

6 PLANNING PROPOSAL - HERITAGE REVIEW

Report prepared by: Senior Strategic Planner

File No.: LEP2019/38/4 - BP19/549

REPORT SUMMARY

At its meeting of 28 November 2017 Council unanimously resolved:

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 detailed heritage review of the City of Ryde Local Government Area.

GML Consultants have identified in a report titled "City of Ryde Heritage Review" dated June 2019 (**ATTACHMENT 1 – CONFIDENTIAL – CIRCULATED UNDER SEPARATE COVER**) built, landscape and archaeological items that are of heritage significance to the City of Ryde for inclusion in *Schedule 5 Environmental heritage* of the Ryde Local Environmental Plan 2014 (RLEP2014).

Based on the recommendations of the GML report, a Planning Proposal (the Proposal) (**ATTACHMENT 2 – CONFIDENTIAL – CIRCULATED UNDER SEPARATE COVER**) has been prepared. The Proposal seeks to make the following amendments to *Schedule 5 Environmental heritage* of RLEP2014:

1. *Part 1 Heritage Items* – 44 new heritage items.
2. *Part 2 Heritage conservation areas* – 6 new heritage conservation areas
3. *Part 3 Archaeological sites* – 2 new archaeological sites.
4. Amend descriptions of 8 existing heritage items.

The Proposal also seeks to amend RLEP2014 *Heritage Maps* to incorporate the additional heritage items, conservation areas and archaeological sites.

The Proposal was reviewed by the Ryde Local Planning Panel at its meeting of 4 July 2019. The Panel has advised the following:

The Panel recommends to Council that the planning proposal be submitted for Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979.

This report outlines the Proposal and provides a preliminary assessment in accordance with the requirements of the gateway plan-making process.

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

As the proposed changes will ensure that places of high heritage significance are identified and adequately protected, this report recommends that Council supports forwarding the Proposal to the Department of Planning, Industry and Environment for a Gateway Determination and, upon receipt of approval, to undertake community consultation. An extensive community consultation program is proposed including community drop-in sessions, multi-lingual materials, and letter box drops to directly affected owners. Drop in sessions will be held in locations to facilitate attendance by impacted residents. A Councillor Workshop will also be held (currently scheduled for August 2019) prior to the Proposal being reported back to Council.

It is also proposed to increase the funding available to owners of Heritage Items under Council's *Local Heritage Assistance Fund*. Currently, \$75,000 (2019/20-2021/22) is allocated to fund this program, which offers grants of up to \$5,000 for works to conserve and enhance the significance of Heritage Items. A one off increase of \$500,000 is proposed, with the additional funds to be subject to a maximum grant of \$15,000. The purpose of this increase is to ensure sufficient funds are available for owners of existing and newly listed items, should the Planning Proposal proceed.

RECOMMENDATION:

- (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

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

Proposal.

ATTACHMENTS

- 1 City of Ryde Heritage Review dated June 2019 - GML Heritage - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL - **CONFIDENTIAL ATTACHMENT - for the information of Councillors**
- 2 Planning Proposal Heritage Review - CIRCULATED UNDER SEPARATE COVER - CONFIDENTIAL - **CONFIDENTIAL ATTACHMENT - for the information of Councillors**
- 3 Consultation Program

Report Prepared By:

Susan Wotton
Senior Strategic Planner

Report Approved By:

Lexie Macdonald
Senior Coordinator - Strategic Planning

Dyalan Govender
Manager - Urban Strategy

Liz Coad
Director - City Planning and Environment

ITEM 6 (continued)**Background****Ryde Heritage Study 2010**

The *Ryde Heritage Study 2010* identified and recommended the heritage listing of 71 properties (47 dwellings, 15 public buildings/churches and 9 stone survey markers), together with updating information on existing items and boundary changes to a conservation area.

At its meeting of the 17 August 2010, Council resolved to:

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

In summary 6 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.

