inter-War bungalow with double fronted gable roof form, timber battened infill to main and secondary gable with decorative vent to primary gable. Red face brick façade with casement bay window to front elevation and brown tile roof possibly of later tile replacement, The shingles below the bay have since been removed.

Lot size: 420.37m² (approximately)

41 Dudley Street, Coogee



(Source: Google Maps)

Inter-War bungalow with prominent corner position and double hipped roof form and single gable fronting Dudley Street with timber battened infill and additional matching gable end fronting Edgumbe Avenue on the eastern side. The dwelling comprises a red face brick façade with casement windows to front elevation and timber shingles below. Timber framed leadlight casement windows to Dudley Street (front) and Edgumbe Avenue (side) elevations with painted stone lintels. A rear sunroom with row of timber framed sash windows along the eastern and northern elevations. A low sandstone boundary fence with stone posts along the Dudley Street and Edgumbe Avenue frontages. A single storey brick garage fronting Edgumbe Avenue appears to be a later addition (c.1940s).

Lot size: 410.72m² (approximately)

142A Brook Street, Coogee



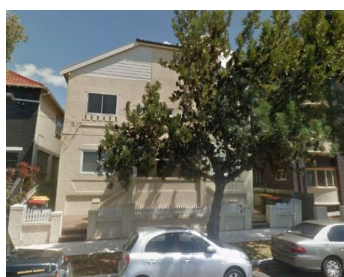
(Source: Google Maps)

Existing Local Heritage Item: 3 Storey Art Deco Residential Flat Building (I71 RLEP 2012).

1920's 3 storey flats. An attractive Art Deco residential flat building with central entrance defined by stepped parapet dark brickwork, glass leadlight work and original curved bay windows, generally appears as built.

Lot size: 701.68m² (approximately)

144 Brook Street, Coogee and 1-3 Edgecumbe Avenue, Coogee



144 Brook Street, Coogee
(Source: Google Maps)



1-3 Edgecumbe Avenue, Coogee
(Source: Google Maps)

The site is occupied by two buildings. An Inter-War two storey walk-up residential flat building (known as 144 Brook Street) comprising four dwellings, and a two storey mid-twentieth century duplex located at the rear of the site, with frontage to Edgecumbe Avenue. This building is known as 1-3 Edgecumbe Avenue. It is unclear exactly when the building was constructed.

Lot size: 578.72m² (approximately)

146 Brook Street, Coogee and 146A Brook Street, Coogee



(Source: Google Maps)

Early 1920s two storey Inter-War duplex building comprising battened gable roof form, pronounced front balconies with painted stone colonettes.

Lot size: 331.62m² (approximately)

148 Brook Street, Coogee	
	<p>The dwelling is occupied by a single storey Inter-War Bungalow with primary frontage to Brook Street and single storey double garage to the rear, with frontage to Edgecumbe Avenue. The dwelling is constructed of face brick elevated above street level and comprises terracotta tiled hipped and gabled roof form. A large gable with exposed bargeboards detailing extends over two-thirds of front veranda. The veranda runs along the full width of the frontage and comprises stone base, stone piers with stone colonettes.</p> <p>Lot size: 546.30m² (approximately)</p>
150 Brook Street, Coogee	
	<p>Single storey Inter-War bungalow with stone basement, steps and veranda posts.</p> <p>Lot size: 554.87m² (approximately)</p>
152 Brook Street, Coogee	
 <p>(Source: Google Maps)</p>	<p>Existing Local Heritage Item: "Brooklyn Flats" (172 RLEP 2012).</p> <p>Circa 1919 "Brooklyn Flats" (Cnr Dudley Street). Elevated site with parapet, semi – circular portico and balconies, stripped classical embellishments</p> <p>Lot size: 620.19m² (approximately)</p>
5 Edgecumbe Avenue, Coogee	
 <p>(Source: Google Maps)</p>	<p>The dwelling is at the rear of 146 Brook Street and has a frontage to Edgecumbe Avenue. The dwelling contains characteristics of the Inter War Art Deco style and exhibits characteristics similar to those found on 1930s bungalows.</p> <p>Lot size: 234m² (approximately)</p>

