

PLANNING PROPOSAL

IMPLEMENTATION OF HURLSTONE PARK HERITAGE ASSESSMENT STUDY



**Planning Department
April 2017**

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PART 1 – INTRODUCTION

This planning proposal has been prepared to enable the listing of ~~51~~ 29 local heritage items and seven heritage conservation areas (HCAs) in Canterbury Local Environmental Plan (CLEP) 2012. All of the proposed items and HCAs are located in the suburb of Hurlstone Park. The planning proposal also proposes changes to zoning and planning controls to support these listings.

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, and a further review undertaken by the same consultant in March 2017. 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.

Preparation of the planning proposal has taken place in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act), and A Guide to Preparing Planning Proposals (August 2016) produced by the NSW Department of Planning and Environment.

An initial planning proposal was submitted to the Department of Planning and Environment in October 2016. A Gateway Determination was received for this planning proposal on 14 December 2016, subject to conditions being met.

Council is now seeking a revised Gateway Determination as the original planning proposal has also been amended to include zoning and planning control changes.

PART 2 - BACKGROUND AND DESCRIPTION OF PROPOSAL

Hurlstone Park is one of the oldest established suburbs in the Canterbury-Bankstown Council area. It developed as a suburban area after the railway station opened there in 1895, on the then new railway line between Sydenham and Belmore.

Hurlstone Park contains many high quality examples of particularly Federation (1890-1915) and Inter-War (1915-1940) period buildings. However, only a relatively small number of these buildings are protected by heritage controls in CLEP 2012.

In 2015 the NSW Department of Planning and Environment released the draft Sydenham to Bankstown Urban Renewal Corridor Strategy. The strategy proposed significant increases in density around the railway stations within the corridor, including Hurlstone Park.

The former Canterbury Council considered the implications of this strategy in a report to the Council meeting on 25 February 2016. Council resolved not to support increases in density at Hurlstone Park until a study had been undertaken of its Heritage Conservation Area potential.

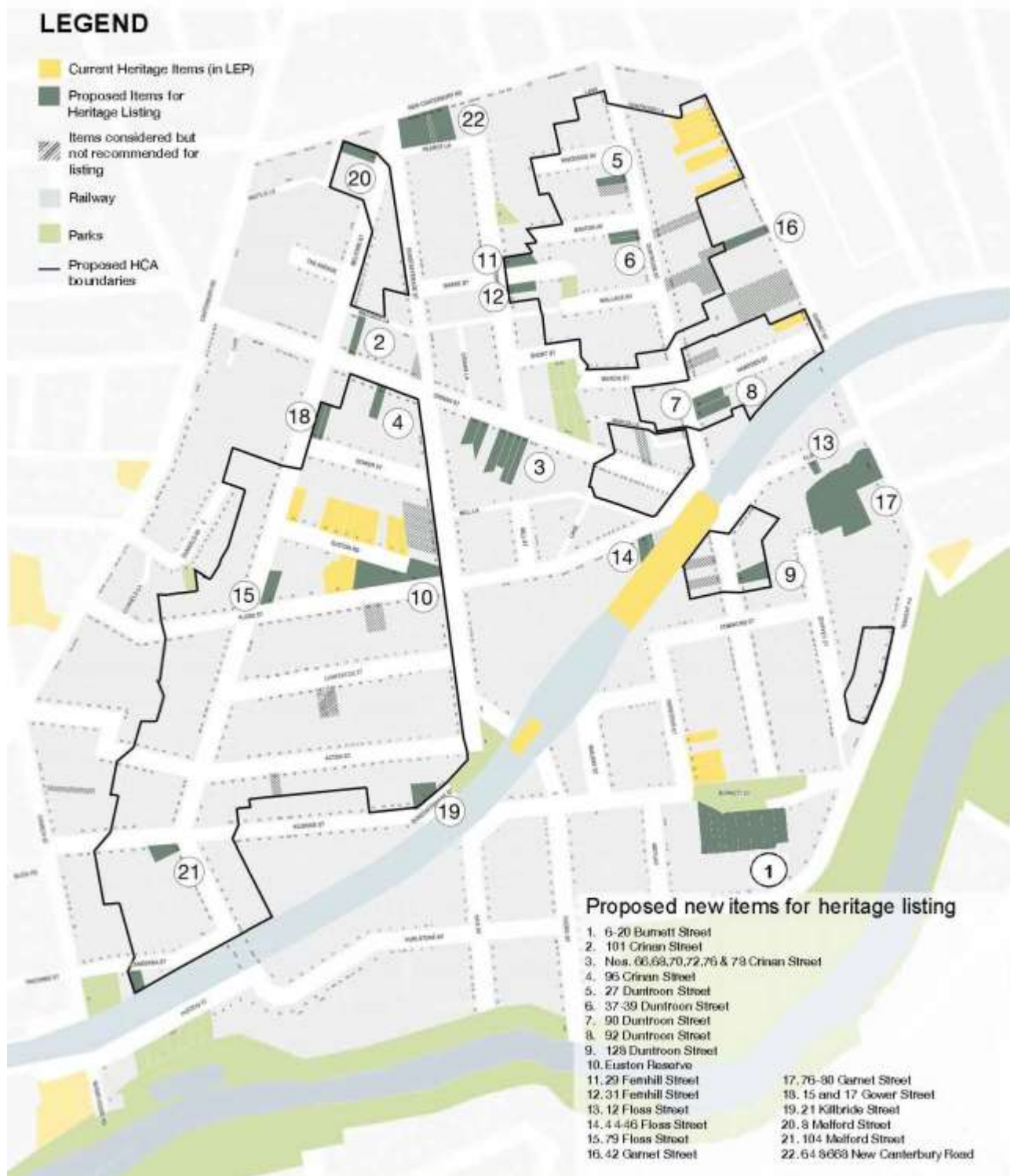
In response to this resolution, the consultant Paul Davies Pty Ltd was appointed to prepare a Heritage Assessment Study of Hurlstone Park in May 2016. The study has now been completed and a copy is contained at **Attachment 1**. Its recommendations were adopted by the Administrator of Canterbury-Bankstown Council on 27 September 2016. A copy of the Council report and resolution is contained at **Attachment 2**.

