

Meeting Date: Tuesday 10 December 2019
Location: Civic Hall, 1 Devlin Street, Ryde
Time: 7.00pm

*Council Meetings will be recorded on audio tape for minute-taking purposes
as authorised by the Local Government Act 1993. Council Meetings will also be webcast.*

NOTICE OF BUSINESS

Item	Page
1 REPORT FOR INFORMATION OF COUNCILLORS - HERITAGE REVIEW - PLANNING PROPOSAL 2019	1
2 OUTCOMES OF EXHIBITION - PLANNING PROPOSAL - HERITAGE REVIEW 2019	22

1 REPORT FOR INFORMATION OF COUNCILLORS - HERITAGE REVIEW - PLANNING PROPOSAL 2019

Report prepared by: Director - City Planning and Environment
File No.: LEP2019/38/4 - BP19/1415

REPORT

This report has been prepared to provide an overview of the following statutory report in regard to the outcomes of the community exhibition of the Heritage Review Planning Proposal 2019.

This report seeks to address issues raised by Councillors and also advises options that maybe considered by Council in going forward.

A. **Council's Resolution to Undertake the Heritage Review 2019**

The following are Council's Resolutions to undertake the review and exhibit the Planning Proposal for information:

- Council resolved unanimously to undertake a citywide study at its meeting on 28 November 2017. A copy of the Extract from Minutes of Council Meeting No. 10/17 meeting held on 28 November 2017 is provided in **ATTACHMENT 2**.
- Council subsequently resolved to seek a Gateway determination to exhibit the Planning Proposal at its meeting of 23 July 2019. A copy of the Extract from the Minutes of Council Meeting No. 7/19 meeting held on 23 July 2019 is provided in **ATTACHMENT 3**.

In regard to the Heritage Review Planning Proposal 2019 at this juncture following the community consultation Council has the three options; to recommend to the Minister the plan is made with or without amendments or to recommend the plan is not made.

The recommendation will then be forwarded to the Department of Planning, Industry and Environment as City of Ryde Council has not been delegated as the plan making authority in regard to this proposal.

B. **The 2010 Resolution of Council**

In 2010 Council resolved to add 21 new heritage items to the Ryde Local Environment Plan (LEP). Further the Council resolved to "not pursue compulsory listing of any property unless the land owner of the property applies for a heritage listing."

ITEM 1 (continued)

While legally the 2010 resolution has been superseded and it is within Council's power to do so, there could be in my opinion an ethical issue for Council to consider.

It is clear from the community consultation that many long term residents have held onto this 2010 resolution and the letters given to them by Council at the time and believe the current Council should maintain its previous commitment by the then City of Ryde Council.

Council has the option of only listing private dwelling where no objection was received.

Draft Recommendations in this regard are provided for the consideration of Council in **ATTACHMENT 1**.

C. The Community Consultation

Community consultation regarding the Heritage Review Planning Proposal 2019 was undertaken from 11 September – 10 November 2019 and exceeded the requirements of the Gateway determination. It was challenging and not without issues which in my opinion have influenced the perception of the process and outcomes. For example; several people made as many as 10 submissions, the Denistone Conservation Action Group advised misleading information that was being letterboxed in the area, the Lund Estate, Summerhayes and Chatham Road Heritage Conservation Areas (HCA's) had a significant number of submissions made from people outside the area (≥ 20) and so not directly affected.

While I understand the emotions surrounding planning decisions that relate to people's homes, neighbourhoods and investments Council has an obligation to protect heritage.

Under NSW planning legislation Local Council's and NSW government agencies are required to identify and protect heritage places.

The Heritage Act 1977 defines any 'item' as a place building work, relic, movable object or precinct.

The heritage significance of an item includes all values that make it special to past, present and future generations.

Council may also prepare a Planning Proposal without land owner's consent as happens with any local planning review and amendments to our LEP.

What is heartening in this consultation is that we have a diverse community engaged in the planning for the future of City of Ryde who love where they live.

ITEM 1 (continued)

D. Way Forward – Heritage Conservation Areas

The planning proposal is recommended to proceed with minor amendments, acknowledging, however, this is a decision for Council.

In regard to the Heritage Conservation Areas there are three options Council may consider; include all HCA's, or vote in seriatim or take no further action.

If Council is not prepared to include all the Heritage Conservation Areas as recommended by staff the options are to deal with each proposed HCA in seriatim having regard to community consultation results in the table below (owners only or their representative) or thirdly to simply resolve to take no further action .

SUBMITTER TYPE	SUPPORT	DO NOT SUPPORT	MIXED	UNSURE/ NO PREFERENCE	NO RESPONSE
	(by property)	(by property)	(by property)	(by property)	(by property)
Chatham Road – 174 Total Properties					
Owner/Resident	43	58	2	3	68
Percentage	25%	33%	1%	2%	39%
Darvall Estate – 148 Total Properties					
Owner/Resident	31	46	1	6	64
Percentage	21%	31%	1%	4%	43%
Lunds Estate – 112 Total Properties					
Owner/Resident	8	72		1	31
Percentage	7%	64%		1%	28%
Summerhayes – 189 Total Properties					
Owner/Resident	8	104	3	5	69
Percentage	4%	55%	2%	3%	36%
Tyrell Street – 47 Total Properties					
Owner/Resident	6	7	1		33
Percentage	13%	15%	2%		70%
Wharf Road – 33 Total Properties					
Owner/Resident	3	13			17
Percentage	9%	39%			52%

Where possible, data is cleaned to remove duplicate responses (by the individual) and then grouped by property, providing one vote per property.

Results are based on information indicated by the respondent, and have been cross checked with other Council property records.

This is why Councillors have also been provided as was requested with a full copy of every submission made.

ITEM 1 (continued)

As shown in the above table owner's objections are in the minority for 4 of the 6 proposed HCAs as follows:

- Darvall Estate owner objection is 31% and support/no submission is 69%
- Chatham Road owner objection is 33% and support/no submission is 67%
- Tyrell Street owner objection is 15% and support/no submission is 85%
- Wharf Road owner objection is 39% and support/no submission is 61%

E. The Importance of Heritage Listing and Local Character

The Department of Planning, Industry and Environment issued a Planning circular in January 2018 about respecting and enhancing local character in the planning system provided for in **ATTACHMENT 4**.



87 Bowden St, Ryde Heritage Item which includes a new Childcare Centre

Right across the City of Sydney with a growing population and increased development it is important for items and areas that maintain heritage significance to be afforded protection. In this regard, the State Government through the Department of Planning, Industry and Environment is supportive of City of Ryde's work in this area.

F. Comparison with other Councils

In the interest of comparison the table below is provided for the information of all Councillors for NSROC Councils as well as adjoining Councils outside of NSROC - Canada Bay Council and the City of Parramatta.

The table identifies the number of heritage items and conservation areas and the means of protection either through the LEP or DCPs (or combination).

While it is acknowledged that each LGA has different characteristics including age and size it is provided for information only.

ITEM 1 (continued)

There is no doubt that listing in an LEP offers greater legal protection; however an updated DCP for an area supported by owners and the community in general would also provide more certainty in development noting that it will take time to achieve this.

Council is due to review its Development Control Plans in late 2020 / early 2021 following completion of the Local Environmental Plan Review.

If Council does not list conservation areas now, we would likely lose houses of character and heritage significance as we are now experiencing with boarding houses and seniors living housing permissible under State Government planning controls as well as dual occupancy and multi dwelling housing permitted under local planning controls in low density zones.

Despite our best endeavours to support resident objections and mediate architectural designs that reflect local character these developments are often approved by the Land and Environment Court.

The continual loss of houses of character and heritage significance in our City was the reason why Council commissioned the review and sent it to Gateway. The Planning Proposal was then supported by the State Government to progress to community exhibition. It is imperative that Council makes a decision to make this plan.

ITEM 1 (continued)

TABLE - HCAS AND HERITAGE ITEMS IN EACH OF THE NSROC COUNCIL, PARRAMATTA COUNCIL AND CANADA BAY COUNCIL LGAS

Council	Heritage Items	Archaeological Items	HCAs	Source	Character Areas in DCPs
Hornsby	Approx. 800	Approx. 70	11	Website (for items) and LEP (for HCAs)	<ul style="list-style-type: none"> Village master plans for Dural, Galston Village and Wisemans Ferry – Rural lands Controls for HCAs and quite detailed controls for a section of one of the HCAs
Willoughby	245	1	12	LEP	<ul style="list-style-type: none"> Controls for specific areas across different zones – 12 in total Controls for HCAs
Ku-ring-gai	1107	0	33	LEP	<ul style="list-style-type: none"> Controls for HCAs Controls for urban precincts and 3 areas/sites – Business Park, Screen Aus. Site and golf course land.
Lane Cove	343	9	1	LEP	<ul style="list-style-type: none"> 7 residential locality areas with character statements and controls (includes their only HCA)
Northern Beaches <ul style="list-style-type: none"> - Pittwater - Warringah - Manly 	517 152 285	25 2 2	6 14 2	3 LEPs in force (relating to land in previous LGAs prior to amalgamation)	Pittwater – <ul style="list-style-type: none"> Controls for 16 locality areas Controls for HCAs Warringah – <ul style="list-style-type: none"> Special area controls for 7 areas including Freshwater Village, Warringah Mall and a medium density area Manly – <ul style="list-style-type: none"> Special character area controls for HCAs plus special 2 other areas
North Sydney	1122	0	26	LEP	<ul style="list-style-type: none"> Character Statements for 9 planning areas - overall controls/statements for each area (further controls for locality areas within each of the areas)
Mosman	483	9	13	LEP	<ul style="list-style-type: none"> Controls for HCAs but also controls for other 'townscapes' (22 in total)

ITEM 1 (continued)

TABLE - HCAs AND HERITAGE ITEMS IN EACH OF THE NSROC COUNCIL, PARRAMATTA COUNCIL AND CANADA BAY COUNCIL LGAs

Council	Heritage Items	Archaeological Items	HCAs	Source	Character Areas in DCPs
Hunters Hill	515	0	7	LEP	<ul style="list-style-type: none"> Controls in DCP for Gladesville Village Centre and Hunters Hill Village. Controls for 2 'Bushland Localities' – Intent is to minimise impacts of development to bushland
Parramatta	751	12	12	Parramatta LEP	<ul style="list-style-type: none"> 8 special character areas that are different to HCAs. Maybe some cross over.
Canada Bay	545	0	24	LEP	<ul style="list-style-type: none"> Controls for HCAs 6 separate site and precinct DCPs for locations such as Breakfast Point and Drummoyne Village.
City of Ryde – Currently	173	2	5	LEP	
City of Ryde - If planning proposal goes ahead	217 (Additional 44)	4 (Additional 2)	11 (Additional 6)	Planning proposal	

ITEM 1 (continued)**Conclusion**

The staff recommendation is in the following report.

It recommends proceeding with the planning proposal with minor amendments to not list three (3) individual items which on peer review did not meet the requisite criteria for heritage listing being:-

- 99 Western Crescent, Gladesville
- 21 Douglas Street, Putney
- 14 Mitchell Street (also known as 2 Ida Street) Putney

Council however can make any further amendments including the options I have outlined in this report or resolve to not proceed with the plan at all.

For the information of Council to be considered in conjunction with the following report.

ATTACHMENTS

- 1 Draft Alternate Recommendation for Consideration of Council
- 2 Council Resolution 10/17 - 28 November 2017 - Heritage Protection - 330 Rowe Street, Eastwood
- 3 Council Resolution 7/19 - 23 July 2019 - Planning Proposal - Heritage Review
- 4 NSW Planning Circular - Respecting and Enhancing Local Character - 18 January 2018

Report Prepared and Approved By:

Liz Coad

Director - City Planning and Environment

ITEM 1 (continued)

ATTACHMENT 1

Alternate Recommendation

- (a) That Council endorse the Planning Proposal Heritage Review 2019 subject to minor amendments arising from the exhibition period as detailed in the officers report as well as the following **amendments by Council**;
 - Individual private dwelling houses are only included a Heritage Items proposed for inclusion in Ryde Local Environmental Plan (LEP) 2014 schedule 5, Environmental Heritage and Ryde LEP 2014 Heritage Map if no objection was received to the listing during consultation.
 - If Heritage Conservation Areas are voted in seriatim, those not supported to be listed here.
- (b) That Council recommends to the Minister that an amended LEP [as above in (a)] is drafted and subsequently notified on the NSW Legislation website.
- (c) That Council write to all who made a submission advising of their recommendation to the Minister of Planning in respect of the Planning Proposal Heritage Review.
- (d) That Council support the addition of a Heritage Development Control Plan and that the DCP be reported to Council for approval to exhibit and subsequent adoption.
- (e) That submissions relating to the proposed Heritage Items be utilized to update the Heritage Data Forms prior to the amending LEP coming into effect.
- (f) That Council endorses a one-off budget allocation of \$500,000 for Heritage Assistance Fund grants up to \$15,000. The eligibility criteria for Heritage Assistance grants are:
 - i. All works must involve the conservation or restoration of a residential heritage item, listed on Schedule 5 of the *Ryde Local Environmental Plan 2014*.
 - ii. All works must demonstrate compliance with the provisions of *Ryde Local Environmental Plan 2014*, specifically, clause 5.10 *Heritage Conservation*.
 - iii. The works are undertaken in accordance with a development consent or heritage exemption; or involve minor maintenance works or repairs that do not require any formal approval or exemption from Council.
 - iv. All works must be completed (and paid) and tax invoices submitted with the grant application.
 - v. The works must have been completed within the past 12 months by qualified tradesmen who have demonstrated skills / experience in dealing with heritage fabric.

ITEM 1 (continued)

ATTACHMENT 1

- vi. The invoices for the completed works must be submitted. Grants will be paid to the owner of the heritage item – not to the contractor.
- vii. All works must be undertaken in accordance with good heritage conservation practices and methodology (refer to the guidelines and publications available from the Heritage Division – Office of Environment and Heritage (OEH) [www.environment.nsw.gov.au])
- viii. The Ryde Local Heritage Assistance Fund can also contribute to the preparation of a Conservation Management Plan (CMP) prepared prior to lodging a Development Application (DA). The CMP must be prepared in accordance with NSW Heritage Council guidelines and must provide detailed conservation management policies for the management and conservation of the heritage item.

ITEM 1 (continued)

ATTACHMENT 1

Inclusion of HCA's in Seriatim:-

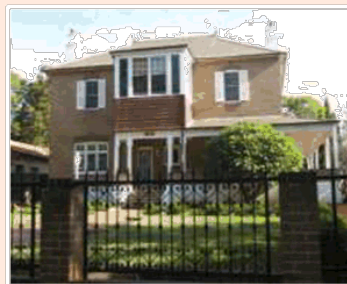
- (i) That the Heritage Conservation Area known as Summerhayes be adopted for inclusion in the Planning Proposal to be forwarded to the Department Planning, Industry and Environment for the plan to be made.



ITEM 1 (continued)

ATTACHMENT 1

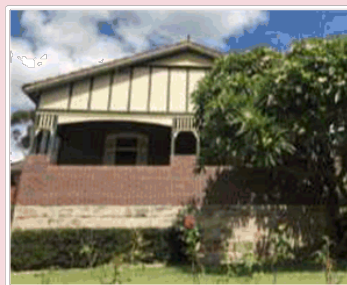
- (ii) That the Heritage Conservation Area known as Lunds Estate be adopted for inclusion in the Planning Proposal to be forwarded to the Department Planning, Industry and Environment for the plan to be made.



ITEM 1 (continued)

ATTACHMENT 1

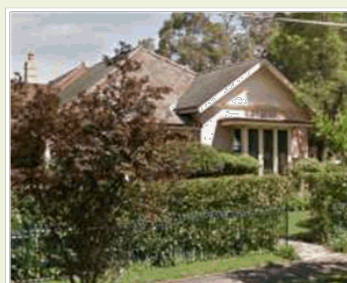
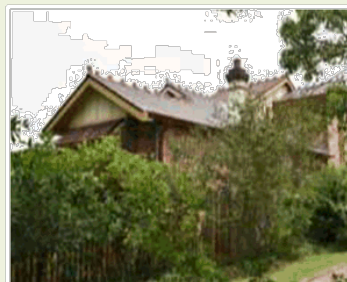
- (iii) That the Heritage Conservation Area known as Chatham Road be adopted for inclusion in the Planning Proposal to be forwarded to the Department Planning, Industry and Environment for the plan to be made.



ITEM 1 (continued)

ATTACHMENT 1

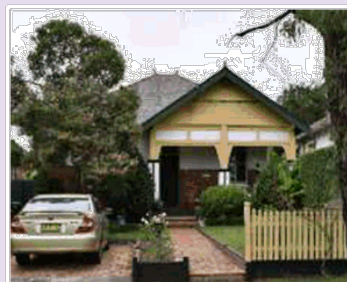
- (iv) That the Heritage Conservation Area known as Darvall Estate be adopted for inclusion in the Planning Proposal to be forwarded to the Department Planning, Industry and Environment for the plan to be made.



ITEM 1 (continued)

ATTACHMENT 1

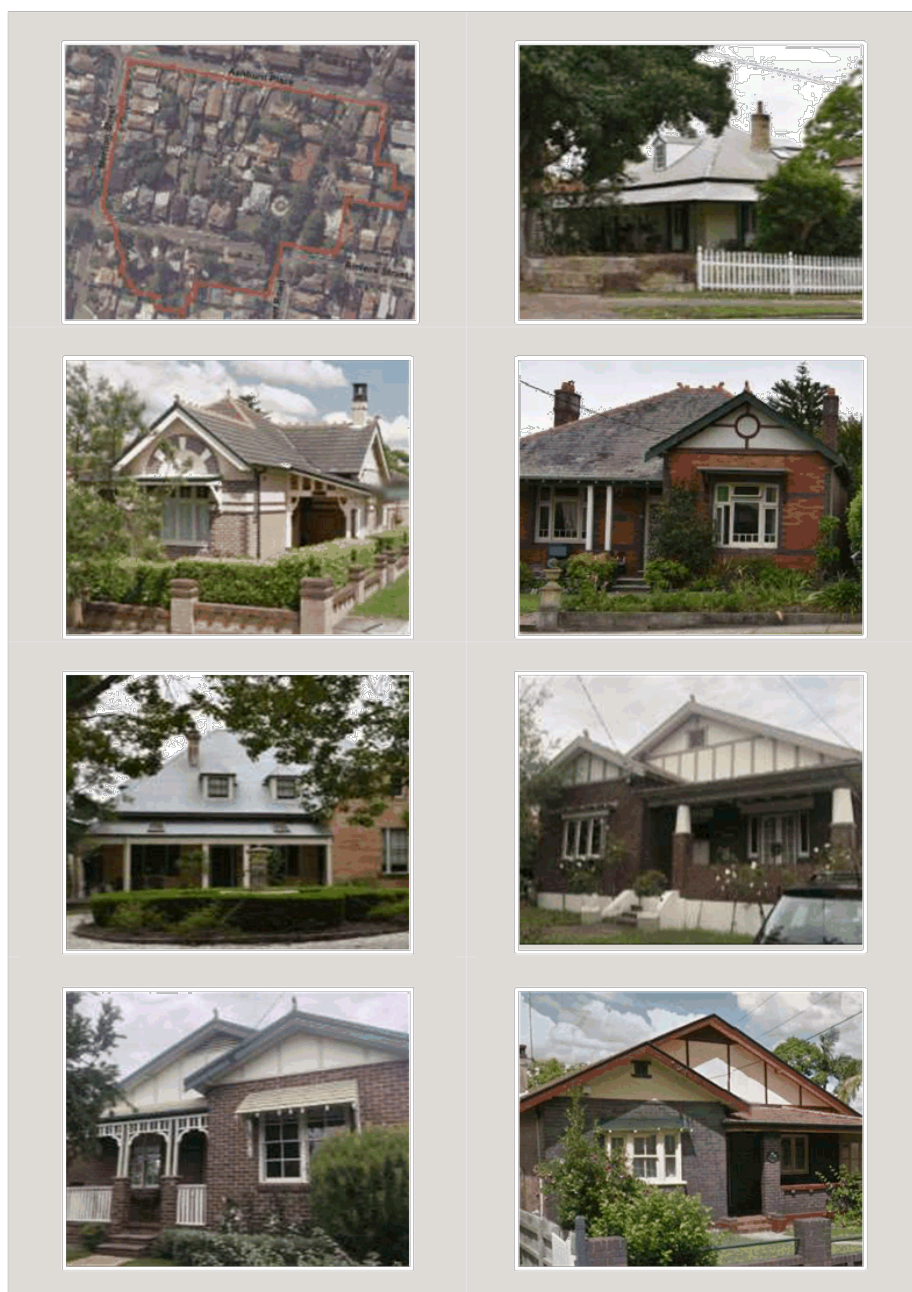
- (v) That the Heritage Conservation Area known as Tyrell Street be adopted for inclusion in the Planning Proposal to be forwarded to the Department Planning, Industry and Environment for the plan to be made.



ITEM 1 (continued)

ATTACHMENT 1

- (vi) That the Heritage Conservation Area known as Wharf Road be adopted for inclusion in the Planning Proposal to be forwarded to the Department Planning, Industry and Environment for the plan to be made.



ITEM 1 (continued)

ATTACHMENT 2

**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 10/17 AT ITS MEETING HELD ON 28 NOVEMBER 2017**

MAYORAL MINUTE

12/17 HERITAGE PROTECTION - 330 ROWE STREET, EASTWOOD

RESOLUTION: (Moved by The Mayor, Councillor Laxale and Councillor Yedelian OAM)

- (a) That Council delegate the Acting General Manager to place an Interim Heritage Order over 330 Rowe Street, Eastwood; and
 - (i) Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and
 - (ii) That the Planning Proposal seeking heritage listing of 330 Rowe Street Eastwood is forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and
 - (iii) That upon receipt of the Gateway Determination, the Acting General Manager places the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.
 - (iv) That a report on the outcomes of community consultation is presented to Council as soon as practicable.
- (b) That Council, in order to ensure certainty in the development process, undertakes a City wide heritage study to ensure items of heritage significance are identified and options for their adequate protection recommended. The study and its recommendations are to be presented to Council for consideration as soon as practicable in 2018.
- (c) That up to \$100,000 is allocated for this study to be funded from developer contributions with the Acting Director – City Planning and Development to provide further updates on this project via the Councillor Information Bulletin when scoped.

Record for the Voting:

For the Motion: Unanimous

ITEM 1 (continued)

ATTACHMENT 3

**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 7/19 HELD ON 23 JULY 2019**

COUNCIL REPORTS

6 PLANNING PROPOSAL - HERITAGE REVIEW

Note: Peter Mitchell and Jazmin Van Veen (representing the Department of Planning, Industry and Environment) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Purcell)

- (a) That Council submit the Planning Proposal - Heritage Review for Gateway Determination, in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 and that Council request delegation from the Minister to implement the Plan.
- (b) That Council, when the Gateway Determination is issued pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, delegate authority to the General Manager to publicly exhibit the Planning Proposal. A further report will be presented to Council following the completion of the exhibition period.
- (c) That Council allocate an additional \$500,000 from General Revenue to Council's existing *Local Heritage Assistance Fund* and that this additional funding be available for grants of up to \$15,000. A further report detailing the grant process will be presented to Council with the results of the exhibition of the Planning Proposal.
- (d) That a two hour Councillor Workshop be held to discuss the Heritage Review and the Local Heritage Assistance Fund.
- (e) That the General Manager write to the Hon. Member for Lane Cove, Anthony Roberts MP, the Hon. Member for Ryde, Victor Dominello MP, and the Hon Minister for Planning and Public Spaces, Rob Stokes MP, to seek their support for the Heritage Review and the expeditious processing of the Planning Proposal.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Lane

ITEM 1 (continued)

ATTACHMENT 4



Planning circular

PLANNING SYSTEM

Respecting and enhancing local character in the planning system

Circular	PS 18-001
Issued	16 January 2018
Related	None

Stepping up planning and designing for better places: respecting and enhancing local character

This circular provides advice on how the NSW planning system will deliver development that both meets the growing needs of NSW and is contextual, local and of its place, to make better places for everyone. Growth in NSW will continue and it is the role of the planning system to guide how growth will be managed, including by setting strategic targets for new housing to meet the needs of future communities. Character is a critical element of local areas and neighbourhoods and needs to be carefully considered in future planning. The circular provides guidance for local councils and other relevant planning authorities, state agencies and communities about the tools available to them to incorporate consideration of local character into strategic planning and detailed planning for places.

What is local character?

Character is what makes one neighbourhood distinctive from another. It is the way a place 'looks and feels'. It is created by the way built and natural elements in both the public realm and private domain interrelate with one another, including the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation.

It is important to ensure that consideration of character is understood to be distinct from considerations of heritage and conservation. Compatibility is different from sameness, as it allows for many different features to coexist together harmoniously.

All places have character and what is important in one area might be very different in another. Good planning should ensure all places have a future desired character and once this has been established the planning framework can be used to guide the degree of change needed to achieve that vision.

Where major growth is planned, such as in growth areas or precincts there are opportunities to enhance the future character of these areas through the planning system to ensure the places we create become the much loved suburbs of the future.

In other areas where the existing character is highly valued by the community, there are opportunities to plan for the enhancement of that character for the enjoyment of existing and future residents.

Respecting character does not mean that new development cannot occur, instead, it means that a design-led approach needs to be implemented which builds on the valued characteristics of individual neighbourhoods and places. Built form, bulk, scale and height as well as landscaping and good design all play a part in ensuring the character of an area is maintained while still allowing for new development to occur.

Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based, relevant to and resonant with local character and community aspirations. It contributes to evolving and future character and setting.

A new approach to include the role of character in the NSW planning system

NSW is rapidly growing and, respecting and enhancing local character are important considerations in planning for the growth of our cities, towns and regions.

While a growing population can bring the benefits of greater housing diversity and choice, more job opportunities closer to home and investment in infrastructure, facilities and services. Communities are also concerned that new development can impact the local character and amenity of their neighbourhood.

ITEM 1 (continued)

ATTACHMENT 4

Local character should be considered at every stage of the planning and development process in NSW. With the use of guidance and tools prepared by the Department and the Government Architect NSW, all stakeholders can play their part in ensuring that, as our communities grow, they become better places.

How can character be considered in the NSW planning system?

Local character needs to be considered as part of strategic planning and when detailed plans for places are prepared.

Local communities play an important role in defining what character is in their local area.

Consultation is essential throughout the plan-making process to ensure that character is planned for and consistent with the community's view of the desired future character of their area.

Strategic Planning

Regional and District Plans

The regional and district plans set the strategic vision for communities across NSW. The plans are developed to manage our future needs for housing, jobs, infrastructure, and the environment, in a way that recognises our shared economic, social, and environmental values and heritage.

Regional plans prepared for the whole of NSW, and district plans prepared for metropolitan Sydney, recognise and support local character by:

- Acknowledging that areas with a strong sense of local character are desirable places to live and work and support strong communities, and that this should be an objective in planning for all communities;
- Identifying that areas that build on existing local character contribute to the vitality and viability of centres;
- Emphasising that new development should respond to and reflect the existing character of an area; and
- Demonstrating how investing in local character can drive economic development and opportunity, particularly in regional areas.

Local Housing Strategies

When district plans are finalised, councils must prepare a Local Housing Strategy. The Local Housing Strategy will identify any areas that have already been identified as having cultural or environmental significance and aim to identify areas of exceptional local character. Local Housing Strategies will need to find a balance between respecting and enhancing the local character of an area and identifying and accommodating the community's future housing, infrastructure and social needs.

Detailed Plans for Places

Planned Precincts

The Department of Planning and Environment will lead the planning process of designing for planned precincts. These are areas that have been identified for renewal and investment. In planned precincts, a place-based approach will be taken, starting from considering the feel, aesthetic, form, history, and culture of an area, and recognising that existing local character can be reflected and strengthened in planning for the future.

In consultation with local communities a local character statement will be developed at the commencement of all planned precinct initiatives. This process allows the community to identify the great qualities of a place, and to use the planning process to develop more value and attraction.

It also ensures that opportunities for new infrastructure, open space, green canopy, and social and community facilities can be identified and planned to complement the existing character of the place and the community.

Critical to this approach is engagement with the community both at the earliest stages and ongoing throughout the planning process. The Department is committed to improving the engagement process so that a vision is developed early in close collaboration with the local community.

Clear design principles, values and strategies for critical urban elements like open space, green canopy, public domain, built form, local character, movement and connections, and mixed land use will frame collaboration about the future of these precincts.

The development of a local character statement as part of the planning process also enables communities to participate in the conversation and decision making around future housing needs for communities. Providing diversity of housing accessible to young people, seniors, people with a disability and key workers supports stronger communities, allows people to stay a part of their community through different life stages, and encourages the maintenance and strengthening of local character as new homes for these growing communities are constructed.

In this way, the planned precinct process will enable meaningful engagement with local communities to ensure everyone provides input into shaping the future character of their neighbourhoods and places.

Local Environmental Plans (LEPs)

LEPs are the statutory interpretation for local strategic planning. They are informed by regional plans, district plans, state and local policies, Community Strategic Plans.

ITEM 1 (continued)

ATTACHMENT 4

Character can be reflected in a LEP in its aims (Clause 1.2 of the Standard Instrument LEP) where a council can describe the characteristics of the LGA, through zone objectives, in principal development standards (such as height and FSR controls), additional local provisions and requirements for design excellence.

The Department will prepare amendments to the Standard Instrument LEP for consultation to establish overlays for additional consideration of local character in areas of significance. Character overlays will only be permitted in exceptional areas as part of LEPs where the council has:

- demonstrated the character of a local area is significant in accordance with guidelines to be issued by the Department; and
- ensured that the local government area will meet the dwelling targets for future growth as established by the relevant regional or district plan.

Development Control Plans (DCPs)

DCPs are a key document for inclusion of more detailed guidance about implementation of LEP controls relating to design of development and consideration of local character.

Local character considerations can be included by councils in DCP provisions that relate to particular types of development or certain zones. DCPs can contain locality specific provisions, where local character considerations could be introduced via desired future character statements that build on the strategic vision contained in the council's Community Strategic Plan.

Better Placed and other design guidance

Better Placed: An integrated design policy for the built environment of NSW is a policy prepared by the Government Architect NSW to deliver a strategic approach to the design of the places in which we live work and play, to ensure that as our cities and towns grow bigger they get even better.

The policy provides useful guidance for communities, local councils and Government agencies about designing and building better places that are a '*Better Fit: Contextual, local and of its place*'.

Better Placed can be accessed here:
<http://www.planning.nsw.gov.au/About-Us/Office-of-the-Government-Architect>

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development and the associated Apartment Design Guide also contain useful guidance for all stakeholders in the planning system on the importance of design excellence in the built environment, and identifying local character and context in a range of local settings.

The **Apartment Design Guide** can be accessed here:
<http://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Apartment-Design-Guide>

Further Information

For further information please contact Service NSW at info@service.nsw.gov.au or 13 77 88.

Department of Planning and Environment circulars are available at:
planning.nsw.gov.au/circulars

Authorised by:

Carolyn McNally
Secretary

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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2 OUTCOMES OF EXHIBITION - PLANNING PROPOSAL - HERITAGE REVIEW 2019

Report prepared by: Senior Coordinator - Strategic Planning
File No.: LEP2019/38/4 - BP19/1459

REPORT SUMMARY

In 2003 Ryde Local Environmental Plan (LEP) 105 was brought into effect listing approximately 150 heritage items and 4 Heritage Conservation Areas (HCA). In 2011 Council added the Gladesville Shopping Centre HCA to Ryde LEP 2010. Since 2011, 87 Bowden Street and 330 Rowe Street have been listed in Council's LEP.

In 2019 Council completed a review identifying places of heritage significance in the Ryde Local Government Area (LGA). Based on this review, The Planning Proposal Heritage Review 2019 proposes to amend Ryde LEP 2014 by adding 44 new heritage items, 6 new HCAs and 2 archaeological items to Schedule 5, Environmental Heritage.

Proposed inclusions in Ryde LEP 2014 Schedule 5 Environmental Heritage	
Proposed Heritage Conservation Areas	Sites / properties
C1 - Lund Estate	112
C2 - Summerhayes	189
C3 - Chatham Road	174
C4 - Darvall Estate	148
C5 - Tyrell Street	47
C6 - Wharf Road	33
Sub-Total	703
Proposed Heritage Items	
State Government – Eastwood Public School and Sydney Water site	2
Council owned - 6 parks & 3 street tree groups	9
Privately owned	33
Sub-Total	44
Proposed Archaeological Items	
Privately owned (former Squires Brewery)	1
Council owned (former Glades Bay Baths)	1
Sub-Total	2

ITEM 2 (continued)

The Planning Proposal Heritage Review 2019 was exhibited from 11 September to 10 November 2019 for 60 days exceeding the required 28 day period for major planning proposals. Advertisements were placed in 6 newspapers and 18 community information sessions were held (8 with interpreters). The planning proposal and supporting material was made available in 3 Council libraries, Council's Customer Service Centre, North Ryde Office and on 4 separate Council Have-Your-Say webpages with explanatory information in simplified and traditional Chinese, Korean and English.

