Item 4

Item No: C0217 Item 4

Subject: ANNANDALE CONSERVATION AREA EXTENSION

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SUMMARY

In September 2015 the former Leichhardt Council resolved to review the boundary of the Annandale Heritage Conservation Area. That review has been completed and it has demonstrated that there is justification for extending the boundary of the Conservation Area. A draft Planning Proposal to that effect is attached for endorsement and submission to the Minister for Planning for Gateway Determination.

RECOMMENDATION

THAT:

1. **The attached Planning Proposal be forwarded to the Minister for Planning for a Gateway Determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;**
2. **The Department of Planning and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;**
3. **Following receipt of a Gateway Determination, and compliance with any conditions, the Planning Proposal and supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway Determination; and**
4. **A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities.**

BACKGROUND

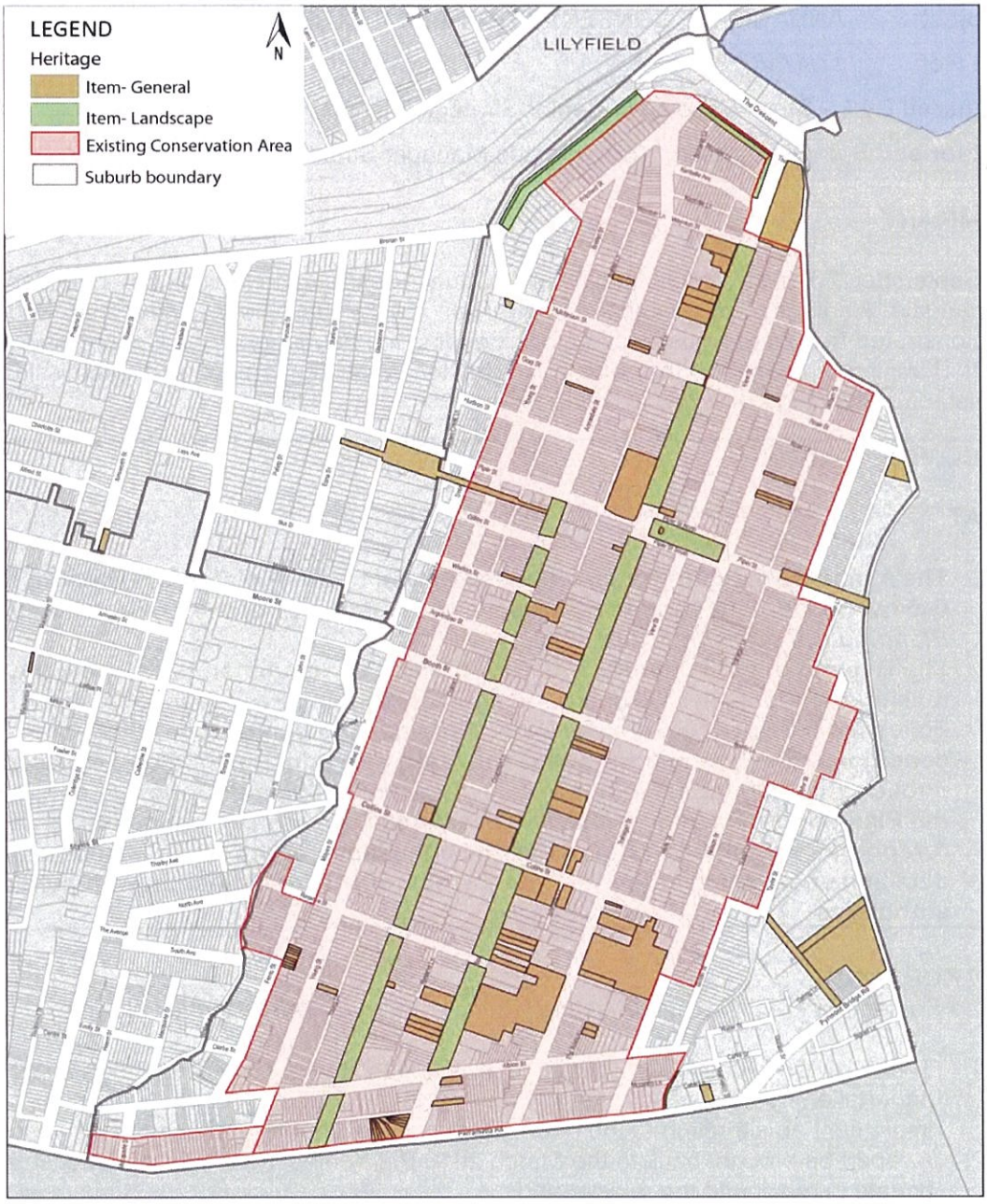
At the September 2015 Ordinary Meeting Council resolved (**C458/15**) the following:

1. That a review of the 2004 Godden McKay Logan Heritage Review: Stage 2 be undertaken by Council's Strategic Planning team to identify steps required to implement an alteration to the boundary of the Annandale Heritage Conservation Area;
2. A report be brought back to the March 2016 Policy meeting to provide Council with an update in relation to the review; and
3. That the report also be tabled at the Heritage Committee for discussion.

The matter was raised as Council was made aware of a complying development certificate being issued by a private certifier to demolish all existing structures at 307 Nelson Street, Annandale. The concern discussed was that the property and adjoining properties on the eastern side of Nelson Street can be demolished under the State Environmental Planning Policy (SEPP) Exempt & Complying Codes because they sit just outside the Annandale Heritage Conservation Area (C1) listed and mapped in Leichhardt Local Environmental Plan 2013. Annandale Heritage Conservation Area currently covers the majority of the suburb (**see Map 1**) with some properties along the western and eastern boundaries within close proximity of Whites Creek and Johnston Creek being excluded.

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Map 1 – Annandale Conservation Area (C1)



Analysis and recommendations of Leichhardt Heritage Review: Stage 2 (Jan 2004)

In 2003 heritage consultants Godden Mackay Logan were commissioned by Council to complete stage two of Council's Heritage Review. The outcome of the study was as follows:

- Review of the existing conservation area boundaries;
- Drafting of 'Statement of Significance' and 'Key Values' for each Area;
- Identification of thresholds/benchmarks for the subsequent assessment of contributory buildings/values by Council; and
- Review of the Local Environmental Plan (LEP) provisions relating to heritage and the structure/framework of the DCP.

The study emphasised that the approach of Council's Residential Development Control Plan (DCP) at the time was towards providing advice about new development and recommended that the guidelines focus on ensuring that the existing fabric within conservation areas should

be retained as much as possible with minimal change. This included a recommendation that additional protections for small attached and semi attached houses be incorporated into the DCP.

The study also noted a number of ongoing heritage management concerns including inappropriate alterations and additions, the demolition of contributory items within conservation areas and the general demolition of structures within these areas detrimentally affecting the significance of the Area.

With regard to Annandale the study recommended that the existing Annandale Conservation Area boundaries be increased slightly to include the whole suburb from Whites Creek to Johnston Creek. The study highlighted that the suburb of Annandale was largely laid out and formed as a single entity and therefore needed to be managed as a whole. The study recommendations were endorsed by Council and incorporated into a draft LEP amendment to extend a number of the existing conservation areas. This draft amendment was publicly exhibited and forwarded to the Department of Planning.

In the interim the NSW Government and Department had prepared the Standard Instrument LEP program requiring all NSW Councils to redraft their LEPs using the common format and content required by the standard LEP template. The Department required the proposed amendment to be put on hold until Leichhardt Council could prove that what would become Leichhardt LEP 2013 could meet all obligations and requirements with regard to residential dwelling targets and jobs provision required by the Inner West Subregional Plan.

Progressing extension of Annandale Conservation Area

Preliminary work indicated that development approved and undertaken in the areas outside the Conservation Area is consistent with that which has been constructed and approved within the Annandale Conservation Area during the same period (2003-present) resulting in a consistent built form with identified heritage significance. A full re-assessment was undertaken to determine whether the development approved or constructed is likely to have compromised the suitability of those areas for inclusion within Annandale Conservation Area.