The study recommended the listing of 51 local heritage items and seven HCAs in Canterbury Local Environmental Plan (CLEP) 2012.

The initial Heritage Assessment Study of Hurlstone Park however anticipated a further more detailed review of potential heritage items and preparation of inventory sheets. This work was undertaken after the September Council resolution and completed in March 2017. A copy is contained at **Attachment 3**. Its recommendations were adopted by the Administrator of Canterbury-Bankstown Council on 18 April 2017. A copy of the Council report and resolution is contained at **Attachment 4**.

Map 1 shows the study area and the grading of all properties, including existing and potential heritage items. The areas edged in black are proposed HCAs.

A list of the proposed heritage items, and more detailed mapping and descriptions of the HCAs are outlined in **Attachments 5 and 6**.



Map 1 – Proposed heritage items and heritage conservation areas in Hurlstone Park (after Stage 2 review)

As a means of initial protection, Council has placed Interim Heritage Orders over the proposed local heritage items in private ownership identified in the Stage 1 report.

Council is now seeking to make the following further changes to zoning and planning controls to support these heritage initiatives:

1. Rezoning all R3 Medium Density Residential and R4 High Density Residential zoned land in the proposed Heritage Conservation Areas to R2 Low Density Residential. This is to prohibit development such as multi dwelling housing and attached housing that are currently permitted in the R3 zone. Such development is out of character with the prevailing development form in the HCAs. This approach to zoning is also consistent with the zoning strategy followed for the Ashbury Heritage Conservation Area in CLEP 2012, where the affected land was rezoned from a R3 equivalent zoning to R2.
2. Amending the maximum building height permitted in the B2 Local Centre zone existing in the proposed Heritage Conservation Areas from 14 metres to 11 metres. This is to enable new development to be in keeping with the prevailing development form in those parts of HCAs that are within the Hurlstone Park town centre.



Figure 1: Potential Heritage Item known as 8 Melford Street (Federation & Inter-War Church buildings).



Figure 2: Potential Heritage Item known as 42 Garnet Street (Late Victorian period house).



Figure 3: Potential Heritage Item known as 2C Euston Road (Euston Reserve).



Figure 4: Potential HCA known as Crinan Street Shops HCA (north side).



Figure 5: Potential HCA known as Hampden Street HCA (south side of Hampden Street).



Figure 6: Potential HCA known as Tennent Parade HCA.

