

Item No: C1018(2) Item 17

Subject: ANNANDALE CONSERVATION AREA EXTENSION - PUBLIC EXHIBITION

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SUMMARY

The former Leichhardt Council resolved to review the boundary of the Annandale Heritage Conservation Area. That review was completed in January 2017 and demonstrated that there is justification for extending the boundary of the Conservation Area. A Planning Proposal was forwarded to the Department of Planning and the Minister issued a Gateway Determination supporting the proposal proceeding to public exhibition.

The public exhibition has been concluded in accordance with the Gateway Determination requirements and responses are the subject of this report. It is recommended that the planning proposal to extend the Annandale Heritage Conservation Area proceed and that the Office of Environment and Heritage be requested to include the Mural on The Crescent on the State Heritage Register.

RECOMMENDATION

THAT Council:

1. **Support the amendment to Leichhardt Local Environmental Plan (LLEP) 2013 extending Annandale Conservation Area (C1) excluding all Sydney Regional Environmental Plan (SREP 26) lands;**
2. **Liaise with the NSW Parliamentary Counsel's Office and NSW Department of Planning and Environment to draft and finalise the LLEP amendment;**
3. **Delegate the making of the LLEP to the Group Manager Strategic Planning;**
4. **Following completion of (3) above, request the Department of Planning and Environment notify the Plan; and**
5. **Support the inclusion of the Mural, The Crescent, Annandale on the State Heritage Register and forward relevant documentation to the Office of Environment and Heritage requesting the listing.**

BACKGROUND

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

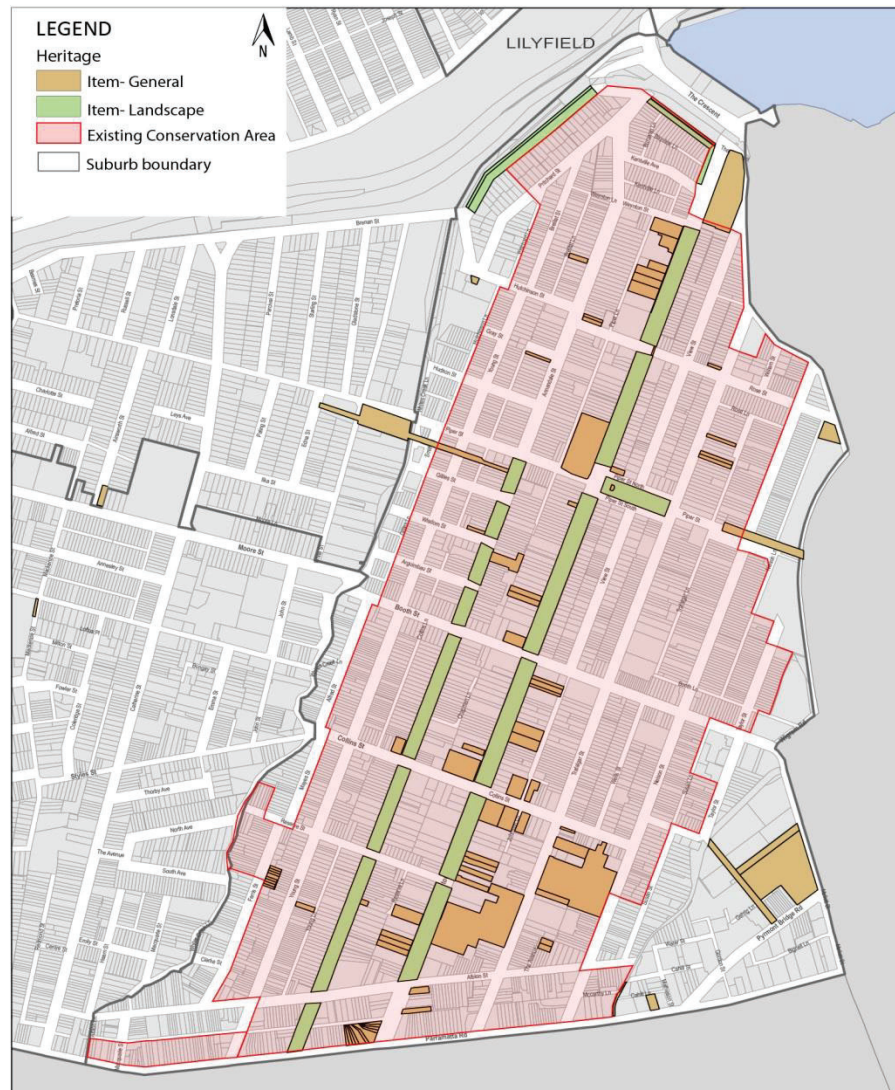
1. That a review of the 2004 Godden McKay Logan Heritage Review: Stage 2 be undertaken by Council's Strategic Planning team to identify steps required to implement an alteration to the boundary of the Annandale Heritage Conservation Area;
2. A report be brought back to the March 2016 Policy meeting to 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.

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 almost the whole suburb from Whites Creek to Johnston Creek. The study highlighted that the historical suburb of Annandale was laid out and formed as a single entity and therefore needed to be managed as a whole. It is noted that the land bounded by Parramatta Road, Mallet Street, Booth Street and Johnston Creek whilst now part of the suburb of Annandale was originally part of Camperdown and not formed at the same time, hence it is excluded from this review.

The study recommendations were endorsed by Council and incorporated into a draft LEP amendment to extend a number of existing conservation areas. This draft amendment was publicly exhibited and forwarded to the NSW Department of Planning in 2006/07.

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 the former 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 immediately outside the Conservation Area is mostly 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.