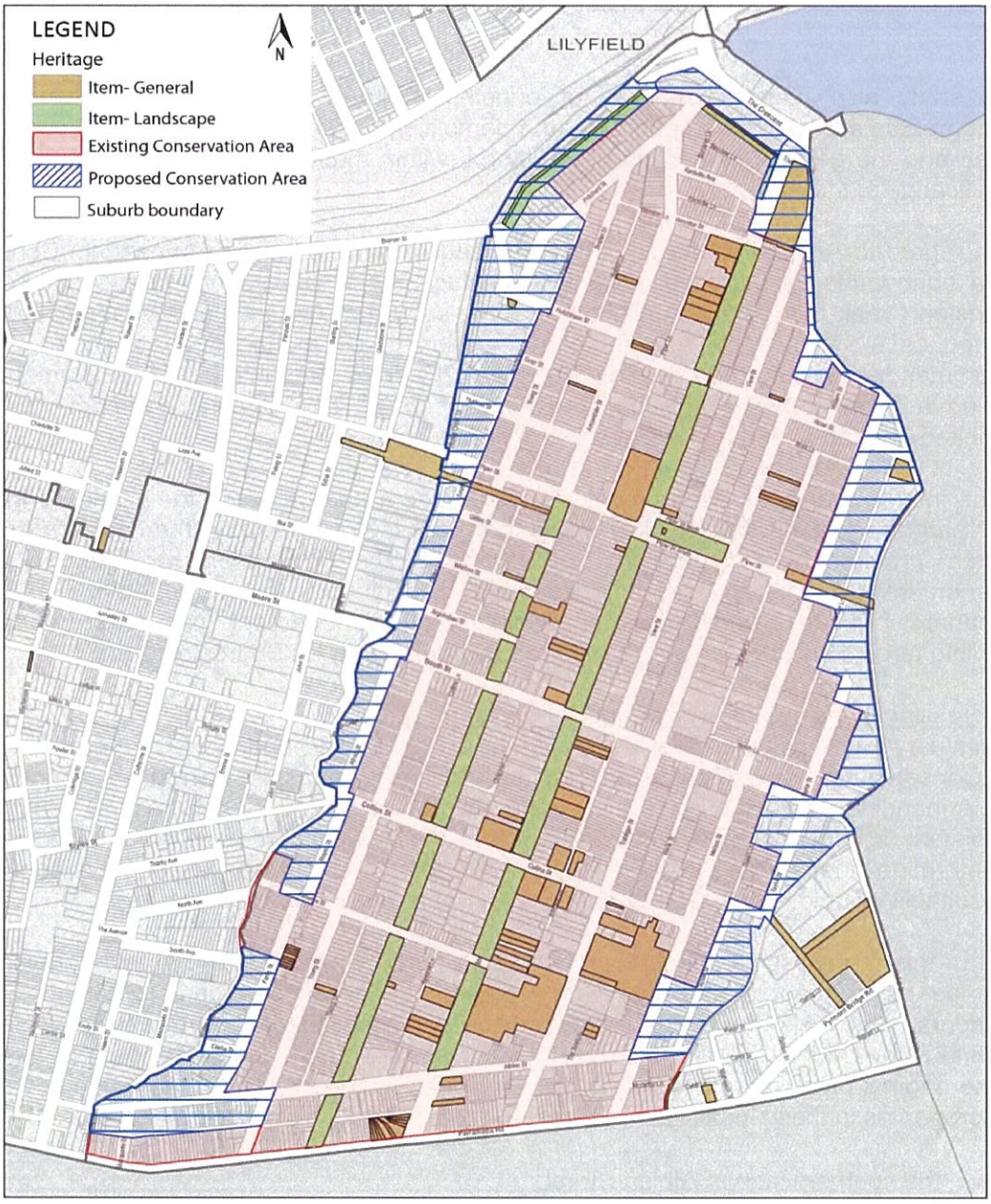
Part of this re-assessment was completed by Council's heritage consultants carrying out the heritage assessment of the Parramatta Road corridor as part of its Strategic Sites and Corridors work. This study was presented to the March 2016 Policy meeting and endorsed (**C96/16P**) by Council. The area covered by this study includes the southern and eastern parts of the original proposed extension to the Annandale Conservation so the heritage value of all the properties in these localities have been updated. This includes the properties along:

- the southern side of Albion Street;
- the eastern side of Susan Street; and
- the eastern side of Taylor Street.

There were approximately 200 properties outside the Annandale Conservation Area within the suburb yet to be assessed. Using the same methodology NBRS implemented to complete the Parramatta Road / Norton Street Heritage Study Council's Strategic Planning team completed the assessment of all properties within the suburb of Annandale lying outside the Conservation Area (**see Map 2**) to determine whether the Area should be extended and if so to what extent.