PART 3 - OBJECTIVES OR INTENDED OUTCOMES

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 heritage conservation areas in Canterbury Local Environmental Plan 2012.
3. To provide for the conservation of these local heritage items and heritage conservation areas.
4. To amend zoning and planning controls to support the above heritage initiatives.

The planning proposal will describe the location of these items, their heritage characteristics, and how statutory protection and conservation will be achieved.

PART 4 – EXPLANATION OF PROVISIONS

The objectives of this planning proposal will be achieved through:

1. Listing the identified properties and areas as local heritage items and heritage conservation areas in Schedule 5 of Canterbury Local Environmental Plan 2012.
2. Utilising the existing heritage conservation provisions in clause 5.10 of Canterbury Local Environmental Plan 2012.
3. Amending Canterbury Local Environmental Plan 2012 to:
 - Rezoning land zoned R4 High Density Residential and R3 Medium Density Residential within the proposed Heritage Conservation Areas to R2 Low Density Residential.
 - Reduce the maximum building height permitted in the B2 Local Centre zone within the proposed Heritage Conservation Areas from 14 metres to 11 metres.

The listing of local heritage items and heritage conservation areas within Schedule 5 of CLEP 2012 will follow the conventions already established in this LEP.

For heritage items the listing will identify the address of the item, property description, and level of significance. It will also provide a brief description of the item.

For heritage conservation areas this will mean providing the name of the conservation area, the means of identification on the Heritage Map, and the level of significance.

The rezoning and maximum building height changes to CLEP 2012 will occur through amendments to the LEP maps. No changes to the wording of the LEP itself will be required.

PART 5 – JUSTIFICATION

SECTION A: Need for the Planning Proposal

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

The planning proposal is the result of the Hurlstone Park Heritage Assessment Study completed in September 2016.

A copy of the study is contained in **Attachment 1**.

The background to this study has been outlined earlier in the planning proposal in **Part 2 - Background and description of proposal**.

The study involved identification of potential heritage items and HCAs within Hurlstone Park warranting further research. The key inputs into this work were preparation of a thematic history, a photographic survey of all properties within Hurlstone Park, and grading of the building value of all properties. More details about the process and methodology are contained within the study.

Two further stages of work were undertaken in relation to the implementation of the study recommendations.

Stage 2 involved the preparation of State Heritage Inventory (SHI) forms for potential heritage items and potential heritage conservation areas identified in Stage 1. It also involves a review of the proposed heritage items. This work has been completed and the Stage 2 report forms Attachment 3 to this planning proposal.

The Stage 2 work has recommended a reduction in the proposed heritage items from 51 to 29. The planning proposal has been amended to reflect these recommendations. Of the 22 properties not proposed for listing, 19 are within proposed heritage conservation areas and will be afforded protection through this identification.

This work has also recommended the following changes to three of the potential items:

For the proposed heritage item “Euston Reserve”, it is proposed to add an area of road that has been closed and is part of the reserve, and also an Ausgrid electricity substation site that is within the reserve (2D Euston Road). Ausgrid will be notified as part of the exhibition of the planning proposal.

For the proposed heritage item 44-46 Floss Street the original listing comprised 46 Floss Street only. 44 Floss Street is within the same ownership as 46 Floss Street, and

contains the driveway to this property. As 44 Floss Street is an integral part of the property, it is proposed to add this to the heritage listing.

For the proposed heritage item “St Stephanos Greek Orthodox Church” the consultants have recommended that the Inter War building on the site east of the existing church that contains a child care centre also be listed. This building was constructed in 1928 and is a locally rare example of the Romanesque style. This listing only applies to the exterior, the interior has been heavily altered.

Stage 3 will involve preparation of Development Control Plan (DCP) controls for recommended heritage items and HCAs, and the preparation of a consultation strategy for the public exhibition of the Stage 1 report, Stage 2 SHI forms, and draft heritage planning controls. The DCP will be exhibited with the planning proposal.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?

The planning proposal is the best means of achieving the objectives. Statutory protection for the potential heritage items and HCAs, and changes to zoning and height controls can only be achieved through a local environmental plan.

SECTION B: Relationship to strategic planning framework

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

The Strategic planning context for consideration of this planning proposal is:

- A Plan for Growing Sydney (December 2014)
- Draft Sydenham to Bankstown Urban Renewal Corridor Strategy (October 2015)
- Draft South District Plan (November 2016)

A Plan for Growing Sydney

A Plan for Growing Sydney recognises the importance of heritage in **Direction 3.4: Promote Sydney's heritage, arts and culture**. This direction notes the following:

Community life is often centred around significant places such as heritage buildings. These buildings provide a connection to our past and collectively tell our city's story. Heritage buildings and sites contribute to our sense of place and identity and help us to understand and learn about our past, including our proud Aboriginal heritage.

