

PLANNING PROPOSAL

IMPLEMENTATION OF HURLSTONE PARK HERITAGE ASSESSMENT STUDY



**Planning Department
May 2019**

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PART 1 – INTRODUCTION

This planning proposal has been prepared to enable the listing of 35 local heritage items and six 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 other 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, a further review undertaken by the same consultant in March 2017, and a review of submissions prepared arising from the exhibition of an initial planning proposal in 2017 prepared by City Plan Heritage (Hurlstone Park Heritage & Urban Design Review).

It will also 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 (December 2018) 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.

An amended planning proposal was submitted to the Department of Planning and Environment in May 2017. An altered Gateway Determination was received for the planning proposal on 2017, subject to conditions being met. This planning proposal was exhibited in June/July 2017 with over 250 submissions received. While there was general support for the initiatives, there were objections and many submissions sought that the initiatives be further extended.

Council is now seeking a further altered Gateway Determination as the exhibited planning proposal has been further amended arising from an external review of comments received during the 2017 exhibition.

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 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. 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**. This review proposed the listing of 29 local heritage items and seven HCAs.

As noted in Part 1 the resultant planning proposal was exhibited in June/July 2017 with over 250 submissions received. While there was general support for the initiatives, many submissions sought that the initiatives be extended.

Council commissioned an external review of submissions by the consultant City Plan Heritage. A copy of this review is contained at **Attachment 5**. This review endorsed the need to protect and conserve heritage in Hurlstone Park, but recommended changes to both draft local heritage items and HCAs. This included proposing additional heritage items and removing previously proposed items, and expansion and consolidation of the area covered by HCAs.

The review was considered by the Canterbury Bankstown Local Planning Panel on 1 April 2019 and by Council on 30 April 2019 – see **Attachments 6 and 7**. Council resolved to make further changes to the review recommendations, including reducing the number of draft local heritage items and HCAs from those recommended by City Plan Heritage. Overall 35 local heritage items and six HCAs are proposed for listing.

A list and description of the proposed heritage items and HCAs are outlined in **Attachments 8 and 9**.

Map 1 below shows the proposed draft local heritage items and HCAs

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

1. Rezoning all R3 Medium Density Residential and some 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. The area of R4 zoned land not zoned to R2 is already partially developed for residential flat buildings and rezoning was considered to create an issue regarding existing use rights as residential flat buildings would become a prohibited use.
2. Amending the maximum building height permitted in the B2 Local Centre zone existing in the proposed Heritage Conservation Areas from 14 metres to either 11 metres or 9 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.
3. An incidental change is removing the floor space ratio (FSR) that currently applies to R3 Medium Density Residential and R4 High Density Residential zoned land where this land is being rezoned to R2 Low Density Residential. This is to be consistent with other R2 zoned land in Canterbury Local Environmental Plan 2012.



Figure 1: Potential Heritage Item known as 8 Melford Street (Federation and 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 Duntroon Street HCA (south side of Hampden Street).



Figure 6: Potential HCA known as Melford Street 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.

Council has also implemented a Heritage Incentives Policy to support the conservation of heritage items.

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 some land zoned R4 High Density Residential and all land zoned R3 Medium Density Residential within the proposed Heritage Conservation Areas to R2 Low Density Residential.
 - Removing the floor space ratio controls currently applying to R3 Medium Density Residential and R4 High Density Residential zoned land where that land is being rezoned 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, and 9 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 for these changes 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?

Yes. The planning proposal is the result of the Hurlstone Park Heritage Assessment Study (Stages 1 and 2) completed in September 2016 and the Hurlstone Park Heritage & Urban Design Review completed in February 2019.

Copies of these documents are contained in **Attachments 1, 3 and 5**.

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

The Hurlstone Park Heritage Assessment Study (Stage 1) 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.

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 involved a review of the proposed heritage items based on further information preparing the SHI forms. A reduction in the number of heritage items was recommended, which was endorsed by Council and incorporated into the 2017 planning proposal.

The exhibition of the 2017 planning proposal saw over 250 submissions received. As a result Council commissioned the Hurlstone Park Heritage & Urban Design Review by the consultant City Plan Heritage. This review endorsed the need to protect and conserve heritage in Hurlstone Park, but recommended changes to both draft local heritage items and HCAs. This included proposing additional heritage items and removing previously proposed items, expansion and consolidation of the area covered by HCAs, and the removing of one HCA.

