

HERITAGE COUNCIL OF NSW Approvals Committee

MINUTES OF MEETING

2 July 2008

Heritage Branch, Department of Planning,
3 Marist Place, Parramatta



PRESENT: Peter Mould (Chair), Chris Johnson, Julie Bindon, Diane Jones, Petula Samios

APOLOGIES: David Logan

ALSO PRESENT: Heritage Branch: Rajeev Maini, Nikki Ward, Brad Vale, Gary Estcourt, Bronwyn Hanna

For The Chalet (Objectors): Graham and Julie Atkins (neighbours), Robert Moore (Heritage Advisor), Paul Vergotis (Lawyer)

For The Chalet (Applicant): Haimee Healey (Owner), Stephen Davies (Heritage Advisor), Stephen Collier (Architect)

Representing Hunters Hill Council: Stephen Kourepis, Kerry Smith, Greg Patch

For Yasmar (Applicant): Wayne McPhee

For Yasmar (Objectors): Michelle Calvery (Chair, Friends of Yasmar), Emma Brooks Maher (Haberfield Association), Adrian Walton (representing residents of Chandos Street)

For Sydney Observatory: Robert Chancellor (Powerhouse Museum), Geoff Wyatt (Manager, Sydney Observatory)

1. Opening – Welcome

The Chair opened the meeting at 9:40 am.

1.2 Confirmation and Timing of Agenda

The agenda was confirmed.

Declarations of Interest

Peter Mould – Item 7.3 – The Government Architects Office are preparing drawings for the applicant

Julie Bindon – Item 7.1 - JBA Urban Planning Consultants Pty Ltd Consulting are planning consultants on this project

2. Confirmation of Minutes

2.1 Approvals Committee Meeting of 4 June 2008

Members received a copy of the minutes.

Resolved:

that the Minutes of the meeting of 4 June 2008 be adopted.

3. Action Report

Members received a copy of the action report.

Resolved:

that the Action Report of the meeting of 4 June 2008 be adopted.

5. Integrated Development Applications/Section 60 and 132 Applications/Section 140 Excavation permits

5.1 The Chalet, 2 Yerton Avenue, Hunters Hill – IDA

The Chalet is a particularly rare timber cottage prefabricated in Germany and erected around 1854 in Hunters Hill. The proposal was for conservation of the existing house and construction of a new wing of one and two storeys to the rear with roof connection to the house. The layout and size of the house are not well suited to the expectations for a contemporary family home. Some extension is therefore proposed to provide added space for new services that could not be sensitively inserted into the existing house, and new space that would reduce the pressure on the existing house for alterations to adapt it for contemporary use. The proposal was re-submitted to the Heritage Council as a matter of process due to a clerical irregularity by Council with the original application. The current proposal is the same as that presented to the Heritage Council on 6 December 2006.

Presentations

Objectors to the proposal expressed concern about the bulk, size and scale of the proposed rear extension and that its position would result in a reduced setback from the boundary to that recommended in the DCP. Considerable vegetation, including trees, would be cleared to construct the extension. Concern was raised that view lines from neighbouring properties to the Parramatta River and surrounding properties would be impeded due to the height of the proposed rear extension.

The applicant stated that plans for extensions were centred on the need for contemporary use of the property as a residence using the advice of their heritage consultant as a guide for the placement of the additions. The eastern corner of the property would be excavated prior to construction in order to minimise the perceived height of the extension. Various options for the form of the extension were considered, and the current proposed position would have the least impact on the public domain and was considered the most appropriate location.

Consideration

The Heritage Council discussed the matters raised in the presentations on the day. The Heritage Council resolved that it continues to recommend approval for this integrated development application in terms of protecting state heritage significance.

Resolved:

That the Heritage Council provide Hunters Hill Council with the following General Terms of Approval:

- 1) The works shall be undertaken in accordance with the following documents: Drawings 0504_DA_A02, 0504_CD_G05-14, 0504_CD_F04, 0504_CD_SE11 dated May to November 2006; details 0504_DA_P01 to 0504_DA_P03, 0504_DA_SE01 to 0504_DA_SE05, 0504_DA_SE07 - 0504_DA_SE11, landscape LS01-03 dated September 2007; Conservation Management Plan by City Plan Heritage, June 2006; and Heritage Impact Statement by City Plan Heritage, June 2006; except where varied by the following.**
- 2) All works shall be supervised by a qualified and experienced heritage architect with demonstrated experience in documentation and site construction management of historic timber structures. Prior to the commencement of works the name and the details of the nominated heritage architect, including his/her experience in this kind of work, shall be submitted to the Heritage Branch.**
- 3) The conservation work of the Chalet should be substantially completed before Hunters Hill Council issues an occupation certificate for the proposed new work.**

