

ADDENDUM TO REPORT OF Tom Mojsiejuk, Strategic Planner – 14 November 2022

SUBJECT: Item 10.17 – Findings of Heritage Review Report on the Hayden Orpheum Palace Theatre and Parraween Street

AUTHOR: Tom Mojsiejuk, Strategic Planner

DATE: 7 November 2022

Attachments: Advice of application for a Complying Development Certificate dated 4 November 2022

[Report to 14 November 2022 Council meeting](#)

SUMMARY

It has come to Council's attention that the recommendation of Item 10.17 (Findings of Heritage Review Report on the Hayden Orpheum Palace Theatre and Parraween Street) does not fully reflect the recommendations of the consultant heritage report (prepared by Lucas Stapleton Johnson & Partners) attached to the Council report. Specifically, the consultant's report includes a recommendation for listing of No's 70 & 72 and 78 & 80 Parraween Street as local heritage items under North Sydney Local Environmental Plan 2013.

Further, on 4 November 2022 Council was provided with a copy of an '*Advice of application for a Complying Development Certificate*' (CDC) from a registered certifier as is required under clause 132 of the Environmental Planning and Assessment Regulation 2021. The Complying Development Certificate application contemplates a mixture of both full and partial demolition of No's 50-88 Parraween Street and No's 63-67 Gerard Street Cremorne. The notice represents the "pre-approval" period of 14 days, after which the actual CDC may be issued. This is of relevance as this constitutes a clear 'threat of harm' which is a prerequisite for an Interim Heritage Order to be issued.

As a result of the above, a revision to the report recommendation is provided below.

RECOMMENDATION:

- 1. THAT** Council resolve to issue an Interim Heritage Order on No's 50, 52, 54, 56, 70, 72, 78, 80 Parraween Street, Cremorne
- 2. THAT** Council resolve to commence preparation of a Planning Proposal to list properties Nos. 50, 52, 54, 56, 70, 72, 78, 80 Parraween Street, Cremorne under Schedule 5 of the North Sydney Local Environmental Plan 2013.
- 3. THAT** as part of this work, Council request access to the internal areas of the properties for the purpose of preparation of a more detailed photographic inventory.
- 4. THAT** Council note that the preparation of a Planning Proposal will necessitate referral of the draft documentation to the North Sydney Local Planning Panel in the first instance.

**Re: Item 10.17 – Findings of Heritage Review Report on the Hayden
Orpheum Palace Theatre and Parraween Street**

5. THAT Council resolve to nominate the Hayden Orpheum Picture Palace for inclusion on the State Heritage Register for listing under the Heritage Act 1977 and commence the process with the Office of Environment and Heritage.

SIGNED *Neal McCarry*

Neal McCarry – Team Leader - Policy

From: "Alex Wu" <alex@beyondcert.com.au>
Sent: Fri, 4 Nov 2022 18:57:19 +1100
To: "council" <council@northsydney.nsw.gov.au>
Subject: CDC application lodgement notification - 50 - 88 Parraween St Cremorne, 63,65 and 67 Gerard St Cremorne
Attachments: 302317050CDC Notice to Neighbours Advice of ApplicationCremorne Council.pdf, 3254-CDC-01-DEMOLITION PLAN - OVERALL-[CD05]_221103_CDC-125111.pdf

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ADVICE OF APPLICATION FOR A COMPLYING DEVELOPMENT CERTIFICATE
(Under clause 132 of the *Environmental Planning and Assessment Regulation 2021*)

Dear Sir / Madam,

On 04 November 2022, Beyond Certification received the following applications:

Application No.	Address	Description
3023170-50CDC	50 Parraween St Cremorne	Demolition of existing dwelling and structures
3023170-52CDC	52 Parraween St Cremorne	Partial demolition of existing attached dwelling and demolition of shed
3023170-54CDC	54 Parraween St Cremorne	Partial demolition of existing attached dwelling and demolition of structures
3023170-56CDC	56 Parraween St Cremorne	Partial demolition of existing attached dwelling and demolition of structures
3023170-58CDC	58 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-60CDC	60 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-62CDC	62 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-64CDC	64 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-66CDC	66 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-68CDC	68 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-70CDC	70 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-72CDC	72 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-74CDC	74 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-76CDC	76 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-78CDC	78 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-80CDC	80 Parraween St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-82CDC	82 Parraween St Cremorne	Demolition of existing dwelling and structures
3023170-84CDC	84 Parraween St Cremorne	Demolition of existing dwelling and structures
3023170-86CDC	86 Parraween St	Demolition of existing dwelling and structures

	Cremorne	
3023170-88CDC	88 Parraween St Cremorne	Demolition of existing dwelling and structures
3023170-G63CDC	63 Gerard St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-G65CDC	65 Gerard St Cremorne	Partial demolition of existing semi-detached dwelling and demolition of structures
3023170-G67CDC	67 Gerard St Cremorne	Demolition of existing dwelling and structures

I am writing to advise you that the proposed development is classified as Complying Development which means it meets all the standards provided by *the State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 - 7 Demolition Code*, the application will be determined in accordance with *the Environmental Planning and Assessment Act 1979*.