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:

- Greater Sydney Region Plan 'A Metropolis of Three Cities' (March 2018)
- South District Plan (March 2018)
- Draft Sydenham to Bankstown Urban Renewal Corridor Strategy (June 2017)

Greater Sydney Region Plan 'A Metropolis of Three Cities'

The Greater Sydney Region Plan (GSRP) recognises the importance of heritage in **Objective 13 Environmental heritage is identified, conserved and enhanced.**

This objective notes the following:

Conserving, interpreting and celebrating Greater Sydney's heritage values facilitates a better understanding of history and respect for the experiences of diverse communities. Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations.

There is an inconsistency with **Objective 4 Infrastructure use is optimised.** The planning proposal will not optimize use of existing infrastructure as much of the land proposed to be conserved is within 800 metres of a railway station. However, given the amount of residential development envisaged elsewhere within the Sydenham to Bankstown Urban Renewal Corridor and Planning Precincts the inconsistency is considered to be of minor significance.

The planning proposal is also inconsistent with **Objective 10 Greater Housing Supply.** The change in zoning will reduce the choice of building types and locations available in the housing market.

The impact is expected to be minor, because the likelihood of significant new medium and high density housing occurring in the existing R4 and R3 zones in Hurlstone Park 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.

However the planning proposal will conserve buildings of the Federation and Inter War period that are becoming more sought after and rarer in the Council area.

Likewise, the reduction in maximum building height in the B2 Local Centre zone within HCAs from 14 metres to 11 metres and 9 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.

While there are minor inconsistencies with the Greater Sydney Region Plan, this is unavoidable because of conflicting objectives, and the overall positive impact of heritage conservation outweighs the relatively minor loss of housing potential.

South District Plan

The South District Plan recognises the importance of heritage in **Planning Priority S6 Creating and renewing great places and local centres, and respecting the District's heritage.**

There is an inconsistency with **Planning Priority S5 Providing housing supply, choice and affordability with access to jobs, services and public transport.**

The implications and issues are similar to those discussed above relating to **Objective 10 Greater Housing Supply** in the Greater Sydney Region Plan. The overall impact on housing supply and choice is considered to be minor.

Draft Sydenham to Bankstown Urban Renewal Corridor Strategy

Two drafts of this strategy were released in October 2015 and June 2017. The 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.

The draft 2017 version of the strategy proposed significantly lower densities and dwelling targets in Hurlstone Park compared with its predecessor, and importantly it reflected the HCAs proposed the 2017 Planning Proposal.

In 2018 the then Minister for Planning advised Council of a revised approach for growth in the corridor which will deliver certainty in close consultation with the community. He requested that the Department of Planning complete a principle based high level strategy in collaboration with Council. To date this work has not yet commenced.

This letter also advised that Council will be leading the planning for areas outside of the Planned Precincts - Hurlstone Park being one of these areas.

In the light of this advice, the Planning Proposal is not inconsistent with the Draft Sydenham to Bankstown Urban Renewal Corridor Strategy and its outcomes will be incorporated into the future planning for Hurlstone Park when this is undertaken.

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

The Community Strategic Plan CB City 2018 sets Council's vision for the next decade, with the following seven key destinations:

- Safe and Strong
- Clean and Green
- Prosperous and Innovative
- Moving and Integrated
- Healthy and Active
- Liveable and Distinctive
- Leading and Engaged

The Planning Proposal is consistent with this plan. In particular Destination Liveable and Distinctive seeks to provide for a well designed, attractive city which preserves the identity and character of local villages. The Planning Proposal seeks to conserve the early suburban character of Hurlstone Park through heritage controls.

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 11**.

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

A table addressing the applicability of all Local Planning (Section 117) directions and the consistency of the planning proposal is outlined in **Attachment 12**.

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, and seeks the conservation of existing buildings and spaces.

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 is considered to have a positive 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?

The views of the following public authorities were sought during the exhibition of the 2017 Planning Proposal in response to the Gateway Determination issued at the time:

- Office of Environment and Heritage
- Department of Education and Communities
- Ausgrid
- Inner West Council
- Transport for NSW

A submission was received from the Office of Environment and Heritage which raised no objection to the Planning Proposal.