Ryde Council is not delegated to make the proposed LEP amendment. As a result, under the legislatively defined process, Council must now consider submissions and recommend to the Minister whether or not the proposed LEP amendments should be made as exhibited, varied or should not proceed.

This report details the outcomes of community consultation. Council received community feedback in a number of ways:

- 122 Written submissions
- 1843 online surveys
- 243 online survey and written submission
- 606 phone survey
- 4 form letters and 9 petitions

The phone survey with a sample size of 606 randomly selected people found that people who were not directly affected were overwhelmingly supportive of the proposed heritage listings. The written (online and hardcopy) surveys targeted people in or in the vicinity of proposed items and HCAs; the clear majority of written survey respondents were opposed to the proposal.

	Phone Survey	Written Surveys
Not Support HCA	4%	68%
Support HCA	71%	24%
Unsure HCA	25%	8%
Not Support Heritage Items	6%	63%
Support Heritage Items	62%	28%
Unsure Heritage Items	32%	9%

There is a margin for error in the written survey responses, while some effort has been made to remove duplicates it is possible some individuals were able to submit multiple surveys.

This report considers all submissions and these submissions are **CIRCULATED UNDER SEPARATE COVER** to Councillors in full. The key issues raised in written submissions and petitions include, but were not limited to:

ITEM 2 (continued)

- Whether owner's consent is required to make the plan, given Council resolutions made in 2010
- Whether Council has the right to prepare the proposed LEP amendment
- Impacts of listing on property value
- Development rights impacted
- Queries regarding the methodology employed in the background study

Other key issues raised in submissions are dealt with in more detail in body of this report. Brief responses are provided for summary purposes here:

Council's 2010 resolutions: In 2010 Council resolved to add 21 new heritage items to the Ryde LEP and to "*not pursue compulsory heritage listing of any property unless the land owner of the property applies for a heritage listing...*" Council also resolved not to consider the properties rejected from the 2010 heritage listing process in any future heritage studies.

A Local Council's decisions are a reflection of the contemporary community views. Since 2010, in response to community concern regarding the loss of heritage places, Ryde Council has resolved to:

- List the Gladesville Shopping Centre HCA (2011)
- Place Interim Heritage Orders (IHO) on 5 properties (2016 through to 2019)
- Heritage list 3 properties (2016 through to 2019) without owner's consent / application
- Prepare and exhibit a city wide heritage review and planning proposal (2017)
- Prepare a study and planning proposal for the Chatham Rd HCA (2018)

Conclusion: Since 2010, the Council has made several resolutions to protect local heritage without land owners applying for heritage listing. The recent Council resolutions were made in response to direct community representations and supersede Council's 2010 resolution. In addition, it is doubtful that the 2010 resolution not to undertake any future heritage studies meets Council's legislative obligations to conserve heritage as discussed below.

Council's legislative obligations and rights: Under the NSW legislative framework Local Council's and NSW government agencies are required to identify and protect heritage places. Under s9.1(2) of the NSW Environmental Planning and Assessment Act (the Act) and Ministerial Direction 2.3, Local Council's must "facilitate and conserve items and places of heritage significance identified by a heritage study". Under s3.31-3.37 of the Act, the Plan Making Authority is not required to obtain owner's consent to prepare and bring into effect a new or amended LEP.

Conclusion: Under NSW legislative framework, Council may prepare a Planning Proposal without land owner's consent. Importantly, Council is obligated to protect local heritage under the provisions of the Act.

ITEM 2 (continued)

Loss of property value: Many submissions claim that property value will be reduced by \$500,000 as a result of listing, regardless of individual property characteristics (such as location, lot size, number of bedrooms, etc.). The Australian Productivity Commission has considered heritage listing and its impacts and concluded that heritage listing had little impact on property values based on hedonic economic modelling that compared more than 1,200 like-for-like properties. The Commission noted that heritage properties were usually in expensive suburbs and concluded that location had more effect on property value than heritage listing. That study looked at properties in Parramatta and Ku-Ring-Gai, and other studies have made similar findings in other locations.

Conclusion: The evidence in the available peer reviewed studies indicates that heritage listing does not uniformly result in the loss of property values. Indeed, there is evidence that heritage listing can have a positive effect on values. Furthermore, the key purpose of the proposal is to protect items of heritage significance in accordance with our obligations under the current planning framework.

Impact on Development Rights: Heritage listing does not prevent development. Rather it guides appropriate change. Planning controls such as LEP height, FSR and minimum lot size continue to apply to heritage listed properties. DAs are not required for many activities relating to Heritage properties including repairs and many interior changes. However, heritage listings mean that a DA will be required for more impactful new work, and that heritage impacts must be considered in any development proposal. Council's Heritage Adviser can provide advice as to whether a DA is required and where exceptions can be provided for minor works. All DAs will need to be considered on their merit, but generally:

- Development in a HCA that is not visible from the street will generally be approved (e.g. granny flats, rear additions, internal upgrades)
- Pre-1939 properties located in HCAs will generally need to retain the street frontage while post World War 2 buildings may be demolished, subject to the replacement building being sympathetic to the HCA
- Heritage items will be able to undertake alterations and additions subject to the proposal being sympathetic to the item.
- While permissible, proposals for dual occupancy and multi-unit development will be subject to more constraints.

Council cannot make owners carry out maintenance, regardless of heritage listing, unless a health risk is posed to the general public.

Conclusion: Development with respect to Heritage items and HCAs will need to demonstrate that it is sympathetic to the heritage significance of the place. This will place more constraints on design and ensure that local character is protected. Preparing new DCP controls is recommended to help owners and planners to understand what is expected and to give more certainty.

ITEM 2 (continued)

Background Study: Many submissions raised concerns regarding the study including concerns with respect to its scope (selective/lack of exhaustiveness), the transparency of the study and methodology, and its cost. The scope of the *Heritage Review 2019* was to undertake a “gap” analysis of the LGA to identify places worthy of heritage protection in accordance with Council’s 2017 resolutions and the NSW Heritage Manual. Places are considered to have heritage significance if they meet one or more specified criteria relating to history, aesthetic qualities and social significance (referring to collective memory and local identity). No single heritage study can be exhaustive, the scope of this study was determined in accordance with known issues from previous studies, as well as known issues arising from Council’s DCPs, and feedback on development matters.

Conclusion: The full study was published as part of the exhibition and was undertaken by suitably qualified and highly-reputable heritage experts in accordance with relevant principles and practices. It is acknowledged that the scope was limited; however, this is necessary to ensure the work could be undertaken in a timely and reasonable manner. Should the community wish to consider other potentially significant items or areas not covered in the scope of this study, this would be a matter for future studies.

Analysis of the written submissions in relation to heritage items. Reveals that - of the 44 proposed heritage items - owners support/no submissions were received in relation to 22 (50%) properties and objections were received in respect to 22 (50%) properties. These submissions were reviewed and the following objections are supported:

- 21 Douglas Street
- 99 Western Crescent
- 14 Mitchell Street (also known as 2 Ida Street)

Further detail is provided in the body of the report.

ITEM 2 (continued)

With respect to the HCAs the submissions received from owners can be summarised as follows (see body of report for more detail):-

SUBMITTER TYPE	SUPPORT	DO NOT SUPPORT	MIXED	UNSURE/ NO PREFERENCE	NO RESPONSE
	(by property)	(by property)	(by property)	(by property)	(by property)
Chatham Road – 174 Total Properties					
Owner/Resident	43	58	2	3	68
Percentage	25%	33%	1%	2%	39%
Darvall Estate – 148 Total Properties					
Owner/Resident	31	46	1	6	64
Percentage	21%	31%	1%	4%	43%
Lunds Estate – 112 Total Properties					
Owner/Resident	8	72		1	31
Percentage	7%	64%		1%	28%
Summerhayes – 189 Total Properties					
Owner/Resident	8	104	3	5	69
Percentage	4%	55%	2%	3%	36%
Tyrell Street – 47 Total Properties					
Owner/Resident	6	7	1		33
Percentage	13%	15%	2%		70%
Wharf Road – 33 Total Properties					
Owner/Resident	3	13			17
Percentage	9%	39%			52%

As Council's resolutions relating to the Heritage Study 2019 were associated with IHOs and actions to retain heritage for future generations, this report recommends that the HCAs are brought into effect as exhibited. HCAs are the only means of ensuring the significant character of these areas is protected. It is also recommended that the Ryde DCP is updated to include controls guiding development in HCAs and with respect to Heritage Items.

Finally, Council on 23 July 2019 resolved to allocate \$500,000 for the Heritage Assistance Fund and requested that a report on the eligibility criteria be provided together with the report on the exhibition. This fund has been operating since 2012 with owners of items able to apply for grants up to \$5,000 for works that contribute to conservation of the building. Institutions and government authorities are not eligible. In October the Ryde Heritage Advisory Committee considered the new scheme for grants of up to \$15,000 and recommended to Council that the current criteria for grants continue. The Committee noted that grant applications are considered by the Committee, which affords a means to monitor the performance of the scheme and the Committee could recommend changes to the scheme at a future time should any issues or opportunities arise.

This is reflected in the recommendations of this report.

ITEM 2 (continued)**RECOMMENDATION:**

- (a) That Council adopts the Planning Proposal – Heritage Review 2019 subject to the minor amendments arising from the exhibition period as detailed in this report.
- (b) That Council supports the finalisation of the Planning Proposal and that a recommendation be forwarded to the Minister for Planning and the Department of Planning, Industry and Environment to finalise and make the plan.
- (c) That subsequent to the finalisation of the Planning Proposal, Council receives a report that details the changes required to the Ryde Development Control Plan 2014 (Ryde DCP2014) based on the outcomes of the Heritage Review.
- (d) That Council support the addition of a Heritage Development Control Plan and that the DCP be reported to Council for approval to exhibit and subsequent adoption.
- (e) That submissions relating to the proposed Heritage Items be utilized to update the Heritage Data Forms prior to the amending LEP coming into effect.
- (f) That Council endorses a one-off budget allocation of \$500,000 for Heritage Assistance Fund grants of up to \$15,000. The eligibility criteria for Heritage Assistance grants are:
 - i. All works must involve the conservation or restoration of a residential heritage item, listed on Schedule 5 of the *Ryde Local Environmental Plan 2014*.
 - ii. All works must demonstrate compliance with the provisions of *Ryde Local Environmental Plan 2014*, specifically, clause 5.10 *Heritage Conservation*.
 - iii. The works are undertaken in accordance with a development consent or heritage exemption; or involve minor maintenance works or repairs that do not require any formal approval or exemption from Council.
 - iv. All works must be completed (and paid) and tax invoices submitted with the grant application.
 - v. The works must have been completed within the past 12 months by qualified tradesmen who have demonstrated skills / experience in dealing with heritage fabric.

ITEM 2 (continued)

- vi. The invoices for the completed works must be submitted. Grants will be paid to the owner of the heritage item – not to the contractor.
- vii. All works must be undertaken in accordance with good heritage conservation practices and methodology (refer to the guidelines and publications available from the Heritage Division – Office of Environment and Heritage (OEH) [www.environment.nsw.gov.au])
- viii. The *Ryde Local Heritage Assistance Fund* can also contribute to the preparation of a Conservation Management Plan (CMP) prepared prior to lodging a Development Application (DA). The CMP must be prepared in accordance with NSW Heritage Council guidelines and must provide detailed conservation management policies for the management and conservation of the heritage item.

ATTACHMENTS

- 1 Council Resolution - 28 November 2017
- 2 Council Resolution - 26 February 2019
- 3 Council Resolution - 23 July 2019
- 4 Gateway Determination and Covering Letter
- 5 Report - Heritage Review 2019 Consultation
- 6 Report - Heritage Review Consultation Dashboard
- 7 Report - Heritage Review Phone Survey
- 8 Planning Proposal Heritage Review 2019
- 9 Department of Planning Industry and Environment comment - Heritage Planning Proposal
- 10 Submissions Summary - Proposed Heritage Items

Report Prepared By:

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Senior Coordinator - Strategic Planning

Report Approved By:

Dyalan Govender
Manager - Urban Strategy

Liz Coad
Director - City Planning and Environment

ITEM 2 (continued)**History**

- | | |
|------|---|
| 2003 | Ryde LEP 105 was brought into effect listing approximately 150 heritage items and 4 HCA. The historiography for this LEP was prepared in 1988 and the study recommending listing in 2001. |
| 2010 | Council resolved to add 21 new heritage items to the LEP. Council also resolved not to list heritage items unless the owners “applied” for listing |
| 2011 | Gladesville and Victoria Road Corridor LEP amendment was brought into effect. This included the new Gladesville Shopping Centre HCA |
| 2016 | Council resolved to place an Interim Heritage Order (IHO) on 87 Bowden Street Ryde |
| 2017 | 87 Bowden Street listing within Ryde LEP 2014 brought into effect |
| 2017 | Council resolved to place an IHO on 330 Rowe Street |
| 2018 | 330 Rowe Street listing within Ryde LEP 2014 brought into effect |
| 2017 | Council resolved to place an Interim Heritage Order (IHO) on 68 Denistone Road Denistone |
| 2017 | Council resolved to undertake a City wide heritage study |
| 2018 | Ryde Local Planning Panel recommended that Council proceed with an LEP amendment resulting from the city wide heritage review |
| 2019 | Council resolved to recommend to the Minister that 68 Denistone Road be included in Ryde LEP 2014 as an heritage item |
| 2019 | Council resolved to place an Interim Heritage Order (IHO) on 68 and 70 Chatham Road Denistone and to prepare a planning proposal for the Chatham Road Heritage Conservation Area |
| 2019 | Council resolved to proceed to exhibition with the Planning Proposal Heritage Review |
| 2019 | Community consultation regarding the Planning Proposal Heritage Review undertaken from 11 September – 10 November |

This report details outcomes of abovementioned community consultation.

ITEM 2 (continued)**Background - Legislative Framework**

Under the provisions of the s.9.1(2) Environmental Planning and Assessment Act (the Act) Council is obligated to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance in accordance with Ministerial Direction 2.3.

Ministerial Direction 2.3 requires that relevant planning proposals:

must contain provisions that facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.

As a result, the existing Ryde LEP 2014, Schedule 5 includes more than 170 Heritage items and 5 Heritage Conservation Areas. Most of these items and conservation areas have been listed in LEP Schedule 5 since 2003. Some items and a Heritage Conservation Area were added in 2010, 2011 and more in the last 2 years following the application of Interim Heritage Orders.

The NSW Aboriginal Heritage Information Management System (AHIMS) includes approximately 73 Aboriginal cultural heritage sites located in the Ryde LGA that have been reported to or declared by the Minister to have special significance with respect to Aboriginal culture. Information on these listings is only available to certain persons to ensure the protection of culturally sensitive sites.

Under the provisions of the Act pertaining to making LEPs (s3.31 to 3.37), the Planning Proposal Authority (Council) and the Plan Making Authority (Minister) are not required to obtain owner's consent for preparing and making any planning proposal. If owner's consent were a requirement for the preparation of LEPs and making LEP amendments the planning system in NSW would be inoperable.

The Planning Proposal Process

Following completion of community consultation the planning proposal authority (in this case Council) is to consider submissions prior to resolving whether or not the LEP amendment should be:

- made as exhibited
- varied
- not made

ITEM 2 (continued)

Next steps

As Council has not been delegated to make the plan, Council's resolutions will be forwarded to the Minister as recommendations regarding the finalisation of the proposed LEP amendment. Refer following flow chart.

The following flow chart indicates the steps in undertaking a planning proposal.



ITEM 2 (continued)**The Planning Proposal Heritage Review 2019**

The Planning Proposal Heritage Review was prepared in response to two Council resolutions.

On 28 November 2017, Council resolved in part the following:

That Council, in order to ensure certainty in the development process, undertakes a City wide heritage study to ensure items of heritage significance are identified and options for their adequate protection recommended.

See **ATTACHMENT 1** for the full resolution.

On 26 February 2019, after hearing from a number of community members, Council resolved to prepare a planning proposal for the Chatham Road Heritage Conservation Area as follows:

That Council... Prepare a Planning Proposal to list multiple properties within Chatham Road, Denistone as a heritage conservation area of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014...

See **ATTACHMENT 2** for the full resolution.

Heritage Review 2019

In response to the above resolutions, GML Heritage Consultants were engaged by City of Ryde in 2018 to conduct a city wide heritage study of the Ryde Local Government Area.

Aims of Heritage Review

The Heritage Review aimed to ensure that places of heritage significance were identified and adequately protected and that more certainty was provided for in the development process in accordance with the above resolutions.

Scope of Heritage Review

The scope of the Heritage Review was to undertake a “gap” analysis of the LGA to identify places worthy of heritage protection in accordance with Council’s 2017 resolution and the NSW Heritage Manual. As the Council resolved to prepare a study to implement a Chatham Rd HCA in 2018, the consultants were also to consider the Special Areas and Character Areas identified in Ryde Development Control Plan 2014.

ITEM 2 (continued)

The Request for Proposals specified that the “the Study Area is the City of Ryde” and specified the following Purpose and Scope:

The purpose of the review is to identify pre-1940 buildings and places of heritage significance and for possible inclusion as heritage items or heritage conservation areas in the Ryde Local Environmental Plan 2014 (RLEP 2014). The review will identify any ‘gaps’ in the City of Ryde heritage listings under the provisions of Schedule 5 of the Ryde Local Environmental Plan (RLEP) 2014.

The scope of the review involves the following:

- *Identification of buildings and places of heritage significance;*
- *Assessment of significance using the Heritage Council of NSW criteria for assessing significance*
- *Recommendations for the inclusion of highly significant places in the RLEP 2014*
- *Preparation of up to 60 Inventory Data Sheets for individual heritage items and up to 5 for Heritage Conservation Areas*

It is noted that the number of items and HCAs was provided to allow prospective providers to provide comparable cost estimates, the request for proposals and the terms of engagement provided flexibility to ensure the number of items or HCAs could change if required.

The focus on pre-1940 buildings and places was provided by staff to reflect known gaps in the current schedule based on the history of the LGA and previous studies. It was also necessary to ensure the study could be delivered in a manageable timeframe and budget.

Following evaluation of the proposals in accordance with Council’s Procurement Policy, GML Heritage was selected to undertake the study.

Methodology

The methodology for the *Heritage Review 2019* included a combination of the following:

- Field study
- Historical research

ITEM 2 (continued)

- Assessment against criteria published in the *NSW Heritage Manual* and the NSW Heritage Office publication “*Assessing Heritage Significance 2001*”. These are:
 - Historic, significance
 - Historic associations (e.g. with important local figures such as Summerhayes who was a local alderman, Mayor and architect or Grace Seccombe local potter and artist 1880-1956)
 - Aesthetic significance
 - Social significance (e.g. the place is important to a community its collective memory and identity)
 - Scientific/technical significance and can reveal, through study more about an area and its people (archaeology for example).

A short list was produced and subsequently reviewed based on more detailed research in order to reach the final places recommended to be heritage listed. It is noted that the list is not exhaustive and that no heritage study can be truly exhaustive. Indeed, GML’s study refers to further work that Council could pursue in the future to further explore potential items of significance, particularly in relation to Ryde’s natural, arboricultural, and post-1940 history.

HCAs

HCAs were considered from a starting point based on the Ryde DCP 2014 Special and Character Areas and historical research perspective. The proposed boundaries were derived from:

- Special areas and character areas in the DCP
- Subdivision boundaries (places within HCAs often have similar character because subdivisions had covenants requiring a certain standard or style of building)
- Field study which identified that buildings within each HCA fell into one of three categories - contributory / neutral / uncharacteristic

On the basis of the above, GML recommended 6 HCAs.

The geographical location of the HCAs reflects the history and timeline of development in the City of Ryde. Development has not occurred uniformly across the LGA over time, and as a result the areas and items of significance are not uniformly spread across the LGA.

GML recommended a future DCP amendment to guide development in HCAs which would include identification of contributory and non-contributory buildings. It is acknowledged that all HCAs include uncharacteristic development. Over time as they redevelop uncharacteristic buildings can be modified or replaced by more sympathetic development.

ITEM 2 (continued)

In a report titled *City of Ryde Heritage Review* dated August 2019, GML Heritage Consultants identified built, landscape and archaeological items that are of heritage significance to the City of Ryde for inclusion in Schedule 5 of the *Ryde Local Environmental Plan 2014* (**ATTACHMENT 8**).

The Heritage Review 2019 recommended that the following places, identified in the report, be incorporated into a Heritage Review Planning Proposal:

- 44 new heritage items
- 6 new heritage conservation areas
- 2 new archaeological sites
- Amending the description of 8 existing heritage items.

Planning Proposal

On 23 July 2019 Council considered the Planning Proposal and its supporting study Heritage Review 2019 and resolved the following (**ATTACHMENT 3**)

- (a) *That Council submit the Planning Proposal - Heritage Review for Gateway Determination, in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 and that Council request delegation from the Minister to implement the Plan.*
- (b) *That Council, when the Gateway Determination is issued pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, delegate authority to the General Manager to publicly exhibit the Planning Proposal. A further report will be presented to Council following the completion of the exhibition period.*
- (c) *That Council allocate an additional \$500,000 from General Revenue to Council's existing Local Heritage Assistance Fund and that this additional funding be available for grants of up to \$15,000. A further report detailing the grant process will be presented to Council with the results of the exhibition of the Planning Proposal.*
- (d) *That a two hour Councillor Workshop be held to discuss the Heritage Review and the Local Heritage Assistance Fund.*
- (e) *That the General Manager write to the Hon. Member for Lane Cove, Anthony Roberts MP, the Hon. Member for Ryde, Victor Dominello MP, and the Hon Minister for Planning and Public Spaces, Rob Stokes MP, to seek their support for the Heritage Review and the expeditious processing of the Planning Proposal.*

ITEM 2 (continued)**Gateway Determination**

In accordance with Council's resolutions the planning proposal was submitted to the Department of Planning, Industry and Environment (DPIE) with a request for a Gateway Determination on 30 July 2019. The Gateway Determination was issued on 9 August 2019 with the following conditions:-

1. *That prior to exhibition, Council is to amend the planning proposal to;*
 - a. *Address the impact of the proposal on the application of State Environmental Planning Policies*
 - b. *Update the assessment against s9.1 Direction 2.3 Heritage Conservation, and*
 - c. *Include assessment against s9.1 Directions 3.1 Residential Zones and 3.3 Home Occupations.*
2. *That Public exhibition be carried out for a minimum of 28 days as required under section 3.34(2)(c) and schedule 1 clause 4 of the Environmental Planning and Assessment Act*
3. *Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the relevant requirements of section 9.1 Directions:*
 - *NSW Heritage Council and*
 - *Heritage Department of Premier and Cabinet**Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.*
4. *A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(d) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land)...*

Condition 1 of the Gateway Determination was completed prior to the exhibition and the DPIE furnished with a copy of the revised Planning Proposal.

Conditions 2 and 3 of the Gateway Determination have been completed and are the subject of this report.

Condition 4 of the Gateway Determination

According to s3.34(2) of the Act, the Gateway Determination must advise whether or not a public hearing is required and in this case the Gateway Determination stated that a public hearing is not required except where otherwise obligated. Under the provisions of the Act, Council is obligated to conduct a public hearing where land reclassification is involved or where the new LEP will have an impact on threatened species. In the case of this Planning Proposal threatened species (trees) are to be protected and land reclassification is not proposed; as such, Council is not required to conduct a Public Hearing.

ITEM 2 (continued)

Consultation Period

Consultation was for 60 days from 9 September to 10 November 2019 exceeding the Gateway Determination required period of 28 days.

Notification

Notification was undertaken in a number of ways as follows:

- Letters to 1783 affected property owners including:
 - Heritage Items
 - HCA
 - In the vicinity of either items or HCAs (up to 3 properties distant)
- Letters to the occupants of properties (where the owner's address and the address of the item or HCA did not match)
- Press Release announcing commencement of exhibition



The Weekly Times Managing Editor John F Booth AM (pictured right) joins City of Ryde Mayor Jerome Laxale and heritage advocates at a recent Heritage Advisory Committee morning tea. TWT on-the-spot PHOTO.

Ryde heritage plan goes on public display

THE CITY of Ryde's long awaited heritage policy is to go on public display today.

The new policy contains reforms to protect Ryde's historic buildings and the Council will seek community consultation on the reforms.

Mayor Jerome Laxale said these reforms are a direct response to community concerns about the past loss of heritage and a desire to preserve what the community values from the past.

An important part of the policy - listed as a Community Strategic Plan - is the significance of heritage to the character of Ryde's long established suburbs.

The proposed heritage controls are also designed to provide greater certainty to property owners and prospective buyers.

Under the reforms, 44 new heritage items will

be created in the City of Ryde.

These include protection for thirty properties that include Federation cottages, inter-war bungalows and Victorian Georgian villas.

Also included are seven public parks, a reservoir, three street tree boulevards, two shops, a licensed hotel and a school.

"Six new heritage conservation areas will also be created, while the former Squire's Brewery and Halverson's Boat Yard in Putney and the Glades Bay Baths in Gladesville will also be listed as archaeological sites," Mayor Laxale said.

The reforms have further been created through are based on the findings of a comprehensive heritage

review recently commissioned by the City of Ryde.

Heritage protection driven by all sides of politics on the Council is in stark contrast to the so-called "do it yourself" heritage policy supported by former Mayor Col Bill Pickering which made heritage listing a choice for property developers.

Heritage items will now have local government

protection from inappropriate development and improvement work must now be sympathetic to the character and style of the heritage item and the heritage conservation area.

As part of the consultation, the City of Ryde will be conducting six drop-in sessions as well as an information session on the reforms.

Written submissions can also be made via the website www.ryde.nsw.gov.au/haveyoursay/Home.

Email submissions should be sent to: cityofryde@ryde.nsw.gov.au

Submissions sent by letter should be posted to: General Manager, City of Ryde, Locked Bag 2060, North Ryde NSW 1670

The community consultation will take place until October 25.

Press release above as it appeared in the Weekly Times 11 September 2019

ITEM 2 (continued)

- Newspaper advertisements in seven papers on the following dates:

NEWSPAPER notifications for Planning Porpoasl Heritage 2019

9 September 2019	Hanho Daily
11 September 2019	The Northern District Times
11 September 2019	The Weekly Times
14 September 2019	The Weekly Korea Town
14 September 2019	Vision China Times
14 September 2019	The Epoch Times Sydney
16 September 2019	SingTao Daily
2 October 2019	The Weekly Times
2 October 2019	The Northern District Times
19 October 2019	Vision China Times
19 October 2019	Hanho Daily
19 October 2019	The Weekly Korea Town
21 October 2019	SingTao Daily

Consultation Activities

18 Community Information Sessions were held, 8 with interpreters in attendance. Council's Heritage Advisor usually works 2 days per week, but his availability was increased in order to take phone enquiries. More than 300 calls were logged.

	INTERPRETER	DATE	TIME	TOPIC
1.	-	Thursday 10/10	6 - 7pm	Heritage Items
2.	-	Thursday 10/10	7.30 - 8.30pm	Heritage Items
3.	-	Saturday 12/10	10 - 11am	Heritage Items
4.	-	Saturday 12/10	11.30am - 12.30pm	HCA's
5.	-	Saturday 12/10	2 - 3pm	HCA's
6.	-	Saturday 12/10	3.30 - 4.30pm	HCA's
7.	Cantonese	Friday 25/10	6 - 7pm	HCA's
8.	Mandarin	Friday 25/10	7.30 - 8.30pm	HCA's
9.	Cantonese	Saturday 26/10	10 - 11am	HCA's
10.	Cantonese	Saturday 26/10	11.30am - 12.30pm	Heritage Items
11.	Korean	Saturday 26/10	2 - 3pm	HCA's
12.	Korean	Saturday 26/10	3.30 - 4.30pm	Heritage Items
13.	Mandarin	Saturday 2/11	10am - 11am	Heritage Items
14.	Mandarin	Saturday 2/11	11.30am - 12.30pm	HCA's
15.	-	Saturday 2/11	2 - 3pm	HCA's
16.	-	Saturday 2/11	3.30 - 4.30pm	Heritage Items
17.	-	Thursday 7/11	6 - 7pm	HCA's
18.	-	Thursday 7/11	7.30 - 8.30pm	HCA's

ITEM 2 (continued)

Exhibition Material

The planning proposal, and supporting material was made available in:

- Council's West Ryde, Ryde and Gladesville Libraries
- Customer Service Centre and North Ryde Office
- On 4 separate Council Have-Your-Say webpages with explanatory information in simplified and traditional Chinese, Korean and English as below

SCREEN SHOTS OF COUNCIL'S HAVE YOUR SAY WEB PAGES



Planning Proposal - Heritage
Review 2019



2019年文化遗产考察 规划提案



2019年文化遗产考察 规划提案



기획안 - 유산 검토 2019

See **ATTACHMENT 5**

Supporting material included:

- Heritage Review 2019 and all data inventory sheets
- Info sheet on *Being Near a Proposed Heritage Item and or Heritage Conservation Area*
- All information required under the Act and associated Regulations

ITEM 2 (continued)

- Australian Productivity Commission excerpt of *Conservation of Historic Heritage Places* relating to impacts of heritage listing on property values
- An interactive map

Community Participation

To encourage feedback Council made it possible to provide input to the exhibition in several ways – by filling out a survey (that included free text options) either online or in hardcopy. A hardcopy of the survey together with a reply paid envelope was mailed out together with all notification letters. Written submissions could also be made. Council also conducted a phone survey to understand and obtain the views of people who do not usually participate in local planning decisions. Council received:

- 122 Written submissions
- 1843 online surveys
- 243 online survey and written submission
- 606 phone survey
- 4 form letters and 9 petitions

Phone Survey - Key Findings

During the exhibition Council undertook a phone survey of a large sample in the Ryde LGA to ascertain the views of the broader community. There were 606 respondents and the key findings were:

Importance

Overall respondents assigned a high level of importance to protecting and retaining the history and character of the built, landscape and archaeological environment within City of Ryde – with 94% stating that it is at least ‘somewhat important’.

Support

The proposed changes to the Heritage Review received high levels of support, though this support significantly decreased for individuals affected by the changes, particularly if their property is directly impacted.

•Support for the proposed changes was largely driven by the belief that it is important to protect City of Ryde’s heritage, but also that it will help prevent the area from overdevelopment and an abundance of high-rise buildings.

•The leading reasons for not being supportive was concern that it will prevent owners from being able to make alterations to their own properties and decreasing property values – Something that was also recognised by respondents not directly affected by the changes.

ITEM 2 (continued)

The full report of the phone survey results is provided in **ATTACHMENT 7**
Community Participation Summary – see ATTACHMENT 6

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK

November 2019

OVERALL RESULTS (n=2814)



Breakdown by Source

Indicates the overall results, separated by the way respondents provided their feedback.

 **1843**
ONLINE SURVEY

 **243**
ONLINE SURVEY
& WRITTEN SUBMISSION

 **122**
WRITTEN SUBMISSION

 **606**
PHONE SURVEY

Online survey only (n=1843)



Only survey and written submission (n=243)



Written submission only (n=122)



Phone survey (n=606)



Phone survey respondents (based on a random sample with the Local Government Area) were typically more supportive than other sources of feedback, with 75% of expressing support for the proposal overall. Notably, only 3% of phone survey respondents indicated they lived or owned in properties directly affected by the proposal.

ITEM 2 (continued)

Surveys

In order to make it as easy as possible for people to make submissions, surveys were made available on-line and in hardcopy. Surveys were also mailed out to all affected land owners together with a reply paid envelope.

Following are the results of the surveys:

Survey 1			
	Heritage items	HCA	Other
Support	42 %	15 %	16%
Not Support	58 %	82 %	77%
Unsure	0	3 %	7 %

Survey 2			
	Heritage items	HCA	Archeological Items
Support	34%	35%	45%
Not Support	47%	50%	26%
Unsure	19%	15%	29%

Summary of the combined survey results are:

Heritage Items

38% of respondents support listing heritage items

52% of respondents do not support listing heritage items

and 10% are unsure

HCA's

25% of respondents support listing HCA's

66% of respondents do not support listing HCA's

and 9% are unsure

ITEM 2 (continued)

Written Submissions

Councillors, Government Agencies, State and Federal Government MPs, the consultant and Council all received submissions. Many people made more than one submission and/or submitted the same submission through multiple channels. De-duplication has been undertaken as far as possible, but cannot be guaranteed. As a result the following tables relating to heritage items Heritage items and HCAs focus on locations rather than the quantum of submissions

Written Submissions relating to Heritage Conservation Areas

The submissions received in relation to HCAs were ascribed to each HCA to obtain a picture of the level of support from those directly affected in particular, property owners (including family members).

SUBMITTER TYPE	SUPPORT	DO NOT SUPPORT	MIXED	UNSURE/ NO PREFERENCE	NO RESPONSE
	(by property)	(by property)	(by property)	(by property)	(by property)
Chatham Road – 174 Total Properties					
Owner/Resident	43	58	2	3	68
Percentage	25%	33%	1%	2%	39%
Darvall Estate – 148 Total Properties					
Owner/Resident	31	46	1	6	64
Percentage	21%	31%	1%	4%	43%
Lunds Estate – 112 Total Properties					
Owner/Resident	8	72		1	31
Percentage	7%	64%		1%	28%
Summerhayes – 189 Total Properties					
Owner/Resident	8	104	3	5	69
Percentage	4%	55%	2%	3%	36%
Tyrell Street – 47 Total Properties					
Owner/Resident	6	7	1		33
Percentage	13%	15%	2%		70%
Wharf Road – 33 Total Properties					
Owner/Resident	3	13			17
Percentage	9%	39%			52%

Written Submissions relating to Heritage Items

Analysis of the written submissions in relation to heritage items reveals that - of the 44 proposed heritage items - owners support/no submissions were received in relation to 22 (50%) properties and objections were received in respect of 22 (50%) properties. The following table provides a breakdown of these results (privately owned properties where no objection was received are highlighted in green – 11 in total).