As a result, sites of known local heritage significance are currently not afforded any statutory protection and are eligible for demolition and/or redevelopment by Complying Development or merit assessment.

Since 2010, of the items identified in the study:

- 1 has been significantly damaged by fire and is beyond salvageable repair,
- 9 have been demolished or are subject to approval for demolition,
- Several have also been the subject of alterations, and
- 2 have been subject to Interim Heritage Orders and subsequent Planning Proposals resulting in amendments to RLEP2014 to list the items in Schedule 5 Environmental heritage.

Interim Heritage Orders (IHO)

An IHO is a temporary heritage protection measure which prohibits demolition of the item listed and requires approval for any development of that item for the life of the order. An IHO 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.

In response to community concern regarding the loss of local heritage, two of the properties identified in the 2010 study, 87 Bowden Street Meadowbank and 330 Rowe Street Eastwood, have had IHOs imposed and in both cases the IHOs on the

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

sites culminated in subsequent amendments to RLEP2014 and the listing of the two properties as items of local heritage significance *on Schedule 5 Environmental heritage*.

Image 1: 87 Bowden St (taken 2016)



Image 2: 330 Rowe St (taken 2018)



Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

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.

Since 2017, a further two IHOs have been imposed on the following properties in Ryde:

- 68 Denistone Road Denistone – on 25 September 2018 Council resolved to place an IHO over the property, prepare a PP to list the property as an item of local heritage significance within *Schedule 5 Environmental heritage* of RLEP 2014 and upon receipt of the Gateway Determination place the PP on community comment. An IHO was imposed on the property in September 2018. A detailed heritage assessment recommended that the property be listed. The PP for the site was exhibited from 29 May 2019 to 28 June 2019. As the PP has been exhibited, it has not been included in the city wide study and will be processed separately.

Image 3: 68 Denistone Road (image from realestate.com.au)



Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

- 68 and 70 Chatham Road Denistone – on 26 February 2019 Council resolved to place an IHO on the property and 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. GML Heritage Consultants assessment confirmed that the area warranted listing as a heritage conservation area. It has been included in the city wide review and it is proposed to be processed as part of this Planning Proposal.

Image 4: 68-70 Chatham Road (2017 Google Street View)



GML Heritage Consultants

In response to the Council resolution of the 28 November 2017 a *Request for Proposal* (RFP) for a heritage study was developed, which included the following:

- Identify pre-1940 buildings and places of heritage significance for possible inclusion as heritage items or heritage conservation areas in Council's planning controls. This is consistent with feedback from the community (via DA submissions, the Community Strategic Plan, and the Heritage Advisory Committee) relating to protection of heritage and local character generated by development applications.
- Review the Character Areas and Special Areas identified in the Ryde Development Control Plan (DCP) 2014 Part 3 Development Types and Part 5 Special Areas for consideration as potential Heritage Conservation Areas.
- Compliance with guidelines produced by the Heritage Council of NSW.
- Produce Heritage Inventory Database Sheets for all places agreed to by Council in accordance with the NSW Heritage Manual Guidelines, the State

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

Heritage Inventory Database guidelines which are stylistically consistent with Ryde Council's existing Heritage Inventory Database listings.

The RFP was open to all appropriately interested persons and organisations.

Submissions were required to detail:

- the proposed approach and methodology;
- the experience and qualification of individuals proposed to undertake the project;
- examples of experience in similar projects in the last 5 years.

Evaluation of the RFP submissions was carried out by a panel, based on the selection criteria identified in the RFP. GML Heritage Consultants were appointed in late 2018.

GML demonstrated significant industry experience and expertise in the fields of heritage planning, heritage conservation and archaeology and have advised NSW government agencies, Councils and private sector development professionals for over 20 years.