Existing Planning Controls

The properties proposed as items of local heritage significance are Nos. 39 & 41 Dudley Street, and No. 148 Brook Street, and the properties proposed for inclusion within a new heritage conservation area are Nos. 37, 39 & 41 Dudley Street, 142A, 144, 146, 146A, 150 & 152 Brook Street and 5 Edgecumbe Avenue. The properties are currently zoned R3 Medium Density Residential under RLEP 2012 with a maximum height limit of 12 metres and FSR of 0.9:1 (note dwelling houses have an alternative applicable FSR based on a sliding scale under the RLEP 2012).

The existing zoning and development standards currently applying to the sites are not proposed to change as a result of this planning proposal.

The subject properties are not located within a heritage conservation area, however 142A and 152 Brook Street are local heritage items listed within Schedule 5 of the RLEP 2012 and described as follows:

- 142A Brook Street, Coogee, '3 storey Art Deco residential flat building' (SP 13844) I71
- 152 Brook Street, Coogee 'Brooklyn Flats' (Lot 1, DP 195960) I72



Image 2: Extract of RLEP 2012 Heritage Map 007 showing existing local heritage items nos. 142A and 152 Brook Street, Coogee.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this planning proposal is to:

- amend Schedule 5 of the RLEP 2012 to:
 - list the following sites as local heritage items:
 - 39 Dudley Street, Coogee (Lot B DP 301192)
 - 41 Dudley Street, Coogee (Lot C DP 301192)

- 148 Brook Street, Coogee (Lot B DP 305284)
- list a new heritage conservation area (Edgecumbe Estate) to include:
 - 37 Dudley Street, Coogee (Lot A DP 301192)
 - 39 Dudley Street, Coogee (Lot B DP 301192)
 - 41 Dudley Street, Coogee (Lot C DP 301192)
 - 142A Brook Street, Coogee (Lots 1-6 IN SP 13844)
 - 144 Brook Street, Coogee (Lots 1-6 IN SP 4898)
 - 146 Brook Street, Coogee (Lot 2 DP 388326)
 - 148 Brook Street, Coogee (Lot B DP 305284)
 - 150 Brook Street, Coogee (Lot A DP 305284)
 - 152 Brook Street, Coogee (Lot 1 DP 195960)
 - 5 Edgecumbe Avenue, Coogee (SP 12306)
- Amend the Heritage Map to:
 - identify the following sites as local heritage items:
 - 39 Dudley Street, Coogee (Lot B DP 301192)
 - 41 Dudley Street, Coogee (Lot C DP 301192)
 - 148 Brook Street, Coogee (Lot B DP 305284)
 - create a new heritage conservation area to include:
 - 37 Dudley Street, Coogee (Lot A DP 301192)
 - 39 Dudley Street, Coogee (Lot B DP 301192)
 - 41 Dudley Street, Coogee (Lot C DP 301192)
 - 142A Brook Street, Coogee (Lots 1-6 IN SP 13844)
 - 144 Brook Street, Coogee (Lots 1-6 IN SP 4898)
 - 146 Brook Street, Coogee (Lot 2 DP 388326)
 - 148 Brook Street, Coogee (Lot B DP 305284)
 - 150 Brook Street, Coogee (Lot A DP 305284)
 - 152 Brook Street, Coogee (Lot 1 DP 195960)
 - 5 Edgecumbe Avenue, Coogee (SP 12306)

The intended outcome of the planning proposal is to provide the statutory mechanism to protect the heritage significance of these properties. Once amended, the RLEP 2012 heritage conservation objectives and provisions contained under clause 5.10 will apply to these sites.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to:

- Amend Part 1 of Schedule 5 – Environmental Heritage of the RLEP 2012 by inserting the following:

Suburb	Item name	Address	Property description	Significance	Item no.
Coogee	39 Dudley Street Coogee	39 Dudley Street Coogee	Lot B DP 301192	Local	I470
Coogee	41 Dudley Street Coogee	41 Dudley Street Coogee	Lot C DP 301192	Local	I471

Coogee	148 Brook Street Coogee	148 Brook Street Coogee	Lot B DP 305284	Local	I472
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- Amend Part 2 of Schedule 5 – Environmental Heritage of the RLEP 2012 by inserting the following:

Name of area	Identification on Heritage Map	Significance
Edgecumbe Estate	Shown by red hatching and labelled "C21"	Local

This planning proposal will also result in the amendment to the LEP Heritage Map by colouring the subject property so as to indicate a Heritage Item – General and create a new heritage conservation area to include 37, 39 & 41 Dudley Street, Coogee, 142A, 144, 146, 148, 150 & 152 Brook Street, Coogee and 5 Edgecumbe Avenue Coogee.

The proposed map is shown in Part 4 – Mapping.

PART 3 – JUSTIFICATION

A. Need for the planning proposal

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

Yes. The planning proposal is a result of a heritage assessments carried out by Council in November 2018. Please refer to Attachment 1.

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

Yes. 39 and 41 Dudley Street, Coogee and 148 Brook Street, Coogee have been assessed as satisfying the NSW Heritage Council's Criteria for local heritage significance. The properties 37, 39 & 41 Dudley Street, Coogee, 142A, 144, 146, 148, 150 & 152 Brook Street, Coogee and 5 Edgecumbe Avenue, Coogee have been identified as having heritage values that contribute to the heritage significance of the new heritage conservation area.

The Planning Proposal is the best means of achieving the objective of conserving and protecting the cultural heritage of Randwick City Council. Statutory protection for 39 & 41 Dudley Street, Coogee and 148 Brook Street, Coogee as Heritage Items and the inclusion of 37, 39 & 41 Dudley Street, Coogee, 142A, 144, 146, 148, 150 & 152 Brook Street, Coogee and 5 Edgecumbe Avenue, Coogee in the new heritage conservation area can only be achieved through listing/mapping in a local environmental plan.

B. Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The proposal is consistent with the Greater Sydney Region Plan and the Eastern

City District Plan as follows:

Greater Sydney Region Plan	
The Greater Sydney Region Plan outlines how Greater Sydney will manage growth and change and guide infrastructure delivery towards 2036. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through the District Plans.	
<p>Direction 4, Objective 13, Strategy 13.1 – Environmental heritage is conserved and enhanced by:</p> <ul style="list-style-type: none"> • engaging with the community early in the planning process to understand heritage values and they contribute to the significance of the place, • applying adaptive re-use and interpretive heritage to foster distinctive local places, and • managing and monitoring the cumulative impact of development on the heritage values and character of places. 	<p>The Planning Proposal is consistent with this Strategy as it seeks to protect and conserve the subject heritage buildings through the application of the heritage provisions in RLEP 2012. These buildings have been identified by a heritage study as having heritage significance and/or contributing to the new heritage conservation area. Council has undertaken preliminary consultation with the property owners of 37, 39 and 41 Dudley Street, Coogee and 142A, 144, 146, 148, 150 & 152 Brook Street, Coogee. (See Council Report Attachment 7). The Planning Proposal will further consult with land owners and undertake broader community engagement during the formal consultation period.</p>
Eastern City District Plan	
The Eastern City District Plan is a guide for implementing the Greater Sydney Region Plan at a District level and is a bridge between regional and local planning in the Eastern City District, which includes the Randwick Local Government Area.	
<p>Planning Priority E5 – Priority housing supply, choice and affordability, with access to jobs, services and public transport</p>	<p>While the heritage listing of the proposed site may reduce the potential for increased housing supply by limiting development potential, given that the proposal only impacts 11 properties (the existing heritage items have not been included), the impact on Planning Priority E5 is considered to be negligible. This will be addressed in further detail in Randwick City's Local Housing Strategy.</p> <p>The Planning Proposal has the benefit of preserving these housing types and contributes to housing diversity within the LGA.</p>
<p>Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage, Action 20 – Identify, conserve and enhance environmental heritage by:</p>	<p>The Planning Proposal is in keeping with the relevant actions of the Eastern City District Plan pertaining to heritage conservation. As noted above, the</p>