ITEM 2 (continued)

Written Submissions relating to Proposed Heritage Items			
Proposed Heritage Item Note: Red text = council or government owned	Owner's objection	Owner's support	No submission
Street trees - Anthony and Miriam Rds		✓	
Street trees – Bencoolen Ave and Simla Rd		✓	
34A Miriam Road Denistone		✓	
Street trees – Auld, Tarrants, Richards Aves, Campbell & Rowe Sts		✓	
1 Campbell St Eastwood	✓		
19 Campbell St Eastwood	✓		
31 Campbell St Eastwood			✓
17 Clanalpine St Eastwood	✓		
36 Fourth Ave Eastwood		✓	
212 Rowe St Eastwood (Eastwood Public School)			✓
36 Ashburn Pl Gladesville		✓	
72 Eltham St Gladesville			✓
57 Meriton St Gladesville		✓	
16 Percy St Gladesville	✓		
18 Percy St Gladesville	✓		
Westminster Park, Gladesville		✓	
72 Tennyson Rd Gladesville			✓
99 Western Cres. Gladesville	✓		
39 Wharf Rd Gladesville	✓		
2 Richardson Pl North Ryde	✓		
21 Douglas St Putney	✓		
Cleves Park Putney		✓	
Morrison Bay Park, Putney		✓	
14 Mitchell St Putney	✓		
10 Storey St Putney	✓		
15 Waterview St Putney			✓ (submission –no preference indicated)
20 Waterview St Putney	✓		
321 Blaxland Rd Ryde	✓		
343-351 Blaxland Rd Ryde (Sydney Water)			✓
11 Constitution Road Ryde		✓	
46 Frederick St Ryde	✓		Note: owner sold property early Sept
24 Gladstone Ave Ryde	✓		
51 Higginbotham Rd Ryde	✓		
Burrows Park Ryde		✓	
17 Champion Rd Tennyson Point	✓		
43 Champion Rd Tennyson Point	✓		
63 Champion Rd Tennyson Point	✓		
Maze Park West Ryde		✓	
48 Falconer St West Ryde	✓		
61 Marsden Road West Ryde	✓		
45 Terry Rd West Ryde	✓		
1021-1023 Victoria Road West Ryde	✓		
1219 Victoria Road West Ryde		✓	
Anzac Park West Ryde		✓	
TOTAL	22	15	7

ITEM 2 (continued)

Petitions

Council has received 9 petitions. It is difficult to determine the true number of individuals represented with certainty as the petitions vary, with some not containing signatory's addresses, while some include the same signature for several people and so on. Some people have signed more than one petition and made several separate written submissions. As such, the number of signatures is approximate only as it includes an unknown number of duplicates. The petitions are **CIRCULATED UNDER SEPARATE COVER**.

The following is a summary of the petitions.

Summary of Petitions			
	Topic	Signatures	
Objection	Planning Proposal as a whole	2157	D19/180409
Objection	Proposed heritage listing of 1 Campbell St	252	D19/177019
Objection	Proposed Summerhayes HCA / Residents of Stewart Street	22	D19/176255
Objection	Remove Rutledge St from Summerhayes Estate	6	D19/176007
Objection	Proposed Wharf Road HCA	72	D19/180474
Objection	Proposed Lunds Estate HCA	18	D19/171855
Objection	Residents of Shaftsbury Rd (remove Shaftsbury Rd from proposed Lunds Estate HCA)	16	D19/180328
Objection	Proposed Lunds Estate HCA (Owners of Tarrants Ave)	27	D19/179638
Objection	Proposed Lunds Estate HCA	13	D19/175818

ITEM 2 (continued)

Form Letters

Council has received 4 variations of form letters. These are best summarised as follows.

Support/Object	Reasons	Quantum
Objection	Objects to the proposed HCAs on the basis <ul style="list-style-type: none"> - that owners consent has not been obtained - disputes the heritage significance assessment 	94
Objection	<ul style="list-style-type: none"> - Believes that the current DCP planning controls protect the character of the HCAs therefore listing not necessary - Additional costs – maintenance & preparing DAs etc. 	68
Objection	<ul style="list-style-type: none"> - The HCAs are not well preserved character areas, not charming /harmonious, therefore they should not be brought into effect 	157
Support	<ul style="list-style-type: none"> - Protect the lifestyle in our suburb, protect heritage and character - prevent further degradation / protect greenery - Increased density and population / concern regarding continued good access to facilities and infrastructure 	116

Issues / themes raised in submissions

A number of themes were reoccurring.

Those supporting the planning proposal were concerned about development and wanted to preserve local history and heritage. It should be noted that Ryde is one of the five fastest growing LGAs in the Sydney metropolitan region.

Those who did not support the planning proposal were overwhelmingly concerned about owner's rights and impacts on property values. The cloud chart below indicates themes raised and their importance. See **ATTACHMENT 6** for the full report.

ITEM 2 (continued)

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK

November 2019

OPEN COMMENT THEMES (n=2181)

Represented in a word cloud



ITEM 2 (continued)**Issues/Themes raised in submissions**

The following section provides planning responses to the key issues raised. See **ATTACHMENT 10** for more detail

Support - My property / the conservation area should be protected / the listings are overdue / The Character Area controls in the DCP are ineffective

Response: The broader community, many in HCAs and some owners of items supported the heritage listings in written submissions. Based on phone surveys, a majority of residents in the Ryde LGA, who do not own directly affected properties, support heritage listings, however, this group made few submissions.

Against - Loss of Property Value - Heritage listing will impact my property values

Response: The Australian Productivity Commission has undertaken an investigation regarding the impacts of heritage listing on property values. The Commission analysed a few studies and found that the methodology and conclusions of two studies were not credible. One indicated that all property values fell by \$500,000 as a result of heritage listing and another that all property values increased by 12% as a result of listing.

The Productivity Commission's preferred methodology for analysing the impacts of heritage listing on property values was hedonic modelling - which is based on comparing properties with similar lot size, the same number of bathrooms and bedrooms, all recently renovated and so on. The only difference between the properties being whether or not they were heritage listed.

This was undertaken in the Parramatta Local Government Area (based on 578 property sales) and Kuring-Gai Local Government Area (based on 712 property sales). The Commission concluded that listing had little effect – with the exception of large properties in the Kuring-Gai local Council area where the property value was increased – as follows

..the Parramatta and Ku-ring-gai LGA hedonic price models demonstrate that generally, heritage listing does not have a significant effect (positive or negative) on the value of housing, when structural and locational attributes are taken into account. However, for 'large' unique houses in the Ku-ring-gai LGA there does appear to be a price premium for heritage listing.... This may reflect the fact that heritage listed properties occur mainly within the more highly priced suburbs of LGAs. Thus, the vast majority of the higher price of these (heritage listed) properties comes from their location rather than listing

ITEM 2 (continued)

While staff have not undertaken exhaustive analysis of the sales data across the LGA, a cursory search of one location suggest the conclusions of the study may be relevant in the City of Ryde.

The Outlook Estate in Eastwood including Clive Road, Eastwood has been a Heritage Conservation Area since 2003 and the property values there exceed the median house price for the suburb of Eastwood which is \$1.3M. Recent sales include:

- 17 Clive Road sold Sept 2016 for \$2.4M
- 11 Clive Road sold Sept 2018 for \$2.5M
- 19 and 19A Clive Road sold Sept 2018 for unspecified sums
- 6 Clive Road sold Sept 2016 for \$2.91M
- 10 Clive Road sold Feb 2016 for \$2.63M
- 2 Clive Road sold April 2015 for \$2.1M

It is noted that this is a limited sample and there are likely to be a range of factors contributing to the values at this location. It is not a sufficient sample nor does it represent the detailed analysis required to identify the impact of the Heritage Conservation Area on the value of these properties. However, it does indicate that listing in and of itself is unlikely to be sufficient to suppress property values to the level of the median house price in Eastwood. Different locations and sites will have different factors contributing to their value, heritage being just one of those factors.

Against - Not able to make changes to my house - Heritage listing will prevent me from making changes to my property / the existing dwelling

Response: Heritage listing does not prevent development. Rather it guides appropriate change. Planning controls such as LEP height, FSR and minimum lot size controls apply to Heritage listed properties. However, heritage listings mean that complying and exempt development may not be carried out under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and that heritage impacts must be considered in any development proposal. It is noted that Council can provide exemptions from the need for a Development Application for minor works, such as repairs or restoration (note: there is no application fee).

ITEM 2 (continued)

Where works cannot be exempt from the DA process, all proposals will need to be considered on their merit, but in the main:

- Development in a HCA that is not visible from the street will generally be approved (e.g. granny flats, rear additions, internal upgrades)
- Pre-1939 properties located in HCAs will generally need to retain the street frontage
- Post World War 2 buildings in HCAs may be demolished, subject to the replacement building being sympathetic to the HCA
- Heritage items will be able to undertake alterations and additions subject to the proposal being sympathetic to the item.
- While permissible, proposals for dual occupancy and multi-unit development will be subject to more constraints and will need to demonstrate how they are sympathetic to the HCA or the item.

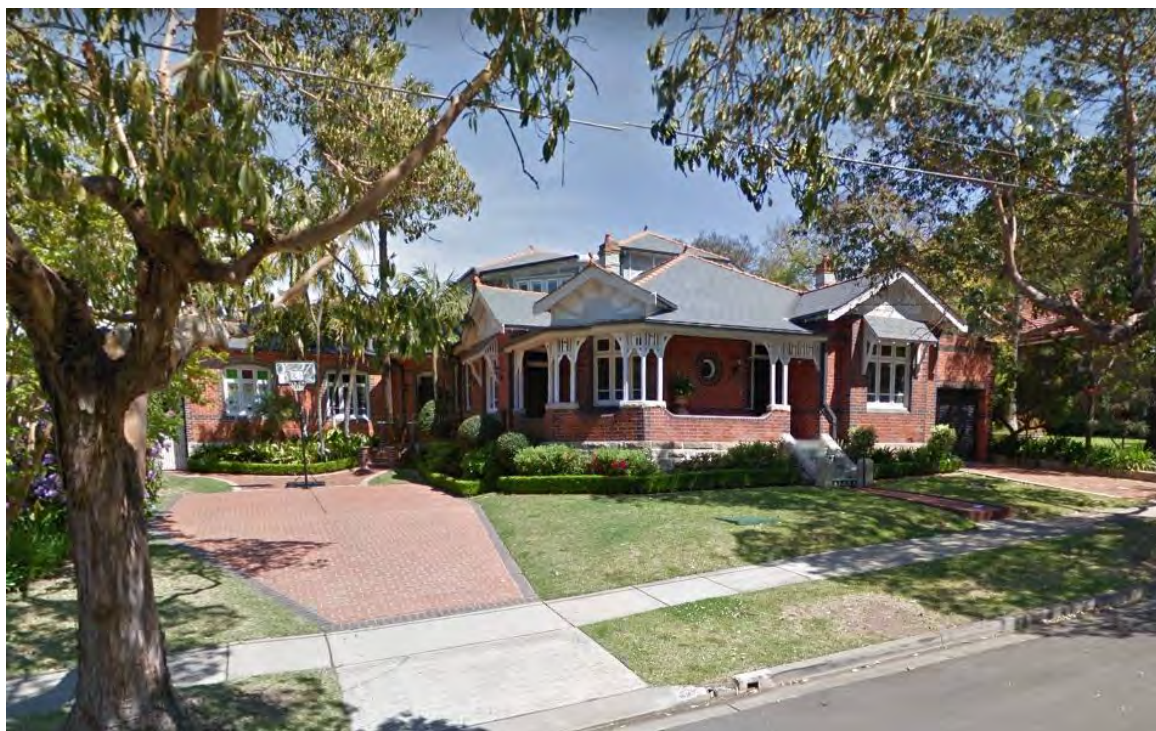
Council cannot force owners to carry out maintenance, to any property heritage listed or not, unless a health risk is posed.

Conclusion: Development and change can and routinely does occur in Heritage Conservation Areas or on individually listed Heritage items. A proposal will need to demonstrate that it is sympathetic to the heritage significance of the place. This will place constraints on design in order to protect local character.



Rear and side extension
corner Booth Street and Young Street, Annandale

ITEM 2 (continued)



First storey addition
24 Miriam Road, Denistone



Side extension to
Curzon Hall, Marsfield

ITEM 2 (continued)



Town house development on a heritage item site (Drill Hall)
corner Monash Road and Ryde Road, Gladevsille

Against - My property is not significant - I don't believe my property is significant / my property does not meet the heritage listing criteria / my property has additions and alterations

Response: Many submissions objecting to heritage listing raised concerns regarding the heritage study methodology. Each draft heritage item and draft HCA was assessed against the Heritage Council of NSW assessment of significance criteria to determine the level of significance of the item or area.

The inventory sheet for each draft heritage item and draft HCA provides a detailed assessment of the item or area concerned and identifies the reasons why it is of cultural heritage significance.

Heritage items and HCAs are not limited to those buildings that have not been modified in any way. Several submissions indicate that proposed heritage items have been altered over time and should therefore not be listed. In order to be listed a property does not have to be "original." As noted previously in this report, heritage listing does not prevent change, indeed, updates (to kitchens and bathrooms in particular) to support modern family life generally have a positive impact on the conservation of the item by ensuring it remains functional and well maintained.

ITEM 2 (continued)

Against - My property should not be in the HCA - My house isn't significant because it is recent and therefore shouldn't be included in a conservation area

Response: An area does not need to be fully intact to meet the threshold for significance as a Heritage Conservation Area. All HCAs include properties which can be classified as contributory, neutral or uncharacteristic based on the significant development period and the character of the conservation area. In general terms properties in the proposed HCAs that predate 1939 will be either contributory or neutral while houses built after 1939 will be uncharacteristic. Uncharacteristic buildings will be supported to be redeveloped in a manner that is sympathetic with the character of the area.

Against - Development rights impacted - (e.g. not able to subdivide / do dual occupancy / add granny flat / second storey etc.) / will need a DA to undertake development / these restrictions were not in place when I bought the property / I have made plans based on development rights

Response: Demolition of a heritage item and contributory items within HCAs will generally not be supported by Council. All development proposals will be considered on merit and the impact on the significance of the item or area concerned and its tolerance to such development occurring. Decisions regarding change will be considered against the assessed and identified significance of the item or area concerned.

Subdivision of heritage items is generally discouraged but may be considered where subdivision would not diminish or detract from the significance of the heritage item, such as visually distorting the historical subdivision pattern or divorcing the item from its landscaped curtilage and setting.

Council encourages sympathetic alterations and additions to dwelling houses. Generally sympathetic additions can be undertaken to the rear or in areas of lesser significance / low visual impact.

Against - Owners consent and Council's legislative right - Council does not have owners consent to list the property / Council does not have the right to heritage list property

Response: Under s3.31-3.37 of the Act, the Plan Making Authority is not required to obtain owner's consent to prepare and bring into effect an LEP amendment.

Furthermore, under the NSW legislative framework Local Council's and NSW government authorities are required to identify and protect heritage places.

ITEM 2 (continued)

Under s170 of the NSW Heritage Act, State Government Agencies must identify and manage heritage items within their property portfolio and under s9.1(2) of the NSW Environmental Planning and Assessment Act (the Act) and Ministerial Direction 2.3, Local Council's must "facilitate and conserve items and places of heritage significance identified by a heritage study".

Under the Act, Council is also required to implement relevant strategic plans such as *A Metropolis of Three Cities* and the *North District Plan* which prioritize protecting heritage.

Under s3.31-3.37 of the Act, the Plan Making Authority is not required to obtain owner's consent to prepare and bring into effect an LEP amendment.

Conclusion: Under NSW legislative framework, Council may prepare a Planning Proposal without land owner's consent. More importantly, Council is obligated to protect local heritage under the provisions of the Act.

Against - Council advised in 2010 that my property would not be heritage listed - As a result of the 2010 heritage study Council said they would not reconsider my property for listing. Council has not rescinded the resolution of 2010 which stated properties would not be listed without owner's consent.

Response: The Draft Heritage Study 2010 recommended that 71 properties be included as heritage items in the City of Ryde LEP 2010, including 47 dwellings, 2 public buildings, 13 churches and 9 stone survey markers. Based on the recommendation of the Ryde Heritage Advisory Committee, Council resolved to add 21 new heritage items to the Ryde LEP and to "*not pursue compulsory heritage listing of any property unless the land owner of the property applies for a heritage listing...*" Council also resolved not to consider the properties rejected from the 2010 heritage listing process in any future heritage studies.

A Local Council's decisions are a reflection of the times and contemporary community views. Subsequent resolutions relating to a particular matter or policy supersede previous resolutions, it is not necessary to formerly rescind a previous resolution for a new resolution to set out a new policy or direction.

Since 2010 Council has resolved on several occasions to pursue heritage listings in response to community concern regarding the pace of development in the Ryde LGA, and the consequential loss of heritage places including:

- List the Gladesville Shopping Centre HCA in 2011 in response to a request from the Gladesville Master Plan Reference Group
- Place an Interim Heritage Order (IHO) and heritage list 87 Bowden Street Ryde in 2016
- Place an Interim Heritage Order (IHO) on 330 Rowe Street Eastwood in 2017 and heritage list the property in 2018

ITEM 2 (continued)

- Place an IHO on 68 Denistone Road, Denistone in 2018 and resolve to heritage list the property in 2019 (awaiting gazettal)
- Place an IHO on 68 and 70 Chatham Road Denistone and prepare a planning proposal for the Chatham Rd HCA in 2018
- Prepare a city wide heritage review in 2017 and consequential planning proposal. In 2018 Council resolved to progress the planning proposal to exhibition.

A number of submissions based their objection on this issue, including many who were never on the 2010 heritage list, and whose properties are not proposed to be listed now. People have either misunderstood the planning process or have been provided with misinformation. There were a number of flyers and email “form letters” distributed within the HCAs that contained misinformation.

Conclusion: Since 2010, Council has made several resolutions to protect local heritage without land owners applying for heritage listing.

Against - Increased costs - maintenance / repairs / DA preparation / insurances

Response: Local heritage listing does not oblige the property owner to undertake maintenance and repairs. Minimum standards of maintenance and repairs apply only to state listed heritage items under the Heritage Act 1977. The proposal does not include any state listing of items.

Council encourages property owners to maintain the heritage item and offers a range of incentives, including the Ryde Local Heritage Assistance Fund to provide financial assistance towards maintenance and conservation works. General maintenance works can often be undertaken without the need for specialised trades. It is acknowledged that in some cases repair works will require specialist trades, such as stonemasons and slate roofers and may attract a premium due to the level of skill required. However, it is possible that modern techniques and materials can be used to undertake sympathetic maintenance. It is also noted that listing does not preclude changes to modernise interiors using contemporary techniques and materials.

Heritage listing does not directly affect insurance premiums in and of itself. In assessing the level of risk and whether or not to offer insurance for a property, an Insurer will ask questions about the age and condition of the building, what the building is constructed of, what security features are currently provided (e.g. dead locks, window locks), whether the property is in flood prone or bushfire prone land, as well as considering the level of risk through the claims history of the property, the owner and the wider area.

ITEM 2 (continued)

Against- Condition - My property is in poor condition / rundown and should not be listed

Response: All draft heritage items and draft HCAs have been assessed against the significance assessment criteria established by the Heritage Council of NSW. The condition of a building is not a relevant factor in determining heritage significance in that the 'condition' and 'significance' are mutually exclusive.

When owners seek to make changes to listed properties, Council would give consideration to the remedial works required to be undertaken to a heritage item and consider whether or not the impact of undertaking such remedial works would have an adverse material impact on fabric and overall significance of the item, or if remedial works would have a negligible / low impact and enhance the integrity of the item.

Against - Consultation process - has been poor / should be extended / should be in other languages / did not meet policy

Response: Under the provisions of the Act, community consultation is required to comply with the conditions of the Gateway Determination. The Planning Proposal Heritage Review 2019 was exhibited from 11 September to 10 November 2019 for 60 days exceeding the Gateway Determination requirement of 28 days. Advertisements were placed in 7 newspapers (5 of which were in other languages) and 18 community information sessions were held (8 with interpreters). The planning proposal and supporting material was made available in 3 Council libraries, Customer Service Centre, North Ryde Office and on 4 separate Council Have-Your-Say webpages with explanatory information in simplified and traditional Chinese, Korean and English.

The consultation carried out also complies with Council's draft Community Participation Plan (CPP) which applies to LEP amendments, development decisions and other planning matters. The Gateway Determination and CPP override any other Council policy with respect to planning matters and consultation.

It is acknowledged that the consultation period was extended and consultation events were re-scheduled, however, those changes related to elements of the consultation delivered above and beyond the statutory and Gateway requirements.

ITEM 2 (continued)

Some submissions requested a public hearing. This is not applicable to this planning proposal process because:

- The Gateway Determination specified that a public hearing was not required
- The planning proposal does not propose to reclassify Council owned land from “Community” to “Operational”
- The planning proposal does not impact negatively on threatened species, rather it contributes to the conservation of street tree boulevards.

It should be noted that Council has provided significant opportunity for interested persons to speak at Council meetings regarding the Planning Proposal, to attend 18 information sessions and to participate in a transparent decision making process.

Conclusion: The consultation exceeded all legislative requirements for an amending LEP.

Submissions from Community Groups

The following community groups and organisations provided submissions as a part of the exhibition process. These submissions are detailed below.

Ryde District Historical Society, wrote to Council

Members and friends of Ryde District Historical Society would like to congratulate City of Ryde Council for initiating this Review and fully support its implementation.

Such forward thinking will be welcomed by the community of Ryde and will ensure that future generations will be able to enjoy the benefits of its built, landscaped and archaeological heritage.

Denistone Conservation Action Group – wrote to Council raising concerns regarding misleading information being letterboxed in the area and expressing support for the HCAs noting:

The heritage importance within these two HCAs [Chatham and Darvall] cannot be underestimated. Majority of the housing stock within these neighbourhoods were built inter-war with distinct heritage characteristics of that period still strongly evident today. Majority of the homes were built to a strict building covenant reflective of the inter-war bungalow style ... The HCAs have established communities who have lived in the neighbourhoods for many decades and have protected and enhanced the heritage aspects of the housing stock and kept the gardens and streetscapes sympathetic to the original estates.

The style of life afforded by the HCAs has predominantly brought people together...

ITEM 2 (continued)**State Agency Submissions**

Condition Three of the Gateway Determination sets out the public authorities or organisations under section 3.34(2)(d) of the Act. The Gateway Determination requires consultation with the NSW Heritage Council and Heritage, Department of Premier and Cabinet, each public authority was given a copy of the Planning Proposal and the relevant supporting material. The responses are as follows;

Department Planning Industry and Environment (DPIE) **ATTACHMENT 9**

Deputy Secretary DPIE congratulated Council on....

the significant and comprehensive work that Council has undertaken to support the identification and protection of important conservation areas and heritage item...[which] aligns with the aspiration in the draft Ryde Local Strategic Planning Statement that heritage and places of cultural significance are well managed, conserved...to enhance the community's sense of place. The Department is pleased to continue working with Council on progressing the Heritage Review Planning Proposal, having previously assessed and given a favorable Gateway Determination to proceed to community consultation

NSW Heritage Council and Heritage, Department of Premier and Cabinet

Heritage NSW, a division of Department of Premier and Cabinet has written to council (received 3 December 2019) as delegate of the NSW Heritage Council as follows:

Heritage NSW encourages the identification and listing of new heritage items, heritage conservation areas and archaeological sites, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the planning proposal, Council should be satisfied that this is the case. We ... would advise Council to undertake a peer review of the Heritage Assessment.

All submissions in relation to heritage items have been peer reviewed by Lexie Macdonald, Dyalan Govender and Liz Coad who are the authors of this report and who have the required skills and expertise. This has involved a review of submissions, and issues raised against the heritage study and field trip study. As a result of the peer review 3 of the proposed Heritage Items are recommended not to be listed. Refer **ATTACHMENT 10** for more detail.

ITEM 2 (continued)Education NSW

Dept. Education has not made a submission. However, it should be noted that the Eastwood School is listed on the Education Department's s.170 Heritage Register compiled in accordance with the NSW Heritage Act. A number of submissions raised concerns that the school would not be able to be updated to cater for local population growth.

Response: The State Environmental Planning Policy (SEPP) (Infrastructure) 2007 applies to schools development. Under the provisions of the Infrastructure SEPP, the Department of Education is able to determine its own minor works including replacement of portable classrooms, construction of one-storey libraries, outdoor learning areas and sporting facilities under exempt and complying clauses. More substantial works that increase the capacity of the school, or impact on traffic and transport arrangements require lodgment of a development application.

The draft Heritage listing does not create additional obligations for the Education Department given their existing s170 heritage listing, nor does the proposed local listing change the abovementioned consent requirements outlined by the Infrastructure SEPP as follows:

(14) Consultation with councils—development with impacts on local heritage

(1) This clause applies to development carried out by or on behalf of a public authority if the development:

- (a) is likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item, in a way that is more than minor or inconsequential, and*
- (b) is development that this Policy provides may be carried out without consent.*

(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies unless the authority or the person has:

- (a) had an assessment of the impact prepared, and*
- (b) given written notice of the intention to carry out the development, with a copy of the assessment and a scope of works, to the council for the area in which the heritage item or heritage conservation area (or the relevant part of such an area) is located, and*
- (c) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.*

Please note that the consent authority varies depending on the scale of proposed school development. If over \$20M for example, the development will be considered "State Significant"

ITEM 2 (continued)**Proposed Changes arising from the exhibition**

Submissions which raise the above issues have been considered and the planning responses are outlined in the table at **ATTACHMENT 10**. 2 properties warranted further consideration. Based on a field study and a review of the inventory data sheets it is recommended that 21 Douglas Street, Putney and 99 Western Crescent, Gladesville are not listed. The reasons are outlined in the table at **ATTACHMENT 10**

21 Douglas Street Putney

The Heritage Review 2019 finds that the building meets the criterion for:

- historic significance based on its being part of the Cleves Estate
- aesthetic significance and representativeness based on typical architectural details of the Federation Bungalow, timber windows and masonry construction, and the unusual arched entry
- retains overall integrity

A local historian has made a submission raising concerns with respect to claims against the criterion for historic significance. While substantively intact (from the exterior) the house is modest with some original features having been replaced. The plain pared back quality of the arched entry is a style indicator for other architectural periods/styles and as such it is considered that claims against representativeness and aesthetic significance are not strong. Taken together the objection to the listing is supported and it is recommended that this property be removed from the proposed heritage list.

99 Western Crescent Gladesville

The owner has made a submission arguing that the property does not have heritage significance as it was substantially altered in 1987 and again in 1995. Evidence has been submitted of the earlier form of the cottage. Based on the evidence provided of alterations to the property (i.e. the original building is now not discernable) the objection is supported. It is recommended that this property is removed from the proposed heritage items list.

2 Ida Street and 14 Mitchell Street Putney

This property appears to be known as both 2 Ida and 14 Mitchell Street Putney with both addresses appearing on the mailbox and fence. An adjacent property is known as both 14 and 14A Mitchell Street. The legal description provided in the PP is for 2 Ida Street, while the street address provided in the PP is 14 Mitchell Street. As a result it could be argued that the PP lacks clarity with respect to the proposed listing for this property. Given this, the exhibition does not meet the legislative requirements for this property and it is not proposed to proceed with the listing of this property.

ITEM 2 (continued)**Financial Implications**

City of Ryde established a Local Heritage Assistance Fund in 2012 to help with the costs associated with repairing and conserving privately-owned heritage-listed items.

Council on 23 July 2019 resolved to allocate an additional \$500,000 to its Local Heritage Assistance Fund and will increase the size of individual grants available from the fund from \$5,000 to \$15,000 as follows:

That Council allocate an additional \$500,000 from General Revenue to Council's existing Local Heritage Assistance Fund and that this additional funding be available for grants of up to \$15,000. A further report detailing the grant process will be presented to Council with the results of the exhibition of the Planning Proposal.

The matter was referred to the Ryde Heritage Advisory Committee meeting of 16 October 2019 and the following was minuted:

- *The current programme has funding available of \$25,000, which is an increase from previous years at \$20,000. Applicants can potentially receive a maximum grant of \$5,000.*
- *Council has proposed to make a one-off injection to the fund of \$500,000 to coincide with the Ryde Heritage Review 2019. The additional funding will be available until spent – not tied to a specified length of time.*
- *With this injection, individual sums available would increase from a maximum of \$5,000 to \$15,000.*
- *To be eligible, the property would need to be a heritage item.*
- *The project to be funded would need to comply with a set of criteria to be confirmed.*
- *Payments would only be made upon completion of the work and after the works have been paid for.*
- *Should the additional funds be approved by Council, staff will be suggesting that the current eligibility criteria remain as it currently stands.*
- *It is recommended that the current need for items to be privately owned be maintained.*
- *The Committee considered whether the payment should be for heritage items only or expanded to include contributory items in an area also?*

ITEM 2 (continued)

- *The Committee also discussed whether people should be able to apply for funding prior to undertaking the works.*
- *The Committee agreed that consolidation not expansion of the program [in terms of eligibility] was the preferred option and agreed that the existing eligibility criteria should continue as per staff recommendations and that the eligibility be limited to heritage listed items.*

The full draft minutes of the Ryde Heritage Advisory Committee meeting of 16 October 2019 are available on Council's website.

The current eligibility criteria were developed to ensure a transparent process and that funds were provided to heritage property owners.

The process includes written notice to all heritage property owners in quarter 2 of each financial year, providing information on the scheme and how to apply. Grant applications are then accepted, reviewed by the Heritage Advisor and reported to the Ryde Heritage Advisory Committee before a final decision is made. Ryde Heritage Advisory Committee assisted to develop the eligibility criteria for Heritage Assistance grants and these are:

- (a) *All works must involve the conservation or restoration of a residential heritage item, listed on Schedule 5 of the Ryde Local Environmental Plan 2014.*
- (b) *All works must demonstrate compliance with the provisions of Ryde Local Environmental Plan 2014, specifically, clause 5.10 Heritage Conservation.*
- (c) *The works are undertaken in accordance with a development consent or heritage exemption; or involve minor maintenance works or repairs that do not require any formal approval or exemption from Council.*
- (d) *All works must be completed (and paid) and tax invoices submitted with the grant application.*
- (e) *The works must have been completed within the past 12 months by qualified tradesmen who have demonstrated skills / experience in dealing with heritage fabric.*
- (f) *The invoices for the completed works must be submitted. Grants will be paid to the owner of the heritage item – not to the contractor.*
- (g) *All works must be undertaken in accordance with good heritage conservation practices and methodology (refer to the guidelines and publications available from the Heritage Division – Office of Environment and Heritage (OEH) [www.environment.nsw.gov.au])*

ITEM 2 (continued)

The Ryde Local Heritage Assistance Fund can also contribute to the preparation of a Conservation Management Plan (CMP) prepared prior to lodging a Development Application (DA). The CMP must be prepared in accordance with NSW Heritage Council guidelines and must provide detailed conservation management policies for the management and conservation of the heritage item.

As the Ryde Heritage Advisory Committee has recommended to Council that the current Eligibility Criteria should apply to the expanded Heritage Assistance Program a recommendation of this report is that the above criteria are supported by Council.

Budget expenditure

The budget expenditure to date is outlined in the table below:-

Heritage Review 2019 - Budget expenditure to date		
Item	Amount	Funding Source
Heritage Study		Council on 28 November 2017 resolved to allocate a budget of up to \$100,000 for the heritage study.
		The consultants were engaged in 2018 in accordance with Council's procurement policy.
	\$121,000	\$80,000 approx. has been provided by the Accelerated LEP grant funding.
Heritage Study variations		Variations were incurred to bring the study forward as a result of the IHO for 68 and 70 Chatham Road, Denistone, consideration of landscape items, provide additional exhibition material
	\$42,000	
Community info sessions incl. interpreters	\$28,000	Part funded by Accelerated LEP grant funding and Council's General Revenue
Consultation		Council's General Revenue
Survey response translations	\$4,150	
Translations	\$3,205	
Korean translation of Survey	\$3,098	
Letters, webpages and Fact Sheet translation	\$15,169	
Heritage newspaper ads and translations	\$5,115	
Heritage newspaper ads NDT and TWT	\$8,032	
Phone Survey	\$29,000	
TOTAL	\$258,769.00	

ITEM 2 (continued)**Options****1 Endorse the Planning Proposal Heritage Review 2019 as exhibited**

This option is not recommended as the report supports the removal of 3 heritage items from the proposed list of items

Next steps – if this is Council's preferred option, the next steps, should be reflected in any resolutions as follows:

1. That Council recommend that the Planning Proposal – Heritage Review 2019 is made as exhibited:
 - (a) That Council adopts the Planning Proposal – Heritage Review 2019 in full without amendment.
 - (b) That Council supports the finalisation of the Planning Proposal and that a request be forwarded to the Minister for Planning and the Department of Planning, Industry and Environment to finalise and make the plan.
 - (c) That subsequent to the finalisation of the Planning Proposal, Council receives a report that details the changes required to the Ryde Development Control Plan 2014 (Ryde DCP2014) based on the outcomes of the Heritage Review.
 - (d) That Council support the addition of a Heritage Development Control Plan and that the DCP be reported to Council for support, exhibition and subsequent adoption.