Action 3.4.4 of Direction 3.4 is to identify and re-use heritage sites, including private sector re-use through priority precincts program.

It notes that the Government is committed to identifying, protecting and managing areas with heritage significance. It also describes the role of heritage studies in identifying 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 type of initiative is exactly what this planning proposal is seeking to achieve.

This action outlines a further issue which is the balance of establishing heritage significance against providing for further growth. This is further discussed below.

The planning proposal will result in a minor conflict with *Action 2.1.1: Accelerate Housing Supply and Local Housing Choices* through the proposed change in zoning in the heritage conservation areas from R4 High Density Residential and R3 Medium Density Residential to R2 Low Density Residential. While this zoning change supports the heritage outcomes Council is seeking to achieve, it will result in a reduction in the development potential and housing types that will be permitted in the HCAs. This reduction is expected to be minor, because the likelihood of new medium and high density housing occurring in the existing R4 and R3 zones is low. This is due to the

relatively small existing lot sizes that make forming development sites difficult, and the quality and established nature of the existing dwelling stock.

Likewise, the reduction in maximum building height in the B2 Local Centre zone within HCAs from 14 metres to 11 metres, will reduce the development potential of the land involved. Again this change is likely to only have minor consequences. The B2 zones in Hurlstone Park that are impacted by this change have seen very little recent development. This is due to the relatively small existing lot sizes that make forming development sites difficult. It is noted that the height control change will not prevent permissible development occurring, only at a lower density.

Draft Sydenham to Bankstown Urban Renewal Corridor Strategy

This strategy seeks to increase densities around railway stations on the railway line between Sydenham and Bankstown, in anticipation of its upgrading to a Metro style train service. Hurlstone Park is one of the railway stations within this corridor.

As previously described earlier in the planning proposal in **Part 2 - Background and description of proposal**, Council would not support the initial version of the draft Corridor Strategy until the potential heritage impacts on the suburb of Hurlstone Park had been assessed.

Since then Council has been working closely with the Department's Urban Renewal Team in relation to the heritage implications of new development in Hurlstone Park. The Urban Renewal Team has been provided with a copy of the Hurlstone Park Heritage Assessment Study for its integration into the future planning of this area.

Draft South District Plan

The Draft South District Plan recognises the importance of heritage in **Action L13: Conserve and enhance environmental heritage including Aboriginal, European, and natural.**

This action requires relevant planning authorities to identify, assess, manage and protect the heritage which underpins the community's sense of place.

The planning proposal and accompanying development control plan clearly meets this requirement. It is based on comprehensive study work to identify the buildings and areas that contribute significantly to the European heritage of Hurlstone Park. This will help inform current residents and visitors of the original suburban development of the area from the 1890s, and consolidate and protect the community's sense of place that exists in Hurlstone Park.

The planning proposal will result in a minor conflict with *Action L3: Councils to increase housing capacity across the District* through the proposed change in zoning in the heritage conservation areas from R4 High Density Residential and R3 Medium Density Residential to R2 Low Density Residential. The implications and issues are similar to those discussed above relating to Action 2.1.1 in *A Plan for Growing Sydney*. The overall impact on housing supply and choice is considered to be minor.

4. Is the Planning Proposal consistent with the local Council's community strategic plan, or other local strategic plan?

The Community Strategic Plan 2014-2023 for the former Canterbury Council was adopted in February 2014. It sets out Council's vision for the next decade, with the following long term goals under five key themes:

- Attractive City
- Stronger Community
- Healthy Environment
- Strategic Leadership
- Improving Council

The theme of Attractive City has a long term goal of Balanced Development. A strategy in relation to this is to "Produce urban planning policies which facilitate sustainable urban development". The planning proposal will achieve this through conserving buildings and areas that have heritage value.

The theme of Stronger Community has a long term goal of Embracing Diversity. An expressed outcome of this long term goal is "We have opportunities and community spaces for expression and appreciation of local heritage, arts, music, and culture". A corresponding strategy is "Improve understanding and awareness of heritage issues". Again the planning proposal will achieve this through conserving buildings and areas that have heritage value, and are of significance to the local community.

