

Hurstville Council - Update Schedule 5, Heritage in Hurstville LEP 2012.

Proposal Title : Hurstville Council - Update Schedule 5, Heritage in Hurstville LEP 2012.

Proposal Summary : The Council has prepared a Planning Proposal to amend Schedule 5 - Environmental Heritage and the Heritage Maps of Hurstville Local Environmental Plan 2012. Council has proposed:
1. to include 32 new heritage items; and
2. to remove 2 existing items.

PP Number : PP_2013_HURST_001_00

Dop File No : 13/08046-2

Proposal Details

Date Planning Proposal Received : 20-May-2013

LGA covered : Hurstville

Region : Sydney Region East

RPA : Hurstville City Council

State Electorate : KOGARAH
OATLEY

Section of the Act : 55 - Planning Proposal

LEP Type : Housekeeping

Location Details

Street : Various

Suburb : Various

City : Sydney

Postcode : 2220

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : Nabil Alaeddine

Contact Number : 0292286593

Contact Email : Nabil.alaeddine@planning.nsw.gov.au

RPA Contact Details

Contact Name : Harkirat Singh

Contact Number : 0293306259

Contact Email : hsingh@hurstville.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : N/A

Release Area Name : N/A

Regional / Sub Regional Strategy : Southern Regional Strategy

Consistent with Strategy : Yes

Regional Strategy :

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MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots : 0	No. of Dwellings (where relevant) :	0
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

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

If Yes, comment : **The Department of Planning and Infrastructure is not aware of any meetings or communications with registered lobbyists concerning this planning proposal.**

Supporting notes

Internal Supporting Notes :

1. Council currently has delegation to make a plan and has submitted:

- Attachment 1 - Information Checklist;
- Attachment 4 - Evaluation Criteria for the Delegation of Plan Making Functions; and
- included a Project Timeline of 9 months to complete the plan.

Council's request for delegation is supported.

2. The proposal deals with heritage items only and does not propose rezoning of land for housing or employment.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The Planning Proposal seeks to make the following amendments to the Hurstville LEP 2012 (Schedule 5 Environmental Heritage):**

- add 32 new heritage items; and
- remove two existing heritage items.

The statement of objectives advises that the intended outcome is to amend the Hurstville LEP 2012 written instrument (Schedule 5 Environmental Heritage) and Heritage maps which is considered adequate.

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

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

Comment : **The explanation of provisions is adequate.**

The planning proposal aims to:

- 1. Amend the Hurstville Local Environmental Plan (LEP) 2012 Schedule 5; by**
 - including 32 new local heritage items;

- removing two existing local heritage items.

2. Update the Hurstville LEP 2012 Heritage Maps by;

- adding new heritage items to the following maps:

- HER_003
- HER_004
- HER_005
- HER_006
- HER_007
- HER_008

- Inserting a new heritage map:

- HER_002

- Remove one existing item from map:

- HER_007

And

- Removing one heritage item and add items to map:

- HER_008.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.1 Residential Zones

4.1 Acid Sulfate Soils

4.4 Planning for Bushfire Protection

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified?

**SEPP No 4—Development Without Consent and Miscellaneous
Exempt and Complying Development**

SEPP No 19—Bushland in Urban Areas

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP (Exempt and Complying Development Codes) 2008

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

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

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

SEPP (Affordable Rental Housing) 2009

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

The objective of Section 117 Direction - 2.3 Heritage Conservation is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

In relation to the 2 local items proposed for deletion, Council has identified that these items have either been modified significantly, lost their Architectural quality or have been demolished.

In relation to the addition of 32 new local items, the planning proposal remains consistent with this direction.

Overall, the removal of 2 local heritage items have been justified and there are considered to be minor inconsistencies which do not require the Director General's approval.

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Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The mapping is of a standard suitable for public exhibition.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council purposes to undertake community consultation by giving notice of the public exhibition of the planning proposal in the local newspaper and on the Council's website.**

Council has specified a timeframe of 28 days for exhibition.

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Hurstville LEP 2012 was notified on 7 December 2012.**

This planning proposal is an amendment to LEP 2012 and aims to make amendments by deleting 2 local heritage items and including 32 new items in the Hurstville LEP 2012 by amending Schedule 5 and the relevant Heritage Maps.

Assessment Criteria

Need for planning proposal :

The Department supported a heritage review to be undertaken by Council within 12 months of the gazettal of the Hurstville Comprehensive LEP 2012 and incorporate it as an amendment to Hurstville LEP 2012.

This planning proposal is a result of the Hurstville Community Based Heritage Report (HCBHR), prepared following a heritage review.

Council invited the community to nominate new heritage items, new areas for consideration or provide information on old heritage items.

All nominations were assessed in accordance with the criteria contained within the NSW Heritage publication "Assessing Heritage Significance". Council used its Heritage Study Working Group (HSWG) as a result of the previous two steps, to conduct the review.

The review identified anomalies and required new items to be included. A planning proposal is necessary to implement all these changes.

Consistency with strategic planning framework :

The planning proposal is consistent with the objectives and actions of the draft South Subregional Strategy, the Metropolitan Plan for Sydney 2036 and the Draft Metropolitan Strategy for Sydney 2031.

Hurstville Council has advised that the planning proposal is consistent with section 5: The Four pillars of the Hurstville Community Strategic Plan 2021 (the CSP). Section 5.3 of the CSP relates to the Environmental Sustainability pillar and identifies preserving scenic and cultural heritage sites.