2. That Council recommend that the Planning Proposal does not proceed

This option is not recommended as it would result in identified heritage being without protection and contribute to uncertainty in the development process (as a result of the application of Interim Heritage Orders and “public interest” development considerations).

Next steps – if this is Council's preferred option the next steps, should be reflected in any resolutions:

- (a) That Council recommends to the Minister for Planning that the Planning Proposal – Heritage Review 2019 does not proceed.
- (b) That all who made submissions are advised of Council's decision.

ITEM 2 (continued)**3. That Council endorse the Planning Proposal Heritage Review 2019 subject to amendment**

This option is recommended as:

- The GML Heritage Study is considered a sound appraisal of local heritage in accordance with its scope and the relevant heritage assessment standards and practices. Staff have reviewed the study and submissions and relevant issues can be addressed by minor amendments to the proposal.
- Council sought submissions from the community, including landowners directly affected. While many directly affected landowners and a small but significant proportion of the wider community raised objection to the proposal these objections have been reviewed in light of the available evidence, and Council's obligation to protect heritage under the act and under NSW and Council's strategic documents including the Ryde Community Strategic Plan and the Draft Ryde Local Strategic Planning Statement. On balance and for the reasons detailed in the responses to the submissions contained in this report, it recommended that the proposal proceed subject to the minor amendments detailed in the report.

This is the preferred option and it is reflected in the recommendations of this report.

Next Steps - if this is Council's preferred option, the next steps, should be reflected in any resolutions as follows:

That Council recommend that the Planning Proposal – Heritage Review 2019 is made subject to the minor amendments arising from the exhibition period as detailed in this report:

- (a) That Council adopts the Planning Proposal – Heritage Review 2019 subject to the minor amendments arising from the exhibition period as detailed in this report relating to 21 Douglas Street, 99 Western Crescent, and 2 Ida Street.
- (b) That Council supports the finalisation of the Planning Proposal and that a recommendation be forwarded to the Minister for Planning and the Department of Planning, Industry and Environment to finalise and make the plan.
- (c) That subsequent to the finalisation of the Planning Proposal, Council receives a report that details the changes required to the Ryde Development Control Plan 2014 (Ryde DCP2014) based on the outcomes of the Heritage Review.

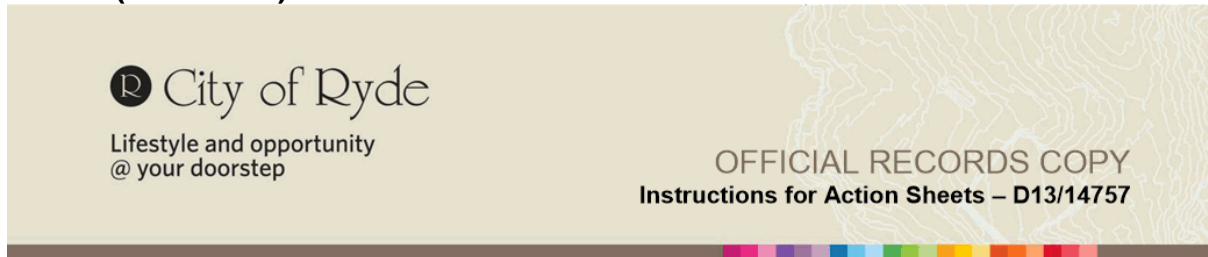
ITEM 2 (continued)

- (d) That Council support the addition of a Heritage Development Control Plan and that the DCP be reported to Council for support, exhibition and subsequent adoption.

Should Council resolve to proceed with proposed heritage listings and the preparation of a DCP, it is anticipated that the DCP would be reported to Council seeking approval to exhibit a draft DCP in mid-late 2020. The DCP would identify contributory and neutral items within the HCAs and provide controls to assist in further clarifying how sympathetic development can occur in these areas.

ITEM 2 (continued)

ATTACHMENT 1



**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 10/17 AT ITS MEETING HELD ON 28 NOVEMBER 2017**

MAYORAL MINUTE

12/17 HERITAGE PROTECTION - 330 ROWE STREET, EASTWOOD

RESOLUTION: (Moved by The Mayor, Councillor Laxale and Councillor Yedelian OAM)

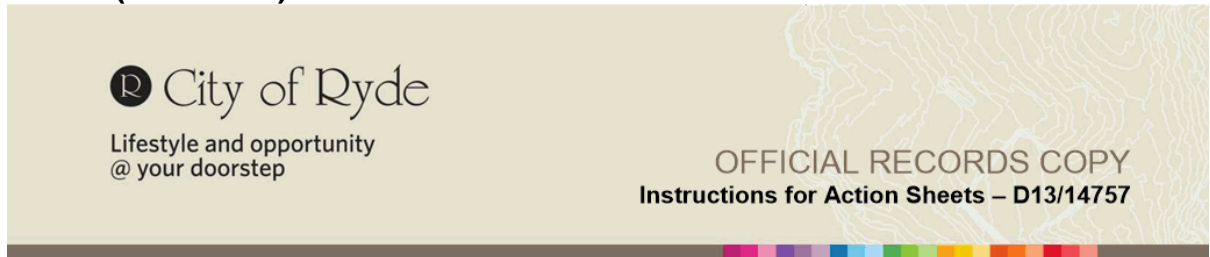
- (a) That Council delegate the Acting General Manager to place an Interim Heritage Order over 330 Rowe Street, Eastwood; and
 - (i) Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and
 - (ii) That the Planning Proposal seeking heritage listing of 330 Rowe Street Eastwood is forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and
 - (iii) That upon receipt of the Gateway Determination, the Acting General Manager places the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.
 - (iv) That a report on the outcomes of community consultation is presented to Council as soon as practicable.
- (b) That Council, in order to ensure certainty in the development process, undertakes a City wide heritage study to ensure items of heritage significance are identified and options for their adequate protection recommended. The study and its recommendations are to be presented to Council for consideration as soon as practicable in 2018.
- (c) That up to \$100,000 is allocated for this study to be funded from developer contributions with the Acting Director – City Planning and Development to provide further updates on this project via the Councillor Information Bulletin when scoped.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 2



**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 2/19 HELD ON 26 FEBRUARY 2019**

MAYORAL MINUTES

**MM5/19 HERITAGE PROTECTION – 68-70 CHATHAM ROAD, DENISTONE -
Mayor, Councillor Jerome Laxale**

Note: Philip Brown (representing the Denistone Character Area Residents) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by the Mayor, Councillor Laxale and Councillor Clifton)

That Council delegate the General Manager to place an Interim Heritage Order over 68-70 Chatham Road, Denistone; and

- (i) Prepare a Planning Proposal to list multiple properties within Chatham Road, Denistone as a heritage conservation area of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and
- (ii) That the Planning Proposal seeking heritage listing be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and
- (iii) That upon receipt of the Gateway Determination, the General Manager place the Planning Proposal on Community Consultation, in accordance with the conditions of the Gateway Determination.
- (iv) That, in addition to any Community Consultation requirements of the Gateway Determination, a public information session be held at Denistone Sports Club (or similar venue) with Council's heritage expert (or suitable substitute), in regards to the proposed heritage conservation area.
- (v) That a report on the outcomes of community consultation be presented to Council as soon as practicable.

ITEM 2 (continued)

ATTACHMENT 2

On being put to the Meeting, Councillor Zhou abstained from voting and accordingly his vote was recorded Against the Motion.

Record of the Voting

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Lane, Maggio, Pedersen, Purcell and Yedelian OAM

Against the Motion: Councillors Moujalli and Zhou

ITEM 2 (continued)

ATTACHMENT 3



**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 7/19 HELD ON 23 JULY 2019**

COUNCIL REPORTS

6 PLANNING PROPOSAL - HERITAGE REVIEW

Note: Peter Mitchell and Jazmin Van Veen (representing the Department of Planning, Industry and Environment) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Purcell)

- (a) That Council submit the Planning Proposal - Heritage Review for Gateway Determination, in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 and that Council request delegation from the Minister to implement the Plan.
- (b) That Council, when the Gateway Determination is issued pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, delegate authority to the General Manager to publicly exhibit the Planning Proposal. A further report will be presented to Council following the completion of the exhibition period.
- (c) That Council allocate an additional \$500,000 from General Revenue to Council's existing *Local Heritage Assistance Fund* and that this additional funding be available for grants of up to \$15,000. A further report detailing the grant process will be presented to Council with the results of the exhibition of the Planning Proposal.
- (d) That a two hour Councillor Workshop be held to discuss the Heritage Review and the Local Heritage Assistance Fund.
- (e) That the General Manager write to the Hon. Member for Lane Cove, Anthony Roberts MP, the Hon. Member for Ryde, Victor Dominello MP, and the Hon Minister for Planning and Public Spaces, Rob Stokes MP, to seek their support for the Heritage Review and the expeditious processing of the Planning Proposal.

Record of the Voting:

For the Motion: The Mayor, Councillor Laxale and Councillors Brown, Clifton, Gordon, Kim, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Lane

ITEM 2 (continued)

ATTACHMENT 4



Planning,
Industry &
Environment

PP_2019_RYDEC_002_00/IRF19/5309

Mr George Dedes
General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

Dear Mr Dedes

Planning proposal PP_2019_RYDEC_002_00 to amend Ryde Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Schedule 5 Environmental Heritage to reflect the recommendations of the Ryde Heritage Review.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to the likely community and landowner interest.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

ITEM 2 (continued)

ATTACHMENT 4

Should you have any enquiries about this matter, I have arranged for Ms Jazmin van Veen to assist you. Ms van Veen can be contacted on 9373 2877.

Yours sincerely


Amanda Harvey 9/8/19
Director, North District / Sydney Region East
Places, Design and Public Spaces

Encl: Gateway determination

ITEM 2 (continued)

ATTACHMENT 4



**Planning,
Industry &
Environment**

Gateway Determination

Planning proposal (Department Ref: PP_2019_RYDEC_002_00): to amend Schedule 5 – Environmental heritage to reflect the recommendation of the Ryde Heritage Review

I, the Director, North District at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ryde Local Environmental Plan (LEP) 2014 to amend Schedule 5 – Environmental heritage to reflect the recommendation of the Ryde Heritage Review should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
 - a. address the impact of the proposal on the application of State Environmental Planning Policies,
 - b. update the assessment against s9.1 Direction 2.3 Heritage Conservation, and
 - c. include assessment against s9.1 Directions 3.1 Residential Zones and 3.3 Home Occupations.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
 - (c) Council is to write to all effected landowners providing notice of the proposal and public exhibition.
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Heritage Council, and
 - Heritage, Department of Premier and Cabinet.


Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

ITEM 2 (continued)

ATTACHMENT 4

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated *9th* day of *August* 2019.

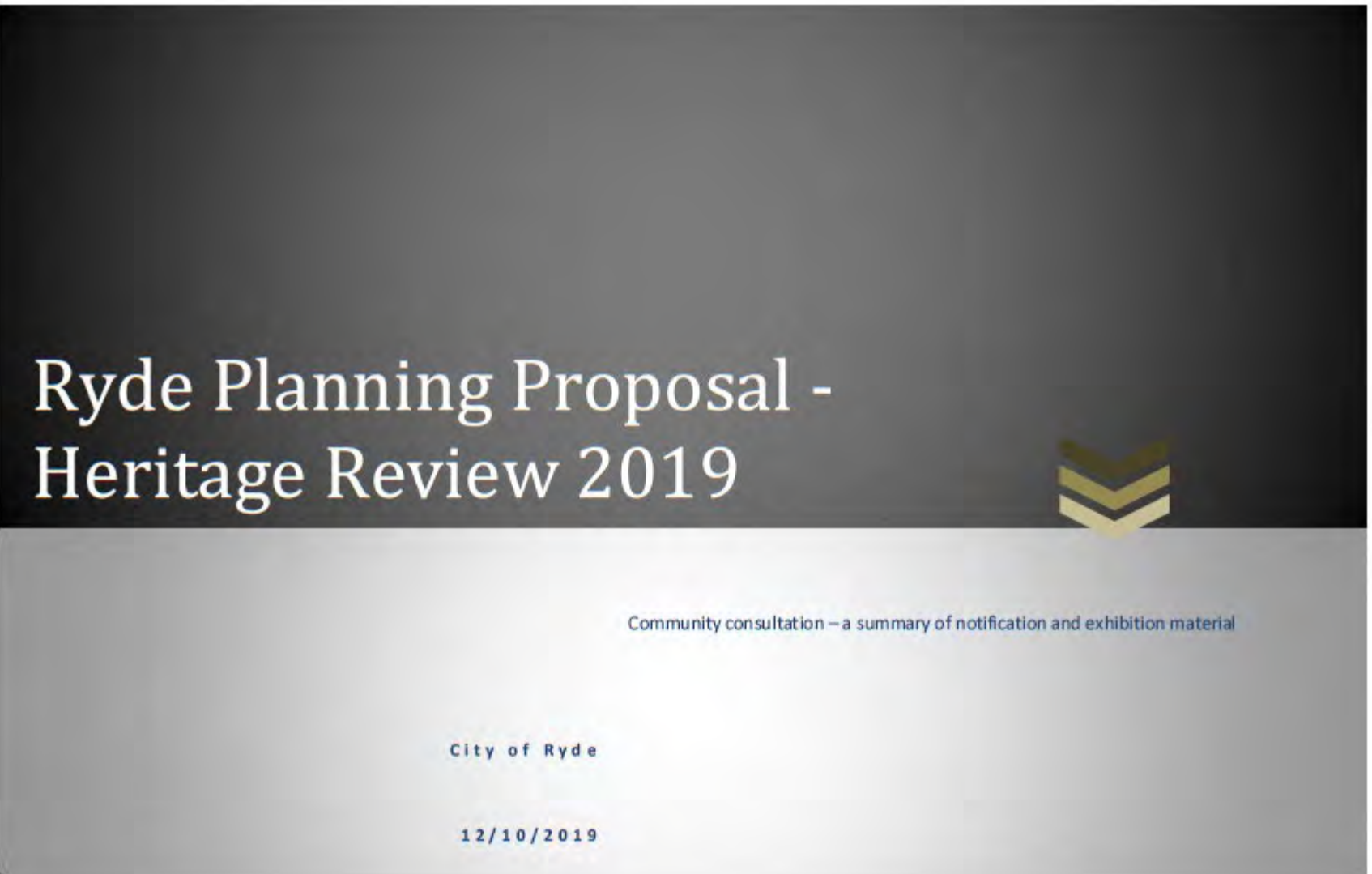

Amanda Harvey
Director, North District
Places, Design and Public Spaces
Department of Planning, Industry and
Environment

**Delegate of the Minister for Planning
and Public Spaces**

PP_2019_RYDEC_002_00 (IRF19/5309)

ITEM 2 (continued)

ATTACHMENT 5



ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

SUMMARY OF NEWSPAPER ADVERTISEMENTS	
9 September 2019	Hanho Daily
11 September 2019	The Northern District Times
11 September 2019	The Weekly Times
14 September 2019	The Weekly Korea Town
14 September 2019	Vision China Times
14 September 2019	The Epoch Times Sydney
16 September 2019	SingTao Daily
2 October 2019	The Weekly Times
2 October 2019	The Northern District Times
19 October 2019	Vision China Times
19 October 2019	Hanho Daily
19 October 2019	The Weekly Korea Town
21 October 2019	SingTao Daily

ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

Press Release – community information



THE CITY (1) Bids to end awarded refugee policy 6/10 up in public display index

Press release above as it appeared in the Weekly Times 11 September 2019

- Online: <http://www.cityofbryle.com/en/CommunityEngage.asp>
- Email: info@cityofbryle.com.gov.us
- Port General Manager, City of Bryle, Locked Bag 2065, North Bryle NSW 1570

Press release published on Council webpage 20 September 2019

ITEM 2 (continued)

ATTACHMENT 5



ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019



SINGTAO DAILY

Date appeared: 16th September 2019

Section: Early General News

Page: 3

ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

VISION CHINA TIMES

Date appeared: 14th September 2019

Section: Early General News

Page: 5



ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

THE EPOCH TIMES - SYDNEY

Date appeared: 14th September 2019

Section: Early General News

Page: 4



ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019



ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019



PLANNING FORUM

HERITAGE REVIEW

10.12.2019 7.00pm - 8.30pm

Join us for a special evening of community consultation. We will be discussing the findings of the Heritage Review and the proposed planning controls. This is a great opportunity for you to voice your views and contribute to the future of Ryde.

Agenda:

- 7.00pm - Registration and Refreshments
- 7.15pm - Welcome by Councillor
- 7.30pm - Presentation of the Heritage Review findings
- 8.00pm - Open discussion and questions
- 8.30pm - Closing remarks

Location: Ryde Town Hall, 100-110 North Ryde Road, Ryde NSW 1513

Tickets: Free

Bookings: Call 02 9371 1000 or visit www.cityofryde.nsw.gov.au

Gladesville school captain pleads for a safe crossing

THE 10,000 copies of Gladesville Public School's plea for a safe crossing to be built across the road to the school have been handed to the local MP, Mr. Andrew Stanbury.

Mr. Stanbury said the school's plea was a "very important document" and he would be presenting it to the NSW Government. He said the school's plea was a "very important document" and he would be presenting it to the NSW Government.

The school's plea was a "very important document" and he would be presenting it to the NSW Government. The school's plea was a "very important document" and he would be presenting it to the NSW Government.

The Weekly Times campaign wins a crucial child crossing

THE WEEKLY TIMES and its community campaign have won a crucial child crossing at the intersection of North Ryde Road and the Pacific Highway.

The campaign was a "very important document" and he would be presenting it to the NSW Government. The campaign was a "very important document" and he would be presenting it to the NSW Government.

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Your City News

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Tickets: Free

Bookings: Call 02 9371 1000 or visit www.cityofryde.nsw.gov.au

THE WEEKLY TIMES

Date appeared: 9 September 2019

Pages: 10 & 11

ITEM 2 (continued)

ATTACHMENT 5

NORTHERN DISTRICT TIMES

Date appeared: 9 Sept 2019

Page: 14

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

City of Ryde
Young City News

City of Ryde
PLANNING PROPOSAL
HERITAGE REVIEW 2019

CROSSWORD No. 2382

SUDOKU No. 2385

Join the
Ryde!

bike week

ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

SINGTAO DAILY

Date appeared: 21st October 2019

Section: Early General News

Page: 3



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ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

VISION CHINA TIMES

Date appeared: 19th October 2019

Section: Early General News

Page: 9



The Municipality of Ryde - Council & Community Engagement

HANHO DAILY

Page: 13

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THE WEEKLY KOREA TOWN

Page: 39

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THE WEEKLY TIMES

Page: 10

Planning Proposal HERITAGE REVIEW 2019

Heritage acknowledges our past and can help improve our future.

The City of Ryde currently has 177 heritage properties and 5 heritage conservation areas on the Heritage and Planning Schedules. Having these things listed helps protect, enhance the value of our sites and their setting, to ensure balance in the landscape for the future.

Recently, a heritage Review was commissioned and it proposes the following items to be added to Council's heritage list:

- 41 heritage properties (individual aspects with heritage significance). 8 of these are Council or State-owned land.
- 0 heritage conservation areas (in areas that this heritage signifies)
- 2 archaeological sites (the former Squatters' Taverns and Fishermen's Hall) in Pittby and the Ocean Day Series in Gungahlin.

We have listened to our community who said we should: clarify why the 2016 Nara Ridge House and have updated the information on our website, through the community sessions and by including the consultation by a further two weeks.

Where and how can I meet?

For more information including access to our interactive leaflet map of this proposed heritage listings, please visit Council's website at www.ryde.nsw.gov.au/heritage

New information session

The previous advice sessions have been changed to provide the community with access to more information sessions and will be tailored to the different heritage topics. As a result, the locations of these sessions have changed and so have the dates and times of the remaining sessions.

For the new sessions please register to attend by going to www.ryde.nsw.gov.au/heritagepage

New Post Sign

You can save your leg through our new signs. To complete the submission go to www.ryde.nsw.gov.au/heritagepage

Written submissions should be clearly marked as Planning Proposal - Heritage Review 2019. They can be sent to:

- Email: rydeheritage@nsw.gov.au
- Post: General Manager, City of Ryde, Level 02, 260-262, North Ryde NSW 1513

All submissions must be received by Council on or before **Sunday 10 November 2019**. Please note that it is Council's policy that all submissions received in relation to planning proposals, will not be publicly disclosed or released.

City of Ryde

Your City News

The new ideas in Ryde are the result of the planning and consultation process.

The new ideas in Ryde are the result of the planning and consultation process. The new ideas in Ryde are the result of the planning and consultation process. The new ideas in Ryde are the result of the planning and consultation process.

Heritage Review 2019

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ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

**NORTHERN
DISTRICT TIMES**

Date appeared: 9 Sept 2019

Page: 14



**Planning Proposal
HERITAGE
REVIEW 2019**

Heritage acknowledges our past and can help improve our future.

The City of Ryde currently has 129 heritage-registered and Conservation Commission-listed buildings and structures. These buildings and structures are part of our heritage and help to tell the story of our city. They are also part of our cultural heritage and help to define our identity.

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Make the most of bicarb soda

It's time to get creative with your bicarb soda. There are many ways to use it in your kitchen, from baking to cleaning. Bicarb soda is a versatile ingredient that can be used in a variety of ways. It can be used to make bread, cakes, and other baked goods. It can also be used to clean your kitchen, your car, and even your clothes.

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**City of Ryde
Your City News**

Stay up to date with the latest news from the City of Ryde. We have a variety of news items for you, including council meetings, community events, and local news. You can find all the latest news on our website or by following us on social media.

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ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

Screen shots of Council's Have Your Say Web pages



Planning Proposal - Heritage Review 2019



2019年文化遗产考察 规划提案

Council created 4 separate webpages in different languages detailing the exhibition and how to be involved in community information sessions



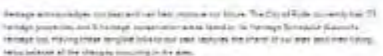
2019年文化遗产考察 规划提案



기혁안 - 유산 검토 2019

ATTACHMENT 5

Planning Proposal - Heritage Review 2019



Research: A free copy of *Research: How to write a research paper* is available for borrowing from the library. It is available in English and Spanish.

- Full details of the proposed design can be found as part of the documents in the menu on the right.

For more information on the range of vintage clothing and accessories at Jernsanti visit our website: <http://www.jernsanti.com>

- The 1891 Agreement of Ratification, signed and transmitted to Congress after Lincoln's death, is a General Determination enabling the president to change the Court's Legal Determination that in 1861, and later years, when [1342] after Lincoln's death and Assassination, 4/1

Scientific and other peer-reviewed publications for the Planning Research. The results of this community consultation will be reported in formal and informal communication and be highlighted in the Strategy and the Department of Planning, Industry and Environment together with a request to formal and informal stakeholders.



42. Planning Committee: Workshop Series
2018

43. Hazardous Waste: 20th Anniversary, 2017
2017

44. Proposed Leukemia Harbortown Mass
2016

- Reduced hormone levels
- Increased blood pressure

- [Rural areas in Myanmar](#) (document from UN Women)
- [Gender Equality](#)
- [The Myanmar Gender 2030 roadmap](#) (document from UN Women)
- [Gender Equality in Myanmar](#) (document from UN Women)
- [Gender Equality in Myanmar](#) (document from UN Women)

study (D-O-C) website.

- **Distance** (km)
- **Time** (h)
- **Speed** (km/h)

CATHYAN KETTERHOLZOW

- [illegible]

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This site (and Timeline) is a product of many interesting people, mostly anonymous to me.

[Complete the Online Survey](#)

Manuscript preparation instructions are first published by onlinelibrary.wiley.com. Submissions will not be reviewed if a cover sheet is missing. 40 November 2015

[illegible]

Community Improvement Sessions

Let's explore if our dimension values were there in the equivalent to the County's system (see 3.4.1) used to register to attend:

See how fast energy is being required for a specific task, such as swimming, or climbing. See how much energy is being used.

Winter Submissions

Where information is to be made available, 'Participatory Budgeting' will be published on 20th May 2017 at 10:00 AM.

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Fracture of bone: the proponent's argument

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ITEM 2 (continued)

ATTACHMENT 5

December 10, 2019 COMMUNITY CONSULTATION – RYDE PLANNING PROPOSAL HERITAGE REVIEW 2019

ITEM 2 (continued)

ATTACHMENT 6

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK

November 2019

2819 respondents

provided feedback on the Heritage Review 2019, with 2814 respondents indicating whether they support / do not support the proposal. 5 written submissions were undetermined. Overall, 58% of respondents were typically unsupportive of the planning proposal, while 29% were typically supportive, 8% provided mixed support, and 5% were unsure/no preference.



OVERALL RESULTS (n=2814)



When reading this dashboard please note the following explanations regarding the data and results:

- Where possible, data is cleaned to remove duplicate responses (by the individual), within and across sources. Some sources are unidentifiable, hence, could not be de-duplicated.
- Respondents could provide feedback via multiple sources, hence totalling all individual sources may not align with the total number of respondents.
- Online and phone survey respondents answered tick box styled questions to indicate whether they support / do not support the proposal. As this was not available for written submissions, staff interpretation was used to determine whether the submission indicated support / do not support, hence should be viewed as indicative only. 5 written submissions were undetermined.
- Results are based on information indicated by the respondent, and where possible has been cross checked and re-categorised to more accurately represent the respondents and/or their property within the proposal.
- When interpreting the percentages in the graphs, please note the number of respondents that apply to each line. Each sample size is represented like this (n=###).
- In addition to the feedback collected and presented in this dashboard, 9 petitions that were not in support of the proposal were received.

ITEM 2 (continued)

ATTACHMENT 6

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OVERALL RESULTS (n=2814)



Breakdown by Source

Indicates the overall results, separated by the way respondents provided their feedback.



Online survey only (n=1843)



Only survey and written submission (n=243)



Written submission only (n=122)



Phone survey (n=606)



Phone survey respondents (based on a random sample with the Local Government Area) were typically more supportive than other sources of feedback, with 75% of expressing support for the proposal overall. Notably, only 3% of phone survey respondents indicated they lived or owned in properties directly affected by the proposal.

ITEM 2 (continued)

ATTACHMENT 6

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OVERALL RESULTS (n=2814)



Breakdown by Language

Indicates the overall results, separated by the language in which respondents completed the survey or provided feedback.



English (n=2459)



Chinese (n=303)



English and Chinese (n=50)



Korean (n=2)



ITEM 2 (continued)

ATTACHMENT 6

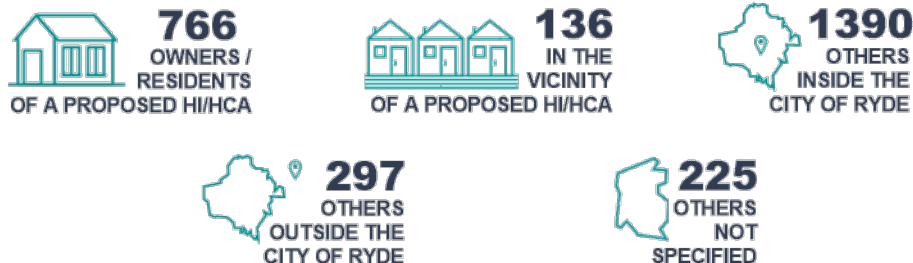
HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OVERALL RESULTS (n=2814)



Breakdown by Location

Indicates the overall results, separated by how the respondent is affected by the proposal or where they reside if they are not affected.



Owner / resident of a proposed Heritage Item / HCA (n=766)



In the vicinity of a Heritage Item / HCA (n=136)



Other – inside the City of Ryde (n=1390)



Other – outside the City of Ryde (n=297)



Other - not specified (n=225)



ITEM 2 (continued)

ATTACHMENT 6

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

Owner/Resident Support for the Heritage Planning Proposal for their Property, by Heritage Type

Respondents were those who identified themselves as an owner and/or resident of a proposed Heritage Item/HCA (n=766). This is their support of the Heritage Planning Proposal specifically for their property. The results have been separated for proposed Heritage Items and proposed Heritage Conservation Areas.

Owner / resident of a proposed Heritage Item (n=72)



Owner / resident of a proposed Heritage Conservation Area (n=694)



■ Support ■ Unsure / No preference ■ Do not support

Support for the other items in the Heritage Planning Proposal that do not affect you

All Respondents who provided a response regarding items in Heritage Planning Proposal that do not affect them, separated by each proposal type.

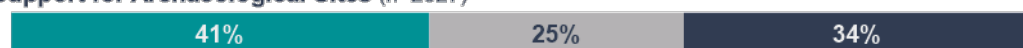
Support for Heritage Items (n=2027)



Support for Heritage Conservation Areas (n=2027)



Support for Archaeological Sites (n=2027)



■ Support ■ Unsure / No preference ■ Do not support

ITEM 2 (continued)

ATTACHMENT 6

HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OPEN COMMENT THEMES (n=2181) Represented in a word cloud



Note: Size is representative of theme frequency, reflecting themes ranging between n=5 and n=450.