There are no aspects of the Community Strategic Plan that do not support the preparation and implementation of this planning proposal.

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

A table addressing the applicability of all State Environmental Planning Policies and the consistency of the planning proposal is outlined in **Attachment 5**.

6. Is the planning proposal consistent with applicable Ministerial Directions (section 117 directions)?

A table addressing the applicability of all section 117 directions and the consistency of the planning proposal is outlined in **Attachment 6**.

SECTION C: Environmental, social and economic impact

7. 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?

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. The planning proposal pertains to land that is currently within a fully urbanised environment.

8. 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 the planning proposal is to conserve heritage items and conservation areas in Hurlstone Park, and therefore the planning proposal has an effect on the built environment. Clause 5.10 of CLEP 2012 contains controls for heritage conservation that will support and enforce the conservation intention of the planning proposal. More detailed design controls will also be prepared as part of an amendment to Canterbury Development Control Plan (CDCP) 2012. These will be exhibited with the planning proposal.

9. How has the planning proposal adequately addressed any social and economic effects?

It is expected that the planning 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. This will conserve a connection with the original development and history of the suburb.

It is not anticipated that the proposal will have a significant economic effect. While it is likely that there may be a loss of economic activity through limiting the development potential of identified sites, this will be more than compensated by development occurring elsewhere within the Sydenham to Bankstown Urban Renewal Corridor. The introduction of HCAs is likely to further encourage the trend towards restoration of pre World War 2 buildings in Hurlstone Park, with the increased certainty it provides of heritage character being retained.

SECTION D: State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

The planning proposal seeks to conserve existing buildings and areas, and will not increase the demand on existing infrastructure.

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

This section will be finalised after consultation with public authorities identified in the gateway determination has taken place.

PART 6 – MAPPING

Three map types relating to Canterbury LEP 2012 are proposed to be amended to implement the heritage initiatives of this planning proposal:

- Heritage
- Land Zoning Map
- Height of Buildings

The proposed changes will affect maps HER_006, HER_007, HER_009, HER_010, LZN_006, LZN_007, LZN_009, LZN_010, and HOB_009.

Maps 2 to 7 below show the existing and proposed situation.

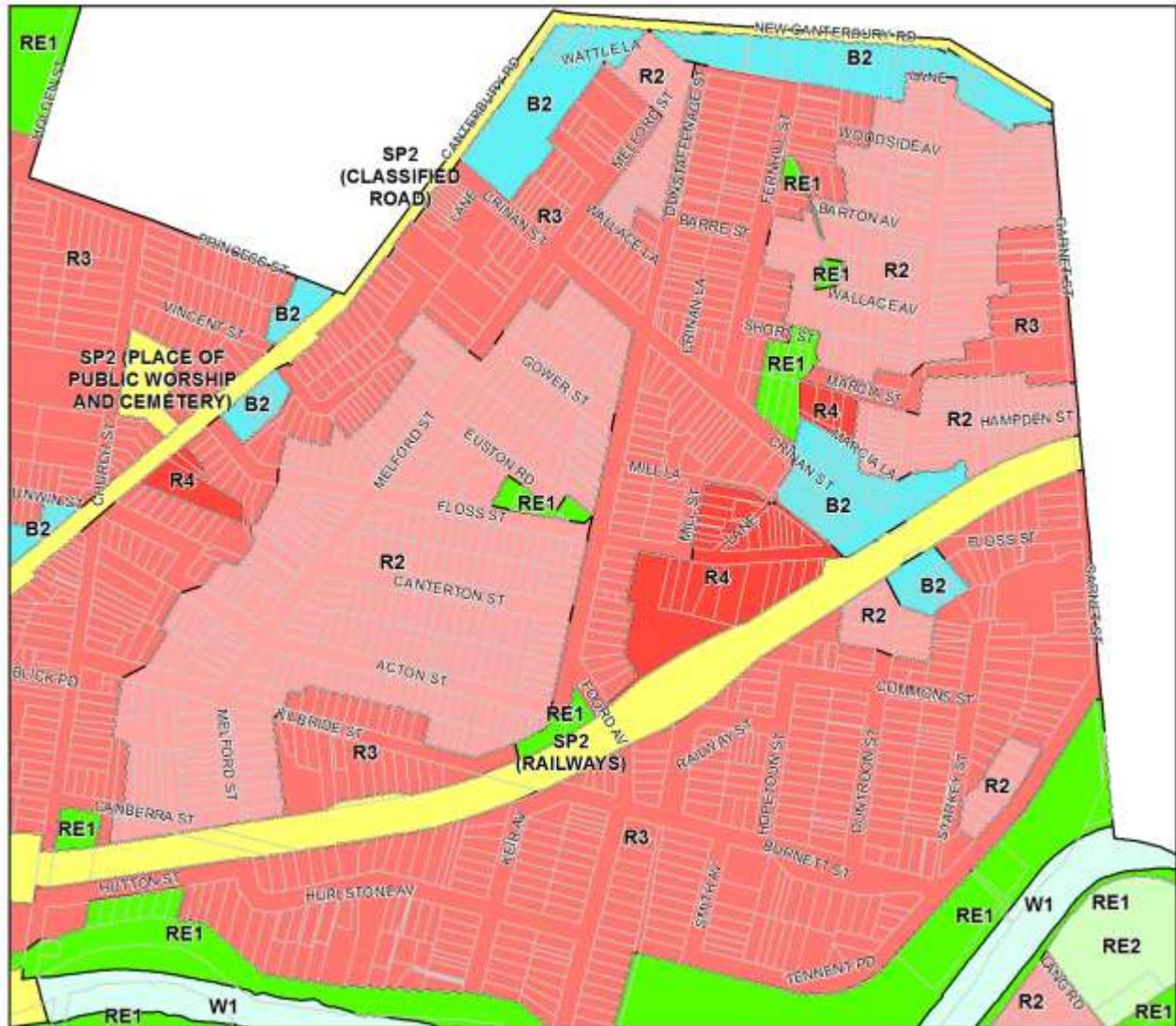
Map 2: Existing Heritage Identifications in Hurlstone Park