Environmental social economic impacts :

Council has advised that the planning proposal will likely have no effect on threatened species, populations or ecological communities or their habitats.

There is unlikely to be any environmental effects as a result of the planning proposal.

Council has advised that the social benefits related to preservation and strengthening of cultural heritage in the Hurstville LGA are the main reasons for preparing this planning proposal.

Council has advised that social and economic impacts will be minimal. Any proposal to develop, redevelop or demolish any heritage item will need to be considered against clause 5.10 (Heritage Conservation) of the Hurstville LEP 2012. This does not prohibit development.

Assessment Process

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

Timeframe to make LEP : **9 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

No additional studies required.

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Hurstville Heritage Planning Proposal_Update Schedule 5_doc1257375.pdf	Proposal	Yes
Hurstville Heriatge proposal_Letter from Council_doc1257372.pdf	Proposal Covering Letter	Yes
Hurstville Draft Hurstville Study Review_Potential Heritage Items_doc1237627.pdf	Study	Yes
Hurstville Heritage proposal_Proposed Heritage Items table_doc1257380.pdf	Proposal	Yes
Hurstville Heritage proposal_SEPP Compliance table_doc1257379.pdf	Proposal	Yes
Hurstville Heritage proposal_Local Planning Directions (S117 Compliance Table)_doc1257376.pdf	Proposal	Yes
Hurstville Community Based Heritage Study Review_doc1219807.pdf	Study	Yes
Hurstville Heritage Map_Site Identification Map_HER_02-03-05-06_doc1237563.pdf	Map	Yes
Hurstville Heritage Map_Site Identification Map_HER_04-05-07-08_doc1237564.pdf	Map	Yes
Hurstville Heritage Map_Sheet HER_002_doc1237547.pdf	Map	Yes
Hurstville Heritage Map_Sheet_HER_003_doc1237552.pdf	Map	Yes
Hurstville Heritage Map_Sheet_HER_004_doc1237555.pdf	Map	Yes
Hurstville Heritage Map_Sheet_HER_005_doc1237556.pdf	Map	Yes
Hurstville Heritage Map_Sheet_HER_006_doc1237558.pdf	Map	Yes
Hurstville Heritage Map_Sheet_HER_007_doc1237559.pdf	Map	Yes
Hurstville Heritage Map_Sheet_HER_008_doc1237560.pdf	Map	Yes
Hurstville Heritage Inventory_Riverwood_NEW ITEMS_doc1257419.pdf	Proposal	Yes
Hurstville Heritage Inventory_Peakhurst_NEW ITEMS_doc1257422.pdf	Proposal	Yes
Hurstville Heritage Inventory_Oatley_NEW ITEMS_doc1257425.pdf	Proposal	Yes
Hurstville Heritage Inventory_Mortdale_NEW ITEMS_doc1257426.pdf	Proposal	Yes
Hurstville Heritage Inventory_Hurstville_NEW ITEMS_doc1257431.pdf	Proposal	Yes
Hurstville Heritage Inventory_Carlton_NEW ITEMS_doc1257432.pdf	Proposal	Yes
Hurstville Heritage Inventory_Lugarno_NEW ITEMS_doc1257428.pdf	Proposal	Yes
Hurstville Heritage Inventory_Beverly Hills_NEW ITEMS_doc1257433.pdf	Proposal	Yes
Hurstville Heriatge Inventory_Penshurst_NEW ITEMS_doc1257421.pdf	Proposal	Yes
Hurstville Heritage Inventory_Penshurst_Existing Items_doc1220307.pdf	Proposal	Yes
Hurstville Heritage Inventory_Peakhurst_Existing Items_doc1220309.pdf	Proposal	Yes
Hurstville Heritage Inventory_Oatley_Existing Items_doc1220310.pdf	Proposal	Yes
Hurstville Heritage Inventory_Lugarno_Existing Items_doc1220313.pdf	Proposal	Yes

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Hurstville Heritage Inventory_Hurstville_Existing Items_doc1220315.pdf	Proposal	Yes
Hurstville Heritage Inventory_Carlton_Existing Items_doc1220318.pdf	Proposal	Yes
Hurstville Heritage Inventory_Beverly Hills_Existing Items_doc1220321.pdf	Proposal	Yes
Hurstville Heritage proposal_Attachment 1_Information Checklist_2900_001.pdf	Proposal	No
Hurstville Heritage Inventory_Mortdale_Existing Items_doc1220311.pdf	Proposal	Yes
Hurstville Heritage proposal_Attachment 4_Evaluation Criteria for the Delegation of Plan Making_Scanned copy_2910_001.pdf	Proposal	No

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
 4.1 Acid Sulfate Soils
 4.4 Planning for Bushfire Protection
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

- 1. The planning proposal is exhibited for 28 days.**
- 2. The planning proposal is completed in 9 months time.**
- 3. Council purposes to progress the planning proposal under delegation. This matter is considered to be of local significance and the use of Council's delegation is supported.**
- 4. Consultation is required with the owners of the final list of nominated properties.**
- 5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act 1979:**
 - Office of Environment and Heritage.**
- 6. The planning proposal is consistent with all relevant s117 Directions and no further consideration of s117 Directions is required.**
- 7. No further studies are required.**

Supporting Reasons : **The proposal should be allowed to proceed as it:**

- corrects anomalies on the heritage list of the Hurstville LEP 2012; and**
- updates information on new heritage items under Hurstville LEP 2012.**

Signature:



Printed Name:

DAVID PITNEY

Date:

27/5/13