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
- Floor Space Ratio

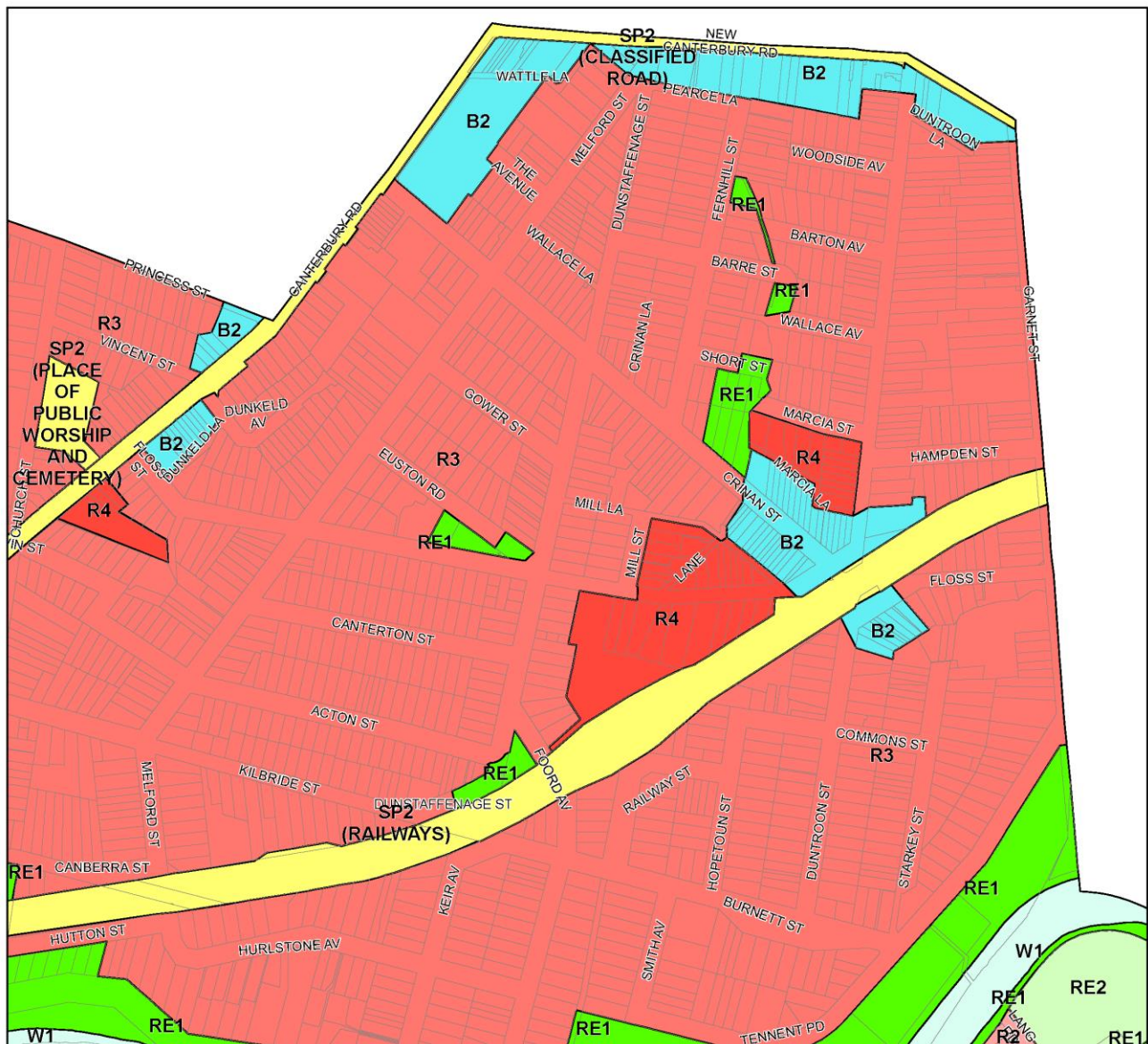
The proposed changes will affect maps FSR_006, FSR_007, FSR_009, HER_010, FSR_006, HER_007, HER_009, HER_010, LZN_006, LZN_007, LZN_009, LZN_010, and HOB_009.

Maps 2 to 9 below show the existing and proposed situation.