The map illustrates the following land use zones and features:

- Residential Zones:** R3 (General Residential) and R4 (Neighbourhood Residential) are shown in red.
- Business Zone:** B2 (Neighbourhood Business) is shown in blue.
- Recreation Zones:** RE1 (Neighbourhood Recreation) is shown in green, and RE2 (Regional Recreation) is shown in light green.
- Special Purpose Zones:** SP2 (Place of Public Worship and Cemetery) and SP2 (Railways) are shown in yellow.
- Water Zones:** W1 (Water) is shown in light blue.
- Streets:** Numerous streets are labeled, including Vincent St, Church St, Floss St, Gannett Rd, and others.
- Other Features:** The railway line is a prominent yellow feature, and the Gannett River is shown at the bottom right.

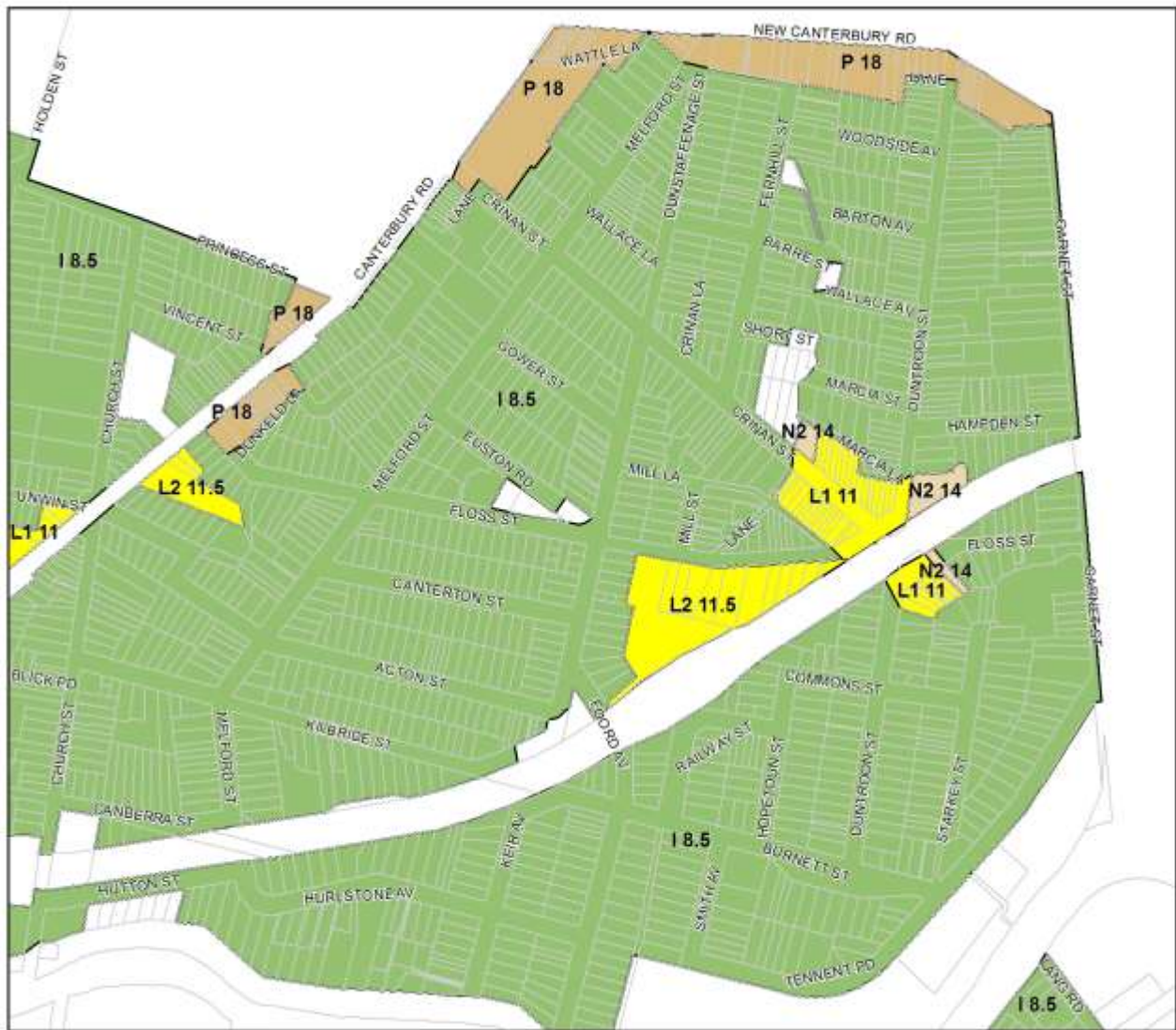
Map 5: Proposed zonings in Hurlstone Park



Map 6: Existing height of buildings in Hurlstone Park



Map 7: Proposed height of buildings in Hurlstone Park



PART 7 - COMMUNITY CONSULTATION

Community consultation of the planning proposal will comprise, at a minimum, the following actions:

- Notification letters sent to directly affected and nearby property owners.
- Notification in the Council column (which appears in local newspapers) twice during the exhibition period.
- Advertising of the proposal on Council's website and at both the Campsie and Bankstown offices of Council.
- Consultation with the NSW Office of Environment and Heritage, NSW Department of Education (owner of 6-20 Burnett Street), Ausgrid (owner of 12 Floss Street and 2D Euston Road), and any other State Agencies or authorities required in the Gateway Determination.