ITEM 2 (continued)

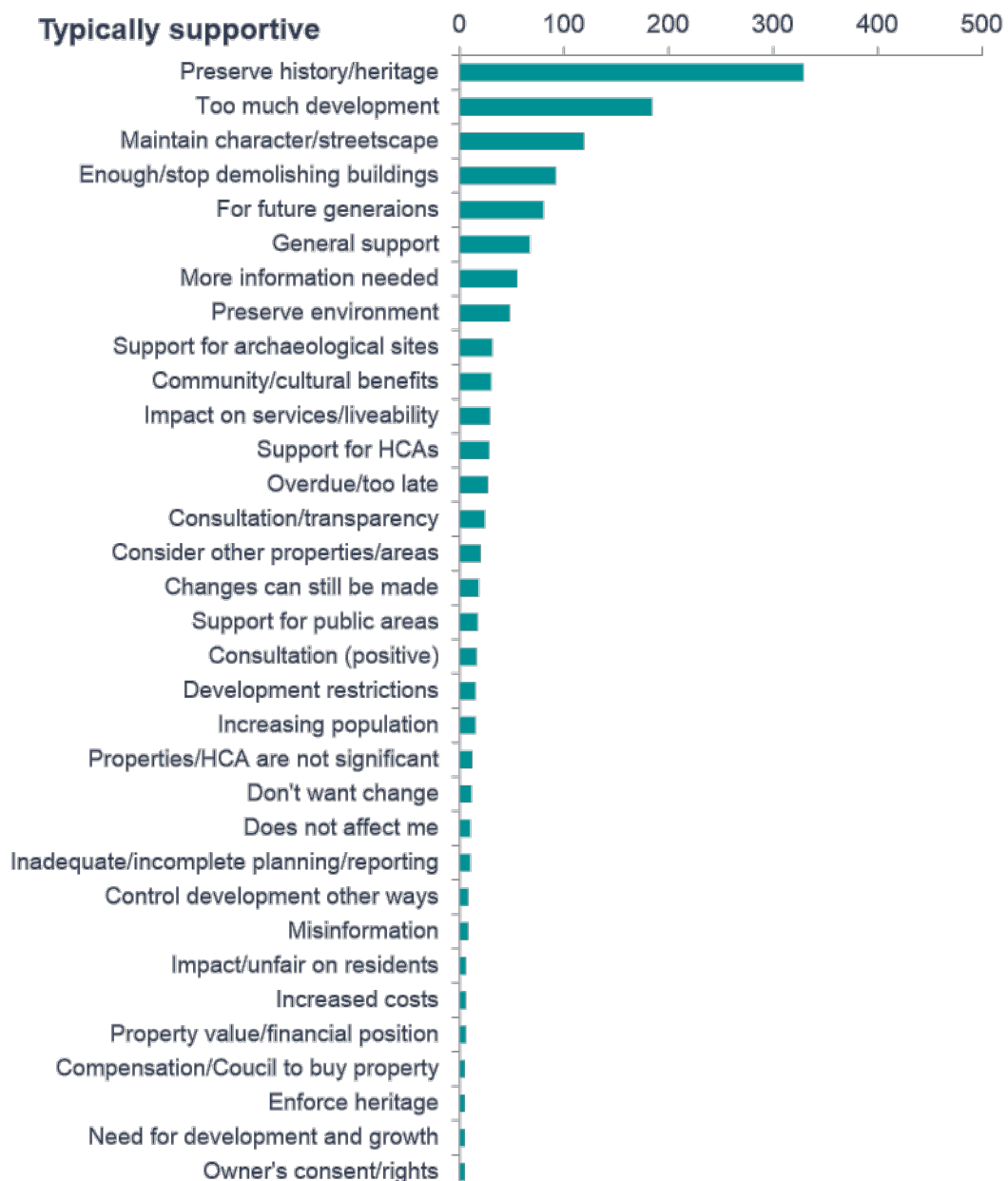
ATTACHMENT 6



HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OPEN COMMENT THEMES

Represented in a bar graph



ITEM 2 (continued)

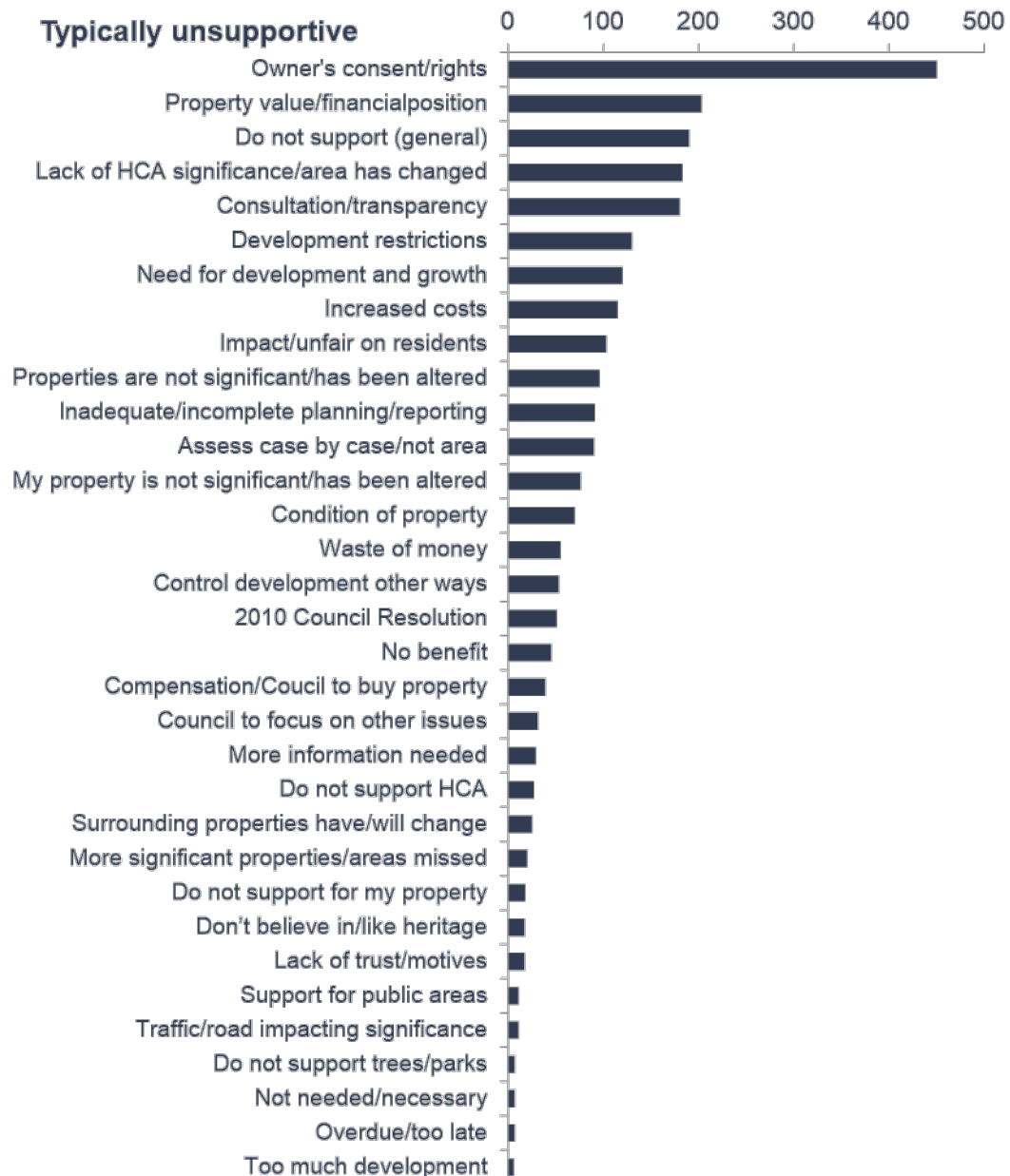
ATTACHMENT 6



HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OPEN COMMENT THEMES

Represented in a bar graph



ITEM 2 (continued)

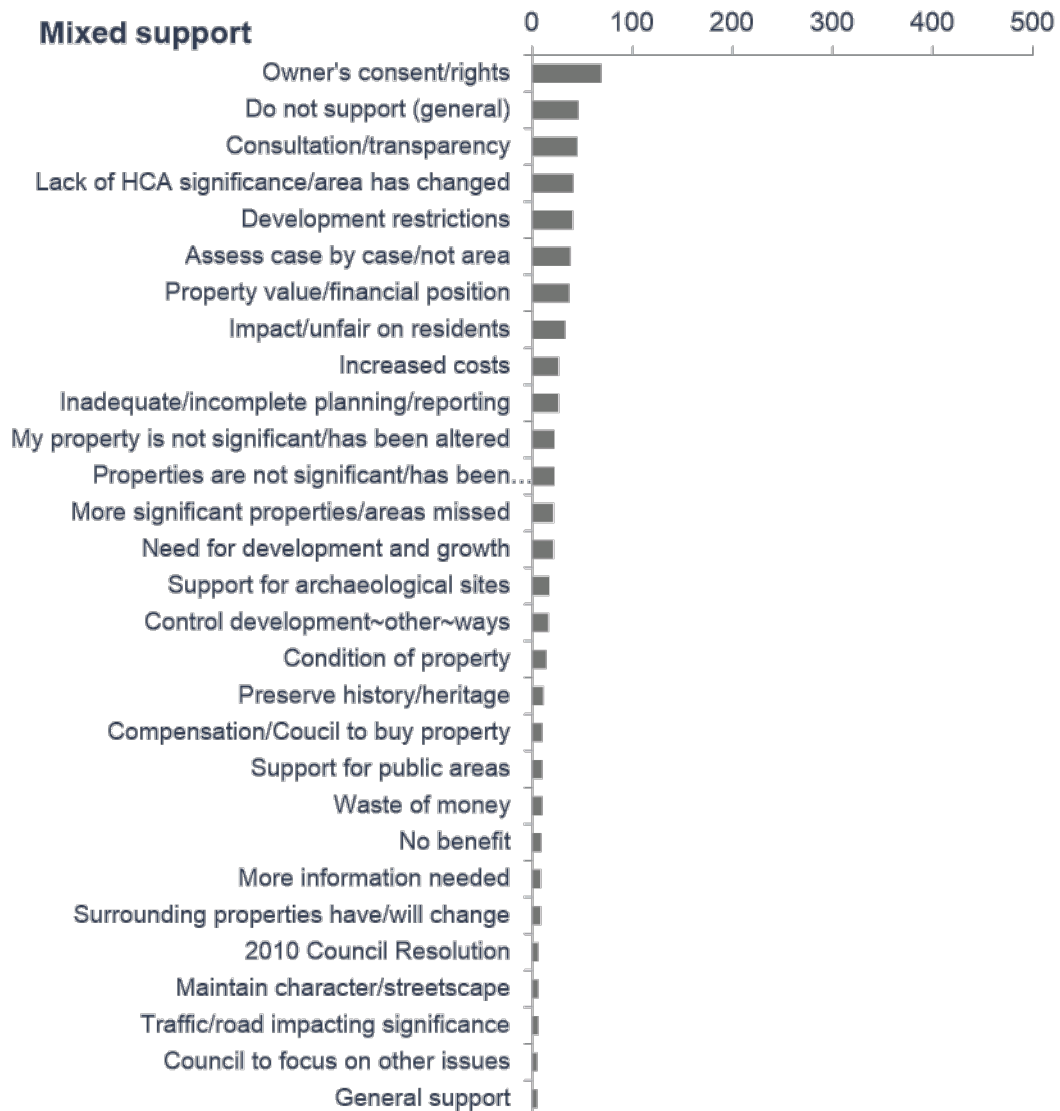
ATTACHMENT 6



HERITAGE REVIEW 2019 CONSULTATION FEEDBACK November 2019

OPEN COMMENT THEMES

Represented in a bar graph



ITEM 2 (continued)

ATTACHMENT 6

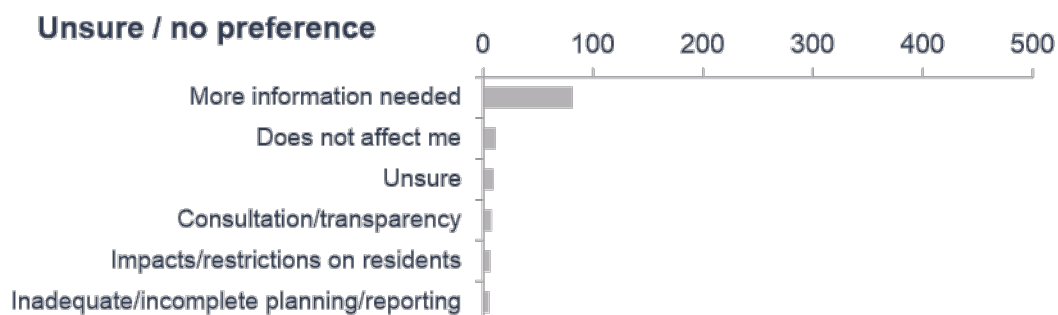


HERITAGE REVIEW 2019 CONSULTATION FEEDBACK

November 2019

OPEN COMMENT THEMES

Represented in a bar graph



ITEM 2 (continued)

ATTACHMENT 7



City of Ryde

Heritage Review

Prepared by: Micromex Research
Date: October 2019



ITEM 2 (continued)



ATTACHMENT 7

Table of Contents

<u>Background and Methodology</u>	<u>3</u>
<u>Sample Profile</u>	<u>6</u>
<u>Key Findings</u>	<u>8</u>
<u>Results</u>	<u>10</u>
<u>Appendix A – Detailed Methodology and Demographics</u>	<u>21</u>
<u>Appendix B – Data Tables</u>	<u>27</u>
<u>Appendix C – Questionnaire</u>	<u>30</u>

ITEM 2 (continued)

ATTACHMENT 7



Background and Methodology



ITEM 2 (continued)

ATTACHMENT 7

Background & Methodology

The City of Ryde currently has 173 heritage properties and 5 heritage conservation areas on its heritage list (Heritage Schedule).

Recently, a Heritage Review was commissioned and it proposed the following additions to Council's heritage list:

- 44 heritage properties (individual properties with heritage significance), 11 of these are Council or Government owned. This includes thirty properties (including comprising Federation cottages, Inter-war bungalows and Victorian Georgian villas), seven public parks and a reservoir, three street tree boulevards, two shops, one licensed hotel and one public school
- 6 heritage conservation areas (an area that has heritage significance). The areas proposed are Chatham Road Eastwood, Darvall Estate Denistone, Lunds Estate Eastwood, Summerhayes Eastwood, Tyrell Street Denistone, Wharf Road Gladesville
- 2 archaeological sites (the former Squire's Brewery and Halvorsen's Boat Yard in Putney and the Glades Bay Baths in Gladesville)



ITEM 2 (continued)

ATTACHMENT 7

Background & Methodology

Why?

- Identify community support for Council's Heritage Review
- Understand support across individuals with property's affected/not affected by the Heritage Review
- Identify the importance of protecting and retaining the history and character of the City of Ryde to the community
- Identify the likelihood of respondents utilising a free heritage advisory service

How?

- Telephone survey (landline and mobile) to N=606 respondents
- 82 acquired through number harvesting
- We use a 5 point scale (e.g. 1 = not at all important/likely, 5 = very important/likely)
- Greatest margin of error +/- 4.0%

When?

- Implementation 15th – 22nd October 2019



ITEM 2 (continued)

ATTACHMENT 7



Sample Profile



The logo for micromex research, with 'micromex' in a bold, lowercase font and 'research' in a smaller, lowercase font below it.

ITEM 2 (continued)

ATTACHMENT 7



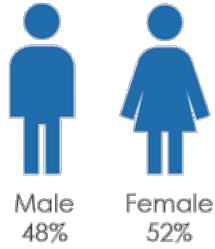
Base: N = 606

The sample was weighted by age, gender and Ward to reflect the 2016 ABS community profile of City of Ryde.

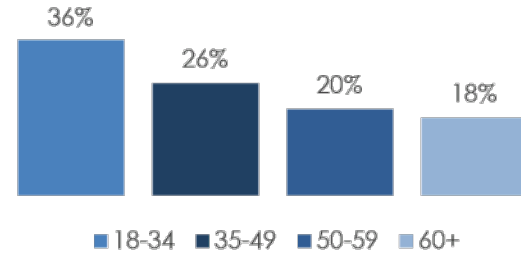
7

Sample Profile

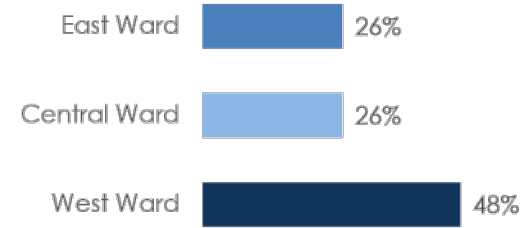
Gender



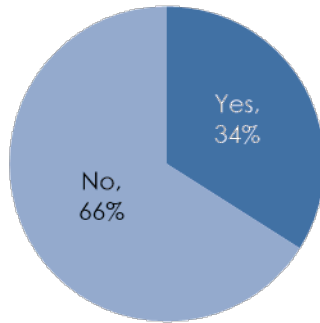
Age



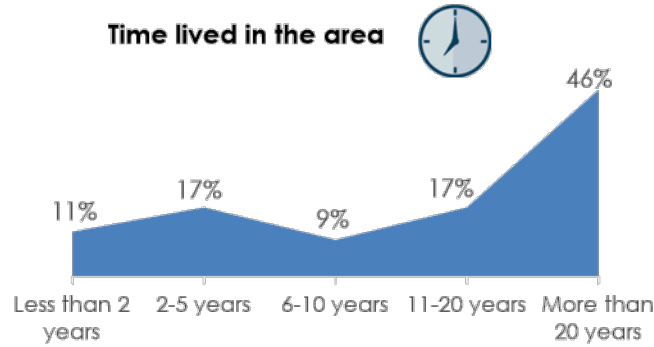
Ward



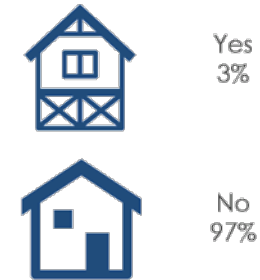
Speak a language other than English at home?



Time lived in the area



Property listed and/or affected by Council's Heritage Review?



See Appendix B for further demographics

ITEM 2 (continued)

ATTACHMENT 7



Key Findings



ITEM 2 (continued)

ATTACHMENT 7

Key Findings

Importance

Overall respondents assigned a high level of importance to protecting and retaining the history and character of the built, landscape and archaeological environment within City of Ryde – with 94% stating that it is at least 'somewhat important'.

Support

The proposed changes to the Heritage Review received high levels of support, though this support significantly decreased for individuals affected by the changes, particularly if their property is directly impacted.

- Support for the proposed changes was largely driven by the belief that it is important to protect City of Ryde's heritage, but also that it will help prevent the area from overdevelopment and an abundance of high-rise buildings.
- The leading reasons for not being supportive was concern that it will prevent owners from being able to make alterations to their own properties and decreasing property values – Something that was also recognised by respondents not directly affected by the changes.

Overall, there was still a request for more information about the Heritage Review and greater awareness of it in the community.



ITEM 2 (continued)

ATTACHMENT 7



Results



The logo for micromex research, with 'micromex' in a bold, lowercase font and 'research' in a smaller, lowercase font below it.

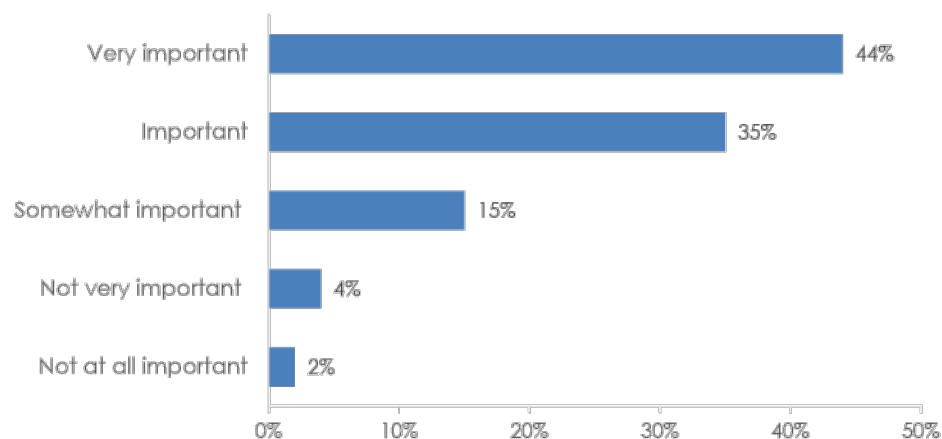
ITEM 2 (continued)

ATTACHMENT 7

Importance of Protecting and Retaining History/Character

Q16. How important to you, is protecting and retaining the history and character of our built, landscape and archaeological environment within the City of Ryde?

	Overall	Gender		Age				Ratepayer status		Ward		
		Male	Female	18-34	35-49	50-64	65+	Ratepayer	Non-ratepayer	East	Central	West
T3B*	94%	90%	97%▲	93%	93%	97%	94%	93%	95%	93%	96%	93%
Mean rating	4.15	4.08	4.22	3.97▼	4.08	4.46▲	4.27	4.16	4.12	4.20	4.24	4.08
Base	606	290	316	217	157	124	108	377	217	156	157	293



Affected by Heritage Review



Yes

T3B: 100%
Mean: 4.58▲



No

T3B: 94%
Mean: 4.14

Base: N = 606

*T3B = somewhat important, important and very important

Scale: 1 = not at all important, 5 = very important
▲▼ = A significantly higher/lower value (by group)

Respondents view the importance of protecting and retaining the history and character of the built, landscape and archaeological environment within the City of Ryde as very high, with 94% stating that it is at least 'somewhat important'.

Interestingly, respondents that have properties affected by the Heritage Review were significantly more likely to believe protecting/retaining the history and character of the City of Ryde is important.

11

ITEM 2 (continued)

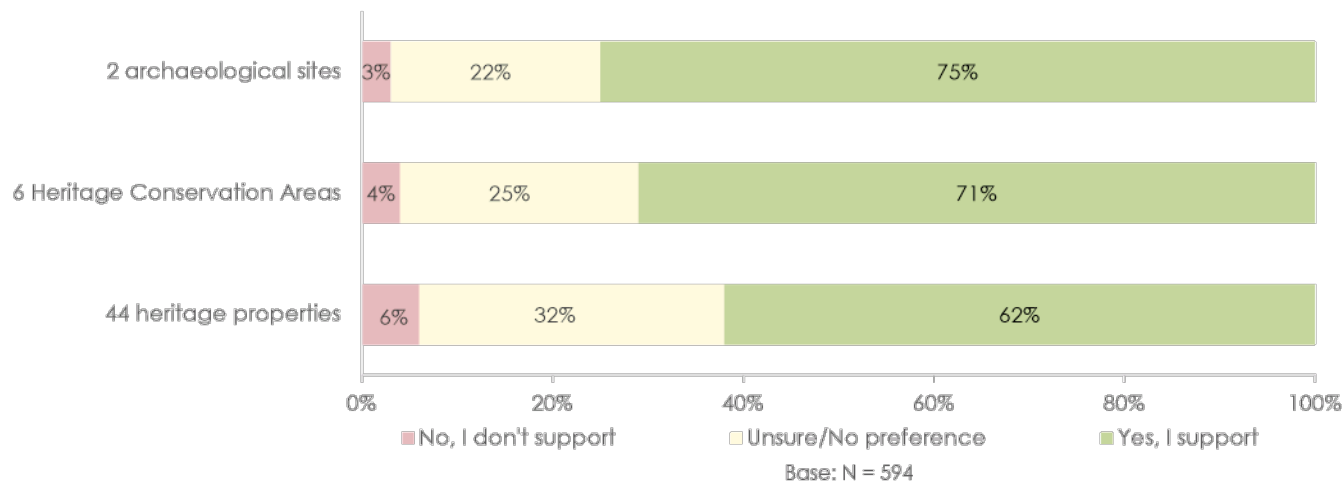
ATTACHMENT 7

Support For Proposed Additions in Heritage Review



Not affected by
Heritage Review

Q14. Do you support the proposed additions listed in Council's Heritage Review?



Q15. What is your reason for giving this response?

	N=594
Important to preserve the history and heritage of the area	60%
There is not enough known about it/lack of information	20%
Helps prevent overdevelopment/too many high-rises	12%
Can't see an issue as it doesn't affect me personally	7%
Negative impact on owners/should not affect someone's home	6%
Adds value to the area aesthetically and brings visitors to the area	3%
Environmental benefits - will preserve open and green spaces	3%
Happy that Council are proactive in this/trust Council are doing the right thing	3%
Heritage buildings are currently poorly handled	3%

See Appendix B for full list of responses

Amongst respondents that do not have properties affected by the proposed additions in Council's Heritage Review, support was high across all sites/areas/properties.

The dominant reasons for the level of support selected was that it is important to preserve the history and heritage of the area and that it will help prevent overdevelopment – though there is still a general desire for more information.

ITEM 2 (continued)

ATTACHMENT 7

Support For Proposed Additions in Heritage Review – By Demographics



Not affected by
Heritage Review

Q14. Do you support the proposed additions listed in Council's Heritage Review?

2 archaeological sites	Overall	Ratepayer status		Ward		
		Ratepayer	Non-ratepayer	East	Central	West
Yes, I support	75%	74%	76%	80%	71%	73%
Unsure/no preference	22%	22%	23%	18%	25%	24%
No, I don't support	3%	4%	1%	2%	4%	3%
Base	606	377	217	156	157	293

6 Heritage Conservation Areas	Overall	Ratepayer status		Ward		
		Ratepayer	Non-ratepayer	East	Central	West
Yes, I support	71%	68%	77%	75%	67%	72%
Unsure/no preference	25%	27%	23%	22%	30%	24%
No, I don't support	4%	5%▲	1%	3%	3%	4%
Base	606	377	217	156	157	293

44 heritage properties	Overall	Ratepayer status		Ward		
		Ratepayer	Non-ratepayer	East	Central	West
Yes, I support	62%	58%	70%	65%	63%	60%
Unsure/no preference	32%	35%	28%	30%	33%	33%
No, I don't support	6%	8%▲	2%	5%	4%	7%
Base	606	377	217	156	157	293

▲ ▼ = A significantly higher/lower percentage (by group)

See Appendix B for support by age and gender



Non-ratepayers and residents of the East Ward are generally more supportive of the proposed additions listed in Council's Heritage Review.

ITEM 2 (continued)

ATTACHMENT 7

Support Towards Proposal for Own Property



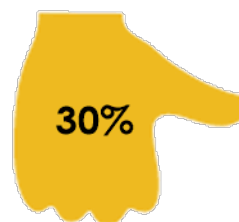
Affected by
Heritage Review

Q7. Do you support this proposal for your property?

	Overall (N=16)	How property is listed/affected by Council's Heritage Review*			
		In the vicinity of a heritage property and/or Heritage Conservation Area	In a Heritage Conservation Area	A heritage property	An archaeological site
Yes, I support	28%	33%	32%	19%	0%
Unsure/no preference	30%	9%	60%	14%	0%
No, I don't support	42%	58%	8%	67%	100%



Yes, I support



Unsure/no
preference



No, I don't
support

Base: N = 16

*Please note due to low base size, breakdown of support by how the property is listed/affected by the Heritage Review is reported from a point of interest only.



28% of respondents stated that they support the proposal for their property, whilst 42% do not.

ITEM 2 (continued)

ATTACHMENT 7

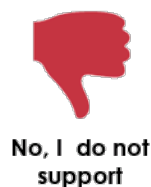


- Q7. Do you support this proposal for your property?
Q8. What are your reasons for supporting the proposal of your property by the Heritage Review?
Q9. What are your reasons for not supporting the proposal of your property by the Heritage Review?

Reason for support	Count
I believe that we need to conserve and protect heritage for future generations	3
I enjoy the visual and amenity aspects of our low density character areas containing heritage	2
Recognition of the heritage significance of my property and its value to the community	2
Access to funding through the Ryde Local Heritage Assistance Fund	1
Happy that nearby house design can not be duplicated	1



Reason for unsure/no preference	Count
Do not have enough information	1
Heritage listings are not well handled by council	1
My house is not really affected	1
There are inconsistencies in the properties chosen	1



Reason for not supporting	Count
I believe the heritage listing or inclusion in a Heritage Conservation Area will impact on my property values	5
I believe the heritage listing will prevent me from making changes to my property	4
I do not believe my property is significant and should not be listed	1

Concern that a heritage listing/inclusion in a Heritage Conservation Area will impact their property's value, was the leading reason for respondents stating they do not support the proposal.

15



Affected by
Heritage Review

ITEM 2 (continued)

ATTACHMENT 7

Further Comments on Proposal



Affected by
Heritage Review

Q10. Do you have any further comments regarding the proposal for your property by the Heritage Review?

Positive verbatim comments on proposal

Against development in these areas, so very supportive of deeming my area as a heritage listed area
Happy it's finally happening
No multistorey buildings are wanted in the area
Personally support as my property is over 100 years old and on a large corner plot
Worried about there being two houses that are heritage and been sold off to people who aren't protecting their heritage properties

Mixed verbatim comments on proposal

Agree with it for individual value, but if its for the whole area it makes no sense
Halvorsen's site is not overdeveloped
have a clear understanding of heritage listings however I have no strong opinion either way

Negative verbatim comments on proposal

Prevents me from extending on my own property out the front
Do not want any changes made to my house
Heritage reporters did not consult owners of property
More open consultations for heritage listed properties are needed
My property is less than 40% original and should not be in proposal
People should be allowed to live in their own homes undisturbed
Should be up to me as the owner to make the decision as heritage or not
Statements made via heritage reporters are incorrect and have been made negligently and wilfully

When asked for any further comments regarding the proposal for their property by the Heritage Review, positive comments related to wanting to protect the heritage in the area from development, whilst negative comments voiced concerns about how it prevents owners from making changes to their properties and distrust with the Heritage Review process.

16

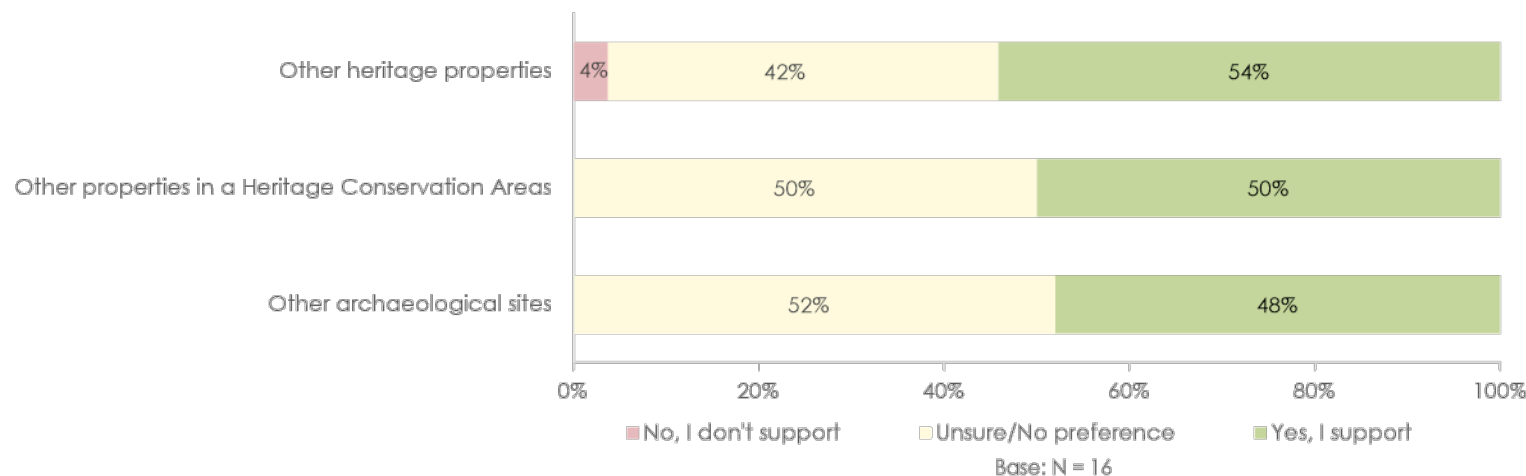
ITEM 2 (continued)

ATTACHMENT 7

Support For Other Proposed Additions to Heritage Review



Q11. Noting there are other heritage properties, Heritage Conservation Areas and archaeological sites proposed in Council's Heritage Review that are not related to your property, do you support these other proposed additions listed in Council's Heritage Review?



Q12. What is your reason for giving this response?

	Count
Important to preserve the history and heritage of the area	4
There is not enough known about it/lack of information	4
Do not like the area being overdeveloped	3
Proposal needs to be reviewed more	2
Heritage buildings are currently poorly handled	1
Should only apply to individual properties, not whole areas	1

Support was higher when respondents were asked to consider heritage properties, Heritage Conservation Areas and archaeological sites not related to their own properties (with support ranging from 48%-54%, compared to 28% supporting the proposal in relation to their own property).

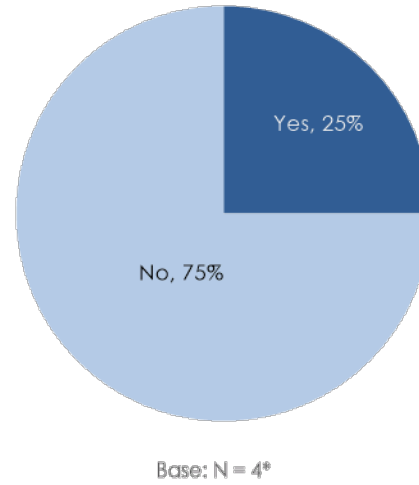
ITEM 2 (continued)

ATTACHMENT 7

Ryde Local Assistance Fund



Q17. [If a heritage property in Q3] Would you consider applying for a grant under the Ryde Local Assistance Fund (up to \$15,000) ?



*Caution low base size



Of the 4 respondents that have a property listed as a 'heritage property' in Council's Heritage Review, just one would consider applying for a grant under the Ryde Local Area Assistance Fund.

18

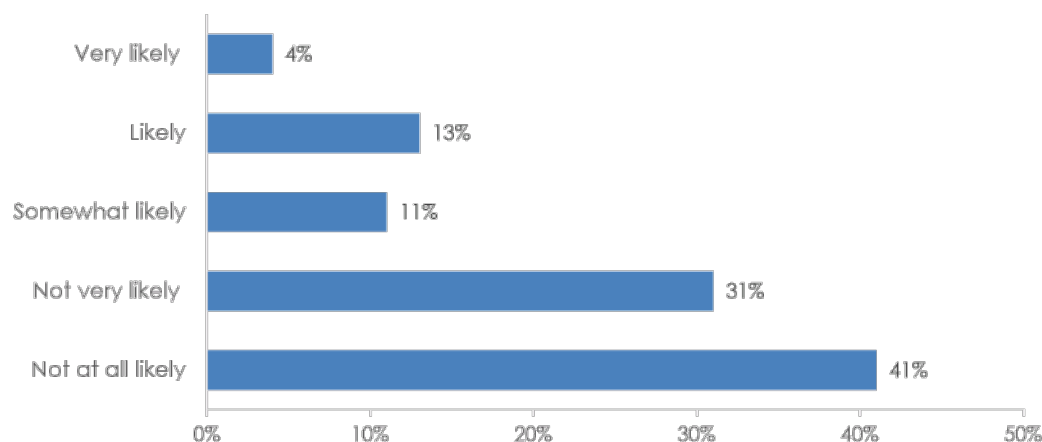
ITEM 2 (continued)

ATTACHMENT 7

Use of Free Heritage Advisory Service

Q18. Council provides a free heritage advisory service through a Heritage Advisor, who can provide you with advice and guidance on maintenance, development and change to a heritage property or to a property within a Heritage Conservation Area. How likely are you to make use of this free service?

	Overall	Gender		Age				Ratepayer status		Ward		
		Male	Female	18-34	35-49	50-64	65+	Ratepayer	Non-ratepayer	East	Central	West
T3B*	28%	30%	27%	39%▲	28%	29%	25%	25%	38%▲	23%▼	29%	33%
Mean rating	2.08	2.06	2.09	2.36▲	2.21	2.03	1.99	1.98	2.37▲	1.95▼	2.10	2.19
Base	605	260	345	74	89	143	299	469	120	201	201	203



Affected by Heritage Review



Yes
T3B: 56%
Mean: 2.88



No
T3B: 28%
Mean: 2.06

Base: N = 605, one respondent refused to answer

*T3B = somewhat likely, likely and very likely

Scale: 1 = not at all likely, 5 = very likely

▲ ▼ = A significantly higher/lower value (by group)

28% of respondents stated they are at least 'somewhat likely' to make use of a free heritage advisory service.

Non-ratepayers are significantly more likely to use the service, with likelihood trending downward with age.