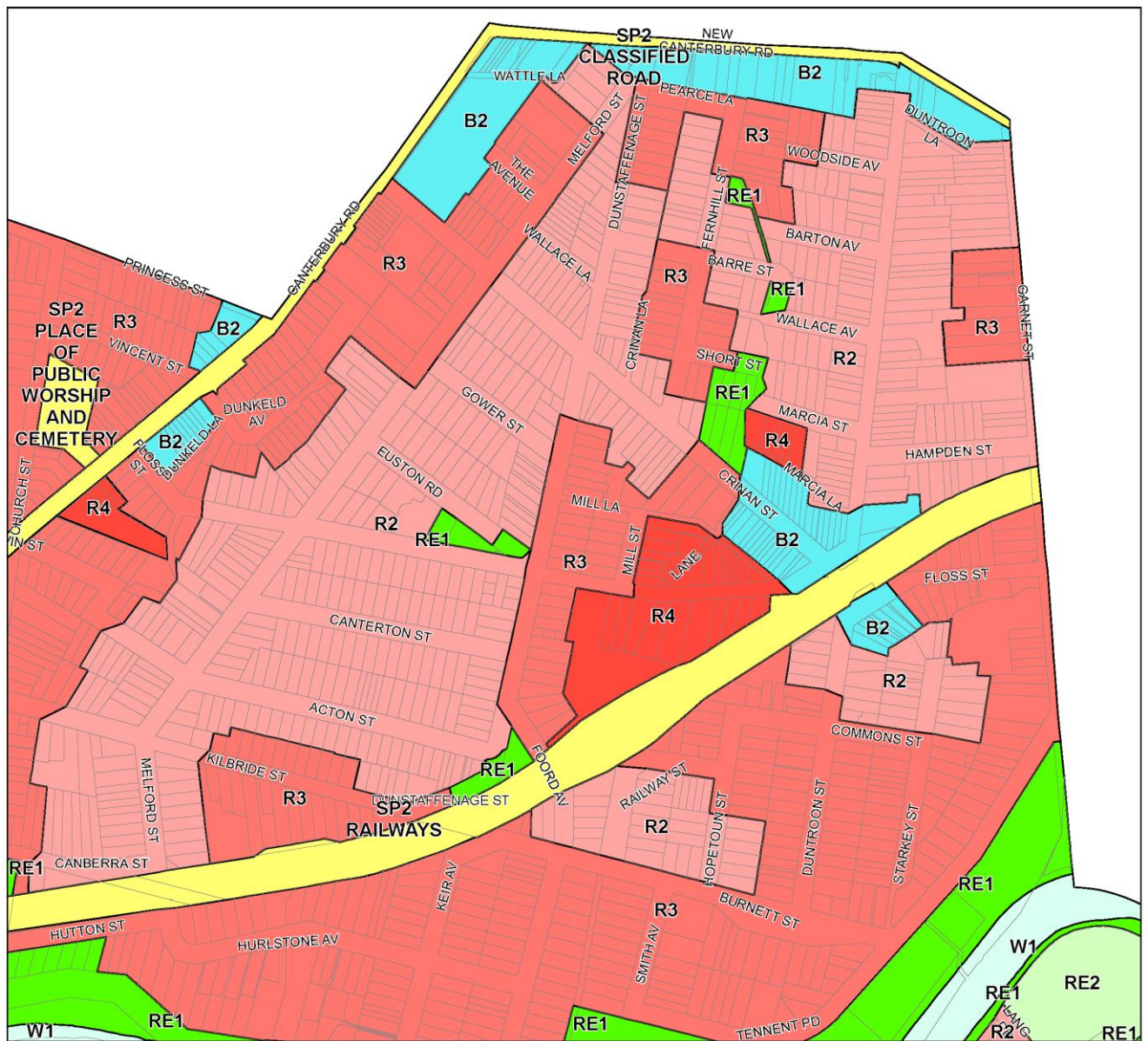
Map 2: Existing heritage listed properties in Hurlstone Park