<ul style="list-style-type: none"> 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 interpreting heritage to foster distinctive local places, and managing and monitoring the cumulative impact of development of the heritage values and character of places. 	<p>proposed amendments to the RLEP 2012 resulting from this planning proposal will afford statutory protection to buildings identified as having heritage significance. These buildings have been identified by a heritage study as having heritage significance and/or contributing to the heritage significance of the new heritage conservation area. Council has undertaken preliminary consultation with the property owners of 37, 39 and 41 Dudley Street, Coogee and 142A, 144, 146, 148, 150 and 152 Brook Street, Coogee (see Council Report Attachment 7). The Planning Proposal will further consult with land owners and undertake broader community engagement during the formal consultation period.</p>
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A full assessment of the Planning Proposal against the directions of the Eastern City District Plan is provided in Attachment 13.

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

The *Randwick City Plan* is Council's Strategic Plan that guides and coordinates the Council's activities over a 20 year period.

The Planning Proposal is consistent with the following outcome and direction:

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

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

This Planning Proposal does not contain any provisions that would contradict or hinder the application of relevant State Environmental Planning Policies.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table identifies the key applicable S 9.1 (previously s.117) Directions and outlines this planning proposal's consistency with these.

No.	Direction	Comment
1.	<i>Employment and Resources</i>	
1.1	Business and Industrial	Not applicable.

	Zones	
1.2	Rural Zones	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4	Oyster Aquaculture	Not applicable.
1.5	Rural Lands	Not applicable.
2. Environment and Heritage		
2.1	Environment Protection Zones	Not applicable.
2.2	Coastal Protection	Not applicable.
2.3	Heritage Conservation	Consistent. This planning proposal seeks the conservation of buildings that have heritage significance and which contribute to the significance of the new heritage conservation area. Once amended the RLEP 2012 heritage conservation objectives and provisions will apply to the subject sites.
2.4	Recreation Vehicle Areas	Not applicable.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	Consistent. The subject sites proposed for heritage listing and/or for the inclusion in the new heritage conservation area are zoned R3 Medium Density Residential. The Planning Proposal does not seek to amend the zoning, development standards or range of permissible uses on these sites.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable.
3.3	Home Occupations	Consistent. This planning proposal does not contradict or hinder application of the home occupation provisions in Randwick LEP 2012.
3.4	Integrating Land Use and Transport	Not applicable.
3.5	Development Near Licensed Aerodromes	Not applicable.
3.6	Shooting Ranges	Not applicable.
4. Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent. The Acid Sulfate Soils Map in RLEP 2012 identifies the properties 150, 148, 146, 144 & 142A Brook Street, Coogee and 5 Edgumbe Street Coogee as

		containing acid sulfate soils. These sites are proposed for heritage listing and/or for the inclusion in the new heritage conservation area and not for the intensification of land uses on the site. The existing zoning and development standards currently applying to the sites are not proposed to change as a result of this planning proposal.
4.2	Mine Subsidence and Unstable Land	Not applicable.
4.3	Flood Prone Land	Consistent. This draft planning proposal does not contract or hinder application of flood planning provisions in Randwick LEP 2012.
4.4	Planning for Bushfire Protection	Not applicable.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable.
5.2	Sydney Drinking Water Catchments	Not applicable.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.8	Second Sydney Airport, Badgerys Creek	Not applicable.
5.9	North West Rail Link Corridor Strategy	Not applicable.
5.10	Implementation of Regional Plans	Not applicable.
6. Local Plan Making		
6.1	Approval and Referral Requirements	Consistent.
6.2	Reserving Land for Public Purposes	Consistent. This draft planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site Specific Provisions	Not applicable.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Consistent. This draft planning proposal is aligned with the goals, directions and action of A Plan for Growing Sydney; and does not contradict or hinder application of A Plan for Growing Sydney.
7.2	Implementation of Greater	Not applicable.