City of Ryde Heritage Review June 2019

The report provided by GML is informed by the principles contained in *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance*, 2013 (the Burra Charter). The heritage significance assessments undertaken as part of the review draw upon the principles contained in the Burra Charter and adhere to the methodology provided within the NSW Heritage Office publication *Assessing Heritage Significance*, 2001 and the detailed process set out in the *NSW Heritage Manual* published by the NSW Heritage Office.

The review was undertaken in three stages:

Stage 1 – Identification of potential places of significance

- Review background documents such as previous studies and potential listings identified by Council's planning staff.
- Broad review of the Ryde Local Government Area (LGA) for contextual environmental and historical understanding.
- Inspect potential properties from the public domain.
- Update the Ryde Heritage Advisory Committee on methodology and progress to date.
- Submit a shortlist of potential heritage items and conservation areas to Council planning staff for comment.

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)**Stage 2 – Assessments of Significance, Draft Inventory Sheets and Draft Review Report**

- Complete assessments against the NSW Heritage Office standard criteria including statements of significance and draft inventory sheets for the new heritage items and conservation areas.
- Draft the review report, including inventory sheets for each potential item for inclusion on the State Heritage Inventory Database.

Stage 3 – Final Review Report

- Finalise the report with comprehensive recommendations for additional items for inclusion on Schedule 5 of the RLEP2014.

The final review report contains further details as to the shortlisted sites and the recommended listings. However, in order to protect significant items from threat while no protections are currently in place, the final report is circulated confidentially under separate cover. Proposed items will be published should a Gateway determination approve the exhibition of the Proposal noting that the Draft Proposal would ensure heritage is considered should Council receive a development application to one of the properties proposed for listing.

Ryde Local Planning Panel

The Proposal was reviewed by the Ryde Local Planning Panel at its meeting of 4 July 2019. The Panel has advised the following:

The Panel recommends to Council that the planning proposal be submitted for Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979.

The decision is unanimous.

REASONS FOR THE DECISION

1. The Panel supports the process that has been undertaken by Council, including the heritage study carried out by GML Heritage Consultants and known as the "City of Ryde Heritage Review" dated June 2019, which from the reported history is needed.

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

3. The Planning Proposal is consistent with the applicable strategic planning

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

framework and policies.

Note: The Panel encourages Council to consider a process for protecting the interiors of Heritage items.

With respect to the Panel's advice relating to the protection of significant interiors, this could be addressed in the future should Council wish; it does not affect the merit of the current proposal. It is also noted that the listings proposed identify the entire lot, and applicants seeking to develop heritage items will be required to submit heritage impact assessments relating to the entire site, including the interiors.

Discussion

This report contains a description of the proposed amendments to RLEP2014 and an appraisal of the Proposal. This appraisal forms the basis of a recommendation to forward the Proposal to the Minister for Planning for a Gateway Determination and to undertake subsequent community consultation.

Ryde Heritage Assistance Fund

Council currently 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 of up to \$5000 for works to conserve and enhance the significance of their properties. Applications are assessed against specified criteria and presented to the Heritage Advisory Committee for endorsement prior to approval. Currently, \$75,000 is allocated to fund this program over the next three years (\$25,000 per year, 2019/20-2021/22).

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.

A one off increase of \$500,000 is proposed, with the additional funds to be subject to a maximum grant of \$15,000. The purpose of this increase is to ensure sufficient funds are available for owners of existing and newly listed items, should the Planning Proposal proceed. The proposed increases will encourage a range of works and are also anticipated to be manageable from an administrative perspective, noting it is anticipated the existing application process, including the referral of applications to the Heritage Advisory Committee, would continue. A further report detailing the process will be provided following exhibition, however, it is anticipated that only minor adjustments to the current process will be required.

Future funding for the program beyond the one-off increase proposed would be subject to future Delivery Plans.