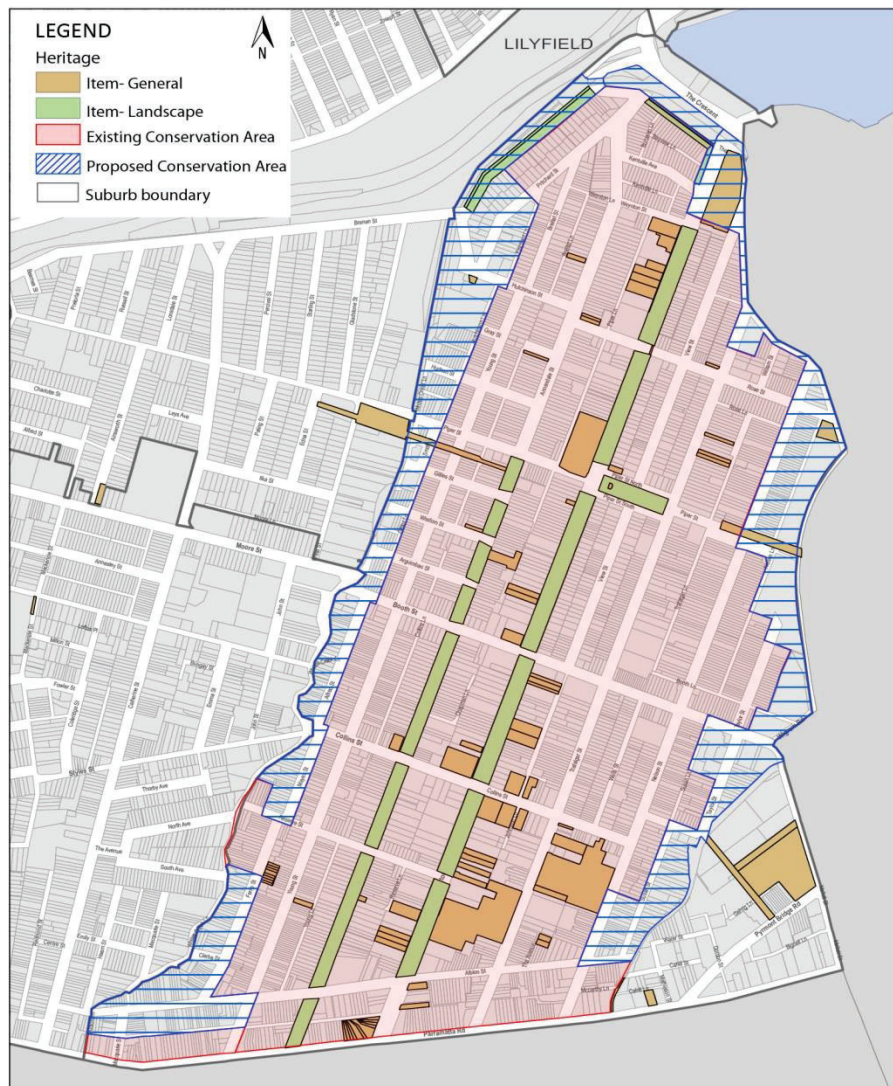
Part of this re-assessment was completed by Council's heritage consultants carrying out the heritage assessment of the Parramatta Road corridor as part of its Strategic Sites and Corridors work. This study was presented to the March 2016 Policy meeting and endorsed (C96/16P) by Council. The area covered 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 + Partners consultants 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.

Map 2 – Study Areas reviewed outside existing Annandale Conservation Area



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

Consistent with the NBRS study a heritage assessment was 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 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 included a ranking to define the degree to which individual buildings contribute to the character of the area (see following table). The data sheets were included in the report to Council on 28 February 2017 and may be viewed here - https://innerwest.infocouncil.biz/Open/2017/02/C_28022017_AGN_AT.PDF

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 split 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 included an assessment specific to that individual site. The assessment used the methodology to make recommendations to inform the building's 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

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 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

This report relates to a policy change and does not raise any financial obligation for Council.

PUBLIC CONSULTATION

In accordance with Gateway Determination requirements the proposed amendment was placed on public exhibition for 28 days from Tuesday 26 June 2018 until Tuesday 24 July 2018.

- Approximately 2,000 notification letters were sent to all owners and occupiers of properties proposed for inclusion in the expanded Annandale Conservation Area;
- A notice appeared in the Inner West Courier;
- The proposed amendment, planning proposal (**see Attachment 1**) and supporting documentation were made available for viewing on the Inner West Council's 'Have Your Say' online community engagement hub for the entire exhibition period; and
- Hard copies of the relevant documents made available at Council's Wetherill Street Administration Centre.

Public Exhibition – Submissions received / Issues raised

During the exhibition period Council's 'Have Your Say' site received 190 visits, 146 of which downloaded linked documents.

By the end of the exhibition period this resulted in forty (40) submissions / responses to Council.

Support for the Planning Proposal

Of the submissions received twenty-one (21) submissions (52.5% of total) support the planning proposal. This includes:

- Nineteen (19) submissions (47.5%) which explain their support or request further clarification
- Two (2) submissions (5%) express support without providing any explanatory comments

Object to the Planning Proposal

Of the submissions received seventeen (17) submissions (42.5% of total) object to the planning proposal.

Neither support nor oppose Planning Proposal

Two (2) submissions (5% of total) neither support nor oppose planning proposal.

One submission raised an issue for Council to be made aware of, the need for infrastructure improvements in the identified area including roads, parking and pedestrian paths, especially near Whites Creek along the border of Annandale and Leichhardt.

Whites Creek is identified as a recreational cycle route in the former Leichhardt's Bike Plan. At this stage the section adjacent to John Street has not been formally constructed and is considered a "missing link". It is envisaged that, funding permitting, it will ultimately be developed as a shared path with a width of between 3.5 and 5.0m.

Issues raised by submissions

Submissions, both in support and objecting to the planning proposal, have raised a wide range of matters and issues they would like to see addressed (**see Tables 1 and 2**).

Many of these issues are common to a large number of submissions, and many of the submissions raise multiple issues.

The three most common issues raised by respondents supporting the planning proposal (Table 1) are:

- Preservation of heritage significance, history, built form and urban fabric of Annandale including prohibition on demolition of contributory buildings (19 submissions);
- Consistency of planning controls and built form across Annandale suburb (4 submissions); and
- Prevent inappropriate development (4 submissions)

The three most common issues raised by respondents objecting to the planning proposal (Table 2) are:

- Restrict development potential and devalue property (7 submissions);
- There are individual sites throughout Annandale which should not be included within the Conservation Area (6 submissions); and
- Streetscapes have already been altered with few original features retained (2 submissions each)

TABLE 1	
Issues raised by the respondents supporting the planning proposal	By number of respondents
Preservation of heritage significance, history, built form and urban fabric of Annandale including prohibition on demolition of contributory buildings	19
Consistency of planning controls and built form across Annandale suburb	4
Prevent inappropriate development	4
Change is overdue as number of houses have already been demolished	3
Should not stifle development that maintains character and heritage of the neighbourhood	3
Detracting buildings should be identified to allow for improvement when developed	2
Support protection and retention of front facades, new extensions and development should be allowed to rear of properties	1
Foster Annandale's local community	1
Support heritage protection of The Mural (The Crescent)	1
Efforts should be made not only to protect built form and heritage of Annandale but to enhance it	1
Support but further clarification needed on what alterations can be made to properties	1

TABLE 2	
Issues raised by the respondents objecting to the planning proposal	By number of respondents
Restrict development potential and devalue property	7
There are individual sites throughout Annandale which should not be included within the Conservation Area	6
Streetscapes have already been altered with few original features retained	2
Complying Development option not possible	2
Existing Conservation Area is large enough	1
Objects as Council is installing a fitness area in Spindler Park which is inconsistent with preservation of heritage significance	1
Object due to existing flood control restrictions which already limit development	1

Responses to issues raised by community consultation

The following tables are a summary of the key issues raised through the public exhibition, including Council responses.

Support for the proposed LEP amendment

ISSUE – Preservation of heritage significance, history, built form and urban fabric of Annandale including prohibition on demolition of contributory buildings
Number of respondents commented on issue - 19
RESPONSE
The assessments undertaken by Godden Mackay Logan (GML), NBRS consultants and Council officers over a number of years continue to recommend that the best way to preserve buildings and structures which contribute to the urban fabric and streetscapes of heritage significance in Annandale is to extend the conservation area to cover the entire suburb. This will enable consistency, provide certainty for existing and future property owners and ensure that neighbouring dwellings cannot be demolished without Council approval making sure that alterations, additions and new structures preserve and complement the identified heritage characteristics of the area.