This 14-day pre-approval period is an opportunity for you to discuss the proposed demolition/building works with the applicant. Although should you make any representations to the applicant, it is important to note the applicant or the Accredited Certifier are under no obligation to make changes to the development. If you do wish to review and discuss the development plans, please contact the applicant on the details below:

Applicant	Venora Scott
Address	PO BOX 502 , St Leonards NSW 1590
Applicant's Contact Details	02 84371700

Once the application has been approved under a Complying Development Certificate (CDC) a copy of the approved CDC with the relevant plans and specifications will be available for viewing at Council.

The applicant is required to advise by letter, seven days before construction work begins.

Yours Sincerely,



Alex Wu (BDC 3224)
Director
Beyond Certification

Kind Regards,



Alex Wu

Accredited Certifier | Director | Beyond Certification

Email: Alex@BeyondCert.com.au

Phone: 0433 296 349

PO Box 1125, Bondi Junction NSW 1355

<https://beyondcert.com.au/>



Sonder Projects Pty Ltd T/A
Beyond Certification
ABN: 30 621 467 178

Contact Person: Alex Wu
Phone: 0481 003 739
Email: info@beyondcert.com.au
PO BOX 1125 Bondi Junction NSW 1355

Contact: Alex Wu
Phone: 0481 003 739
Email: info@beyondcert.com.au

4 November 2022

North Sydney Council
PO Box 12,
North Sydney NSW 2059

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Yours Sincerely,

Alex Wu (BDC 3224)
Director
Beyond Certification

About Complying Development

Complying development is an assessment process for straightforward development proposals. If the proposal complies with all the pre-determined development standards, the development must be approved.

Proposals for more complex development, or development on environmentally sensitive land cannot be done as complying development and require a 'development application' from your local council.

The rules for complying development differ to those for a development application. The main difference is that, since complying development must meet pre-determined development standards, the applicant is under no obligation to make changes if a neighbour does not agree with what is proposed.

The applicant is also under no obligation to discuss the proposal with neighbours but is encouraged to do so.

Find out more at www.planning.nsw.gov.au/exemptandcomplying

Common questions about complying development

Q: Does the process differ if a private certifier is involved rather than the council?

A: No. The same standards apply regardless of whether the application is determined by a private certifier or a council.

Q: Can I make a submission about the proposed development?

A: The development standards for complying development are set by State Environmental Planning Policies and the council's Local Environmental Plans and Development Control Plans. These plans were all adopted after a public consultation process.

The development standards cover the same things that a council would consider if assessing a development application, such as privacy, setbacks, floor space ratio and building height. The set standards provide assurance to applicants that a development will be approved if it meets these standards. They also provide neighbours certainty about what development can be done as complying development.

Q: Can I view the building plans?

A: The building plans are commercial-in-confidence until the complying development certificate is issued (if approved). You may ask the applicant for a copy of the plans, but the applicant is not obliged to provide these.

Once the complying development application is determined, the plans will be available to inspect at the council office, free of charge during office hours.

Q: Will I be notified before work starts?

A: If the application is approved, the applicant must notify you in writing at least seven days before work starts. Complying developments are subject to conditions of consent including permitted construction hours and site management requirements to protect adjoining properties.

LEGEND & NOTES

1. THE DEVELOPMENT WILL BE CARRIED OUT IN ACCORDANCE WITH AS 2601—2001, THE DEMOLITION OF STRUCTURES.
2. COMMON WALL TO BE WEATHERPROOFED AT THE COMPLETION OF THE WORKS IF EXPOSED.
3. FOR SEMI-DETACHED DWELLING / ATTACHED DWELLINGS DEMOLITION OR REMOVAL OF A WALL TO A BOUNDARY THAT HAS A WALL LESS THAN 0.9M FROM THE BOUNDARY - REFER TO ENGINEER'S REPORT FOR DETAILS.
4. REFER TO ARBORICULTURAL IMPACT ASSESSMENT REPORT FOR ALL DEMOLITION WORKS AROUND THE EXISTING TREE TO BE RETAINED (INCL TREES BEYOND THE SUBJECT BOUNDARY)
5. THIS DEMOLITION PLAN TO BE READ IN CONJUNCTION WITH SURVEYORS PLANS (BY GEOSURV, REV A)
6. REFER TO SERVICES REPORT FOR TERMINATION WORK OF ALL EXISTING SERVICES - GAS, WATER, ELECTRICITY, NBN, SEWER.

PROPERTY BOUNDARY - OVERALL

BOUNDARY SETBACK (6m / 900mm)

REFER TO SEPARATE APPLICATION FOR THE REMOVAL WORK OF ANY EXISTING TREES. NO TREE REMOVAL SHALL BE CARRY OUT UNDER THIS APPLICATION.

