

Planning proposal to include new local heritage items and heritage conservation areas in Hurlstone Park.

Proposal Title : **Planning proposal to include new local heritage items and heritage conservation areas in Hurlstone Park.**

Proposal Summary : **Include new local heritage items and heritage conservation areas in Hurlstone Park.**

PP Number : **PP_2016_CBANK_003_00**

Dop File No : **16/14786**

Proposal Details

Date Planning : **21-Nov-2016**

Proposal Received :

LGA covered :

Canterbury-Bankstown

Region : **Metro(CBD)**

RPA :

Canterbury-Bankstown Council

State Electorate : **CANTERBURY**

Section of the Act :

55 - Planning Proposal

LEP Type : **Precinct**

Location Details

Street : **Whole of Hurlstone Park suburb**

Suburb :

City :

Postcode :

Land Parcel : **Whole of Hurlstone Park suburb**

DoP Planning Officer Contact Details

Contact Name : **Helen Wilkins**

Contact Number : **0292746559**

Contact Email : **helen.wilkins@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Allan Shooter**

Contact Number : **0297899364**

Contact Email : **allan.shooter@cbc.city.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Martin Cooper**

Contact Number : **0292746582**

Contact Email : **martin.cooper@planning.nsw.gov.au**

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 Lobbyists Code of
Conduct has been
complied with : **Yes**

If No, comment : **The Department's Code of Conduct has been complied with.**

Have there been meetings or
communications with
registered lobbyists? : **No**

If Yes, comment : **Sydney Region East Section has not knowingly met with or communicated with any lobbyist in relation to this planning proposal.**

Supporting notes

Internal Supporting
Notes :

The planning proposal is supported because it is consistent with:

- the NSW strategic planning framework, all SEPPs and the Draft South District Plan;
- Council policy and the Hurlstone Park Heritage Assessment Study;
- advice from the Department's Urban Renewal Team, who has advised that the next phase of the Sydenham to Bankstown Urban Renewal Corridor (URC) Strategy will include the results of the Hurlstone Park Heritage Assessment Study (the proposal); and also because
- inconsistencies with section 117 Directions 3.1 Residential Zones, 4.1 Acid Sulfate Soils, and 4.3 Flood Prone Land are considered to be minor and justifiable.

The Hurlstone Park Heritage Assessment Study has identified 51 potential heritage items and 7 Heritage Conservation Areas (HCAs) (Tab Map). The proposal states that the review work may result in a change to the number of listed items, in which case the Department will be advised prior to public exhibition of the planning proposal, and that the SHI forms and DCP controls will be exhibited with the planning proposal. Council has placed Interim Heritage Orders on items in private ownership proposed to be heritage listed to protect the buildings until the proposed draft Plan is made.

The proposal states that further work will be undertaken by Council before exhibition of the proposal:

- Stage 2 - review of the proposed heritage items and HCAs and preparation of State Heritage Inventory (SHI) forms for potential heritage items and potential heritage conservation areas identified in Stage 1 (the Hurlstone Park Heritage Assessment Study); and
- Stage 3 - preparation of a Development Control Plan (DCP) for recommended heritage items and HCAs, and the preparation of a consultation strategy for the public exhibition of the Stage 1 report (the Hurlstone Park Heritage Assessment Study), Stage 2 SHI forms, and draft heritage planning controls.

It is recommended the Gateway determination include a condition requiring the Department to be sent a copy of the revised planning proposal and maps prior to exhibition.

Council has requested delegation of the plan making functions, even though the Hurlstone Park Heritage Assessment Study has not been endorsed by the Heritage Office which is

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External Supporting
Notes :

one of the Department's criteria for delegation, as the proposal is localised in nature. The Regional Team supports the delegation of the proposal to Council because of the localised nature of the issues and because the proposal is in line with endorsed Council policy. On 25 February 2016, the former Canterbury Council resolved not to support increases in density in Hurlstone Park, which were proposed for increased densities under the Sydenham to Bankstown URC Strategy, until a heritage study had been completed.