ISSUE – Consistency of planning controls and built form across Annandale suburb
Number of respondents commented on issue - 4
RESPONSE
The GML study recommends 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 very similar built form in the parts of Annandale not included within the Conservation Area are not afforded the same protection regarding inappropriate alterations, additions and demolition as properties within the heritage conservation area. Extending the area to cover the whole suburb will provide consistency for all current, prospective and future Annandale property owners.

ISSUE – Prevent inappropriate development
Number of respondents commented on the issue - 4
RESPONSE
A number of ongoing heritage management concerns have been identified if hundreds of properties in the suburb of Annandale are left outside the existing conservation area due to application of State Environmental Planning Policy (SEPP) Exempt & Complying Codes. These include inappropriate alterations and additions, the demolition of structures which could contribute to the conservation area and the general demolition of structures within these areas detrimentally affecting the existing conservation Area.

The proposal will not aim to prohibit development but encourage development that is sympathetic to, and complements, existing built form and streetscapes, with emphasis on front facades.

ISSUE – Change is overdue as number of houses have already been demolished

Number of respondents commented on the issue - 3

RESPONSE

The matter of extending the conservation area was originally raised when 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 was that the property and adjoining properties on the eastern side of Nelson Street could be demolished under the SEPP Exempt & Complying Codes because they sit just outside the Annandale Heritage Conservation Area.

Studies have determined that the best way to preserve buildings and structures which contribute to the urban fabric and streetscapes of heritage significance in Annandale is to extend the conservation area to cover the entire suburb. The current proposal aims to provide consistency and clarity for all residents of Annandale, both present and future.

ISSUE – Should not stifle development that maintains character and heritage of the neighbourhood

Number of respondents commented on the issue - 3

RESPONSE

The proposal will not aim to prohibit development but encourage development that is sympathetic to, and complements, existing built form and streetscapes, with emphasis on front facades.

Studies and investigation by NBRS consultants and Council staff have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale. These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications to ensure development which maintains the character and heritage of the suburb is facilitated and supported by Council.

ISSUE – Detracting buildings should be identified to allow for improvement when developed

Number of respondents commented on the issue - 2

RESPONSE

Studies and investigation by NBRS consultants and Council staff have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale.

These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications.

ISSUE – Support protection and retention of front facades, new extensions and development should be allowed to rear of properties

Number of respondents commented on the issue - 1

RESPONSE

The proposal will not aim to prohibit development but encourage development that is sympathetic to, and complements, existing built form and streetscapes with emphasis on front facades which contribute to those streetscapes of identified heritage significance.

The study by NBRS consultants and Council staff have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale. These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications to ensure development which maintains character and heritage of the suburb is facilitated and supported by Council, which will often be to the rear of existing properties.

ISSUE - Foster Annandale's local community

Number of respondents commented on the issue - 1

RESPONSE

The GML study recommends 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. Extending the area to cover the whole suburb will provide consistency for all current, prospective and future Annandale property owners and protect urban fabric of heritage significance which contributes to the character of the suburb's neighbourhoods encouraging a sense of place.

ISSUE – Support heritage protection of The Mural (The Crescent)

Number of respondents commented on the issue - 1

RESPONSE

The Mural, located on the Crescent in Annandale, was originally painted in 1980 and due to deterioration repainted in 2004/05. The background to the Mural was the community activism spurred by key events such as opposition to the Vietnam War and the sacking of the Whitlam government, but also social movements around personal liberation including sexuality, gender, racism and ethnicity, and the self-expression of alternative lifestyles and cultural activities.

Council's concern regarding the need to conserve the history embodied in the Mural triggered a heritage assessment of the Mural and review of the record on its making. The assessment of the Mural was undertaken in May 2005. This work was done in conjunction with a broader review of heritage across former Leichhardt Municipality. This recommended that the Mural become a Heritage Item of State significance, which was endorsed by Council. The Mural was included in the 'Potential Items Schedule' for future consideration.

In 2013 the previous assessment of the Mural's heritage status was reviewed and Council recommended that the Mural be added to Leichhardt LEP 2013 Schedule 5 as soon as possible.

Heritage protection of the Mural on the Crescent in Annandale is supported. Its location on land in Sydney Regional Environmental Plan 26 – City West (SREP 26) means that it should be forwarded to the Office of Environment and Heritage requesting its review and inclusion on the State Heritage Register.

ISSUE – Efforts should be made not only to protect built form and heritage of Annandale but to enhance it

Number of respondents commented on the issue - 1

RESPONSE

Studies and investigation by NBRS consultants and Council staff have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale. These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications to ensure development which maintains the character and heritage of the suburb is facilitated and supported by Council.

ISSUE - Support but further clarification needed on what alterations can be made to properties

Number of respondents commented on the issue - 1

RESPONSE

The proposal will not aim to prohibit development but encourage development that is sympathetic to, and complements, existing built form and streetscapes, with emphasis on front facades.

Development is required to be consistent with the Desired Future Character objectives and controls within the Leichhardt DCP Distinctive Neighbourhoods and any Sub Area within the locality, in addition to the requirements within other sections of the DCP.

Studies and investigation by NBRS consultants and Council staff have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale. These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications to ensure development which maintains the character and heritage of the suburb is facilitated and supported by Council.

Opposed to the proposed LEP amendment
ISSUE – Restrict development potential and devalue property

Number of respondents commented on the issue - 7

RESPONSE
Studies have determined that the best way to preserve buildings and structures which contribute to the urban fabric and streetscapes of heritage significance in Annandale is to extend the conservation area to cover the entire suburb.
The proposal will not aim to prohibit development but encourage development that is sympathetic to, and complements, existing built form and streetscapes with emphasis on front facades which contribute to those streetscapes of identified heritage significance.

ISSUE – There are individual sites throughout Annandale which should not be included within the Conservation Area
Number of respondents commented on the issue - 6
RESPONSE
Various studies prepared by and for Council have determined that to ensure clarity and consistency for all Annandale residents the suburb should be managed as a whole single entity regarding heritage conservation.
Studies have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale. These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications to ensure development which maintains the character and heritage of the suburb is facilitated and supported by Council.
If there are individual sites which are neutral or detract from the significance of the area and its streetscapes the aim will be to facilitate and approve development which positively adds to and complements existing built form.

ISSUE – Streetscapes have already been altered with few original features retained
Number of respondents commented on the issue - 2
RESPONSE
The GML and NBRS studies have identified contributory heritage significance in the fringe areas of Annandale not currently located within the conservation area and determined that the best way to preserve buildings and structures which contribute to the urban fabric and streetscapes of heritage significance in Annandale is to extend the conservation area to cover the entire suburb.
Studies and investigation by NBRS consultants and Council staff have identified buildings which contribute to the heritage significance of the area, those which are neutral and those which detract from the urban fabric and streetscapes of heritage significance in Annandale. These data sheets can be used to inform more detailed strategic planning of the area and be referred to by Assessments officers when determining development applications to ensure development which maintains the character and heritage of the suburb is facilitated and supported by Council.