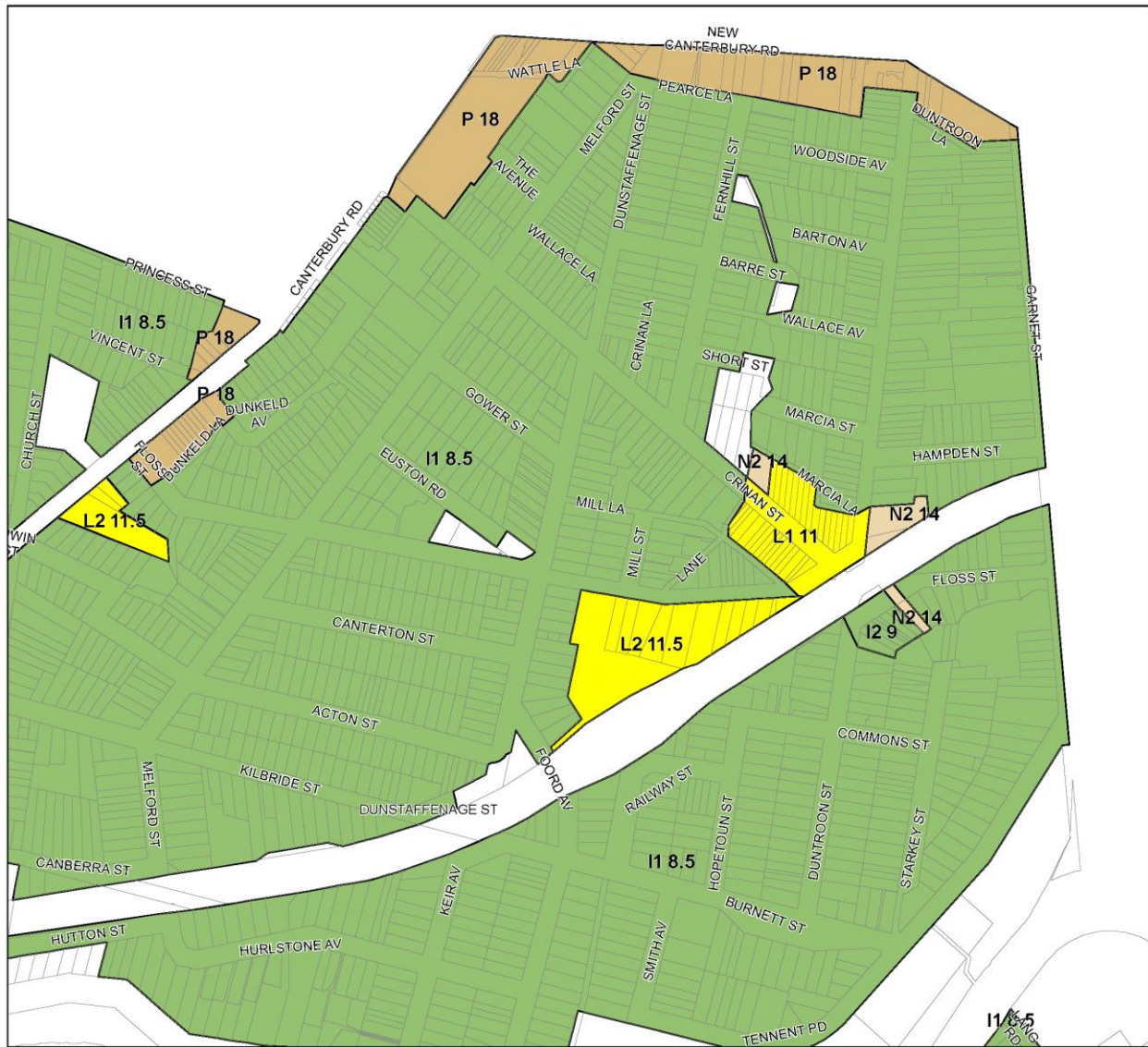
Map 4: Existing zonings in Hurlstone Park