Planning Proposal - Gateway Plan Making Process

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

The Gateway process has a number of steps as outlined below:

1. **Planning proposal** – this is an explanation of the effect of and justification for the proposed plan to change the planning provisions of a site or area which is prepared by a proponent or the relevant planning authority such as Council. The relevant planning authority decides whether or not to proceed to the next stage to seek a Gateway Determination.
2. **Gateway Determination** by the Minister for Planning or delegate if the planning proposal should proceed, and under what conditions it will proceed, including the community consultation process and any additional studies.
3. **Community Consultation** – the proposal is publicly exhibited.
4. **Assessment** – the relevant planning authority considers public submissions. The relevant planning authority may decide to vary the proposal or not to proceed. Where proposals are to proceed, it is Parliamentary Counsel which prepares a draft local environmental plan – the legal instrument.
5. **Decision** – the making of the plan by the Minister (or delegate).

1.1 Current Planning Controls

RLEP 2014 - *Schedule 5 Environmental heritage* currently contains:

- 173 heritage items – a mix of private, council and state authority owned properties
- 5 heritage conservation areas comprising:
 - Brush Farm Park , Eastwood
 - Eastwood House Estate, Eastwood
 - Gladesville Shopping Centre
 - Maxim Street, West Ryde
 - Ryedale Road, West Ryde
- 2 archaeological sites located at Gladesville and Putney.

Development Control Plan (DCP) 2014 identifies a number of Special Areas including:

- Coronation Avenue and Trelawney Street Eastwood Character Areas
- Tyrell Street Gladesville Character Area and
- Denistone Character Area

The DCP is a guide and non-compliance with a provision of a DCP does not in and of itself prevent consent. Further, complying development may be carried out in character areas. By comparison, a conservation area identified in a Local

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

Environmental Plan is afforded greater statutory weight allowing Council to require sympathetic design with respect to heritage and providing less flexibility for non-compliance.

1.2 Proposed amendments to RLEP2014

GML Heritage Pty Ltd (GML) was engaged by City of Ryde in 2018 to conduct a detailed heritage review of the City of Ryde Local Government Area. The study is limited to pre-1940 development.

GML were also requested to review the Character Areas and Special Areas identified in the Ryde DCP 2014 for consideration as potential Heritage Conservation Areas

The report recommends the listing in RLEP2014 - *Schedule 5 Environmental heritage* of:

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

The report also recommends amendments to 8 currently listed items.

Proposed heritage items

The heritage items comprise:

- 35 built items - The majority of built heritage items are Federation, Victorian and interwar style dwellings. There are a number of churches, shopfronts and a school building
- 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

The individual proposed heritage items are identified in *Section 4.0 Explanation of Provisions* on page 10 of the Proposal which is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL**.

Proposed Conservation Areas

The 6 proposed Heritage Conservation Areas (HCA) and their physical characteristics are identified and on page 13 of the Proposal which is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL**.

Proposed archaeological sites

The 2 proposed archaeological sites are:

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

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

Amendments to existing heritage items

The proposed amendments to the description of 8 existing heritage items within *Schedule 5 Environmental heritage* of RLEP2014 are provided in Table 2 below:

Table 2 – Proposed Amendments to currently listed items

| 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 |

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

| | | | | |
|----|------------|------------------------|-------------------------|---|
| | | | | of Slazenger factory) |
| 72 | Meadowbank | Amend item description | Memorial Park (obelisk) | Memorial Park (including obelisk) and remnants of former Meadowbank Baths |

The existing heritage items to be amended and the nature of the amendment are identified in Section 4.0 *Explanation of Provisions* on page 16 of the Proposal which is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL**.

In summary, based on the *City of Ryde Heritage Review* prepared by GML, the Planning Proposal – Heritage Review (**ATTACHMENT 2 – CONFIDENTIAL – CIRCULATED UNDER SEPARATE COVER**) seeks to make the following amendments to *Schedule 5 Environmental heritage* of Ryde Local Environmental Plan 2014:

- *Part 1 Heritage Items* - Add 44 new heritage items,
- *Part 2 Heritage conservation areas* – Add 6 new heritage conservation areas
- *Part 3 Archaeological sites* – Add 2 new archaeological sites
- Amend descriptions of 8 existing heritage items.