- 4) **A detailed schedule of works for the conservation of the Chalet shall be submitted to the Director of the Heritage Branch with the Section 60 application. The schedule of works shall be prepared by the nominated heritage architect as identified in Condition 2 of this consent.**
- 5) **This permit does not cover the removal of any State significant relics.**
- 6) **The Applicant must ensure that if substantial intact archaeological relics of State or local significance, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Council of NSW must be notified in writing. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.**
- 7) **The Applicant must ensure that should any Aboriginal objects be uncovered, excavation or disturbance of the area is to stop immediately and the Department of Environment and Conservation is to be informed in accordance with section 91 of the *NSW National Parks and Wildlife Act, 1974*.**
- 8) **The Applicant must ensure that any excavation which has revealed Aboriginal objects should be referred to the Department of Environment and Climate Change.**
- 9) **Anything done pursuant to this approval must be specified, supervised and carried out by people with knowledge, skills and experience appropriate to the work.**
- 10) **Hunters Hill Council and the applicant should develop a strategy to protect the Moreton Bay fig tree growing over Muirbank Avenue**
- 11) **An archival record of the Chalet, in accordance with NSW Heritage Branch guidelines, is to be submitted for the satisfaction of the Director of the Heritage Branch prior to the issuing of the occupation certificate by Hunters Hill Council. The recording is to illustrate the Chalet and its affected site before works and during works, to demonstrate methods of nineteenth-century construction.**
- 12) **An application under section 60 of the *NSW Heritage Act, 1977* must be submitted and approved by the NSW Heritage Council prior to work commencing.**

5.2 Yasmar, 185 Parramatta Road, Ashfield – IDA

The site of Yasmar survives as a rare example of a suburban villa in its garden setting that remains in a relatively intact condition. The proposed works will involve demolition of the 1980s Juvenile Justice Facility located on the eastern third of the Yasmar site and construction of a new private Bilingual Italian School.

Presentation

The applicant outlined the proposed works, emphasising that the height of new buildings would be less than that of Yasmar house. It was stated that it would be difficult to see the new buildings from Yasmar beyond the masonry wall and existing vegetation, with the exception of the two storey proposed hall building. The applicant has obtained a 100 year lease on the site.

Objectors to the proposal put forward the arguments that:

- the future of the school did not depend on the use of this particular site and that there were other feasible sites in the area for the school;
- use of the site for a school would sacrifice the worth and amenity of Yasmar house and its garden;
- the site had not yet been subdivided. Use of half of the site for a school would limit options for use of Yasmar house, and a preferred solution would be adaptive re-use of Yasmar house in order to raise revenue for its maintenance. Yasmar requires a great deal of restoration and subdivision would do nothing to restore the house and its gardens;
- construction was proposed within the drip line of existing trees on the site, which could cause the trees to eventually die. The trees are important to Yasmar's heritage.
- use of the site as a school would result in intensive use of the site.
- there would be conflicts of access to the site for pedestrians and cars, particularly at drop off points. A conflict in access to the site would be exacerbated in the future if Yasmar house were to be utilised for a separate purpose.
- there was little room for potential future expansion of the school.
- two storey development on the site would not be consistent with building height restrictions for neighbouring properties. Any construction beyond single storey would overshadow neighbouring properties.
- Neighbours in adjacent Chandos Street were concerned about overshadowing, the bulk of new buildings, increased traffic and the intensive use of the site.

Consideration

The Heritage Council were keen to ensure that HAMS be consulted in reference to this development application. Also, the Heritage Council saw a Conservation Management Plan (CMP) for the whole site as being beneficial prior to any decision being made on proposals for development, as it appeared there was only an existing CMP for the middle third of the site. The likely need for future expansion of the school was considered. This could result in proposals for further development, intensifying the use of the site even further. The Heritage Council considered that a better alternative would be for the school to utilise the whole site, incorporating adaptive re-use of Yasmar house. Further, it was noted that the issue of subdivision of the site for separate use had not yet been approved subject to the Heritage Council's approval. It was therefore considered that the application be deferred until further information regarding a Plan of Management and CMP are presented to the Heritage Council. Also, the Heritage Council would like to see a long term plan for a nexus between conservation of Yasmar house and the rest of the site with reference to HAMS.

Resolved:

That the Heritage Council defer consideration of the application and that the Heritage Branch liaise with the Department of Lands and seek further information concerning the longer term use of the site as a whole and including:

- 1) Conservation Management Plan for the whole site**
- 2) Review of HAMS with respect to the site and proposed subdivision**
- 3) A nexus between the conservation of Yasmar House and any new development noting the poor condition of Yasmar House at present**
- 4) Final Plan of Management**

6. Development Application Referrals and Major Project Application Referrals Under Part 3A of EP&A Act

NIL

7.0 Matters for Consideration

7.1 Commonwealth Bank, 108-120 Pitt Street, Sydney – CMP Endorsement

On 4 June 2008 the Heritage Council noted a presentation by the applicants on proposed works to the Commonwealth Bank building, 120 Pitt Street, Sydney. It was resolved that CMP should be reviewed and proposed principles for redevelopment of the site. A conservation management plan titled "Conservation Management Plan, Commonwealth Bank of Australia Building 108-120 Pitt Street Sydney", dated 7 March 2008 was subsequently received for review and the Heritage Council were asked to consider its endorsement.