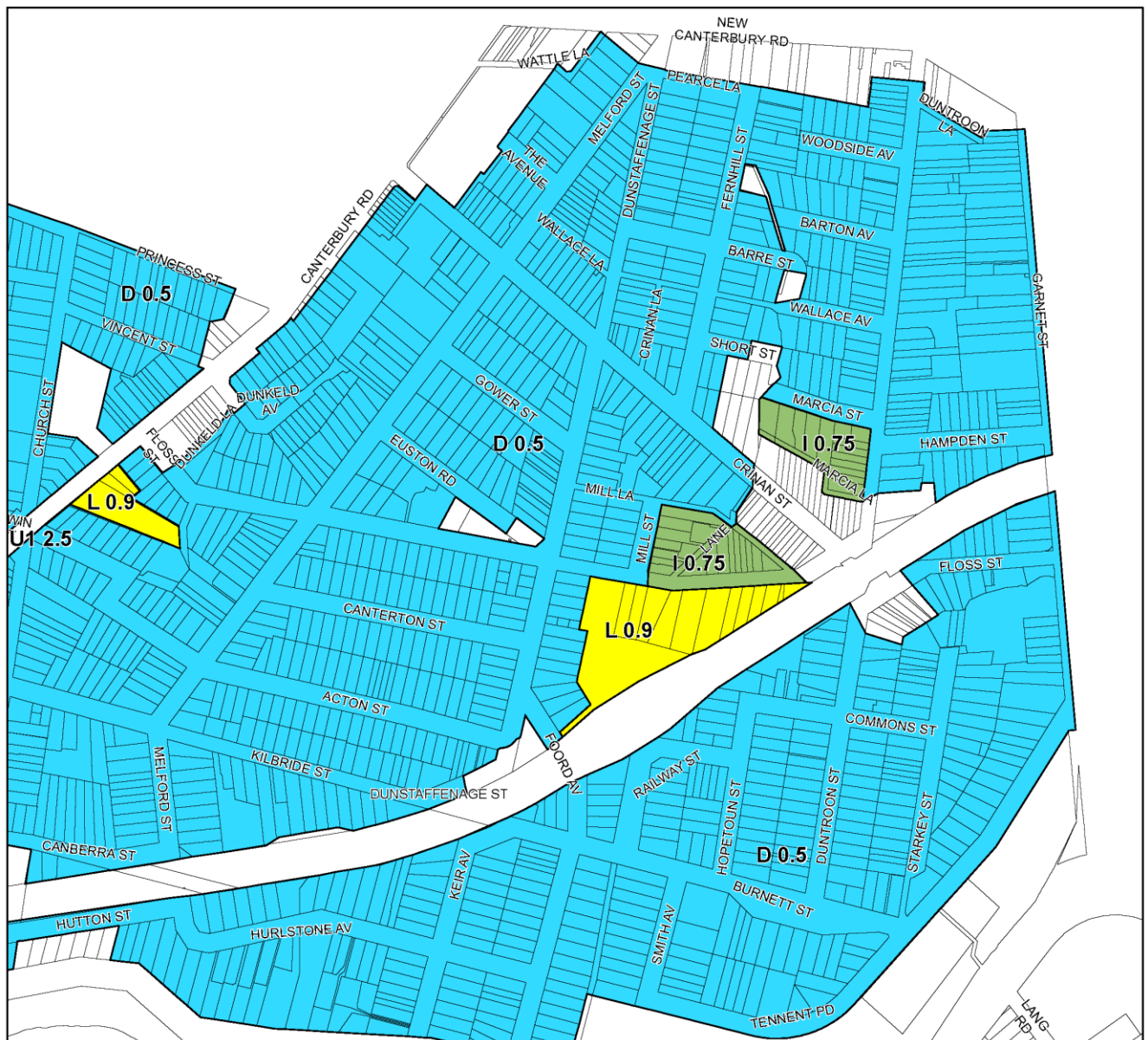
Map 5: Proposed zonings in Hurlstone Park