AREA OF TOTAL DEMOLITION WORKS. UNLESS NOTED OTHERWISE

THE FRONT 6M OF THE BUILDING OR FORWARD OF THE ROOF RIDGE LINE IS TO BE RETAINED

FULL DEMO

TOTAL DEMOLITION WORKS OF EXISTING BUILDING & OTHER STRUCTURE ON SITE.

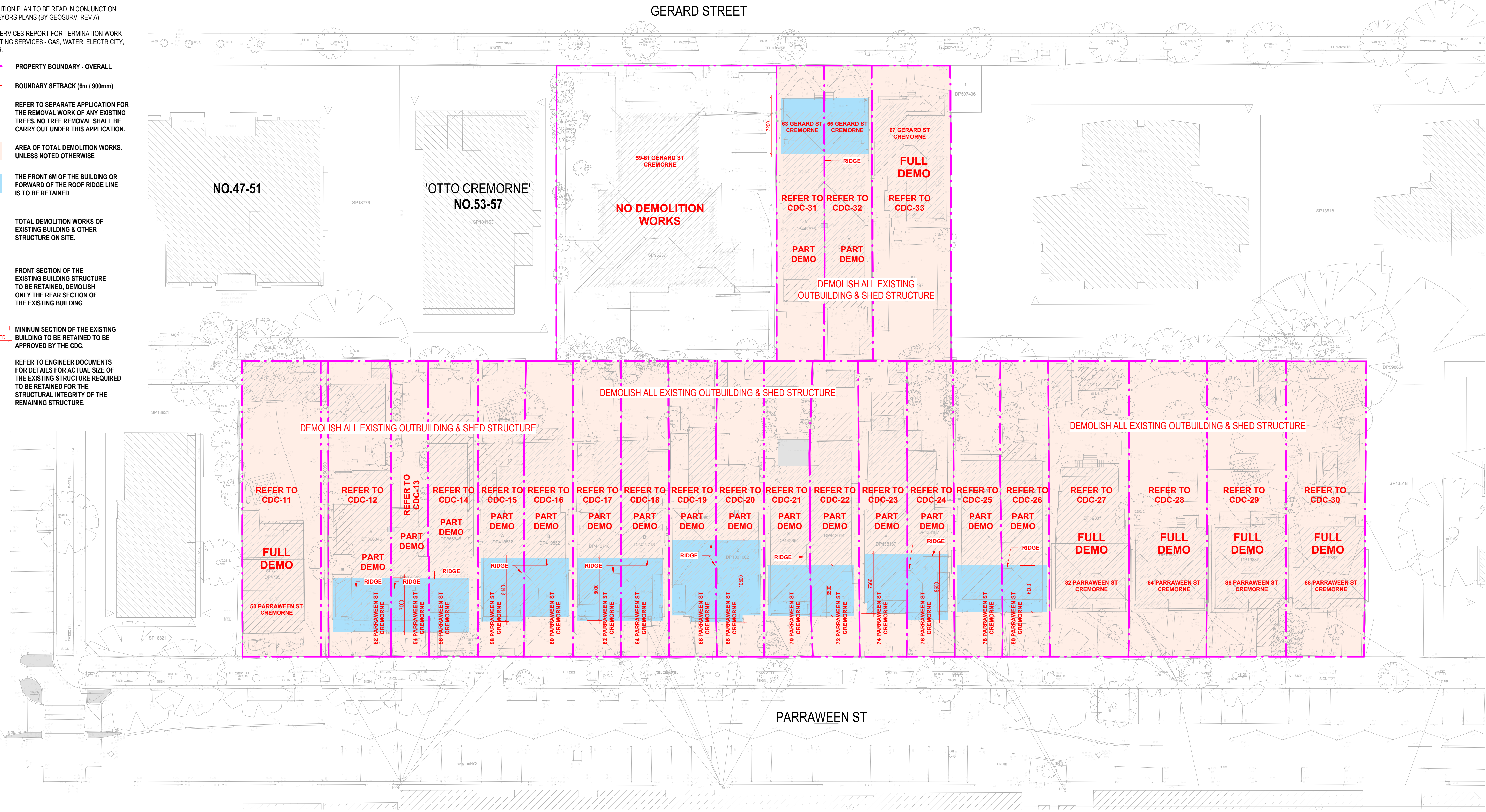
PART DEMO

FRONT SECTION OF THE EXISTING BUILDING STRUCTURE TO BE RETAINED, DEMOLISH ONLY THE REAR SECTION OF THE EXISTING BUILDING

6m MIN. / AS NOTED

MINIMUM SECTION OF THE EXISTING BUILDING TO BE RETAINED TO BE APPROVED BY THE CDC.

REFER TO ENGINEER DOCUMENTS FOR DETAILS FOR ACTUAL SIZE OF THE EXISTING STRUCTURE REQUIRED TO BE RETAINED FOR THE STRUCTURAL INTEGRITY OF THE REMAINING STRUCTURE.



1 DEMOLITION PLAN - OVERALL SITES
SCALE 1 : 250