Consideration

The Heritage Council discussed concerns relating to the extent of extensions on the roof of the building and considered that the CMP should outline a range of development options.

Resolved:

That the Approvals Committee as delegate of the Heritage Council endorses the conservation management plan "Conservation Management Plan, Commonwealth Bank of Australia Building 108-120 Pitt Street Sydney" prepared by Tanners Architects in 2008 for Colonial First State Property Limited, subject to the conditions detailed below being addressed to the satisfaction of the Director of the Heritage Branch by August 16, 2008:

- 1) Additional historical research including locating and including early plans and photographs, as well as post-1986 plans and photographs;**

- 2) **Addition of captions and references to the historic images in the timeline and elsewhere as described in the Checklist;**
- 3) **Expansion of the physical description including the addition of current interior and exterior photographs;**
- 4) **Addition of the continuous use of the site for banking to the statement of significance;**
- 5) **Expansion of the identification of the constraints on the site for uses other than banking, including financial constraints and statements about why additional floor space may be required;**
- 6) **Incorporation of the history of the site and other information now present in the appendices (eg. J.S.Kerr's Elephant Castle), or key aspects of these, into the main body of the text along with developed analysis and conclusions derived from the history, and other appendices, into the main text and especially into related policies;**
- 7) **Expansion and completion of policies to include change of use, compatible uses and principles for adaptation to new uses;**
- 8) **Inclusion of more detailed design principles for new work, for work in significant spaces, for changes such as making new openings, and for working with significant fabric such as the stonework. Alternatively these may be addressed in Conservation Action Schedules (as currently proposed in the existing policies) before design of new work proceeds;**
- 9) **Identification and articulation of preferred heritage approaches or principles deduced from the development options in Appendix IV.**
- 10) **Inclusion of options for conservation and development within the existing envelope.**
- 11) **Identification of preferred alternatives and parameters to assess the impact of a range of development options.**
- 12) **Other detailed items such as corrections noted in the checklist**
- 13) **Incorporation of the principles for development of the site articulated by the Heritage Council on 4 June 2008, where the Heritage Council:**
 - a) **considers that the reinstatement of the lightwell in the 1916-1933 building is of paramount importance and that any consideration of development above the lightwell would be seen to compromise its integrity.**
 - b) **supports the reinstatement of the original and significant design concepts and elements in the 1916-1933 building.**
 - c) **that future new development should be restricted to outside the primary 1916-1933 building envelope.**
- 14) **That the CMP include a policy recommending consideration of nominating the site for listing on the State Heritage Register.**

7.2 Sydney Observatory, Temporary Marquee – S60

Sydney Observatory would like to erect a temporary marquee (10m X 20m) in the northern courtyard for various events. The marquee would be in place from 4th July 2008 to January 31st 2009.

Presentation

The proponent outlined the various proposed uses of the marquee for the duration of its placement on site. It was envisaged that there would be no further long term use of such a marquee on the site, therefore a temporary, removable structure was preferable.

Consideration

The Heritage Council questioned whether a seven month period strictly fitted into the definition of temporary placement of a marquee and determined that the application be deferred pending further details on the proposal and provision of professional definition of 'temporary use' in a planning context.

Resolved:

That the Heritage Council defers consideration of this application subject to provision of more detailed information on the proposal being provided to Heritage Council members including:

- 1) Advice on temporary structures within the CMP; and**
- 2) Recommendation on definition of temporary use, considering other controls on heritage listed sites.**

7.3 Sydney Observatory, Third Dome Building – S60

The application involved reinstallation of the third dome that was removed from Sydney Observatory in 1990s along with the telescope. It was proposed to reinstall this dome with a new telescope and install the former astrographic telescope as an exhibit. It was also proposed to incorporate a small ticketing office within this building.

Presentation

The proponent outlined the purpose and value to the Observatory of reinstatement of the dome on site, describing the proposed structure and its use.

Consideration

The Heritage Council determined to defer consideration of the proposal pending provision of further details to enable assessment of the proposal.

Resolved:

That the Heritage Council defers consideration of this application subject to provision of more detailed information on the proposal being provided to Heritage Council members.

8.0 Matters for Information

NIL

9.0 General Business

NIL

There being no further business the Chair closed the meeting 12:15 pm.

Peter Mould Chair Approvals Committee Heritage Council of NSW	Next Meeting of the Approvals Committee 6 August, 2008 3 Marist Place Parramatta
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