	Macarthur Land Release Investigation	
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.

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 the proposal?

The Planning Proposal pertains to land located within an urbanised environment. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal as there are no changes proposed to development standards.

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

The intention of this Planning Proposal is to conserve buildings that have heritage value. This planning proposal will therefore have a positive outcome for the built environment. Clause 5.10 of the RLEP 2012 contains provisions to conserve the heritage significance of heritage items and heritage conservation areas, which will support and enforce the conservation intention of the planning proposal. The RLEP 2012 heritage conservation provisions are supplemented by detailed heritage controls of the Randwick Development Control Plan 2012 (DCP). Once amended, the heritage significance of the subject sites will be subject to the application of existing heritage provisions of Council's planning framework.

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

The Planning Proposal will have positive social effects for the local community by enhancing the retention and protection of key buildings with heritage value. Protecting the heritage significance of such buildings serves a connection with the original development and history of the new heritage conservation area.

Overall, the Planning Proposal is not expected to result in negative economic effects.

Future development on the sites will be subject to heritage assessment aimed at preserving the heritage values of the buildings and the land on which they sit. A heritage listing can also be more attractive to owners and tenants as such properties are viewed as unique and prestigious.

D. State and Commonwealth interests

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

The Planning Proposal seeks to conserve existing buildings and will not increase the demand on existing infrastructure in the locality.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council will consult with any agencies nominated by the Department of Planning and Environment as part of the requirements of the Gateway Determination.

PART 4 – MAPPING

The Planning Proposal will require the amendment to the following RLEP 2012 map sheet:

- Randwick Local Environmental Plan 2012 – Heritage Map – Sheet HER_007

39 and 41 Dudley Street, Coogee and 148 Brook Street, Coogee will be coloured so as to indicate Heritage Items – General.

The new heritage conservation area boundary will be adjusted to include 37, 39 and 41 Dudley Street, Coogee, 142A, 144, 146, 148, 150 and 152 Brook Street, Coogee and 5 Edgecumbe Avenue, Coogee.



Key




New Heritage Conservation Area	
Proposed Local Heritage Item	
Existing Heritage Item	

Image 3: Proposed amendments to the RLEP 2012.

The map showing the proposed amendments to RLEP 2012 is also found at Attachment 8.

PART 5 – COMMUNITY CONSULTATION

Community Consultation for this planning proposal will be consistent with the requirements of the Gateway Determination and the consultation guidelines contained in the Department of Planning and Environments "A Guide to Preparing Local Environmental Plans" (August, 2016).

Public exhibition of the planning proposal is proposed to be undertaken in the following manner:

- Direct notification of land owners
- Notification in the local newspaper (Southern Courier)
- Notification on Council's website
- Notification to the affected and adjoining land owners

During the public exhibition period, the following material will be made for viewing:

- Heritage report

- Interim Heritage Order Gazettal for 39 Dudley Street, Coogee and 148 Brook Street, Coogee
- Background Council reports, resolutions and rescission motion.
- Planning Proposal
- Inventory sheets for proposed local heritage items (Attachment 9)
- Gateway Determination

At the conclusion of the public exhibition, a report will be prepared and reported back to Council to allow for the consideration of any submissions received from the community.

PART 6 – PROJECT TIMELINE

A timely gateway determination from the Department is important and desirable for this Planning Proposal given that Council is seeking to protect three items that have been identified as having local heritage significance.

Submission to the Department seeking gateway determination	End of March 2019
Gateway determination issued	April 2019
Public exhibition	May 2019
Consideration of submissions	June 2019
Report to Council post exhibition	July 2019
LEP amendment finalised	August 2019