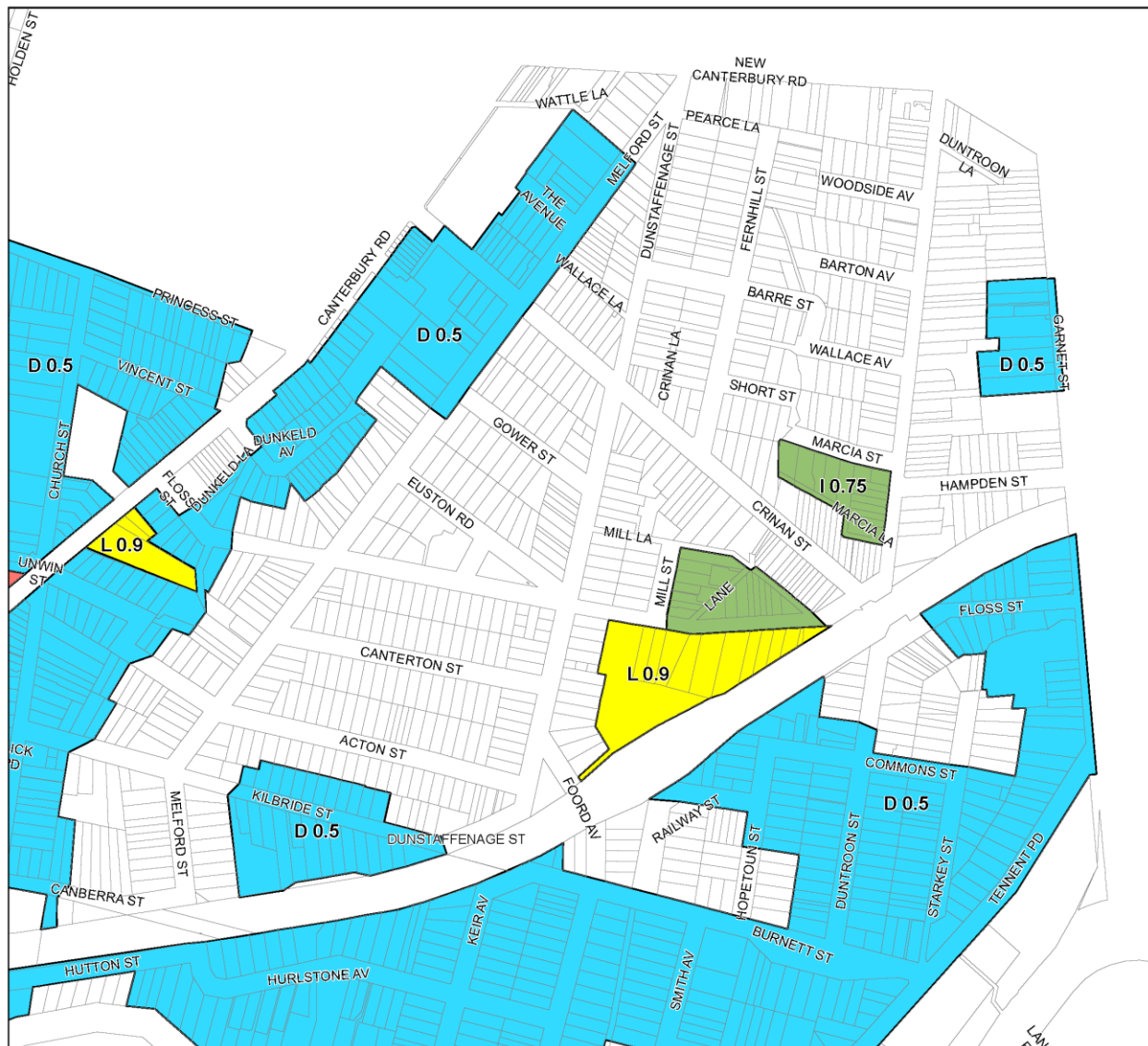
Map 7: Proposed height of buildings in Hurlstone Park



Map 8: Existing floor space ratio in Hurlstone Park



Map 9: Proposed floor space ratio in Hurlstone Park



PART 7 - COMMUNITY CONSULTATION

Similar to the planning proposal exhibited in 2017, a comprehensive level of community consultation will occur.

Community consultation of the planning proposal is proposed for a 28 day period, and 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.
- Community Information sessions held in Hurlstone Park.
- Advertising of the proposal on Council's website and at both the Campsie and Bankstown offices of Council.
- Consultation with Inner West Council, the NSW Department of Planning, Industry and Environment (Heritage Branch), NSW Department of Education (owner of 6-20 Burnett Street), Alpha Distribution Ministerial Holding Corporation (owner of 12 Floss Street and 2D Euston Road), and any other State Agencies or authorities required in the Gateway Determination.

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)	June 2019
Completion of required technical information	Not applicable
Advisory report to Council	Not applicable
Commencement and completion dates for public exhibition period	July-August 2019
Government agency consultation	July-August 2019
Consideration of submissions	August-October 2019
Post exhibition report to Council	December 2019
Submission of planning proposal to DP&E to finalise the LEP	Not applicable
Council decision to make the LEP amendment (if delegated)	December 2019
Forwarding of LEP amendment to DP&E for notification (if delegated)	February 2020

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