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Map 2 – Study Areas reviewed outside existing Annandale Conservation Area



Any extension of the heritage conservation areas within former Leichhardt Municipality listed in Schedule 5 (Environmental Heritage) of LEP 2013 would require an LEP amendment.

Heritage assessment of all properties within the suburb of Annandale lying outside the existing Conservation Area

Consistent with the NBRS study the heritage assessment has been undertaken using methodology and guidelines drafted by the Heritage Office of NSW set out in *Assessing Heritage Significance* (2001), *Conservation Areas* (1996) and *Planning and Heritage* (1996).

The assessment included a site survey undertaken during August, September and October 2016 of the frontages of all properties in the study area. Data sheets (**Attachment 2**) were prepared listing each property, the predominant architectural style, notes on the character, design features and history of the structure/site and photos documenting the property on the date visited. The data sheet includes a ranking to define the degree to which individual buildings contribute to the character of the area (see table below).

Ranking	Definition
Heritage Item (local listing) - HI (local)	A building of state or local heritage significance that also contributes substantially to the stated character of the area in the terms given in the definition of the Conservation Area.
Building which contributes to the Area (heritage & aesthetic significance) - HA	A building which contributes to the character of the area but significance has been reduced by loss of original architectural detail and materials and/or unsympathetic additions.
Neutral - N	A building where the impact on the heritage character of the area is neutral.
Detracting - D	A building which has an adverse impact upon the character of the area because of its scale, design, assertiveness, materials or the like, or because its original qualities have been militated or removed.

To conduct the study the study area was spilt into two parts:

- Annandale Conservation Area Extension investigation – West (properties within close proximity of White Creek) includes 194 data sheets
- Annandale Conservation Area Extension investigation – East (properties within close proximity of Johnston Creek) includes 129 data sheets

Each data sheet includes an assessment specific to that individual site. The assessment uses the methodology to make recommendations to inform the buildings ranking as follows:

- Retain and where possible reinstate the significant façade and character
- Potential for sympathetic alterations and additions at the rear of the property
- Any proposed development to respect the character of the area
- Potential development site

The heritage assessment resulted in the following:

Annandale Conservation Area Extension investigation – West	
Ranking	Tally
Heritage Item (local listing) - HI (local)	2
Building which contributes to the Area (heritage & aesthetic significance) - HA	166
Neutral - N	17
Detracting - D	2
Other (includes parks & N/A)	7

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Annandale Conservation Area Extension investigation – East	
Ranking	Tally
Heritage Item (local listing) - HI (local)	3
Building which contributes to the Area (heritage & aesthetic significance) - HA	85
Neutral - N	36
Detracting - D	2
Other (includes parks & N/A)	3

The study has found that the vast majority of buildings in the suburb of Annandale not located within the existing conservation area either contribute to, or do not detract from, the collective heritage significance of the suburb. These buildings/structures should be protected from potential demolition.

FINANCIAL IMPLICATIONS
Nil.

OTHER STAFF COMMENTS
Not applicable.

PUBLIC CONSULTATION
Any future planning proposal will be publicly exhibited in accordance with Department of Planning guidelines and Council's Community Engagement Framework.

CONCLUSION
To preserve the characteristics which reflect the Statement of Significance of the existing Annandale Conservation Area (C1) and ensure that buildings/structures which contribute to the landform and history of Annandale cannot be demolished under the Exempt & Complying Codes SEPP it is proposed to extend the conservation area (**see Map 3**). A draft Planning Proposal to facilitate this LEP amendment has been prepared (**Attachment 1**) in accordance with the Department's published guidelines including stated objectives, intended outcomes, detailed justification for the proposed change and public consultation in accordance with Council / Department of Planning requirements.

Map 3 – Proposed draft Annandale Conservation Area



This proposed extension of the Annandale Conservation Area shall provide greater certainty for existing and future property owners and residents of the suburb regarding the built form to be preserved and clarify the types of alterations and additions that shall be encouraged to ensure consistency in the decision-making process.

ATTACHMENTS

1. Planning Proposal Annandale Conservation Area Extension
2. Heritage Assessment of Potential Annandale Conservation Area Extension (data sheets)