19

ITEM 2 (continued)

ATTACHMENT 7

Further Comments on Heritage Review

Q19. Do you have any further comments regarding the City of Ryde Heritage Review 2019?

Comment	Count	Comment	Count
It is important to protect our heritage	24	Do not like the heritage consultants	1
Need more information/awareness	18	Do not support the Review	1
Positive project, should be encouraged to progress/succeed	17	Do not want heritage sites commercially exploited	1
Good that community engagement is taking place	11	Do not want it to cost too much money	1
Helps stop high rises/overdevelopment	11	Good to see more properties are being added	1
Do not want residents/property owners negatively impacted	5	Heritage properties should be purchased from owners and restored	1
Good that parks are included/protect the natural environment	4	Houses across all decades should be considered in the Review	1
New developments are unattractive	4	Make sure only properties that are beautiful/culturally rich are protected	1
Only support for council/government owned properties/sites	3	More concerned with condition of new buildings	1
Review is too late/overdue	3	Need to ensure the Review is balanced	1
Distrusting of Council	2	Non-bias people should be involved in the decision	1
Dividing the community	2	Owners of heritage properties should be given financial assistance	1
Important to focus on Aboriginal history	2	Political stunt by Council	1
Large areas should not be listed	2	Positive action for the community	1
Alterations should be allowed on sections of the property not viewed from the street	1	Proposal has not been considered enough	1
Area needs to continue to progress/expand for growing population	1	Repair/protect mariner/boat yard	1
Concerned about how development is impacting the local area	1	Stand up against the State Government	1
Council should not be involved in heritage decisions	1	Surrounding houses should not be impacted	1
Current heritage buildings are not maintained/protected	1	Widen the roads	1
Decisions should be made by the property owners	1	Will increase land value in Ryde	1

Respondents commented on the importance of protecting heritage in the City of Ryde and that the Heritage Review is a positive project.

However, there is still a desire for more information and awareness, with respondents commenting positively on the engagement process that is taking place.

20

ITEM 2 (continued)

ATTACHMENT 7



Appendix A: Detailed Methodology and Demographics



ITEM 2 (continued)

ATTACHMENT 7

Background & Methodology

Objectives

- Identify community support for Council's Heritage Review
- Understand support across those with property's affected by the Heritage Review and those with property's not affected
- Identify the importance of protecting and retaining the history and character of the City of Ryde to the community
- Identify the likelihood of respondents utilising a free heritage advisory service

Data collection

Micromex Research, together with City of Ryde Council, developed the questionnaire.

Data collection period

Telephone interviewing (CATI) was conducted during period 15th – 22nd October 2019.

Sample

N=606 interviews were conducted. A sample size of 606 provides a maximum sampling error of plus or minus 4.0% at 95% confidence. This means that if the survey was replicated with a new universe of N=606 residents, that 19 times out of 20 we would expect to see the same results, i.e. +/- 4.0%.

For the survey under discussion the greatest margin of error is 4.0%. This means for example, that an answer 'yes' (50%) to a question could vary from 46% to 54%. As the raw data has been weighted to reflect the real community profile of City of Ryde Council, the outcomes reported here reflect an 'effective sample size'; that is, the weighted data provides outcomes with the same level of confidence as unweighted data of a different sample size. In some cases this effective sample size may be smaller than the true number of surveys conducted. 16 respondents answered the survey that have and/or live in a property listed and/or affected by the Heritage Review - This base size has been reported on all questions answered by this group of respondents, regardless of weighting.

ITEM 2 (continued)

ATTACHMENT 7

Background & Methodology

Interviewing

524 of the 606 of respondents were selected by means of a computer based random selection process using the electronic White Pages and SamplePages.

In addition 82 respondents were recruited face-to-face, this was conducted at a number of areas around the City of Ryde LGA, i.e. Top Ryde Shopping Centre, West Ryde Train Station, Trim Place in Gladesville and Eastwood Train Station/Mall.

If a respondent had previously filled in a survey on the Heritage Review 2019, they were not eligible to participate. 20 surveys were terminated due to this.

Data analysis

The data within this report was analysed using Q Professional.

Percentages

All percentages are calculated to the nearest whole number and therefore the total may not exactly equal 100%.

Ratings questions

Top 3 Box: refers to the aggregate percentage (%) score of the top three scores for satisfaction or support. (i.e. somewhat important, important & very important, or somewhat likely, likely & very likely).



ITEM 2 (continued)

ATTACHMENT 7

Properties Affected by the Heritage Review

Q3. Is your property listed and/or affected by the Heritage Review?



**Yes
3%**



**No
97%**

Base: N = 606

Q5. What is your relationship to the property?

I own the property
and I live in it

78%

I own the property
but do not live in it

19%

I work in the property
but do not own it

3%

Base: N = 16

Note: 20 respondents stated that they had previously filled in a survey on the Heritage Review 2019, so were not eligible to participate in this survey. As Council had previously contacted all properties affected by the Heritage Review, these respondents are more likely to have been affected by the review.



**3% of respondents stated that their property is listed and/or affected by the Heritage Review.
The majority of those with properties affected own and occupy the property (78%).**

24

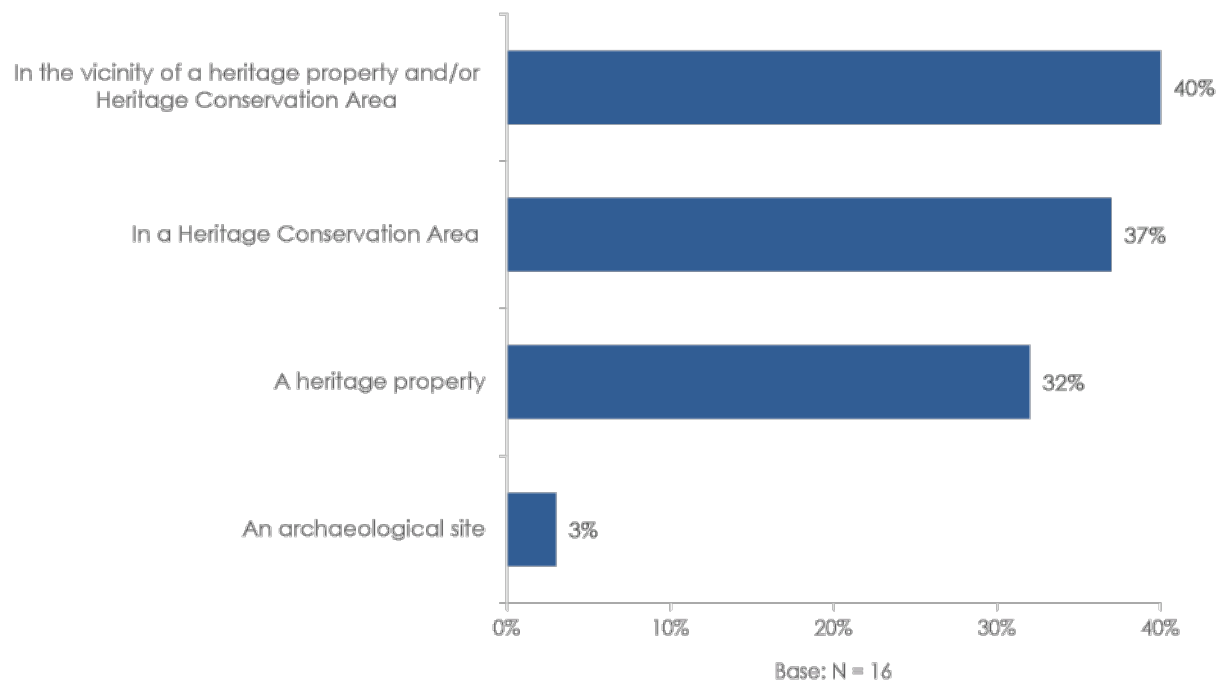
ITEM 2 (continued)

ATTACHMENT 7

How Properties Are Affected by the Heritage Review



Q6. How is your property listed and/or affected by Council's Heritage Review?



Note: Chart total exceeds 100% as multiple categories could be applicable to respondents

A third of respondents affected by the Heritage Review (32%) own a heritage property. The majority (77%), live in a Heritage Conservation Area and/or in the vicinity of a heritage property/Heritage Conservation Area.

ITEM 2 (continued)

ATTACHMENT 7

Demographics

Q1. Which suburb do you live in?

	N=606
Ryde	23%
Eastwood	16%
West Ryde	16%
North Ryde	11%
Denistone	5%
Gladesville	5%
Marsfield	5%
Putney	5%
East Ryde	4%
Denistone East	3%
Meadowbank	3%
Denistone West	1%
Macquarie Park	1%
Melrose Park	1%
Tennyson Point	1%

Q13. [Respondents not affected by the Heritage Review] Which of the following best describes you?

	N=594
A City of Ryde resident and ratepayer	63%
A City of Ryde resident but not a ratepayer	36%
A visitor to the City of Ryde	1%
A City of Ryde rate payer, but do not live in the area	<1%

Q23b. [If speak a language other than English at home]
Which language[s]?

Language	N=606	Language	N=606
Mandarin	6%	Vietnamese	1%
Cantonese	5%	Armenian	<1%
Hindi	4%	Burmese	<1%
Italian	3%	Catalan	<1%
Arabic	2%	Croatian	<1%
Armenian	1%	Danish	<1%
Bengali	1%	Dutch	<1%
French	1%	Fijian	<1%
Greek	1%	Filipino	<1%
Indonesian	1%	German	<1%
Japanese	1%	Hebrew	<1%
Kannada	1%	Hungarian	<1%
Korean	1%	Latvian	<1%
Malay	1%	Lebanese	<1%
Panjabi	1%	Macedonian	<1%
Persian	1%	Polish	<1%
Russian	1%	Serbian	<1%
Spanish	1%	Sinhala	<1%
Tagalog	1%	Tamil	<1%
Urdu	1%	Tulu	<1%

ITEM 2 (continued)

ATTACHMENT 7



Appendix B: Data Tables



ITEM 2 (continued)

ATTACHMENT 7

Support For Proposed Additions in Heritage Review – By Demographics



Not affected by
Heritage Review

Q14. Do you support the proposed additions listed in Council's Heritage Review?

2 archaeological sites	Overall	Gender		Age			
		Male	Female	18-34	35-49	50-64	65+
Yes, I support	75%	75%	75%	71%	77%	81%	71%
Unsure/no preference	22%	22%	23%	29%▲	18%	15%▼	25%
No, I don't support	3%	3%	2%	0%▼	5%	4%	4%

6 Heritage Conservation Areas	Overall	Gender		Age			
		Male	Female	18-34	35-49	50-64	65+
Yes, I support	71%	70%	73%	71%	72%	77%	64%▼
Unsure/no preference	25%	26%	24%	27%	23%	19%	31%
No, I don't support	4%	4%	3%	2%	5%	4%	5%

44 heritage properties	Overall	Gender		Age			
		Male	Female	18-34	35-49	50-64	65+
Yes, I support	62%	57%	67%	60%	61%	71%	60%
Unsure/no preference	32%	37%	28%	38%	28%	24%▼	35%
No, I don't support	6%	6%	5%	2%	11%▲	5%	5%

Base: N = 594

▲▼ = A significantly higher/lower percentage (by group)

ITEM 2 (continued)

ATTACHMENT 7

Support For Proposed Additions in Heritage Review



Not affected by
Heritage Review

- Q14. Do you support the proposed additions listed in Council's Heritage Review?
Q15. What is your reason for giving this response?

	N=594
Important to preserve the history and heritage of the area	60%
There is not enough known about it/lack of information	20%
Helps prevent overdevelopment/too many high-rises	12%
Can't see an issue as it doesn't affect me personally	7%
Not supportive of listing private assets/properties	6%
Adds value to the area aesthetically and brings visitors to the area	3%
Environmental benefits - will preserve open and green spaces	3%
Happy that Council are proactive in this/trust Council are doing the right thing	3%
Heritage buildings are currently poorly handled	3%
Areas are not significant enough to be preserved	2%
Heritage is not a priority/not worth the money/not beneficial to ratepayer	2%
Can't trust Council/this is self serving	1%
Should allow some properties to make changes	1%
Supportive if they are listed on merit	1%
Appreciate being consulted in this survey	<1%
Council is not qualified to make these decisions/leave it to experts	<1%
Ensure people will follow the rules	<1%
Heritage listed properties is not the answer to stop overdevelopment	<1%
Lack of proper planning/it has been left too late	<1%
Not supportive of conservation areas as people shouldn't be restricted to access the land	<1%
Once the policies come into effect, it will take a long time	<1%
Proposed sites aren't attractive	<1%
Supportive as long as there is no cost to ratepayer	<1%
Would rather have new development	<1%
Don't know/nothing	2%

ITEM 2 (continued)

ATTACHMENT 7



Appendix C: Questionnaire



The logo for micromex research, with 'micromex' in a bold, lowercase font and 'research' in a smaller, lowercase font below it.

ITEM 2 (continued)

ATTACHMENT 7

City of Ryde Heritage Review October 2019

Good morning/afternoon/evening, my name is and I'm calling on behalf of City of Ryde from a company called Micromex. We are seeking feedback on some proposed local initiatives. Would you have some time to assist us please?

Q31. Are you or anyone in your household a Councillor or employed by City of Ryde Council?

- ☐ Yes (Terminate)
☐ No

Q32. Can I confirm that this household is in the City of Ryde Local Government Area and that you are over the age of 18?

- ☐ Yes
☐ No (Terminate)

I just have to inform you that my supervisor may monitor this call for quality control purposes and all of your details will be kept strictly confidential.

Q1. Which suburb do you live in?

West Ward (47.3%) n=200

- ☐ Denistone
☐ Denistone East
☐ Denistone West
☐ Eastwood
☐ Macquarie Park
☐ Marsfield
☐ Melrose Park
☐ West Ryde

Central Ward (25.3%) n=200

- ☐ Meadowbank
☐ Ryde

East Ward (27.4%) n=200

- ☐ Chatswood West
☐ East Ryde
☐ Gladesville
☐ North Ryde
☐ Putney
☐ Tennyson Point

Q2. Have you previously filled in a survey on the Heritage Review 2019?

- ☐ Yes (Terminate)
☐ No

The City of Ryde currently has 173 heritage properties and 5 heritage conservation areas on its heritage list (Heritage Schedule).

Recently, a Heritage Review was commissioned and it proposed the following additions to Council's heritage list:

- 44 heritage properties (individual properties with heritage significance). 11 of these are Council or Government owned. This includes thirty properties (including comprising Federation cottages, Inter-war bungalows and Victorian Georgian villas), seven public parks and a reservoir, three street tree boulevards, two shops, one licensed hotel and one public school
- 6 heritage conservation areas (an area that has heritage significance). The areas proposed are Chatham Road Eastwood, Darvall Estate Denistone, Lunds Estate Eastwood, Summerhayes Eastwood, Tyrell Street Denistone, Wharf Road Gladesville
- 2 archaeological sites (the former Squire's Brewery and Halvorsen's Boat Yard in Putney and the Glades Bay Baths in Gladesville)

Q3. Is your property listed and/or affected by the Heritage Review? (If respondent is listed/affected they would have received a letter from Council confirming this)

- ☐ Yes
☐ No (Go to Q13)

Q4. Please provide your property address:

Street number and name:

Suburb:

Q5. What is your relationship to the property? Prompt

- ☐ I own the property but do not live in it
☐ I live in the property but do not own it
☐ I own the property and I live in it
☐ Other (please specify)

Q6. How is your property listed and/or affected by Council's Heritage Review? Please answer yes or no as I read each one. Prompt (Ask respondent to refer to letter from Council)

- ☐ A heritage property
☐ In a Heritage Conservation Area
☐ In the vicinity (area) of a heritage property and/or Heritage Conservation Area
☐ An archaeological site

Q7. Do you support this proposal for your property?

- ☐ Yes, I support
☐ No, I don't support (Go to Q9)
☐ Unsure/no preference (please specify) (Go to Q10)

Q8. What are your reasons for supporting the proposal of your property by the Heritage Review? Please answer yes or no as I read each one. Prompt

- ☐ Recognition of the heritage significance of my property and its value to the community
☐ Access to funding through the Ryde Local Heritage Assistance Fund
☐ I believe that we need to conserve and protect heritage for future generations
☐ I enjoy the visual and amenity aspects of our low density character areas containing heritage
☐ Other (please specify)

Now go to Q10

ITEM 2 (continued)

ATTACHMENT 7

- Q9. What are your reasons for not supporting the proposal of your property by the Heritage Review? Please answer yes or no as I read each one. Prompt**
- ☐ I believe the heritage listing or inclusion in a Heritage Conservation Area will impact on my property values
 - ☐ I believe the heritage listing will prevent me from making changes to my property
 - ☐ I do not believe my property is significant and should not be listed
 - ☐ I do not believe in heritage conservation
 - ☐ Other (please specify)

- Q10. Do you have any further comments regarding the proposal for your property by the Heritage Review?**
-

- Q11. Noting there are other heritage properties, Heritage Conservation Areas and archaeological sites proposed in Council's Heritage Review that are not related to your property, do you support these other proposed additions listed in Council's Heritage Review? Prompt**

	Yes, I support	Unsure/No preference	No, I don't support
Other heritage properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other properties in a Heritage Conservation Areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other archaeological sites	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

- Q12. What is your reason for giving this response?**
-

Now go to Q16

- Q13. Which of the following best describes you? Prompt**

- ☐ A City of Ryde resident but not a ratepayer
- ☐ A City of Ryde resident and ratepayer
- ☐ A City of Ryde rate payer, but do not live in the area
- ☐ A worker in the City of Ryde
- ☐ A visitor to the City of Ryde

- Q14. Do you support the proposed additions listed in Council's Heritage Review? Prompt**

	Yes, I support	Unsure/No preference	No, I don't support
44 heritage properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6 Heritage Conservation Areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2 archaeological sites	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

- Q15. What is your reason for giving this response?**
-

- Q16. How important to you, is protecting and retaining the history and character of our built, landscape and archaeological environment within the City of Ryde? Prompt**

- ☐ Very important
- ☐ Important
- ☐ Somewhat important
- ☐ Not very important
- ☐ Not at all important

If Q6 = A heritage property ask Q17, if not go to Q18

- Q17. Would you consider applying for a grant under the Ryde Local Assistance Fund (up to \$15,000)?**

- ☐ Yes
- ☐ No
- ☐ Unsure

- Q18. Council provides a free heritage advisory service through a Heritage Advisor, who can provide you with advice and guidance on maintenance, development and change to a heritage property or to a property within a Heritage Conservation Area. How likely are you to make use of this free service? Prompt**

- ☐ Very likely
- ☐ Likely
- ☐ Somewhat likely
- ☐ Not very likely
- ☐ Not at all likely

- Q19. Do you have any further comments regarding the City of Ryde Heritage Review 2017?**
-

Demographic and Profiling Questions

The following information is used for demographic purposes only.

- Q20. Please stop me when I read out your age group. Prompt**

- ☐ 18 – 34
- ☐ 35 – 49
- ☐ 50 – 64
- ☐ 65+

- Q21. How long have you lived in the Council area? Prompt**

- ☐ Less than 2 years
- ☐ 2 – 5 years
- ☐ 6 – 10 years
- ☐ 11 – 20 years
- ☐ More than 20 years

- Q22. What is your gender?**

- ☐ Male
- ☐ Female
- ☐ Alternative identity

ITEM 2 (continued)

ATTACHMENT 7

Q23a. Do you speak any language(s) other than English at home?

- ☐ Yes
☐ No (Go to Q24a)

Q23b. Which language(s)?

- ☐ Mandarin
☐ Hindi
☐ Cantonese
☐ Italian
☐ Greek
☐ French
☐ Spanish
☐ Korean
☐ Tamil
☐ Armenian
☐ Other (please specify).....

Q24a. Would you like to receive updates from the City of Ryde regarding this project?

- ☐ Yes
☐ No

Q24b. Please provide your details below:

Name [MUST PROVIDE].....
 Email [MUST PROVIDE]
 Phone.....
 Postcode.....

Thank you for your time and assistance. This market research is carried out in compliance with the Privacy Act, and the information you provided will be used only for research purposes. The research has been conducted by Micromex Research (1800 639 599) on behalf of City of Ryde.

The information contained herein is believed to be reliable and accurate, however, no guarantee is given as to its accuracy and reliability, and no responsibility or liability for any information, opinions or commentary contained herein, or for any consequences of its use, will be accepted by Micromex Research, or by any person involved in the preparation of this report.

ITEM 2 (continued)

ATTACHMENT 7

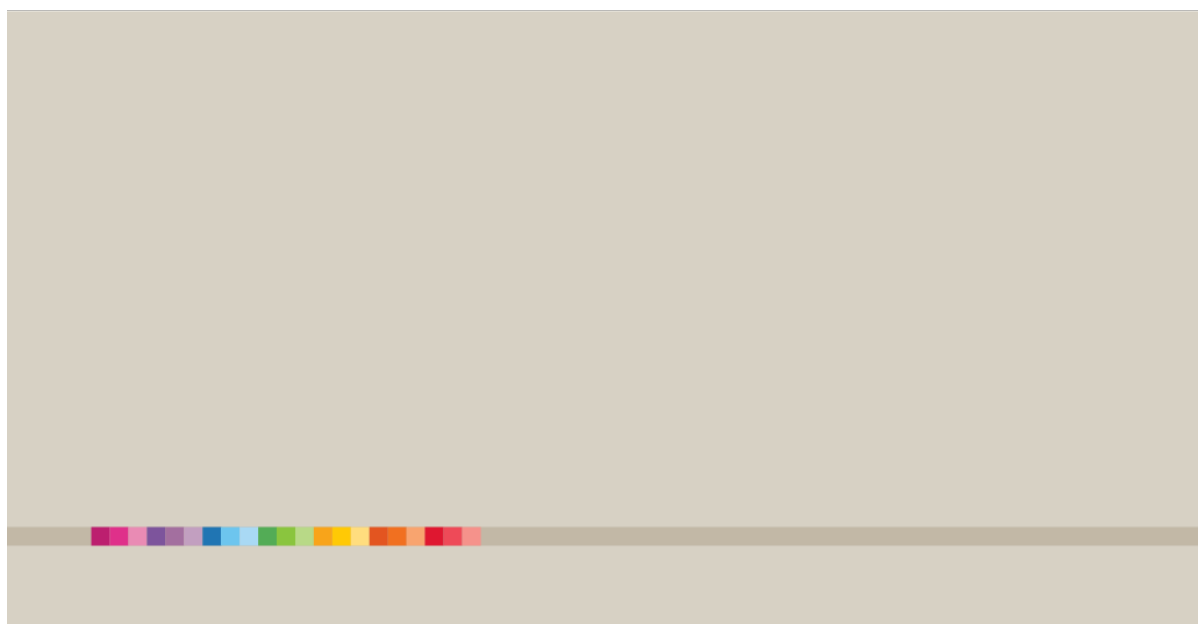
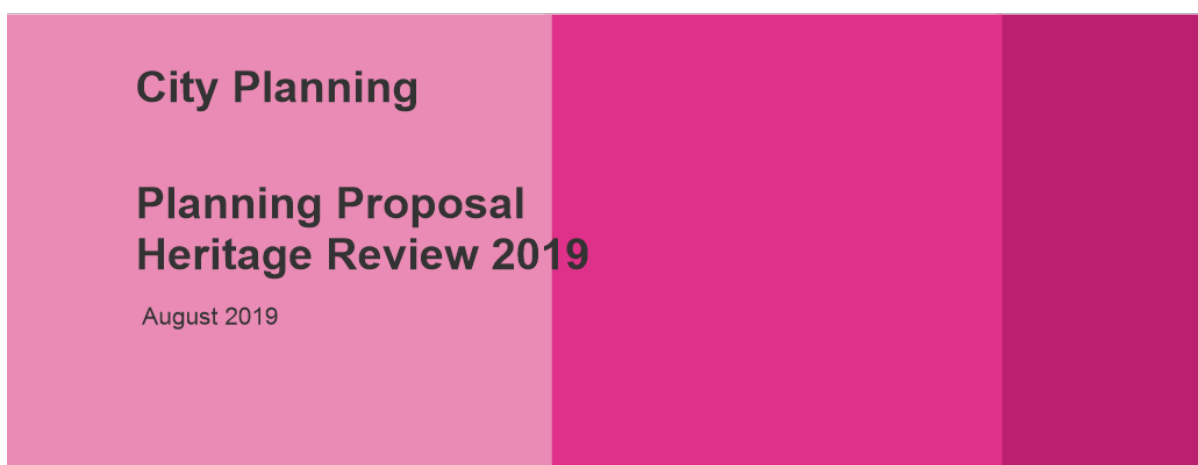
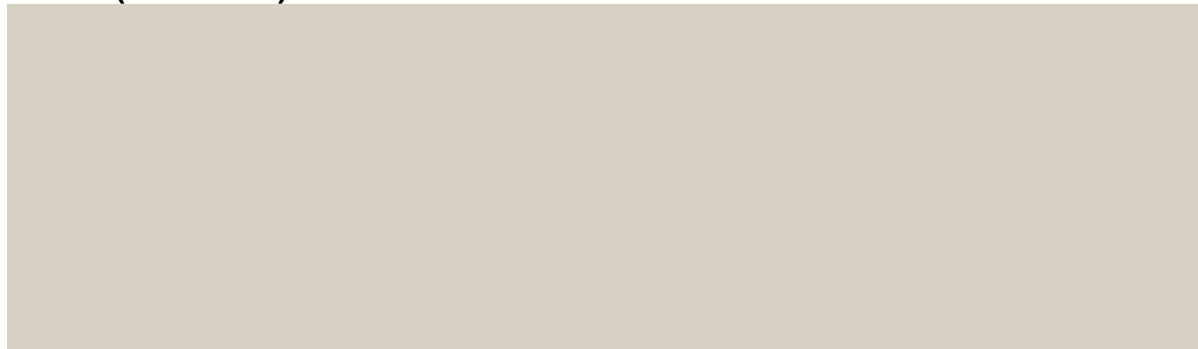
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ITEM 2 (continued)

ATTACHMENT 8



ITEM 2 (continued)

ATTACHMENT 8



1.0 Introduction	3
1.1 Background.....	4
2.0 The Planning Proposal	7
3.0 Objectives and Intended Outcomes	8
4.0 Explanation of Provisions	9
5.0 Justification.....	18
5.1 Need for the Planning Proposal	18
5.2 Relationship to strategic planning framework.....	19
5.3 Environment, Social and Economic Impact.....	30
5.4 State and Commonwealth interests	31
6.0 Mapping	31
7.0 Community Consultation.....	31
8.0 Project Timeline	32

Attachments

1. Mayoral Minute 28 November 2017
2. GML Heritage Consultants "City of Ryde Heritage Review" dated June 2019
3. Heritage Maps
4. Consultation Program



ITEM 2 (continued)

ATTACHMENT 8

1.0 Introduction

This Planning Proposal has been prepared by the City of Ryde in response to a Council resolution of the 28 November 2017, which states in part the following:

That Council, in order to ensure certainty in the development process, undertakes a City wide heritage study to ensure items of heritage significance are identified and options for their adequate protection recommended. (See Attachment 1)

In response to the above resolution, GML Heritage Consultants were engaged by Council in 2018 to conduct a comprehensive heritage review of the City of Ryde Local Government Area. The review aimed to ensure that places of heritage significance were identified and adequately protected and that more certainty was provided for in the development process.

In a report titled "City of Ryde Heritage Review" dated June 2019, GML Heritage Consultants have identified built, landscape and archaeological items that are of heritage significance to the City of Ryde for inclusion in Schedule 5 of *the Ryde Local Environmental Plan 2014* (see Attachment 2). The heritage significance assessments were undertaken by GML Heritage Consultants in accordance with the methodology provided within the NSW Heritage Manual and the NSW Heritage Office publication "*Assessing Heritage Significance 2001*".

The report recommends that the following matters identified in the report be incorporated into a Heritage Review Planning Proposal:

- 44 new heritage items
- 6 new heritage conservation areas
- 2 new archaeological sites

The 44 identified heritage items comprise:

- 35 built items
- 6 culturally significant landscape items
- 3 street tree items

The report also recommended that the description of 8 existing heritage items within Part 1 of *Schedule 5 Environmental heritage* of the *Ryde Local Environmental Plan 2014* (RLEP2014) be amended.

ITEM 2 (continued)

ATTACHMENT 8

1.1 Background

City of Ryde Heritage Study 2010

The *Ryde Heritage Study 2010* was commenced in 2003 when the members of Council's Heritage Advisory Committee sought heritage nominations from the community groups they represented.

Ryde Heritage Study 2010 identified and recommended that 71 properties be heritage listed, together with amendments to existing heritage listings (e.g. updated land title information, removal of items incorrectly identified) and boundary changes to a conservation area. The 71 properties identified for listing comprised 47 dwellings, 15 public building/churches and 9 stone survey markers.

Council resolved to:

- list properties only where the owners consented to the heritage listing,
- update existing heritage listings and
- make boundary changes to the Maxim Street Heritage Conservation Area.

In summary, 6 new dwellings, 2 public buildings and 9 stone markers were listed.

Council further resolved not to pursue the heritage listing of any property unless the land owner specifically applied for a heritage listing and that the properties that had been rejected from this process not be considered in any future heritage studies.

As a result, many items that were identified as having heritage significance by the Study and recommended for heritage listing currently have no statutory protection and are at risk of demolition or substantial alteration.

A review of the recommended heritage items in the Study revealed that since 2010:

- 1 has been significantly damaged by fire and is beyond salvageable repair,
- 9 have been demolished or consent granted for demolition,
- Several have been the subject of DAs for alterations (refer to Attachment 2) and
- 2 have been subject to Interim Heritage Orders resulting in 2 amendments to RLEP2014.

ITEM 2 (continued)

ATTACHMENT 8

Interim Heritage Orders (IHO)

An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides Council with the time to further assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted.

The legal effect of an IHO made by a Local Council is that approval is required for any development for the life of the order and demolition is prohibited during that period.

Two of the properties identified in the *Ryde Heritage Study 2010*, 87 Bowden Street Meadowbank and 330 Rowe Street Eastwood, have had IHOs imposed and in both cases the IHOs on the sites culminated in subsequent amendments to RLEP2014 and the listing of the properties as items of local heritage significance on *Schedule 5 Environmental heritage*.

A further two IHOs have been imposed on properties not identified in the *Ryde Heritage Study 2010*. The details of the IHOs and proposed amendments to RLEP2014 are as follows:

1. 68 Denistone Road Denistone – A development application was submitted in August 2018 to consolidate the existing 3 lots comprising the property and to subdivide the new lot into 2 lots. An indicative site plan indicated the site was to be redeveloped for a possible duplex and triplex that would be subject to future development applications.
Council, on 25 September 2018, resolved to prepare a Planning Proposal to list the property as an item of local heritage significance within *Schedule 5 Environmental heritage* of Ryde Local Environmental Plan 2014. An IHO was imposed on the property in September 2018. The PP to amend RLEP2014 and include the site on *Schedule 5 Environmental heritage* is progressing separately from the city wide review and was exhibited from 29 May 2019 to 28 June 2019.
2. 68 and 70 Chatham Road Denistone – A development application was submitted in December 2018 to develop the land for multi-dwelling housing development comprising 4 dwellings. Council on 26 February 2019 resolved to place an IHO on the properties and to prepare a PP to list multiple properties within Chatham Road, Denistone as a heritage conservation area of local heritage significance within *Schedule 5 Environmental heritage* of RLEP2014.

The IHO came into place on the properties in 21 March 2019. GML Heritage Consultants' assessment confirmed that the area warranted listing as a heritage conservation area and as a result it is part of this Planning Proposal.

COUNCIL RESOLUTION

When reviewing the action to be undertaken to protect and heritage list 330 Rowe Street Eastwood Council on the 28 November 2017 resolved in part the following:

That Council, in order to ensure certainty in the development process, undertakes a City wide heritage study to ensure items of heritage significance are identified and options for their adequate protection recommended. (See Attachment 1)

ITEM 2 (continued)

ATTACHMENT 8

City of Ryde Heritage Review – GML Consultants

GML Heritage Pty Ltd (GML) was engaged by City of Ryde in 2018 to conduct a comprehensive heritage review of the City of Ryde Local Government Area and provide options for their protection. The study is limited to pre-1940 development and does not include places of Aboriginal cultural significance.

As part of the study character areas and special areas identified in Ryde Development Control Plan 2014 were reviewed.

A total of 44 heritage items, 6 heritage conservation areas and 2 archaeological sites have been identified for listing in *Schedule 5* of RLEP2014 in the report *City of Ryde Heritage Review*.

The heritage items comprise:

1. 35 built items - The majority of built heritage items are Federation, Victorian cottages and interwar residential dwellings also proposed to be listed. There are a number of churches, shops and a school building
2. 6 culturally significant landscape items - Landscape sites include foreshore parks and public landscapes where the course and pattern of the items history warrants listing.
3. Street tree listings – 10 road verges are identified as containing significant street trees.

As a result of the review of the DCP character and special areas the following heritage conservation areas (HCA) are proposed:

- Lund's Estate HCA, Eastwood
- Summerhayes HCA, Eastwood
- Chatham Road HCA, Denistone
- Darvall Estate HCA, Denistone
- Tyrell Street HCA, Gladesville

In addition a sixth heritage conservation area is proposed being Wharf Road HCA, Gladesville.