ISSUE - Complying Development option not possible
Number of respondents commented on the issue - 2
RESPONSE
A number of ongoing heritage management concerns have been identified if hundreds of properties in the suburb of Annandale are left outside the existing conservation area due to application of State Environmental Planning Policy (SEPP) Exempt & Complying Codes. These include inappropriate alterations and additions, the demolition of structures which could contribute to the conservation area and the general demolition of structures within these areas detrimentally affecting the existing conservation Area.
The proposal will not aim to prohibit development but encourage development that is sympathetic to, and complements, existing built form and streetscapes, with emphasis on front facades.

ISSUE – Existing Conservation Area is large enough
Number of respondents commented on the issue - 1
RESPONSE
Various studies prepared by and for Council have determined that to ensure clarity and consistency for all Annandale residents the suburb should be managed as a whole single entity regarding heritage conservation.
The GML and NBRS studies have identified contributory heritage significance in the fringe areas of Annandale not currently located within the conservation area and determined that the best way to preserve buildings and structures which contribute to the urban fabric and streetscapes of heritage significance in Annandale is to extend

the conservation area to cover the entire suburb.

ISSUE – Objects as Council is installing a fitness area in Spindler Park which is inconsistent with preservation of heritage significance

Number of respondents commented on the issue - 1

RESPONSE

The development of a fitness station at Spindler Park aims to provide benefits for the wider community while respecting residential amenity needs and the existing park usage.

The matter was placed on public exhibition and reported back to the Council meeting held on 14 August 2018. Council resolved for the installation not to proceed and that other locations be investigated.

ISSUE - Object due to existing flood control restrictions which already limit development

Number of respondents commented on the issue - 1

RESPONSE

Council's flood planning policies and controls are in place to minimise the risk to life and property and minimise impacts on land identified as flood affected. Inclusion within an extended conservation area or staying outside it will see no change in the flood planning policies applicable to a property or properties already designated as flood affected.

Whether a property or properties is identified as flood affected is not taken into consideration when determining whether it is a building/s / structure which contributes to the heritage significance of the local streetscape.

Consultation with public authorities

The Gateway Determination issued by the Department of Planning and Environment requires consultation with the following listed public authorities / organisations under section 56(2)(d) of the Environmental Planning and Assessment Act and relevant Section 117 Directions.

Office of Environment and Heritage (OEH)

The OEH response notes that the objective of the planning proposal is to preserve the characteristics which reflect the heritage significance of the conservation area and ensure buildings/structures which contribute to the landform and history of the suburb are provided statutory protection.

The Heritage Division has no objection to the planned extension of the Annandale Conservation Area.

Transport for NSW

The Land Use Planning and Development team have reviewed the relevant documents and have no comment to provide at this stage.

Roads and Maritime Authority (RMS)

The RMS response notes that the aim of this proposal is to ensure that those properties on the fringes of Annandale with identified heritage value which contribute to the character of the Conservation Area are preserved through inclusion within the existing Conservation Area.

RMS raises no objection to the planning proposal provided the following three issues are addressed.

ISSUE – All amendments to environmental planning instruments must align with the objectives and priorities of the Greater Sydney Region Plan and supporting District Plans

RESPONSE

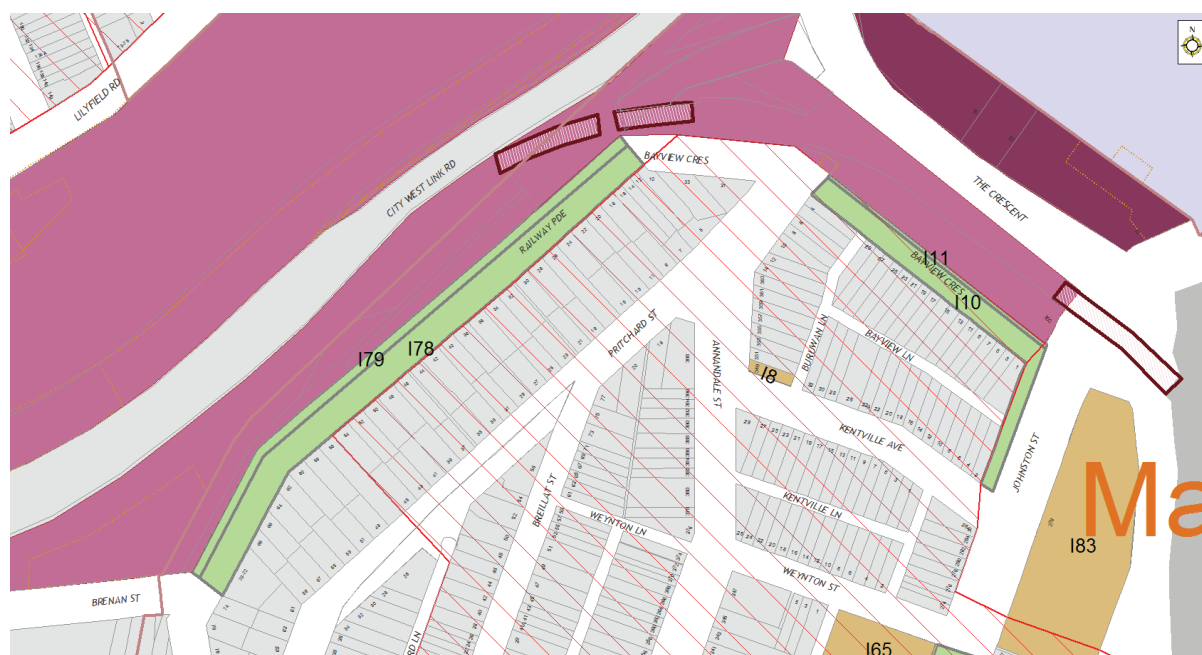
The aim, objectives and proposed extension of the Annandale Conservation Area do not conflict with objectives of the Greater Sydney Region Plan and Eastern City District Plan including the defined need to safeguard for future infrastructure projects.

ISSUE – All land within Sydney Regional Environmental Plan (SREP 26) must be excluded from the planning proposal and amendment to Leichhardt Local Environmental Plan (LEP) 2013

RESPONSE

The boundaries of the proposed extension to the Annandale Conservation Area were drafted to reflect the suburb boundary of Annandale (excluding the industrial areas adjoining Camperdown). In doing so two small slivers of land (**see map below**) located within SREP 26 (excluded from Leichhardt LEP 2013) have been included within the area in error. These pieces of land are located immediately north of Bayview Crescent and west of Railway Parade.

As the planning proposal is an amendment to Leichhardt LEP 2013 and these parcels of land are not covered by the LEP they shall be removed from the final mapping to be forwarded to the Department of Planning and the Minister for approval.



ISSUE – The proposed Conservation Area is within a broad area currently under investigation in relation to the proposed WestConnex Project (M4-M5) and the proposed Western Harbour Tunnel and Beaches Link (WHTBL) Motorway

RESPONSE

RMS have indicated that indicative routes have been proposed for both infrastructure projects and include parts of the proposed Annandale Conservation Area. Regarding WestConnex the design will be finalised following feedback on the environmental impact statement (EIS) and any properties impacted by the final road design will be directly advised by RMS. Community engagement is underway relating to the WHTBL Motorway as the design is refined, which will lead to completion and exhibition of EIS. Once RMS has more certainty on the properties impacted by the final road design it will directly advise the owners of those properties.