The Proposal also seeks to amend RLEP 2014 *Heritage Maps* to incorporate the additional heritage items, conservation areas and archaeological sites.

1.3 Intended Outcomes and Justification

The Proposal's intended outcome 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, and
- To ensure greater certainty is provided for in the development assessment process.

The Proposal (an amending LEP) is the Council's only means of ensuring the protection of properties and places within the City of Ryde assessed as having heritage significance. While Council is able to place IHOs upon potentially significant sites, an IHO is a temporary measure; it is only via a Planning Proposal that Council is able to afford ongoing protection

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

The 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.

Documentation covering the justification and the need for the proposal is provided in *Part 5 – Justification* on page 17 of the Proposal which is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL**.

1.4 Appraisal of the Planning Proposal*Relationship to strategic planning framework*

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

- A Greater Sydney Region Plan – A Metropolis of Three Cities, which 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 (page 77).

- The North District Plan, which states:

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 (page 49).

- Local Planning Study (LPS) was the basis for the development of RLEP 2014, which states that an aim of the LEP is:

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

- The City of Ryde 2028 Community Strategic Plan which states:

- Ryde is a City of welcoming and vibrant neighborhoods...designed with a strong sense of identity and place (page 16),
- that the community wants to “protect and maintain Ryde’s character and heritage” (page 17) and

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

- Our community sees... history and heritage, public art and facilities for people to get together as important, adding to our city's vibrancy (page 10).

It is considered that the Proposal, which aims to provide appropriate protection for built, landscape and archaeological heritage within the City of Ryde supports both the directions and objectives of the various Plans.

Documentation covering the strategic framework is provided in *Part 5.2 –Relationship to strategic framework* on page 18 of the Proposal, which is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL**.

Ministerial Directions (s.117 directions)

A summary assessment of the Proposal in terms of the Directions issued by the Minister for Planning under Section 117 of the *EP&A Act* is contained in the Table 6 of the planning proposal and can be found on page 23 of the Proposal, which is **ATTACHED UNDER SEPARATE COVER – CONFIDENTIAL**. The directions apply to draft local environmental plans and relate to areas such as employment and resources, environment and heritage, housing infrastructure and urban development, hazard and risk and regional planning.

The Proposal is consistent with the Ministerial Directions.

Consultation – External

Under the gateway plan-making process, a gateway determination is required before community consultation on the planning proposal takes place. The consultation process will be determined by the Minister and stipulated as part of the gateway determination.

The Department of Planning's guidelines stipulate at least 28 days community consultation for a major plan, and at least 14 days for a low impact plan.

Given the level of public interest arising from the Proposal, the community consultation process is expected to be undertaken in the following manner for a 28 day period (**SEE ATTACHMENT 3 – Consultation Program**).

- Written notice given:
 - in the local newspaper circulating in the area and selected multi-lingual publications;
 - on Council's webpage;
 - to all affected property owners where a change in heritage status of a property is proposed i.e. proposed heritage items, archaeological items, properties within heritage conservation areas;

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

- to all properties within the vicinity of a heritage item or conservation area as defined by Part 2.1 Notification of Development Applications as 'extended adjoining land';
 - to local State Government representatives;
 - to relevant State and Commonwealth authorities considered necessary by the Gateway Determination.
- 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 drop in sessions and information presentation times where relevant

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

- o Series of information/drop in sessions being no fewer than:
 - 6 drop in sessions (locations to include, Gladesville, West Ryde/Denistone, Eastwood, Top Ryde).
- o The following materials will be placed on exhibition in within each library, and Council's Customer Service Centre:
 - the Planning Proposal, and
 - the Gateway Determination.
 - Council resolution and reports
 - Attachments to the PP including GML City of Ryde Heritage Review report

Note that where applicable the Body Corporate of a strata group is notified not the individual owners of strata units with respect to all letters.