The proposed archaeological sites include:

- Glades Bay baths remnants located at Glades Bay Park and
- Former Squire's Brewery and Halvorsen's Boat Yard at 20 Waterview Street Putney

Section 4.0 *Explanation of Provisions* of this Planning Proposal lists the individual items and provides maps of the proposed conservation areas.

ITEM 2 (continued)

ATTACHMENT 8



2.0 The Planning Proposal

This Planning Proposal has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (in particular Section 3.33) and the relevant guidelines produced by the Department of Planning and Environment.

The Department of Planning and Environment requires a Planning Proposal to cover five main parts which form the basis of this document as follows:

- Part 1 – Statement of Objectives and Intended Outcomes of the proposed LEP (refer to 3.0 of the Planning Proposal)
- Part 2 – Explanation of the Provisions to be included in the LEP (refer to 4.0 of the Planning Proposal)
- Part 3 – Justification of objectives, outcomes and process for implementation (refer to 5.0 of the Planning Proposal)
- Part 4 – Maps to identify intent and applicable area (refer to 6.0 of the Planning Proposal)
- Part 5 – Community Consultation proposed to be undertaken on the Draft LEP (refer to 7.0 of the Planning Proposal)
- Part 6 – Projected time line - (refer to 8.0 of the Planning Proposal)



ITEM 2 (continued)

ATTACHMENT 8



3.0 Objectives and Intended Outcomes

This part of the planning proposal responds to Section 3.33 of the Environmental Planning and Assessment Act 1979 which requires an explanation of what is planned to be achieved by the proposed amendments to RLEP2014.

The Objectives of the Planning proposal are:

- To amend *Schedule 5 Environmental heritage* and relevant Heritage Maps of RLEP2014 to include:
 - 44 additional Heritage items
 - 6 additional Heritage Conservation Areas and
 - 2 additional archaeological sites
 - Amend the description of 8 existing heritage items
- To ensure culturally significant heritage landscape items are included in *Schedule 5 Environmental heritage* of RLEP2014.

The Intended outcome of the Planning Proposal is to:

- Provide appropriate protection for built, landscape and archaeological heritage within the City of Ryde, through new heritage listings in *Schedule 5 Environmental heritage* of RLEP 2014, and to ensure current heritage listings are correctly identified.
- ensure greater certainty is provided for in the development process .



ITEM 2 (continued)

ATTACHMENT 8

4.0 Explanation of Provisions

The proposed outcomes will be achieved by:

1. Amending *Schedule 5 Environmental heritage* of Ryde LEP 2014 as follows:

- Including 44 Heritage items in *Part 1 Heritage Items* and on Ryde LEP 2014 Heritage Map

Note: The table below (Table 1) has been structured in accordance with the requirements of the Environmental Planning and Assessment Act 1979 Standard Instrument. The Item number reflects the continuance of the existing Heritage Items schedule within RLEP2014 and not the GML *City of Ryde Heritage Review*.

Table 1 – HERITAGE ITEMS – NEW

Suburb	Item name	Address	Property description	Significance	Item no.
Denistone	Street Trees	Anthony and Miriam Roads		Local	301
Denistone	Street Trees	Bencoolen Avenue and Simla Road		Local	302
Denistone	House and garden	34A Miriam Road	Lot 2 DP200475	Local	303
Eastwood	Street Trees	Auld Avenue, Campbell Street, Tarrants Avenue, Richards Avenue, Rowe Street and Wallace		Local	304
Eastwood	"Grace Seccombe's" House	1 Campbell Street	Lot 16 DP1112515, Lot 15 Sec A DP4980	Local	305
Eastwood	House	19 Campbell Street	Lot 14 DP4789	Local	306
Eastwood	House	31 Campbell Street	Lot 8 DP4789	Local	307
Eastwood	House	17 Clanalpine Street	Lot 49 DP4231	Local	308
Eastwood	House	36 Fourth Avenue	Lot D DP18058	Local	309

ITEM 2 (continued)

ATTACHMENT 8

Suburb	Item name	Address	Property description	Significance	Item no.
Eastwood	Eastwood Public School	212 Rowe Street	Lots 13,14,15,16,17,18, 19, 20 DP4231 Lot 1 DP910987, Lot 4 DP516935	Local	310
Gladesville	House	36 Ashburn Place	Lot A DP398307	Local	311
Gladesville	House	72 Eltham Street	Lot 1 DP1110823	Local	312
Gladesville	House	57 Meriton St	Lot 2 DP7560	Local	313
Gladesville	House	16 Percy Street	Lot A DP432178	Local	314
Gladesville	House	18 Percy Street	Lot B DP432178	Local	315
Gladesville	Westminster Park	187A Ryde Road		Local	316
Gladesville	Shop	72 Tennyson Road	Lot 2 DP8913	Local	317
Gladesville	House	99 Western Crescent	Lot 1 DP848346	Local	318
Gladesville	House and garden	39 Wharf Road	Lot 2 DP1127560	Local	319
North Ryde	Cottage	2 Richardson Place	Lot 19 DP1003588	Local	320
Putney	House	21 Douglas Street	Lot 113 DP8902	Local	321
Putney	Cleves Park	53 Douglas Street		Local	322
Putney	Morrison Bay Park	142 Morrison Road		Local	323
Putney	House	14 Mitchell Street	Lot 101 DP863147	Local	324
Putney	House	10 Storey Street	Lot 5 Sec 6 DP1009	Local	325
Putney	House	15 Waterview Street	Lot 1 DP838741	Local	326
Putney	Former Squire's Brewery and Halverson's Boat Yard	20 Waterview Street	Lot 440 DP 15224, Lot 441 DP 15224, Lot 442 DP 15224, Lot 443 DP15224, Lot 444 DP 15224,	Local	327

ITEM 2 (continued)

ATTACHMENT 8



Suburb	Item name	Address	Property description	Significance	Item no.
			Lot 445 DP 15224, Lot 446 DP 15224, Lot 447 DP 15224, Lot 2 DP 70488, Lot 1 DP 70489 Lot 1 DP 430647		
Ryde	House	321 Blaxland Road	Lot 9 DP13050	Local	328
Ryde	Hermitage Reservoir and associated buildings	343 – 353 Blaxland Road	Lot 1 and 2 DP 744901	Local	329
Ryde	House	11 Constitution Road	Lot 2 DP11105	Local	330
Ryde	House	46 Frederick Street	Lot 1 DP633049	Local	331
Ryde	House	24 Gladstone Avenue	Lot 8 DP29255	Local	332
Ryde	House	51 Higginbotham Road	Lot 4 DP6527	Local	333
Ryde	Burrows Park	32 Princes Street		Local	334
Tennyson Point	House and garden	17 Champion Road	Lot 25 Sec 13 DP 2166	Local	335
Tennyson Point	House	43 Champion Road	Lot 19 Sec 5 DP 2166	Local	336
Tennyson Point	House	63 Champion Road	Lot A DP 366911	Local	337
West Ryde	Maze Park	100 – 108 Brush Road		Local	338
West Ryde	"Elderslie" House and garden	48 Falconer Street	Lot 1 DP511924	Local	339
West Ryde	House	61 Marsden Road	Lot A DP164001	Local	340
West Ryde	House and garden	45 Terry Road	Lot A DP386339	Local	341
West Ryde	West Ryde Hotel	1021 – 1023 Victoria Road	Lot 1 and 2 DP 1053130	Local	342
West Ryde	House and	1219 Victoria	Lot 1 DP513520	Local	343



ITEM 2 (continued)

ATTACHMENT 8

Suburb	Item name	Address	Property description	Significance	Item no.
	garden	Road			
West Ryde	Anzac Park	Wattle Street		Local	344



- Including 6 Heritage conservation areas in *Part 2 Heritage conservation areas* and on RLEP 2014 Heritage Map as follows:

Table 2 – HERITAGE CONSERVATION AREAS – NEW

HCA number as shown on Schedule 5 and LEP Map	Name	Map
C6	Lund Estate, HCA Eastwood	
C7	Summerhayes HCA Eastwood	



ITEM 2 (continued)

ATTACHMENT 8

HCA number as shown on Schedule 5 and LEP Map	Name	Map
C8	Chatham Road HCA Denistone	
C9	Darvall Estate HCA Denistone	

ITEM 2 (continued)

ATTACHMENT 8

HCA number as shown on Schedule 5 and LEP Map	Name	Map
C10	Tyrell Street Gladesville	
C11	Wharf Road HCA, Gladesville	

ITEM 2 (continued)

ATTACHMENT 8



- Including 2 archaeological items in *Part 3 Archaeological sites* and on Ryde LEP 2014 Heritage Map

Table 3 – ARCHEOLOGICAL SITES – NEW

Locality	Item	Address	Property description	Significance	Item no
Gladesville	Glades Bay Baths	Ross Street		Local	A345
Putney	Former Squire's Brewery and Halverson's Boat Yard	20 Waterview Street	Lot 440 DP 15224, Lot 441 DP 15224, Lot 442 DP 15224, Lot 443 DP15224, Lot 444 DP 15224, Lot 445 DP 15224, Lot 446 DP 15224, Lot 447 DP 15224, Lot 2 DP 70488, Lot 1 DP 70489 Lot 1 DP 430647	Local	A346



ITEM 2 (continued)

ATTACHMENT 8

- Amending existing items in *Schedule 5 – Environmental heritage*

Table 4 – HERITAGE ITEMS – AMENDED

Item No.	Locality	Type of Amendment	Current Item Name	Amended Item name
161, 162 and 163 – to be deleted New item number 250	Eastwood	Delete existing 3 items and create a new item amalgamating the 3 previous descriptions	Eastwood Park (gates) Eastwood Park (grandstand) Eastwood Park (pavilion)	Eastwood Park (including sports fields , gates , grandstand, croquet club and grounds, mature Phoenix palms and other significant trees)
6	Gladesville	Amend item description	Glades Bay Park (monument)	Glades Bay Park (including monument), foreshore reserve between Ross Street and Bill Mitchell Park and remnants of former public baths.
112	Gladesville	Amend item description	Monash Park (obelisk)	Monash Park (including oval, pavilion, significant boundary/street trees and obelisk)
157	Gladesville	Amend item description	Kissing Point park (former boat slips)	Kissing Point Park (including former boat slips and Bennelong Park)
87	Putney	Amend item description	Putney Park (house remains)	Putney Park (former Putney Park Pleasure Grounds , including seawall , remains of Lunnhilda/Dudhope estate and remains of Slazenger factory)
72	Meadowbank	Amend item description	Memorial Park (obelisk)	Memorial Park (including obelisk) and remnants of former Meadowbank Baths

ITEM 2 (continued)

ATTACHMENT 8



- Amending RLEP2014 Heritage Maps:

RLEP2014 Heritage Maps are to be amended to include all new heritage items, conservation areas and archeological sites as identified above. (ATTACHMENT 3)



ITEM 2 (continued)

ATTACHMENT 8

5.0 Justification

Section 3.33 of the Environmental Planning and Assessment Act 1979 enables the Director-General to issue requirements with respect to the preparation of a planning proposal. This section responds to all matters to be addressed in a planning proposal – including Director-General's requirements for the justification of all planning proposals (other than those that solely reclassify public land).

5.1 Need for the Planning Proposal

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

The Planning Proposal is a result of Ryde Council's ongoing process of heritage identification and protection. Council resolved on the 28 November 2017 in part the following:

That Council, in order to ensure certainty in the development process, undertakes a City wide heritage study to ensure items of heritage significance are identified and options for their adequate protection recommended.

In response to the above resolution GML Heritage Consultants were engaged by Council in 2018 to conduct a comprehensive heritage review of the City of Ryde Local Government Area. The review, which was limited to pre – 1940s development and did not include Aboriginal heritage, aimed to ensure that places of high heritage significance were identified and adequately protected and that more certainty was provided for in the development process.

This Planning Proposal is in line with the recommendations of the GML Heritage Consultants report titled "City of Ryde Heritage Review "dated June 2019 (Attachment 2).

5.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes?

The Environmental Planning & Assessment Act 1979 requires the orderly development of land. The planning proposal supports that outcome by enabling a transparent process informed by expert advice and comprehensive community participation that enables clear identification of heritage items, conservation areas and landscape & archaeological places

The Planning Proposal will ensure that the sites are recognised and protected from development that may adversely affect the significance of the sites and their contribution to the environmental heritage of the City of Ryde.

ITEM 2 (continued)

ATTACHMENT 8

5.2 Relationship to strategic planning framework

5.2.1 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)?

The strategic planning context for the consideration of this Planning Proposal includes:

- *A Greater Sydney Region Plan – A Metropolis of Three Cities 2018*
- *The North District Plan*

Greater Sydney Regional Plan - A Metropolis of Three Cities

The *Greater Sydney Region Plan* (2018) outlines how Greater Sydney will manage growth and change and guide infrastructure delivery over the next 40 years.

The Vision of the Plan is to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City.

The City of Ryde is located within the Eastern Harbour City. The Plan states that the established **Eastern Harbour City** will be building on its recognised economic strength and addressing liveability and sustainability. (p 8)

The Plan contains:

- 4 Key themes - infrastructure and collaboration, liveability, productivity and sustainability.
- 14 Metrics i.e. measurement tools
- 10 Directions and
- 40 Objectives

The theme of Liveability has as a direction and objective the following:

Direction – Designing places for people

Objective 13 – Environmental heritage is identified, conserved and enhanced (page 22)

The Regional Plan states:

Conserving, interpreting and celebrating Greater Sydney's heritage values leads to 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. Environmental heritage is protected for its social, aesthetic, economic, historic and environmental values.

Environmental heritage is defined as the places, buildings, works, relics, moveable objects and precincts of State or local heritage significance. It includes natural and built heritage, Aboriginal places and objects, and cultural heritage such as stories, traditions and events inherited from the past.

ITEM 2 (continued)

ATTACHMENT 8

Protection and management of heritage is a community responsibility undertaken by a broad range of stakeholders including Aboriginal people, State and local governments, businesses and communities. (page. 77)

The Planning Proposal which aims to provide appropriate protection for built, landscape and archaeological heritage within the City of Ryde supports both the direction and objectives of the Plan.

North District Plan (2018)

The *North District Plan* (NDP 2018) sets out the planning priorities and actions for Greater Sydney's North District, which includes the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, the City of Ryde and Willoughby.

The NDP provides the means by which the Greater Sydney Region Plan can be put into action at a local level, by setting out the opportunities, priorities and actions for the growth and development of the North District.

This Planning Proposal supports the following Planning Priority in the retention and renewing of local heritage:

Planning Priority N6 – "Creating and renewing great places and local centres, and respecting the District's heritage"

This planning priority promotes local heritage as an important component of local identity that creates a distinctive built character. The NDP states that "*Identifying, conserving, interpreting and celebrating Greater Sydney's heritage values leads to 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.*" (NDP, p49)

The heritage study attached to this Planning Proposal confirms the importance of 44 individual heritage items, 2 archaeological sites and 6 heritage conservation areas. The listing of these properties and places under the RLEP2014 *Schedule 5 Environmental heritage* supports *Planning Priority N6* of the North District Plan.

Local Planning Study (LPS)

Council adopted the *Ryde Local Planning Study (December 2010)* in response to the NSW Government's *Metropolitan Strategy* and draft *Inner North Draft Subregional Strategy* to outline a vision for development of Ryde over the next 20 years.

The Local Planning Study was the basis for the preparation of the RLEP 2014. One of the aims of RLEP 2014 that was derived from the Local Planning Study was:

(d) to identify, conserve and promote Ryde's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development, (RLEP 2014 Clause 1.2(d))

The Planning Proposal is consistent with both the Study and RLEP 2014.

ITEM 2 (continued)

ATTACHMENT 8



The City of Ryde 2028 Community Strategic Plan

The Ryde 2028 Community Strategic Plan captures the needs and aspirations of the community and lays out the Vision and Outcomes that the community wants for the City of Ryde over the next 10 years. It also captures the City's priorities for achieving these outcomes.

The seven outcomes for the City of Ryde articulated in the plan are:

- Our Vibrant and Liveable City
- Our Active and Healthy City
- Our Natural and Sustainable City
- Our Smart and Innovative City
- Our Connected and Accessible City
- Our Diverse and Inclusive City
- Our Open and Progressive City

The Planning Proposal is in line with the goals and strategies of the Community Strategic Plan 2028. It speaks to both outcome one: Our Vibrant and Liveable City; and to outcome six: Our Diverse and Inclusive City.

Outcome one describes a city "designed with a strong sense of identity and place" (p16), describes the community's desire to "protect and maintain Ryde's character and heritage" and includes goals to "uphold and protect its unique character" (p17).

Outcome six describes a city with a "rich social, cultural, historical and creative tapestry [which] provides an enduring legacy for future generations" (p26) and "a distinct local identity built on our city's character and rich cultural heritage" (p27).

The Planning Proposal responds to the above by protecting key buildings and landscapes which contributes to Ryde's historical and cultural legacy.



ITEM 2 (continued)

ATTACHMENT 8

5.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

A summary assessment of the Planning Proposal in terms of State Environmental Planning Policies that are relevant to the City of Ryde is contained in the table below (Table 1).

This assessment indicates that the draft LEP contained in this Planning Proposal is consistent with all relevant State environmental planning policies.

Table 5 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy No 19 - Bushland in Urban Areas	Yes		No matters in the PP alter the degree to which bushland will be protected under RLEP 2014
State Environmental Planning Policy No 21 - Caravan Parks.		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 33 - Hazardous and Offensive Development		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 50 - Canal Estate Development.		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy No 55 - Remediation of Land.	Yes		The PP is consistent with the aims and objectives of the SEPP
State Environmental Planning Policy No 64 - Advertising and Signage.		✓	Applies to the whole of the State. Not relevant is proposed amendment
State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development	Yes		The PP does not affect any provisions within the SEPP.
State Environmental Planning Policy No 70- Affordable Housing (Revised Schemes)		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental		✓	Applies to the whole of the State.

ITEM 2 (continued)

ATTACHMENT 8

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
Planning Policy (Concurrences) 2018			Not relevant to proposed amendment
State Environmental Planning Policy (Primary Production and Rural Development) 2019		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes		See below.
The SEPP establishes a consistent planning regime for the provisions of affordable rental housing. Certain areas of the Policy do not apply to properties that are listed as a Heritage Item such as In fill affordable housing and development under the Policy that can occur under complying development provisions.			
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes		The PP does not affect BASIX or any provision that relates to building sustainability.
SEPP (Exempt and Complying Development Codes) 2008	Yes		See below.
Most works to heritage items and to land within HCAs will require a Development Application. Complying Development Certificates cannot be issued on heritage items and the application of Complying Development Certificates is restricted to specific types of development in Heritage Conservation Areas.			
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes		The PP does not directly or indirectly affect housing for seniors or people with disability or affect any provision within the SEPP. See below for further information
The SEPP contains provisions which restrict the Policy from applying to heritage conservation areas. Those provisions cease to have effect on 1 July 2020.			
State Environmental Planning Policy (Infrastructure) 2007	Yes		Listing of additional heritage items is not considered inconsistent with the provisions of the SEPP. See below for further information.
The SEPP includes provisions relating to development carried out by or on behalf of a public authority where the development is likely to have an impact that is not minor or inconsequential on a local heritage item or heritage conservation area.			

ITEM 2 (continued)

ATTACHMENT 8

State Environmental Planning Policies (SEPPs)	Consistent		Comment
	YES/NO	N/A	
State Environmental Planning Policy (State Significant Precincts) 2005		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (State and Regional Development) 2011		✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007		✓	Applies to the whole of the State. Not relevant to this proposed amendment
State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017	Yes		Applies to the whole of the State. Not relevant to this proposed amendment. See below for further information.
The SEPP includes provisions relating to items of local heritage significance where development carried out by or on behalf of a public authority is likely to affect the heritage significance of a local heritage item or a heritage conservation area and is development that the SEPP provides may be carried out without development consent.			
State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017	Yes		None of the matters within the PP raise issues with the SEPP.
State Environmental Planning Policy (Coastal Management) 2018	Yes		None of the matters within the PP raise issues with the SEPP.
Deemed SEPPs			
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005		✓	Applies to the Sydney Harbour Catchment. It is noted that 1 property identified in this planning proposal is listed within Schedule 4 Heritage Items of this SEPP. However it is not relevant to this proposed amendment.

ITEM 2 (continued)

ATTACHMENT 8

5.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1 of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued:

Consideration of Relevant Section 9.1 Directions applying to planning proposals

Table 6 – Ministerial Directions

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
1. Employment and Resources			
1.1 Business and Industrial Zones Objectives are:- <ul style="list-style-type: none"> o Encourage employment growth in suitable locations o Protect employment land in business and industrial zones and o Support the viability of identified strategic centres. 			X
1.2 Rural Zones Objective: To protect the agricultural production value of rural land.			X
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development.			X
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impact on water quality.			X
1.5 Rural Lands Objective: To protect and facilitate economic development of rural lands.			X
2. Environment and Heritage			
2.1 Environment Protection Zones Objective: To protect and conserve environmentally			X

ITEM 2 (continued)

ATTACHMENT 8



sensitive areas.			
<u>2.2 Coastal Protection</u> Objective: To protect and manage coastal areas of NSW			x
<u>2.3 Heritage Conservation</u> Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Comment: This PP aims to heritage list properties, landscapes and areas of heritage significance. The PP will ensure that the identified items and places will be afforded heritage protection through their addition to Schedule 5 of LEP 2014 and the application of Clause 5.10 Heritage conservation of LEP 2014.	x		
<u>2.4 Recreation Vehicle Areas</u> Objective: To protect sensitive land from adverse impacts from recreation vehicles.			x
<u>2.5 Application fo E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</u> Objective: To ensure that a balanced and consistnet approach is taken when applying environmental protection zones and overlays to lad on the NSW Far North Coast.			x

3. Housing, Infrastructure and Urban Development			
<u>3.1 Residential Zones</u> Objectives are: <ul style="list-style-type: none"> ○ To encourage a variety and choice of housing types to provide for existing and future housing needs ○ To make efficient use of existing infrastructure and services and endure that new housing has appropriate access to infrastructure and services ○ To minimise the impact of residential development on the environment and resource lands. Comment: The PP is consistent with the direction as it will protect items of local heritage significance and does not contain any amendments affecting development standards.	x		
<u>3.2 Caravan Parks and Manufactured Home</u>			x

ITEM 2 (continued)

ATTACHMENT 8



Estates Objective: To provide a variety of housing types.			
3.3 Home Occupations Objective: To encourage the carrying out of low impact small businesses in dwelling houses. Comment: The direction seeks to encourage home occupations. The PP does not contain any provisions relating to home occupations. Therefore it is considered that this PP is consistent with direction.	X		
3.4 Integrating Land Use and Transport Objectives are: <ul style="list-style-type: none"> Improving access to housing , jobs and services by walking, cycling and public transport Increasing choice of available transport and reduce dependence on cars and Support of public transport services and reduce travel demand. Providing for the efficient movement of freight 			X
3.5 Development Near Licensed Aerodromes Objective: To ensure safe and effective operation of aerodromes.			X
3.6 Shooting Ranges Objective: To reduce land use conflict, maintain appropriate levels of public safety and amenity.			X
4. Hazard and Risk			
4.1 Acid Sulfate Soils Objective: To avoid significant adverse impacts from use of land that contains acid sulfate soils.			X
4.2 Mine Subsidence and Unstable Land Objective: To prevent damage to life, property and the environment on land identified as subject to mine subsidence.			X
4.3 Flood Prone Land Objective: To ensure an LEP includes consideration of appropriate flood impacts.			X
4.4 Planning for Bushfire Protection Objective: To encourage sound management of bush fire prone areas.			X

ITEM 2 (continued)

ATTACHMENT 8

5. Regional Planning			
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)			
5.2 Sydney Drinking Water Catchments Objective: To protect water quality in the Sydney drinking water catchment.			x
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Objective: To ensure the best agricultural land will be available for current and future generations.			x
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Objective: To manage commercial and retail development along the Pacific Hwy.			x
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)			
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)			
5.7 Central Coast (Revoked 10 July 2008.)			
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)			
5.9 North West Rail Link Corridor Strategy Objective: To promote trains oriented development and manage growth around the eight train stations of the North West Rail Link			x
5.10 Implementation of Regional Plans Objective: To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.			x
5.11 Development of Aboriginal Land Council land Objective: To provide consideration of development delivery plans prepared under <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> .			x
6. Local Plan Making			
6.1 Approval and Referral Requirements Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.			x
6.2 Reserving Land for Public Purposes Objective: To facilitate the provision of public services and facilities.			x

ITEM 2 (continued)

ATTACHMENT 8



6.3 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.			x
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7. Metropolitan Planning			
<u>7.1 Implementation of the Metropolitan Plan for Sydney.</u> Objective: To give legal affect to the vision contained in A Plan for Growing Sydney. Comment: A Plan for Growing Sydney has been superseded by A Greater Sydney Region Plan – A Metropolis of Three Cities The PP would be consistent with this Direction if it were in place. The Planning Proposal is consistent with the aims of A Greater Sydney Region Plan - A Metropolis of Three Cities and The North District Plan.	x		
<u>7.2 Implementation of Greater Macarthur Land Release Investigation</u> Objective: to ensure development within the Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan			x
<u>7.3 Parramatta Road Corridor Urban Transformation Strategy</u> Objective: To facilitate development within the Corridor that is consistent with the Strategy and the Parramatta Road Corridor Implementation Tool Kit.			X
<u>7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</u> Objective: To ensure development within the North West Priority Growth Area is consistent with the Strategy.			X
<u>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</u> Objective: To ensure development within the Area is consistent with the Implementation Plan.			X
<u>7.6 Implementation of Wilton Priority Growth</u>			X

ITEM 2 (continued)

ATTACHMENT 8

Area Interim Land Use and Infrastructure Implementation Plan Objective: To ensure development within the Priority Growth Area is consistent with the Implementation Plan and Back ground Analysis.			
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor Objective: To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.			X

On 27 September 2018, the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979* with the objective of identifying the types of Planning Proposals that are to be advised on by Local Planning Panels on behalf of councils in the Greater Sydney Region and Wollongong and to establish the procedures in relation to those matters. This Direction is relevant to this Planning Proposal, and the proposal will be referred to the Ryde Local Planning Panel for advice on whether or not the PP should be forwarded to the Minister or Greater Sydney Commission under Section 3.34 of the EP&A Act 1979.

On the 28 February 2019 the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979*. The Direction is the *Environmental Planning and Assessment (Planning Agreements) Direction 2019* and is required to be considered by Councils if negotiating the terms of a proposed planning agreement that includes provision for affordable housing in connection with a development application. This direction is not applicable to the Planning Proposal.

5.3 Environment, Social and Economic Impact

5.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

The Planning Proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

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

No, there is no likelihood for any other significant environmental effects. This planning proposal relates to heritage matters only.

Heritage

The Planning Proposal aims to list properties, landscapes and areas as heritage items and conservation areas within the Ryde LEP 2014, so that they will be protected through *Clause 5.10 Heritage Conservation* of LEP 2014 from work that would adversely affect their heritage significance.

ITEM 2 (continued)

ATTACHMENT 8

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

It is considered that the planning proposal will have positive social impacts through increased local heritage protection.

The planning proposal is not considered likely to have any significant economic impacts. The economic impacts of heritage listing are impossible to determine due to the individual nature of the properties involved.

Council operates a *Local Heritage Assistance Fund*, whereby owners of Heritage Items listed in *Schedule 5 Environmental heritage* of RLEP2014 are able to apply for funding.

The program provides an incentive for owners of properties listed in *Schedule 5 Environmental heritage* of RLEP2014 to undertake maintenance and improvement works to protect and enhance items of heritage significance.

Council on the 23 July 2019 resolved to allocate as a one off an additional \$500,000 from General Revenue to Council's existing *Local Heritage Assistance Fund* and that this additional funding be available for grants of up to \$15,000.

5.4 State and Commonwealth interests

5.4.1 Is there adequate public infrastructure for the planning proposal?

The planning proposal will not place additional demands on the existing infrastructure within the City of Ryde.

5.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Any State or Commonwealth authority that is identified in the Gateway determination as needing to be consulted will be consulted following that determination.

6.0 Mapping

Proposed Draft Ryde LEP 2014 Heritage Maps, indicating the proposed amendments being sought is provided in Attachment 3.

7.0 Community Consultation

This section provides details of the community consultation that is to be undertaken on the planning proposal:

The community consultation process to be undertaken for this Planning Proposal is expected to be undertaken in the following manner for a 28 day period:

- Written notice given:
 - in the local newspaper circulating in the area,

ITEM 2 (continued)

ATTACHMENT 8

- on Council's webpage, and
 - to all affected property owners and tenants where a change in heritage status of a property is proposed i.e. proposed heritage items and properties within heritage conservation areas
 - to all properties within the vicinity of a heritage item as defined by Part 2.1 Notification of Development Applications 'extended adjoining land'.
 - to local state government representatives;
 - to relevant State and Commonwealth authorities as identified in the Gateway Determination.
 - Additional multi-lingual newspapers circulated locally.
- o The written notice will:
 - provide a brief description of the objectives and intended outcomes,
 - state where the Planning Proposal can be inspected,
 - indicate the last date for submissions, and
 - confirm whether the Minister has chosen to delegate the making of the LEP.
 - Proposed information session times where relevant

For letters sent to property owners and tenants of proposed heritage items a heritage inventory sheet relating to the property or area will be included.

- o Series of information/drop in sessions being no less than:
 - 6 drop in sessions
- o The following materials will be placed on exhibition in within each library, and Council's Business and Advisory Centre
 - the Planning Proposal,
 - the Gateway Determination.
 - Council resolution and reports
 - GML Heritage Report and Inventory Sheets

A copy of the consultation programme prepared by Council's Communication and Engagement Team is provided in ATTACHMENT 4.

8.0 Project Timeline

Milestones	
Planning Proposal submitted with request for Gateway Determination	30 July 2019
Gateway Determination	9 August 2019
Community Consultation	September/October 2019
Outcomes of Community Consultation	December 2019
Planning Proposal submitted to Department of Planning and Environment requesting notification on Government website	December 2019

ITEM 2 (continued)

ATTACHMENT 9



Planning,
Industry &
Environment

Your ref: D19/146923
Our ref: MDPE19/3209

Mr George Dedes
General Manager
City of Ryde Council
Post Locked Bag 2069
NORTH RYDE NSW 1670



Dear Mr Dedes

Thank you for your correspondence requesting comment and feedback from the Department of Planning, Industry and Environment (the Department) regarding the City of Ryde Heritage Review.

I congratulate you on the significant and comprehensive work that Council has undertaken to support the identification and protection of important heritage conservation areas and heritage items. I note that this aligns with the aspiration articulated in the draft Ryde Local Strategic Planning Statement to ensure that heritage and places of cultural significance are well managed, conserved and positively promoted to enhance the community's sense of place.

The Department is pleased to continue working with Council on progressing the Heritage Review planning proposal, having previously assessed and given a favourable Gateway determination to proceed with community consultation.

If you have any further questions, you are welcome to contact Mr Brendan Metcalfe, Acting Director, North District, at the Department of Planning, Industry and Environment on 9860 1442.

Yours sincerely



16 October 2019

Brett Whitworth
Acting Deputy Secretary
Greater Sydney, Place and Infrastructure

ITEM 2 (continued)

ATTACHMENT 10

The following table considers written submissions to the Planning Proposal Heritage Review 2019 in respect of Heritage Items.

The issues raised fall into several themes as below. Planning responses to the themes are provided. The table refers to these themes and their responses

1.1 My property should be protected / the listings are overdue

Response: The broader community, many in HCAs and some owners of items supported the heritage listings in written submissions. Based on phone surveys, a majority of residents in the Ryde LGA, who do not own directly affected properties, support heritage listings, however, this group made few submissions.

Against

1.2 Loss of Property Value -- Heritage listing will impact my property values

Response: The Australian Productivity Commission has undertaken an investigation regarding the impacts of heritage listing on property values. The Commission analysed a few studies and found that the methodology and conclusions of two studies were not credible. One indicated that all property values fell by \$500,000 as a result of heritage listing and another that all property values increased by 12% as a result of listing.

The Productivity Commission's preferred methodology for analysing the impacts of heritage listing on property values was hedonic modelling - which is based on comparing properties with similar lot size, the same number of bathrooms and bedrooms, all recently renovated and so on. The only difference between the properties being whether or not they were heritage listed.

This was undertaken in the Parramatta Local Government Area (based on 578 property sales) and Kuring-Gai Local Government Area (based on 712 property sales). The Commission concluded that listing had little effect – with the exception of large properties in the Kuring-Gai local Council area where the property value was increased – as follows

'...the Parramatta and Ku-ring-gai LGA hedonic price models demonstrate that generally, heritage listing does not have a significant effect (positive or negative) on the value of housing, when structural and locational attributes are taken into account. However, for 'large' unique houses in the Ku-ring-gai LGA there does appear to be a price premium for heritage listing.... This may

ITEM 2 (continued)

ATTACHMENT 10

reflect the fact that heritage listed properties occur mainly within the more highly priced suburbs of LGAs. Thus, the vast majority of the higher price of these (heritage listed) properties comes from their location rather than listing'

While staff have not undertaken exhaustive analysis of the sales data across the LGA, a cursory search of one location suggest the conclusions of the study may be relevant in the City of Ryde.