Neither of these infrastructure projects alter the aim and objectives of the planning proposal nor do they conflict with the analysis and assessment undertaken by Council consultants and staff.

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 recommended, after consideration of the submissions received, that the conservation area be extended to include properties identified in Map 2.

The proposed extension of the Annandale Conservation Area will 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 will be encouraged to ensure consistency in the decision-making process ensuring development which maintains the character and heritage of the suburb is facilitated and supported by Council.

As noted in 'Responses to issues raised by community consultation' the Mural, located on The Crescent in Annandale, has undergone a number of heritage assessments, the first undertaken in 2005 which recommended that the Mural become a Heritage Item of State significance, endorsed by former Leichhardt Municipality. In 2013 The Mural's heritage status was reviewed and Council recommended that the Mural be heritage listed as soon as possible. Heritage protection of the Mural on The Crescent in Annandale is supported. The location on land in Sydney Regional Environmental Plan 26 – City West (SREP 26) means that it should be forwarded to the Office of Environment and Heritage requesting its listing on the State Heritage Register.

ATTACHMENTS

1. [↓](#) Planning Proposal (publicly exhibited)
2. [↓](#) LEP mapping (HER 005)
3. [↓](#) LEP mapping (HER 008)
4. [↓](#) LEP mapping (HER 009)

**PLANNING PROPOSAL – EXTENSION OF ANNANDALE CONSERVATION
AREA**

INTRODUCTION

This Planning Proposal has been prepared by the Inner West Council to explain the intent of and justification for an amendment to *Leichhardt Local Environmental Plan 2013* (LEP 2013) to facilitate an extension of the existing Annandale Conservation Area.

The Planning Proposal responds to concerns about demolitions raised with the former Leichhardt Council by residents. A 2003 study by heritage consultants Gooden Mackay Logan had recommended that the Annandale Conservation Area should be extended to include this excluded part of Annandale.

Leichhardt Council appointed heritage consultants NBRC to review some of the properties concerned in late 2015 and establish a methodology that could be used for the remaining properties. Council officers applied this methodology in 2016 to complete the review of properties in the excluded part of Annandale.

The Planning Proposal seeks to amend the Heritage Maps of LEP 2013 to cover 323 properties in Annandale that are not currently with the Annandale Conservation Area.

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning & Assessment Act 1979* (the Act) and the Department of Planning and Environment's documents "A guide to preparing planning proposals" and "A guide to preparing local environmental plan".

Background

In September 2015 Council resolved that a review of the 2004 Godden McKay Logan Heritage Review 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 and that the report be tabled at the Heritage Committee for discussion.

The matter was raised when 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 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 with some properties along the western and eastern boundaries close to Whites Creek and Johnston Creek being excluded.

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:

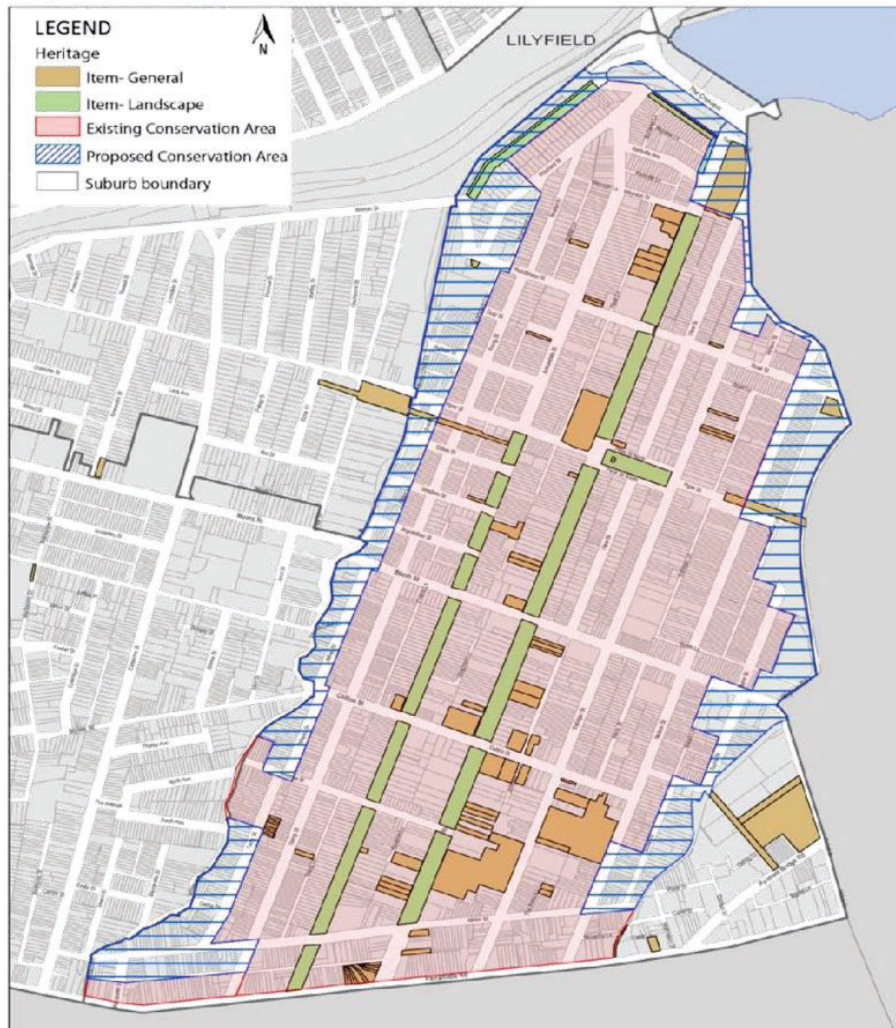
- Review of the existing conservation area boundaries;
- Drafting of 'Statement of Significance' and 'Key Values' for each Area;
- Identification of thresholds/benchmarks for the subsequent assessment of contributory buildings/values by Council; and
- Review of the Local Environmental Plan (LEP) provisions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

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.

Figure 1: Existing and Proposed Conservation Area under review



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 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. Leichhardt LEP 2013 was published in December 2013.

Assessment of Conservation Area Extension

A recent review 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 partial re-assessment was undertaken by Council heritage consultants NBRS to determine whether the development approved or constructed is likely to have compromised the suitability of those areas for inclusion within Annandale Conservation Area.

NBRS carried this work out based on their methodology assessment for the Parramatta Road corridor as part of a Strategic Sites and Corridors commission. This study was presented to the March 2016 Policy meeting and endorsed 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 the approximately 120 properties in these localities was updated. These included 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 to determine whether the Area should be extended and if so to what extent.

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 1**) 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.

The study area was split 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 for 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

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.

Part 1 – Objective or Intended Outcome

The objective of this Planning Proposal is to amend Leichhardt Local Environmental Plan 2013 (LEP 2013) to extend the Annandale Conservation Area to protect properties of heritage significance and help ensure this important planned suburb is managed as a single conservation entity.

Part 2 – Explanation of Provisions

The provisions to be included in the proposed LEP are outlined below, in accordance with Section 55(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Leichhardt Local Environmental Plan 2013***Name of Plan***

This Plan is Leichhardt Local Environmental Plan 2013 (Amendment No.TBC).