Consultation – Internal

Council's Local Studies Librarian was consulted to ensure relevant previously published material was available for the purposes of the review.

Dr Peter Mitchel, Honorary Associate Professor of Physical Geography at Macquarie University and Council's Heritage Advisory Committee were also consulted and provided input into the initial identification of potential items for review.

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

Council's Parks Department have been consulted regarding the proposed PP and raise no objections.

Additional consultation with the Parks Department will occur during the official exhibition period.

A Councillor Workshop also is scheduled to ensure Councillors are briefed in detail with respect to the proposed items and the community consultation.

Critical Dates

Time periods for preparation of amending LEPs apply upon the issue of the Gateway Determinations by the Minister. There is usually a 6-12 month time period allowed. The timeline provided in the Proposal indicates that the notification of the changes on the government website should occur in late 2019/early 2020.

Financial Impact

An initial assessment of the 2018/19 financial year end result indicates an operating surplus sufficient enough to fund the \$500k one off funding requirement.

Implementation costs such as advertising and consultation expenses may be incurred during the establishment of the program.

These establishment costs will be funded from the existing budgets within the Urban Strategy operational budget.

Policy Implications

The Proposal is consistent with relevant State Government policy and the community's expectations of protection being given to built, landscape and archaeological heritage within the City of Ryde and greater certainty being provided for in the development process.

The Proposal is consistent with Council's Community Strategic Plan and Council's Draft Local Strategic Planning Statement (LSPS). Chapter 3.3 of the Draft LSPS is devoted to Heritage. This Planning Proposal progresses Actions HE1.1, HE1.2 and HE1.6 (see page 84):

HE1.1 Undertake a city-wide study of potential places of heritage significance from early settlement to World War II

HE1.2 Undertake a city-wide study of potential landscape items and places with natural heritage significance

Council, dated 23 July 2019, submitted on 23 July 2019.

ITEM 6 (continued)

HE1.6 Owners of heritage-listed properties are supported through a range of financial assistance, incentives and heritage advisory services to promote and facilitate effective conservation outcomes.

Options

Option 1: That Council supports submitting the planning proposal for a Gateway Determination and the allocation of additional funds to the Local Heritage Assistance Fund.

This is the recommended option. If a Gateway Determination is issued by the Department of Planning, Industry and Environment permitting the exhibition of the Proposal it will allow the community to consider the planning proposal and its desired intent to protect heritage in Ryde and provide greater certainty to the development process.

Should the Minister for Planning determine that the planning proposal can proceed to community consultation Council has another opportunity to decide whether to proceed, vary or reject the proposal after community consultation.

The additional funds will ensure there is an incentive for existing and new owners of Local Heritage Items to maintain and improve their properties to protect and preserve their significance. Endorsing the allocation of funds now, will ensure the community can be advised of the associated increase during the exhibition of the Proposal.

Option 2: That Council supports submitting the planning proposal for a Gateway Determination but does not progress the allocation of additional funds to the Local Heritage Assistance Fund.

If a Gateway Determination is issued by the Department of Planning, Industry and Environment permitting the exhibition of the Proposal it will allow the community to consider the planning proposal and its desired intent to protect heritage in Ryde and provide greater certainty to the development process.

Should the Minister for Planning determine that the planning proposal can proceed to community consultation Council has another opportunity to decide whether to proceed, vary or reject the proposal after community consultation.

However, not endorsing an increase in the *Local Heritage Assistance Fund* would lead to the dilution of the current incentive for owners to maintain and improve properties of heritage significance.

Option 3: That Council decides not to proceed with the planning proposal

This option would afford no protection to the identified heritage items and conservation areas and would enable demolition or substantial alteration to buildings and areas that have been identified as having local heritage significance.

Council, dated 23 July 2019, submitted on 23 July 2019.