The intention of the planning proposal is to protect and conserve key buildings and areas in Hurlstone Park that have heritage significance. It adds to existing heritage listed properties in Hurlstone Park already identified within CLEP 2012. The planning proposal is based on recommendations in the Hurlstone Park Heritage Assessment Study prepared by Paul Davies Pty Ltd in September 2016. It will form part of the future planning of the area in the context of the Sydenham to Bankstown Urban Renewal Corridor Strategy and has been prepared collaboratively with the Department of Planning and Environment's Urban Renewal Team.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

The objectives of this planning proposal are:

- 1. to recognise the local heritage significance of various properties and areas in Hurlstone Park;**
- 2. to provide statutory protection for these properties and areas through their identification as local heritage items and HCAs in Canterbury Local Environmental Plan 2012; and**
- 3. to provide for the conservation of these local heritage items and HCAs.**

This is considered adequate.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

The objectives of the planning proposal will be achieved by:

- 1. listing identified local heritage items and HCAs in Schedule 5 of Canterbury LEP 2012; and**
- 2. showing the items and conservation areas in the Canterbury LEP 2012 Heritage maps.**

This is considered adequate.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

2.3 Heritage Conservation

3.1 Residential Zones

Is the Director General's agreement required?

c) Consistent with Standard Instrument (LEPs) Order 2006 :

d) Which SEPPs have the RPA identified?

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 No 70—Affordable Housing (Revised Schemes)

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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 (Mining, Petroleum Production and Extractive Industries) 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? **Yes**

If No, explain :

The planning proposal is consistent with all State Environmental Planning Policies.

The planning proposal is not consistent with Direction 3.1 Residential Zones as it seeks to preserve an existing housing type (low density residential development) which does not make efficient use of existing infrastructure and services in an area that is well serviced by mass public transport. The area is directly adjacent to Hurlstone Park train station, which is on the T3 Bankstown Line and which is proposed to be upgraded as part of the new Sydney Metro Southwest. However, as the area also forms part of the Sydenham to Bankstown Urban Renewal Corridor, which will generate significant new high density residential flat development, the proposal will result in creating housing choices by preserving an alternate housing form to that proposed under the Strategy.

The inconsistency is therefore considered to be minor and justifiable.

The planning proposal is not consistent with Direction 4.1 Acid Sulfate Soils and Direction 4.3 Flood Prone Land as it relates to an area of land that is partly Class 2 acid sulfate soils and partly flood affected. However, the proposal is not seeking to intensify uses on the land and the Canterbury LEP 2012 contains the Acid Sulfate Soils model clause and a flood planning clause. The impacts from any future development proposals are therefore able to be dealt with at DA assessment stage.

The inconsistencies are therefore considered to be minor and justifiable.

The planning proposal is consistent with Direction 7.1 Implementation of A Plan for Growing Sydney, notably Action 3.4: Promote Sydney's heritage, arts and culture.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The planning proposal includes a map of the 51 identified local heritage items and 7 identified HCAs that have been included in the planning proposal. This is adequate for assessment purposes. However, it is recommended the Gateway determination include a condition requiring current and proposed maps in accordance with the Standard Technical Requirements for LEP Mapping and that the revised maps be sent to the Department prior to exhibition.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Given the nature of the planning proposal a community consultation period of 28 days is considered appropriate. Council has proposed an exhibition period of 6 weeks.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

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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 : **Canterbury LEP 2012 was published on 21 December 2012.**

Assessment Criteria

Need for planning proposal : **The planning proposal is the best way to implement the findings of Council's Hurlstone Park Heritage Assessment Study.**

Consistency with strategic planning framework : **The planning proposal is consistent with A Plan for Growing Sydney: Action 3.4: Promote Sydney's heritage, arts and culture promotes the identification, protection and management of areas of heritage significance. It also promotes the involvement of the NSW Heritage Council in providing guidance to local government on local heritage studies, identifying buildings and places to be listed as heritage items and HCAs in a Local Environmental Plan to enable their ongoing protection and management. The proposal states that the NSW Office of Environment and Heritage (OEH) will be consulted. It is recommended that the Gateway determination include a condition requiring consultation with OEH.**

The planning proposal is consistent with the Draft South District Plan: Action L13: Conserve and enhance environmental heritage, including the District's Aboriginal, European and natural heritage, and support the identification, assessment, management and protection of heritage by relevant planning authorities to underpin the community's pride of place.