Aims of the Plan

This Plan aims to amend the Leichhardt Local Environmental Plan 2013 as follows:

- *Amend Leichhardt LEP 2013 Heritage Map Sheet HER_005, HER_008 and HER_009 in accordance with the proposed heritage map shown in Part 4 of this Proposal.*

Land to which Plan applies

This Plan applies to all properties included on the proposed heritage map shown in Part 4 of this Proposal.

Part 3 – Justification**Section A – Need for the planning proposal****Q1. *Is the planning proposal a result of any strategic study or report?***

In 2003 heritage consultants Godden Mackay Logan were commissioned by Council to complete a review of the existing heritage conservation areas, including Annandale. This study recommended an extension and the NSW Department of Planning supported the preparation of an LEP amendment.

This work has been reviewed and updated by Council staff and heritage consultants NBRS.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

There is no better way to ensure that those properties on the fringes of Annandale with identified heritage value which contribute to the character of the Conservation Area are preserved than inclusion within the existing Area. This will require any development proposed for the Area to be consistent with the aims and objectives of the LEP regarding heritage conservation.

Section B – Relationship to strategic planning framework

Q3. *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)?*

A Plan for Growing Sydney

The Planning Proposal is consistent with A Plan for Growing Sydney. The key priorities are addressed in the table below.

Direction	Applicable	Comment
Goal 1 – A competitive economy		
1.1 Grow a more internationally competitive Sydney CBD	N/A	The site is not part of the Sydney CBD.
1.2 Grow Greater Parramatta – Sydney's second CBD	N/A	The site is not part of the Parramatta CBD.
1.3 Establish a new Priority Growth Area	N/A	The site is not part of the new Priority Growth Area between Olympic Park and Parramatta.
1.4 Transform the productivity of Western Sydney	N/A	The site is not within Western Sydney.
1.5 Enhance capacity at Sydney's gateways and freight networks	N/A	The site is not a gateway site or part of a freight network.
1.6 Expand the Global Economic Corridor	N/A	The site is not part of the Global Economic Corridor.
1.7 Grow strategic centres	N/A	The site is not defined as a strategic centre.
1.8 Enhance linkages to regional NSW	N/A	The site is not located on existing or proposed regional connection corridors.
1.9 Support priority economic sectors	N/A	The site is not identified as a key precinct and not zoned or recommended to be zoned for

		industrial purposes.
1.10 Plan for education and health services	N/A	The site is not proposed to include educational or health facilities.
1.11 Deliver infrastructure	N/A	The Proposal does not include infrastructure provision.
Goal 2 - A city of housing choice		
2.1 Accelerate housing supply across Sydney	Yes	The Proposal aims to predominantly preserve the existing urban form or allow for development including suitable alterations and extensions of a scale consistent with that form.
2.2 Accelerate urban renewal across Sydney	Yes	The Proposal aims to predominantly preserve the existing urban form or allow for development including suitable alterations and extensions of a scale consistent with that form.
2.3 Improve housing choice	Yes	The Proposal aims to predominantly preserve the existing urban form or allow for development including suitable alterations and extensions of a scale consistent with that form.
2.4 Deliver timely and well planned greenfield precincts and housing	N/A	The site is not located within the North West and South West Growth Centres.
Goal 3 - A great place to live		
3.1 Revitalise existing suburbs	Yes	The Proposal aims to predominantly preserve the existing urban form or allow for development including suitable alterations and extensions of a scale consistent with that form.
3.2 Create a network of open and green spaces across Sydney	Yes	The Conservation Area includes valuable public open space in a suburb with a very low provision per capita.
3.3 Create healthy built environments	Yes	The Conservation Area includes valuable public open space in a suburb with a very low provision per capita and will continue to provide open spaces for both passive and active recreational uses.
3.4 Promote Sydney's heritage, arts and culture	Yes	The Proposal aims to preserve the heritage value of the Area.
Goal 4 - A sustainable and resilient city		
4.1 Protect our natural environment	N/A	

4.2 Build Sydney's resilience to natural hazards	N/A	
4.3 Manage the impacts of development on the environment	N/A	

Central District Plan

The Planning Proposal is consistent with the current Draft Central District Plan (2016) as it facilitates the conservation of local heritage within the Sydney Metropolitan area. The relevant priorities are addressed in the Assessment table below.

Assessment Criteria

'A guide to preparing planning proposals' establishes the below Assessment Criteria to be considered in the justification of a planning proposal.

<p>a) Does the proposal have strategic merit? Is it:</p> <ul style="list-style-type: none"> Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or Consistent with a relevant local council strategy that has been endorsed by the Department; or Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls. 	<p>The Planning Proposal is consistent with several Draft Central District Plan priority's including:</p> <ul style="list-style-type: none"> Delivering housing diversity through heritage sensitive development; Providing design-led planning in a historically important planned suburb. Conserving heritage and unique local characteristics. <p>Council has not prepared a local strategy that encompasses the subject area, however the Planning Proposal is consistent with the Leichhardt 2025+ Strategic Plan.</p> <p>The existing planning controls have not recognised a growing trend for demolition of heritage significant properties in this part of Annandale. The Planning Proposal addresses this issue. It is therefore considered that the Proposal has strategic merit.</p>
<p>b) Does the proposal have site-specific merit, having regard to the following:</p> <ul style="list-style-type: none"> the natural environment (including known significant environmental values, resources or hazards) and 	<p>The Planning Proposal will have no impact on the natural environment, resources or hazards. It is entirely consistent with existing and approved uses in the subject area. The Planning Proposal will also manage the potential</p>

<ul style="list-style-type: none"> the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision. 	<p>future negative impacts of uncontrolled redevelopment of significant heritage properties in the area and on the overall integrity of this planned historic suburb.</p> <p>The Planning Proposal may slightly reduce the level of demand for services and infrastructure that might arise from uncontrolled redeveloped in the subject area without the proposed LEP amendment.</p>
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Q4. *Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

Local strategies and strategic plans have yet to be prepared for the recently formed Inner West Council. Accordingly, assessment of the Proposal against strategies and studies of the former Leichhardt Council is considered appropriate.

Leichhardt Local Environmental Plan 2013

The environmental planning instrument applying to the site is the *Leichhardt LEP 2013*.

Any future development within Leichhardt LGA is to be consistent with and give consideration to the aims and objectives of the Plan and the relevant zone.

The most relevant aims of Leichhardt LEP 2013 that apply to this Proposal are as follows:

- (a) *to ensure that development applies the principles of ecologically sustainable development,*
- (b) *to minimise land use conflict and the negative impact of urban development on the natural, social, economic, physical and historical environment,*
- (c) *to identify, protect, conserve and enhance the environmental and cultural heritage of Leichhardt,*
- (e) *to protect and enhance the amenity, vitality and viability of Leichhardt for existing and future residents, and people who work in and visit Leichhardt,*
- (f) *to maintain and enhance Leichhardt's urban environment, and*
- (l) *to ensure that development is compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping and the desired future character of the area.*

The proposed LEP amendment is consistent in addressing the aims of the Leichhardt LEP 2013 as follows:

- It aims to protect preserve urban form in Annandale with identified heritage significance.
- It aims to facilitate development that is consistent with the character of the Area allowing for sympathetic alterations and additions to existing buildings.