A consultation strategy is being developed as part of Stage 3 of the process. This may also identify further consultative measures.

It is noted that all property owners in Hurlstone Park have been previously consulted regarding the adoption of the Hurlstone Park Heritage Assessment Study by Council, and its future implementation. A copy of the Stage 1 Study has also been placed on Council's website.

Copies of the planning proposal will be made available online and at Council's Administration Building. All directly affected owners of proposed heritage items will be sent a copy of the relevant State Heritage Inventory (SHI) form. The planning proposal will also be exhibited with draft DCP controls for the HCAs.

PART 8 - PROJECT TIMELINE

This is outlined in the table below:

Planning proposal stage	Timeframe
Anticipated commencement date (date of Gateway determination)	December 2016
Completion of required technical information	February 2017
Advisory report to Council	April 2017
Commencement and completion dates for public exhibition period	May – June 2017
Government agency consultation	May – June 2017
Consideration of submissions	June 2017
Post exhibition report to Council	July 2017
Submission of planning proposal to DP&E to finalise the LEP	Not applicable
Council decision to make the LEP amendment (if delegated)	July 2017
Forwarding of LEP amendment to DP&E for notification (if delegated)	August 2017

ATTACHMENTS

- 1. Hurlstone Park Heritage Assessment Study**
- 2. Council Report and Resolution of 27 September 2016**
- 3. Hurlstone Park Heritage Assessment Study Stage 2: Heritage Assessment of Potential Heritage Items**
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- 10. Delegated plan making reporting template**