Sydenham to Bankstown Urban Renewal Corridor Strategy: The proposal states that, as it has heritage implications for new development in Hurlstone Park in the context of the Sydenham to Bankstown Urban Renewal Corridor Strategy, it has been developed in close collaboration with the Department's Urban Renewal Team, who were provided with a copy of the Hurlstone Park Heritage Assessment Study. The Urban Renewal Team was consulted on the planning proposal and has advised that they are supportive of the proposal and that the next iteration of the Sydenham to Bankstown Corridor Strategy will show the proposed HCAs.

Environmental social economic impacts : **Environmental: The planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, as it will not result in any development activity.**

Social: The planning proposal states that the proposal will have a positive social effect on residents living in Hurlstone Park and other people who have an association with the area, through the retention of key heritage buildings and areas and conservation of a connection with the original development and history of the suburb. The creation of heritage items and HCAs is likely to encourage the trend towards restoration of period buildings in the area, which will have social benefits by enhancing pride of place.

The Hurlstone Park Station Precinct chapter of the Sydenham to Bankstown URC Strategy Community Workshop Outcomes Report (August 2016), states that most participants

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identified key contributors to the character of Hurlstone Park as being the style of housing (Federation houses/Californian Bungalow style houses) and 'village nature' of the area. Also that some participants commented that (Canterbury Bankstown) Council is currently considering Hurlstone Park as a heritage precinct.

Economic:

The proposal is not likely to result in any direct economic effects.

Assessment Process

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Department of Education and Communities
Office of Environment and Heritage
Adjoining LGAs
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **Consultation with OEH, NSW Department of Education (owner of 6-20 Burnett Street), Ausgrid (owner of 12 Floss Street), and Inner West Council (Council adjoining Hurlstone Park) is recommended.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

Metropolitan and Regional Strategy

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Covering letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Attachment 1. Hurlstone Park Heritage Assessment Study (Part 1).pdf	Proposal	Yes
Attachment 1. Hurlstone Park Heritage Assessment Study (Part 2).pdf	Proposal	Yes
Attachment 2. Council Report and Minutes - 27 Sept 2016.pdf	Proposal	Yes
Attachments 3 and 4. Proposed Local Heritage Items and Heritage Conservation Areas.pdf	Proposal	Yes
Attachments 5 and 6. Consistency with SEPPs and s117 Directions.pdf	Proposal	Yes

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Evaluation Criteria for the Delegation of Plan Making Functions .pdf	Proposal	No
Delegated plan making reporting template.pdf	Proposal	No
Gateway Determination PP 2016 CBANK 003.pdf	Determination Document	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
2.3 Heritage Conservation
3.1 Residential Zones

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

- 1. Prior to public exhibition, Council is to amend the planning proposal to:**
 - be consistent with Stage 2 of the work and the review of the proposed heritage items and preparation of State Heritage Inventory (SHI) forms for potential heritage items and potential heritage conservation areas identified in Stage 1; and
 - include current and proposed maps in accordance with the Standard Technical Requirements for LEP Mapping, consistent with Stage 2 of the work.
- 2. Council is to send a copy of the revised planning proposal, maps and supporting documentation to the Department prior to exhibition.**
- 3. Community consultation is required for a minimum of 28 days.**
- 4. Consultation is required with the following public authorities:**
 - Office of Environment and Heritage.
 - Department of Education and Communities.
 - Ausgrid.
 - Inner West Council.
- 5. A public hearing is not required to be held into the matter.**
- 6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.**

Supporting Reasons : **It is recommended that the planning proposal proceed because it is consistent with:**

- the NSW strategic planning framework, all SEPPs and the Draft South District Plan;
- Council policy and the Hurlstone Park Heritage Assessment Study; and
- advice from the Department's Urban Renewal Team, who has advised that the next phase of the Sydenham to Bankstown Urban Renewal Corridor (URC) Strategy will include the results of the Hurlstone Park Heritage Assessment Study (the proposal).

Signature: _____

Printed Name: _____ Date: _____