This Proposal does not include rezoning of any property within the former Leichhardt Municipality.

Under *Leichhardt LEP 2013*, the vast majority of properties to be included within Annandale Conservation Area are zoned General Residential (R1). This Proposal will allow for more housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas and therefore will enhance the amenity of existing and future residents of Annandale's neighborhoods.

Clause 5.10 (Heritage conservation) of Leichhardt LEP 2013 aims to conserve the environmental heritage of Leichhardt Municipality through heritage conservation areas, including urban fabric, settings and views. Including the fringe areas within the existing Conservation Area and requiring the consent authority to consider the effect of any proposed development on the heritage significance of the Area will have a positive impact upon the urban form of the suburb.

Leichhardt 2025+

The Proposal is consistent with the goals and objectives of the key six service areas with the Plan.

Key Service Area	Applicable	Comment
Social		
Community well-being	Yes	The Proposal will contribute to community well-being by enhancing community cohesion whilst ensuring preservation of local neighbourhoods.
Accessibility	Yes	N/A
Environment		
Place where we live and work	Yes	The 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 encouraged.
A sustainable environment	Yes	The Proposal does not seek to change the built form and will provide greater certainty to existing and future owners.
Civic Leadership		
Sustainable services and assets	Yes	The site is located in close proximity to existing services and infrastructure. The Proposal will not result in additional demand for services on the site.

Leichhardt Community and Cultural Plan 2011-2021

The Leichhardt Community and Cultural Plan comprises an integrated 10 year Strategic Service Plan, supported by a 4 year Service Delivery Plan that addresses the social and cultural aspirations and challenges of the former Leichhardt LGA.

The 10 year Strategic Service Plan outlines the specific roles of the former Leichhardt Council in planning for local communities in a way that builds on community strengths, while responding to current and future situations predicted by social research. This Plan guides Council's work with the community to achieve five shared strategic objectives:

1. Connecting people to each other
2. Connecting people to place
3. Developing community strengths and capabilities
4. Enlivening the arts and cultural life
5. Promoting health and wellbeing

The 4 year Service Delivery Plan outlines actions, activities and programs to meet the strategic objectives, outcomes and strategies outlined in the Community and Cultural Plan, and identifies the responsibilities and resources required to implement the Plan over a four year period.

The Planning Proposal is consistent with the objectives of the Community and Cultural Plan with regard to encouraging the provision of a variety of appropriate and diverse housing for a range of residents and fostering pedestrian and cycle friendly neighbourhoods with access to local services, spaces and places.

Integrated Transport Plan

Leichhardt's Integrated Transport Plan (2013) and 4 year Service Delivery Plan (2014-2018) have been developed to assist in "Reducing Private Car Dependency for all Travel" while "Improving Safety for all Members of our Community". In order to achieve this, the Plan established the following 9 strategic objectives:

1. Improve accessibility within and through the LGA;
2. Create a legible, direct and safe pedestrian and cycling environment;
3. Provide appropriate levels of parking;

4. Encourage public transport use;
5. Provide a safe and efficient road network for all road users;
6. Facilitate integration of land use, transport and community & cultural activities;
7. Provide convenience for users of Leichhardt LGA;
8. Promote health and wellbeing; and
9. Improve environmental conditions.

The Planning Proposal embraces the concepts outlined in Leichhardt's Integrated Transport Plan by allowing a modest level of residential population growth within walking distance of buses and light rail and adjacent to cycling facilities.

Q5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The Proposal is consistent with the applicable State Environmental Planning Policies as summarised below.

SEPP Title	Applicable	Comment
SEPP No 55 Remediation of Land	Yes	Any future modification to an existing development consent or new development application for properties within the Area will be required to comply with the SEPP.
SEPP No 65 Design Quality of Residential Apartment Development	Yes	Any future modification to an existing development consent or new development application for properties within the Area will be required to comply with the SEPP and Apartment Design Guide.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	Any future development will be required to meet BASIX requirements.
SEPP (Infrastructure) 2007	Yes	The Proposal will not introduce new uses to the sites within the Area and is considered consistent with the SEPP.

Q6. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The Proposal is consistent with the relevant Section 117 Directions as summarised in the table below.

Direction	Requirement	Applicable	Comment
2. Environment and Heritage			
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	The Proposal aims to better conserve these areas of identified heritage significance.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	The objectives of this direction are to: (a) encourage a variety and choice of housing types to provide for existing and future housing needs, (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and, (c) minimise the impact of residential development on the environment and resource lands.	Yes	The Proposal will continue to allow for a variety of housing types in the Area and allow for an urban form that will minimise the impact of residential development on the local environment.
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Yes	Annandale Conservation Area is highly accessible to public transport with bus stops located within close proximity providing frequent services Central railway station, Sydney CBD and other adjacent areas.
4. Hazard and Risk			

4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of the land that has a probability of containing acid sulphate soils.	Yes	The Proposal will not result in the disturbance of any soils.
4.3 Flood Prone Land	The objectives of this direction are to: (a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> , and (b) ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Yes	A number of sites within the Area are identified as Flood Control lots within <i>Leichhardt DCP 2013</i> . Any development applications received for works on these lots will be assessed against all relevant legislation and guidelines, both State and Local.
6. Local Plan Making			
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Yes	Site specific controls are not proposed.
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	Yes	<i>A Plan for Growing Sydney</i> is applicable across the State and therefore applicable to the site. The Proposal will achieve the vision and desired outcomes of the Plan.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that *critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

Given the nature of the proposal it is not anticipated that there will be any adverse environmental effects.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Given the nature of the proposal it is not anticipated that there will be any adverse environmental effects.

Q9. Has the planning proposal adequately addressed any social and economic effects?

Council's consultants, both Godden Mackay Logan and NBRS, have identified that extending the Annandale Conservation Area will allow Council to preserve urban form where it contributes to heritage significance and facilitate development, including alterations and additions, that is not only sympathetic but compliments and reflects the scale of existing buildings and local streetscape.

It is expected that this will have a positive impact upon encouraging social cohesion amongst both existing and future residents.

The proposed LEP amendment does not anticipate any economic effects. The planning proposal does not include a rezoning of any property and all LEP and DCP planning controls that currently apply to subject sites will remain unchanged.

Alongside the proposed extension to the Annandale Conservation Area Council is currently finalising Leichhardt LEP Amendment No.13. This amendment provides for increases in floor space ratio (FSR) within the General Residential (R1) zone.

Approximately 340 properties which are part of the Annandale Conservation Area extension are zoned General Residential (R1).

Lot size	Number of properties	FSR increase
0-149.9 sqm	75 (22.06%)	0.3:1
150-299.9 sqm	203 (59.7%)	0.2:1
300-449.9 sqm	38 (11.18%)	0.1:1
450+ sqm	24	No increase

As a result of the FSR LEP amendment almost 93% of the properties zoned R1 within the proposed extension to Annandale Conservation Area shall see an increase in floor space ratio from 0.1:1 to 0.3:1 on top of the existing 0.6:1 within the suburb of Annandale.