The Outlook Estate in Eastwood including Clive Road, Eastwood has been a Heritage Conservation Area since 2003 and the property values there exceed the median house price for the suburb of Eastwood which is \$1.3M. Recent sales include:

- 17 Clive Rd sold Sept 2016 for \$2.4M
- 11 Clive Rd sold Sept 2018 for \$2.5M
- 19 and 19A Clive Rd sold Sept 2018 for unspecified sums
- 6 Clive Rd sold Sept 2016 for \$2.91M
- 10 Clive Rd sold Feb 2016 for \$2.63M
- 2 Clive Rd sold April 2015 for \$2.1M

It is noted that this is a limited sample and there are likely to be a range of factors contributing to the values at this location. It is not a sufficient sample nor does it represent the detailed analysis required to identify the impact of the Heritage Conservation Area on the value of these properties. However, it does indicate that listing in and of itself is not sufficient to suppress property values to the level of the median house price in Eastwood. Different locations and sites will have different factors contributing to their value, heritage being just one of those factors.

1.3 Not able to make changes to my house - Heritage listing will prevent me from making changes to my property / the existing dwelling

Response: Heritage listing does not prevent development. Rather it guides appropriate change. Planning controls such as LEP height, FSR and minimum lot size controls apply to Heritage listed properties. However, heritage listings mean that complying and exempt development may not be carried out under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and that heritage impacts must be considered in any development proposal. It is noted that Council can provide exemptions from the need for a Development Application for minor works, such as repairs or restoration (note: there is no application fee).

Where works cannot be exempt from the DA process, all proposals will need to be considered on their merit, but in the main:

- Development in a HCA that is not visible from the street will generally be approved (e.g. granny flats, rear additions, internal upgrades)
- Pre-1939 properties located in HCAs will generally need to retain the street frontage
- Post World War 2 buildings in HCAs may be demolished, subject to the replacement building being sympathetic to the HCA
- Heritage items will be able to undertake alterations and additions subject to the proposal being sympathetic to the item.
- While permissible, proposals for dual occupancy and multi-unit development will be subject to more constraints and will need to demonstrate how they are sympathetic to the HCA or the item.

Council cannot make owners carry out maintenance, to any property heritage listed or not, unless a health risk is posed.

ITEM 2 (continued)

ATTACHMENT 10

Conclusion: Development and change can and routinely does occur in Heritage Conservation Areas or on individually listed Heritage items. A proposal will need to demonstrate that it is sympathetic to the heritage significance of the place. This will place constraints on design in order to protect local character.

- 1.4 My property is not significant -- I don't believe my property is significant / my property does not meet the heritage listing criteria / my property has additions and alterations

Response: Many submissions objecting to heritage listing raised concerns regarding the heritage study methodology. Each draft heritage item and draft HCA was assessed against the Heritage Council of NSW assessment of significance criteria to determine the level of significance of the item or area.

The inventory sheet for each draft heritage item and draft HCA provides a detailed assessment of the item or area concerned and identifies the reasons why it is of cultural heritage significance.

Heritage items and HCAs are not limited to those buildings which have not been modified in any way. Several submissions indicate that proposed heritage items have been altered over time and should therefore not be listed. In order to be listed a property does not have to be "original." As noted previously in this report, heritage listing does not prevent change, indeed, updates (to kitchens and bathrooms in particular) to support modern family life generally have a positive impact on the conservation of the item by ensuring it remains functional and well maintained.

Submissions which raise the above issues are considered in the table

- 1.5 Development rights impacted-- (e.g. not able to subdivide / do dual occupancy / add granny flat / second storey etc.) / will need a DA to undertake development / these restrictions were not in place when I bought the property / I have made plans based on development rights

Response: Demolition of a heritage item and contributory items within HCAs will generally not be supported by Council. All development proposals will be considered on merit and the impact on the significance of the item or area concerned and its tolerance to such development occurring. Decisions regarding change will be considered against the assessed and identified significance of the item or area concerned.

Subdivision of heritage items is generally discouraged but may be considered where subdivision would not diminish or detract from the significance of the heritage item, such as visually distorting the historical subdivision pattern or divorcing the item from its landscaped curtilage and setting.

Council encourages sympathetic alterations and additions to dwelling houses. Generally sympathetic additions can be undertaken to the rear or in areas of lesser significance / low visual impact.

ITEM 2 (continued)

ATTACHMENT 10

- 1.6 Owners consent and Council's legislative right -- Council does not have owners consent to list the property / Council does not have the right to heritage list property

Response: Under s3.31-3.37 of the Act, the Plan Making Authority is not required to obtain owner's consent to prepare and bring into effect an LEP amendment.

Furthermore, under the NSW legislative framework Local Council's and NSW government authorities are required to identify and protect heritage places.

Under s170 of the NSW Heritage Act, state government agencies must identify and manage heritage items within their property portfolio and under s9.1(2) of the NSW Environmental Planning and Assessment Act (the Act) and Ministerial Direction 2.3, Local Council's must "facilitate and conserve items and places of heritage significance identified by a heritage study".

Under the Act, Council is also required to implement relevant strategic plans such as *A Metropolis of Three Cities* and the *North District Plan* which prioritize protecting heritage.

Under s3.31-3.37 of the Act, the Plan Making Authority is not required to obtain owner's consent to prepare and bring into effect an LEP amendment.

Conclusion: Under NSW legislative framework, Council may prepare a Planning Proposal without land owner's consent. More importantly, Council is obligated to protect local heritage under the provisions of the Act.

- 1.7 Council advised in 2010 that my property would not be heritage listed -- As a result of the 2010 heritage study Council said they would not reconsider my property for listing. Council has not rescinded the resolution of 2010 which stated properties would not be listed without owner's consent.

Response: The Draft Heritage Study 2010 recommended that 71 properties be included as heritage items in the City of Ryde LEP 2010, including 47 dwellings, 2 public buildings, 13 churches and 9 stone survey markers. Based on the recommendation of the Ryde Heritage Advisory Committee, Council resolved to add 21 new heritage items to the Ryde LEP and to "*not pursue compulsory heritage listing of any property unless the land owner of the property applies for a heritage listing...*" Council also resolved not to consider the properties rejected from the 2010 heritage listing process in any future heritage studies.

A Local Council's decisions are a reflection of the times and contemporary community views. Subsequent resolutions relating to a particular matter or policy supersede previous resolutions, it is not necessary to formerly rescind a previous resolution for a new resolution to set out a new policy or direction.

Since 2010 Council has resolved on several occasions to pursue heritage listings in response to community concern regarding the pace of development in the Ryde LGA, and the consequential loss of heritage places including:

ITEM 2 (continued)

ATTACHMENT 10

- List the Gladesville Shopping Centre HCA in 2011 in response to a request from the Gladesville Master Plan Reference Group
- Place an Interim Heritage Order (IHO) and heritage list 87 Bowden Street Ryde in 2016
- Place an Interim Heritage Order (IHO) on 330 Rowe Street Eastwood in 2017 and heritage list the property in 2018
- Place an IHO on 68 Denistone Rd, Denistone in 2018 and heritage list the property in 2019
- Place an IHO on 68 and 70 Chatham Rd Denistone and prepare a planning proposal for the Chatham Rd HCA in 2018
- Prepare a city wide heritage review in 2017 and consequential planning proposal. In 2018 Council resolved to progress the planning proposal to exhibition.

A number of submissions based their objection on this issue, including many who were never on the 2010 heritage list, and whose properties are not proposed to be listed now. People have either misunderstood the planning process or have been provided with misinformation. There were a number of flyers and email "form letters" distributed within the HCAs that contained misinformation.

Conclusion: Since 2010, Council has made several resolutions to protect local heritage without land owners applying for heritage listing.

1.8 Increased costs -- maintenance / repairs / DA preparation / insurances

Response: Local heritage listing does not oblige the property owner to undertake maintenance and repairs. Minimum standards of maintenance and repairs apply only to state listed heritage items under the Heritage Act 1977. The proposal does not include any state listing of items.

Council encourages property owners to maintain the heritage item and offers a range of incentives, including the Ryde Local Heritage Assistance Fund to provide financial assistance towards maintenance and conservation works. General maintenance works can often be undertaken without the need for specialised trades. It is acknowledged that in some cases repair works will require specialist trades, such as stonemasons and slate roofers and may attract a premium due to the level of skill required. However, it is possible that modern techniques and materials can be used to undertake sympathetic maintenance. It is also noted that listing does not preclude changes to modernise interiors using contemporary techniques and materials.

Heritage listing does not directly affect insurance premiums in and of itself. In assessing the level of risk and whether or not to offer insurance for a property, an Insurer will ask questions about the age and condition of the building, what the building is constructed of, what security features are currently provided (e.g. dead locks, window locks), whether the property is in flood prone or bushfire prone land, as well as considering the level of risk through the claims history of the property, the owner and the wider area.

1.9 Condition - My property is in poor condition / rundown and should not be listed

Response: All draft heritage items and draft HCAs have been assessed against the significance assessment criteria established by the Heritage Council of NSW. The condition of a building is not a relevant factor in determining heritage significance in that the 'condition' and 'significance' are mutually exclusive.

ITEM 2 (continued)

ATTACHMENT 10

When owners seek to make changes to listed properties, Council would give consideration to the remedial works required to be undertaken to a heritage item and consider whether or not the impact of undertaking such remedial works would have an adverse material impact on fabric and overall significance of the item, or if remedial works would have a negligible / low impact and enhance the integrity of the item.

1.10 Consultation process -- has been poor / should be extended / should be in other languages / did not meet policy

Response: Under the provisions of the Act, community consultation is required to comply with the conditions of the Gateway Determination. The Planning Proposal Heritage Review 2019 was exhibited from 11 September to 10 November 2019 for 60 days exceeding the Gateway Determination requirement of 28 days. Advertisements were placed in 7 newspapers (5 of which were in other languages) and 18 community information sessions were held (8 with interpreters). The planning proposal and supporting material was made available in 3 Council libraries, Customer Service Centre, North Ryde Office and on 4 separate Council Have-Your-Say webpages with explanatory information in simplified and traditional Chinese, Korean and English.

The consultation carried out also complies with Council's draft Community Participation Plan (CPP) which applies to LEP amendments, development decisions and other planning matters. The Gateway Determination and CPP override any other Council policy with respect to planning matters and consultation.

It is acknowledged that the consultation period was extended and consultation events were re-scheduled, however, those changes related to elements of the consultation delivered above and beyond the statutory and Gateway requirements.

Some submissions requested a public hearing. This is not applicable to this planning proposal process because:

- The Gateway Determination specified that a public hearing was not required
- The planning proposal does not propose to reclassify Council owned land from "Community" to "Operational"
- The planning proposal does not impact negatively on threatened species, rather it contributes to the conservation of street tree boulevards.

It should be noted that Council has provided significant opportunity for interested persons to speak at Council meetings regarding the Planning Proposal, to attend 18 information sessions and to participate in a transparent decision making process.

Conclusions: The consultation exceeded all legislative requirements for an amending LEP.

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
Street trees - Anthony and Miriam Rds, Denistone	-	Ryde Council Manager Assets raised no objection		Support D19/179741 D19/177140
Street trees – Bencoolen Ave and Simla Rd, Denistone	-	Ryde Council Manager Assets raised no objection		Support D19/179741 D19/177140
34A Miriam Road Denistone	Support D19/180957	- Property does have heritage significance	-	
Street trees – Auld, Tarrants and Richards Ave.s, Campbell & Rowe St.s, Eastwood	-	Ryde Council Manager Assets raised no objection		Support D19/177140 D19/179741 D19/172737
1 Campbell St Eastwood	Objection D19/177699 D19/185734 D19/181376 Note: strikethrough = duplicated submission throughout this table	<ul style="list-style-type: none"> - Loss of Property Value - Development rights impacted - Increased costs - Condition - Property does NOT have heritage significance. GBA heritage consultants argue that the property does not meet the criteria for listing. 	<p>Refer responses 1.2, 1.4, 1.5, 1.8 and 1.9</p> <p>This property is both within the Summerhayes HCA and proposed to be heritage listed as an individual item. The objection is to listing as a heritage item. The Heritage Review 2019 assessed the property as meeting the criteria for historic and associative significance. The objection with respect to historic significance is supported and the data sheet will be amended accordingly.</p> <p>The property was the home of Grace Seccombe (1880-1956), prominent Australian artist for about 50 years. While it is acknowledged that the home has been altered, the original form is discernible. Grace Seccombe worked both as a potter and painter. The pottery studio has been demolished, however, given that Grace Seccombe was both potter & painter it is probable that she also worked in her home. The objection to the GML assessment with respect associative significance is not supported. However, it is recommended that the management section of the data sheet is be updated to indicate that an interpretation strategy (including signage for example) is developed for the site and that a DCP is prepared assessing whether or not the property is contributory within the</p>	Support D19/179741 D19/172737

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
			HCA.	
19 Campbell St Eastwood	Objection Survey 1	<ul style="list-style-type: none"> - Surrounding property's have been demolished - In need of significant repair 	Refer to response 1.9	Support D19/172737
31 Campbell St Eastwood	-			Support D19/172737
17 Clanalpine St Eastwood	LATE Objection	<ul style="list-style-type: none"> - In 2010, Council resolved not to list the property 	Refer to response 1.7	Support D19/172737
36 Fourth Ave Eastwood	Support D19/157443	<ul style="list-style-type: none"> - Property does have heritage significance - Request that the heritage study is updated with the information provided 	<ul style="list-style-type: none"> - The support is noted and the inventory data sheet will be updated as requested. 	Support D19/179741
212 Rowe St Eastwood (Eastwood Public School)	-	Note: this property is already listed on the NSW Dept. Education s170 Heritage Register		Support D19/179741
36 Ashburn Pl Gladesville	Support D19/180611	<ul style="list-style-type: none"> - Property does have heritage significance 	The owner of this item supports the heritage listing and has recently undertaken works that are sympathetic to the significance of the place. The owner requests an update to the data form – providing historical data and additional information. This will be undertaken.	Support D19/179741
72 Eltham St Gladesville	-			Support D19/179741
57 Meriton St Gladesville	Support D19/157531	<ul style="list-style-type: none"> - Property does have heritage significance - Wishes to restore the property 	<ul style="list-style-type: none"> - The support is noted. 	Support D19/179741
16 Percy St Gladesville	Objection	<ul style="list-style-type: none"> - Property does NOT 	Refer responses	Support

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
	D19/177126 D19/166473 D19/164770 D19/163801 D19/160328 D19/158277 D19/158052 D19/151649 D19/144418	have heritage significance – it has been substantially renovated - Loss of property value - Owners consent – believes that a letter was sent in 2010 advising that Council had resolved that properties would only be listed if owners applied - The neighbouring property 14 Percy was removed from the heritage list	- 1.2, 1.7 - Heritage conservation in NSW guides change and allows properties to be updated to support modern family life. The owner's aspirations to enjoy the property for 12-15 years, having undertaken recent renovations are consistent with the heritage listing and proposed management. - There is no evidence of 14 Percy St having been heritage listed. - It was not listed under the provisions of Ryde LEP 2010 or the Ryde Planning Scheme Ordinance 1979. It was not proposed to be listed in the 2010 Heritage Study.	D19/179741 Objection D19/164295
18 Percy St Gladesville	Objection D19/185634 D19/163646 D19/175985	- Property does NOT have heritage significance. It does not meet 4 of the criterion for heritage significance therefore should not be listed. - Owners consent – believes that previous owner was advised in 2010 that owners consent would be needed to list the property	- Refer responses - 1.2, 1.7 - It is only necessary to meet one of the criterions in order for a property to possess heritage significance.	Support D19/179741 Objection D19/164295
Westminster Park,	-	Ryde Council Manager		Support

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
Gladesville		Parks raised no objection		D19/179741 D19/149798
72 Tennyson Rd Gladesville	-			Support D19/179741
99 Western Cres. Gladesville	Objection D19/170620 D19/170401	- Property does NOT have heritage significance – it was substantially altered in 1987 and again in 1995	Based on the evidence provided of alterations to the property (i.e. the original building is now not discernable) the objection is supported. It is recommended that this property is removed from the heritage items list	Support D19/179741
39 Wharf Rd Gladesville	Objection D19/178673	<ul style="list-style-type: none"> - The property is already listed on the National Trust Register and that should be enough - Loss of Property Value - Not able to make changes / more red tape - Disputes GML information with respect to landscaping - Supports preserving heritage 	<p>Refer to responses 1.2, 1.3</p> <p>It is noted that “Woodstone” is recognised by the National Trust as a significant heritage item. The National Trust is a community based advocacy organisation and the Register of the National Trust does not carry any statutory weight nor provide protection for the property. As a result it is vulnerable to demolition and inappropriate development.</p> <p>While the present owners have been excellent custodians of the property, the purpose of the proposed listing is to conserve heritage for future generations – not just for now.</p> <p>The inventory data sheet will be updated based on the comments regarding the hoop pine and landscaping. (Note: the circular driveway is evident on the 1943 aerial photo)</p>	Support D19/179741
2 Richardson Pl North Ryde	Objection D19/180103	<ul style="list-style-type: none"> - Property was removed from LEP Heritage list in 2010 - Disputes the Heritage Review assessment of significance 	<p>The Heritage Review finds that the building meets the criterion for</p> <ul style="list-style-type: none"> - historic significance and historical association - rarity - representativeness and - integrity <p>It is acknowledged that the setting for Rus-in-Urbe is highly</p>	Support D19/179741

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
			<p>compromised, given the proximity of the adjacent office building. However, Rus-in-Urbe itself retains its original form and materiality and helps tell the story of North Ryde including links to CSIRO. The building is a rare survivor in the Macquarie Park CBD. As a result the objection is not supported.</p> <p>Heritage listing is intended to manage change and should the site ever redevelop it is hoped that the curtilage/setting can be improved.</p> <p>The whole of the lot is typically listed in the Ryde LEP. The heritage data inventory sheet defines what about the site is important from a heritage perspective and guides decisions. The submission will inform amendments to the heritage data inventory sheet.</p>	
21 Douglas St Putney	Objection D19/160948 D19/155886 D19/154414 D19/149154 D19/149147 D19/147675 D19/146377 D19/146245	<ul style="list-style-type: none"> - Loss of Property Value - Property does NOT have heritage significance – it has been altered over time (new kitchen etc.) - Not able to make changes - Increased costs of maintenance etc. 	<p>Refer responses for 1.2, 1.3, 1.4, 1.8</p> <p>The Heritage Review finds that the building meets the criterion for</p> <ul style="list-style-type: none"> - historic significance based on its being part of the Cleves Estate - aesthetic significance and representativeness based on typical architectural details of the Federation Bungalow, timber windows and masonry construction, and the unusual arched entry - retains overall integrity <p>A local historian has made a submission raising concerns with respect to claims against the criterion for historic significance. While substantively intact (from the exterior) the house is modest with some original features having been replaced. The plain pared back quality of the arched entry is a style indicator for other architectural periods/styles and as such it is considered that claims against representativeness and aesthetic significance and not strong. Taken together the objection to the listing is supported and it is recommended that this property is removed from the proposed</p>	Objection D19/164254 D19/162116 D19/161739 D19/160588 D19/159233 D19/158534 D19/157722 D19/157463 D19/157347 D19/156881 D19/156639 D19/154605 D19/149798 D19/149666

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
			heritage list.	
Cleves Park Putney	-	Manager Parks raised no objection		Objection D19/176884 Support D19/179741 D19/149798
Morrison Bay Park, Putney	-	Manager Parks raised no objection		Support D19/179741 D19/149798
14 Mitchell St Putney	Objection D19/166338 D19/168784	<ul style="list-style-type: none"> - Poor condition – structurally unsound (foundations) - The property has no frontage to preserve 	<p>This property appears to be known as both 2 Ida and 14 Mitchell St Putney with both addresses appearing on the mailbox and fence. An adjacent property is known as both 14 and 14A Mitchell St. The legal description provided in the PP is for 2 Ida St, while the street address provided in the PP is 14 Mitchell St.</p> <p>As a result it could be argued that the PP lacks clarity with respect to the proposed listing for this property. Given this, the exhibition does not meet the legislative requirements for this property and it is not proposed to proceed with listing this property.</p>	Support D19/179741
10 Storey St Putney	Objection D19/178504 D19/183806 D19/174969 D19/171071 D19/167921	<ul style="list-style-type: none"> - Owners consent – owner received a letter in 2010 advising that Council had resolved that properties would only be listed if owners applied to do so - Property is in poor condition - Property contains 	<p>Refer responses 1.6, 1.7, 1.8</p> <p>The Heritage Review concludes that the building meets the criterion for historical, aesthetic significance and rarity. GBA report disputes these conclusions.</p> <p>Heritage Review 2019 states that the building was constructed in the late 1800s, has unique architectural features and retains almost all of the original street front features. This view is supported by the owner's objection that is based on original roofing and other material being in need of repair.</p>	Support

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
		asbestos - Property does NOT have heritage significance. GBA report disputes Heritage Review conclusions.	<p>With respect to aesthetic significance and rarity, the property has an extremely rare, if not unique, roof form both within Putney and the LGA context (and possibly in a regional context).</p> <p>Condition and the presence of asbestos are not considerations that determine heritage significance. All properties that were built or altered prior to the mid 1970s are likely to contain some asbestos.</p> <p>Asbestos roof tiles such as on this property are rare in the Ryde LGA. Another example can be found at 25 Commissioners Rd Eastwood (also heritage listed). Those asbestos roof tiles are currently being replaced with similar Fibre Cement tiles.</p>	
15 Waterview St Putney	-			Support D19/179741
20 Waterview St Putney	Objection D19/180360 D19/179947	- Disputes whether or not the site meets the criterion for listing as both an item and an archaeological item - Raises issues with the detail of the heritage data sheet	<p>The Heritage Review 2019 assesses that the building meets the criteria for:</p> <ul style="list-style-type: none"> - historical significance as it was the site of Australia's first brewery, the site of Halvorsen's boatyard, naval boat building (WW2) and post war boating/industrial waterfront - historical associations – for its associations with Bennelong, James Squires and Lars Halvorsen – a prominent Australian/ Norwegian and marine engineer - Rarity – based on it being associated with Australia's first brewery, Bennelong and Colonial figures such as James Squires - Technical research/significance based on the presence of archaeology <p>The submissions objects to the proposed listing on the basis that Squires brewery wharf is predominantly underwater, cannot be certain of Bennelong's association with the site, and that the site is not defined.</p>	Support D19/179741 D19/163339 D19/149798

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions Page 7				
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			<p>In response it should be noted that:</p> <ol style="list-style-type: none"> Heritage items in the City of Ryde comprise the whole of the lot. The inventory sheet describes the elements of the site that are important. the former Squires wharf lands on the site the site is highly likely to retain Colonial and possibly pre-Colonial archaeological resources After his return from England Bennelong was the leader of the Kissing Point mob who lived on or near this site. Bennelong and James Squires were friends and Bennelong is said to have been buried in Squires orchard (near Cleves Park). The history of the site is well documented and as a result the site has associations with both Bennelong and Squires. Lars Halvorsen is also a significant figure in Australia's maritime history. The boatshed, wharf and archaeology are tangible evidence of these associations. <p>It is acknowledged that boat building activities are not ongoing on the site – however, the site is still zoned IN4 Industrial Waterfront.</p> <p>The submission argues that the extent of the archaeological resource cannot be known and therefore the assessment of archaeological significance is queried. The point made is exactly the reason to list the site – the archaeological resource is known to be highly likely. The extent of archaeology across the site and/or the quantum of the finds are not considerations in whether or not the site has significance under this criterion. The listing imposes a process for management of the site including during construction. It does not prevent development.</p>	

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions Page 7				
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			<p>The study recommends that State listing is considered for the site. However, it is understood that NSW Heritage Council has received a State heritage nomination for the site.</p> <p>Based on the above the objection is not supported. In addition the <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i> lists the site as a heritage item of State Significance. Listing within the Ryde LEP will provide consistency with this overarching statutory plan.</p>	
321 Blaxland Rd Ryde	Objection D19/176858 D19/180067 D19/185609 D19/181329	<ul style="list-style-type: none"> - Loss of Property Value - Property does NOT have heritage significance - Owners consent should be obtained 	<p>Refer responses 1.4, 1.2, 1.6</p> <p>The Heritage Review 2019 assesses that the building meets the criteria for</p> <ul style="list-style-type: none"> - historical significance - historical associations based on the local identities who have owned and lived in the property, - aesthetic significance - representativeness <p>The objection disputes the Heritage Review assessment against the criteria but does not provide evidence.</p> <p>The objection attaches a letter from a local real estate agent who states that 321 Blaxland Rd was purchased in 2017 for \$2.58M and would be worth \$1.6M if heritage listed, based on a comparison with other properties. The table below shows that there is no point of comparison as none of the properties is heritage listed and the subject site is almost twice the size of the others. The evidence provided suggests that 321 Blaxland Rd is a premium property and the comparison properties have a lesser market value as a result.</p>	Support D19/179741

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions

Page 7

Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions			Other submissions received about this property												
			<table><tr><td>321 Blaxland Rd Ryde 1044m2</td><td>Heritage listed No</td><td>Sold 2017 \$2.58M</td></tr><tr><td>107 Bowden St Ryde 646m2</td><td>Heritage listed No</td><td>Sold 2019 \$1.42M</td></tr><tr><td>43 Argyle Ave Ryde 526m2</td><td>Heritage listed No</td><td>Sold 2019 \$1.75</td></tr><tr><td>11 Charles St Ryde 698m2</td><td>Heritage listed No</td><td>Sold 2019 \$1.675M</td></tr></table> <p>The submission does not provide evidence of a loss in property values or that the property would sell for \$1.6M as a result of listing—see table.</p>			321 Blaxland Rd Ryde 1044m2	Heritage listed No	Sold 2017 \$2.58M	107 Bowden St Ryde 646m2	Heritage listed No	Sold 2019 \$1.42M	43 Argyle Ave Ryde 526m2	Heritage listed No	Sold 2019 \$1.75	11 Charles St Ryde 698m2	Heritage listed No	Sold 2019 \$1.675M	
321 Blaxland Rd Ryde 1044m2	Heritage listed No	Sold 2017 \$2.58M																
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11 Charles St Ryde 698m2	Heritage listed No	Sold 2019 \$1.675M																
343-351 Blaxland Rd Ryde (Sydney Water)		Note: this property is already listed on the Sydney Water s170 Heritage Register				Support D19/179741												
11 Constitution Road Ryde	Support D19/176669	- Property does have heritage significance	The owner of this property has researched its history and requests that the heritage study is updated with information provided. This will be undertaken			Support D19/179741												
46 Frederick St Ryde			The owner sold the property in September and made an objection. The new owner has contacted Council by phone to obtain information but has not made a submission. The objection has been moved from Owner's submission to Other submission as a result.			Support D19/179741 Objection D19/169831 Survey 2 (from the owner who sold the property in September)												
24 Gladstone Ave Ryde	Objection Survey 2	- Loss of Property Value	Refer response 1.2			Support D19/179741												
51 Higginbotham Rd	Objection	- Property is in poor	Refer responses 1.2, 1.4, 1.9			Support												

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
Ryde	D19/179623 D19/178871 D19/181157	condition - Loss of Property Value - Property does NOT have heritage significance. GBA heritage consultants argue that the property does not meet the criteria for listing.	The Heritage Study 2019 assessed the property as meeting the heritage listing criteria for historic, aesthetic, representativeness and rarity. GBA do not agree with the assessment of the Heritage Review and do not provide evidence for their position with the exception of arguments that - There are a number of Federation weatherboard cottages in the area - the property is significantly altered based on the 1943 aerial photo. However, GBA have misinterpreted the photo. This conclusion is based on o The 1938 CJ Barnes diagram which shows the front of the house as it is today, (Note: it also includes the side outbuilding). o The building structure GBA believe to have been removed is still extant and is a set of steps. It is accepted that there are other weatherboard cottages nearby – though some in the GBA report are not Federation in style. The criterion is based at the LGA level and Federation weatherboard cottages are rare in the context of the Ryde LGA. Condition is not a consideration with respect to assessing heritage significance. It is pertinent to management of the place.	D19/179741
Burrows Park Ryde	-	Ryde Council Manager Parks raised no objection		Support D19/179741
17 Champion Rd Tennyson Point	Objection Survey 2	- The owner believes that individual heritage house listings preserve the heritage of the area and street	Refer response 1.2	Support D19/179741

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions Page 7				
Proposed Heritage Item Red = Council or gov. owned	Submissions received from the owner	Thematic Summary and Issues Raised in submissions	Planning Response to submissions	Other submissions received about this property
		scape. - However unregulated development (private certifiers) is allowed to happen around the heritage property - Loss of Property Value		
43 Champion Rd Tennyson Point	Objection D19/168856 D19/168849	- Property does NOT have heritage significance - Disputes Heritage Review assessment that the building meets criteria for historic, aesthetic, rarity and representativeness and that it is highly intact.	Refer response 1.4 - The property is highly intact when viewed from the street and is rare in that it exhibits characteristics of both late Victorian (iron lace) and Federation building styles – it is rare based on this esoteric and attractive combination of architectural styles. It meets criteria for aesthetic significance. The 1943 aerial photo was commissioned by the NSW Roads and Traffic Authority and is often used as a reliable source by historians. Taken together the group of proposed heritage items in Champion Rd is evidence of the history of the local area.	Support D19/181113 D19/179741
63 Champion Rd Tennyson Point	Objection D19/185602 D19/162474 D19/171093	- Loss of Property Value - Insufficient research – doesn't agree with the Heritage Review - Increased costs such as maintenance and repairs - Save Gladesville shopping centre - The grant funding is insufficient	Refer response 1.2 The Heritage Review 2019 finds that the house meets the criterion for historic significance, integrity and rarity. The Heritage review states that <i>“historical aerials indicate that this type of building was likely prominent in Tennyson Point until the mid-twentieth century, this typology no longer exists in the local area and the house at 63 Champion Road is the only known remaining example of the type”</i> Based on rarity, the objection is not supported.	Support D19/181113 D19/179741
Maze Park West Ryde	-	Ryde Council Manager Parks raised no		Support D19/149798

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
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		objection		D19/179741
48 Falconer St West Ryde	Objection D19/181146	<ul style="list-style-type: none"> - Loss of property value - Property is in poor condition. A gum tree threatens the property and now won't be able to be removed. - The grant funding is insufficient to bring the property back to original - Increased costs such as maintenance /repair 	<p>Refer responses 1.2, 1.3, 1.8</p> <ul style="list-style-type: none"> - Owners of heritage items cannot be required to maintain their properties by Council unless it is an issue of public safety. Nor can they be required to bring their properties back to original. - The grant funding is only available to Heritage Item owners and is not available to other property owners for maintenance. - A tree that is threatening the structural integrity of a home (including a heritage item) may be approved for removal. 	Support D19/179741
61 Marsden Road West Ryde	Objection D19/178271 D19/176052 S19/181395 D19/181379 D19/167487 D19/167412 D19/157172 D19/175923 D19/174324	<ul style="list-style-type: none"> - Loss of property value - Owners consent - Objects to information being included in the heritage data sheets, and the data sheets being publicly available 	<p>Refer responses 1.2, 1.6</p> <ul style="list-style-type: none"> - All of Ryde's existing heritage items are supported by heritage data sheets that are publicly available in order to assist owners and development professionals to make decisions about the future of a property. - The data sheets attached to the Heritage Review 2019 were compiled from publicly available information, including primary source material and history studies held in libraries. Similar information is also available on genealogical websites such as ancestry.com. All photos were taken from the street and are not dissimilar to Google street view 	Support D19/179741 Objection D19/180388 D19/180314 D19/180243
45 Terry Rd West Ryde	Objection D19/162403 D19/156185 D19/156909 D19/153311	<ul style="list-style-type: none"> - Increased <ul style="list-style-type: none"> - Approvals processes - Maintenance costs - Development rights restricted - Impact on property value 	<p>Refer responses 1.2, 1.5, 1.7, 1.10</p> <ul style="list-style-type: none"> - A photo of this property was chosen by the graphic designers to appear on the Council's webpage for the heritage review. The house is an exceptional example of Federation Queen Ann (including period fencing) in the Ryde LGA. - - The consultation process ran for 60 days – exceeding the 	Support D19/179741

ITEM 2 (continued)

ATTACHMENT 10

HERTAGE ITEMS – Submissions				
Page 7				
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		- Consultation process – cancelled information sessions, too short a time frame	required 28 day process. The owner attended at least one information session and spoke on the phone with Council's planning staff	
1021-1023 Victoria Road West Ryde	Objection D19/179619	- Loss of property value - Development rights impacted - 2010 Heritage process - The owner supports providing public access to heritage information	Refer responses 1.2, 1.5, 1.7	Support D19/177140
1219 Victoria Road West Ryde	Support Survey 2	- The owner believes there is too much development going on in the area and we should look after what we have first.	The support is noted.	Support D19/179741
Anzac Park West Ryde	-	Ryde Council Manager Parks raised no objection		Support D19/179741 D19/177140 D19/149798