That amendment shall allow landowners greater flexibility and additional floor space to encourage alterations and additions which are of a size and bulk similar to existing structure and streetscape while allowing for any economic benefits that may flow from that building activity resulting in capital expenditure and jobs.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The Annandale Conservation Area is located in an area well serviced by public transport facilities including regular bus services and bicycle/pedestrian links to Sydney CBD.

The Proposal does not seek to create additional demand on existing infrastructure.

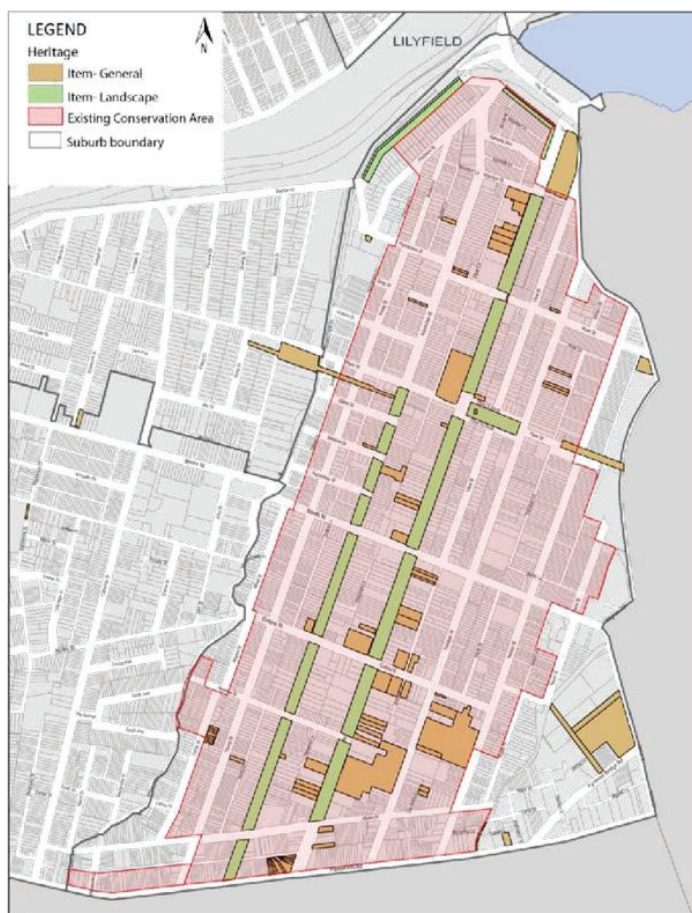
Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

If deemed necessary consultation with both State and Commonwealth public authorities could be required by the Department of Planning and Environment at the Gateway Determination stage.

Part 4 – Mapping

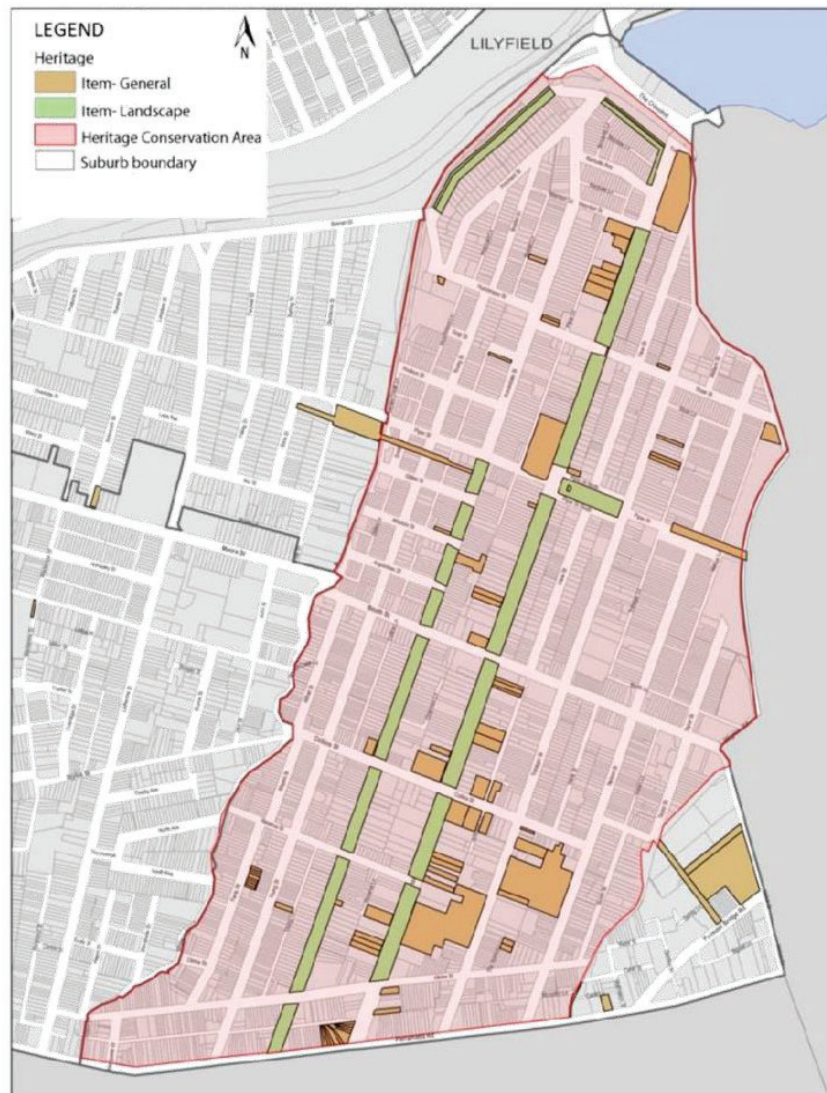
Existing Controls

Figure 2 (below) illustrates the existing boundaries of Annandale Conservation Area (C1) as defined within Leichhardt LEP 2013.



Proposed Controls

Figure 3 (below) illustrates the proposed extension to Annandale Conservation Area (C1) as defined within Leichhardt LEP 2013.



Consultation

Community consultation will be undertaken in accordance with the Department of Planning's '*A Guide to Preparing Local Environmental Plans*' and Council's Community Engagement Framework.

The Department's guide provides time frames for the exhibition of 'low impact proposals' and 'all other planning proposals' of 14 days and 28 days respectively.

The Director-General of Planning must approve the form of the planning proposal in accordance with Section 57(2) of the EP&A Act 1979. This is to ensure the proposal complies with the Gateway Determination before community consultation is undertaken.

Community consultation will include:

- Notification placed in local newspapers;
- Exhibition material provided at Leichhardt Council facilities; and
- The Planning Proposal made available on Council's and the Department of Planning's websites.

All landowners will be notified in writing by Council of the Proposal.

Project Timeline

Table below outlines a timeline for completion of the Proposal if approved for public exhibition at Gateway Determination, subject to Gateway requirements.

Project Timeline	Estimated Timeline
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	28 days
Commencement and completion dates for public exhibition period	June - July 2018
Consideration of submissions	July 2018
Consideration of Proposal post-exhibition and reporting to Council	July / August 2018
Date of submission to DP&E to finalise amended LEP	August 2018

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.

This Planning Proposal to facilitate an LEP amendment has been prepared 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.

The 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.

