

Business Paper

Shire Strategic Planning Committee

Monday, 2 December 2019 6:30pm

Council Chambers,
Level 2, Administration Building,
4-20 Eton Street, Sutherland



ORDER OF BUSINESS

- 1. ACKNOWLEDGEMENT OF COUNTRY
- 2. APOLOGIES
- 3. DISCLOSURES OF INTEREST
- 4. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS
- 5. PRESENTATIONS
- 6. REPORTS FROM OFFICERS

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PLN040-19	Exhibition of Draft Amendment to Sutherland Shire Local Environmental Plan
	2015 - Local Heritage listing of 65 Hotham Road Gymea (pg 28)
PLN041-19	Quarterly Report Clause 4.6 Variations Register (July to September 2019)
	(pg 70)
PLN042-19	Sutherland Shire Local Planning Panel - Lodgement of Disclosures of Interest
	and Other Matters in Written Returns for the Period 01 July 2018 to 30 June
	2019 (pg 75)
PLN043-19	Exhibition Results From Wattlebird Bushland Reserve (pg 121)

- 7. QUESTIONS
- 8. CONSIDERATION OF BUSINESS IN CLOSED SESSION
- 9. CONFIDENTIAL REPORTS FROM OFFICERS

PLN040-19 EXHIBITION OF DRAFT AMENDMENT TO SUTHERLAND SHIRE LOCAL ENVIRONMENTAL PLAN 2015 - LOCAL HERITAGE LISTING OF 65 HOTHAM ROAD GYMEA

Attachments: Appendix A, ♣ Appendix B (under separate cover), ➡ Appendix C (under separate cover), ➡ Appendix D. ♣ and Appendix E.

EXECUTIVE SUMMARY

- This report tables the submissions received during the exhibition of the draft amendment to Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) to list the property at 65 Hotham Road, Gymea, as a local heritage item.
- The amendment was publicly exhibited from 3 July to 1 August 2019 and 15 submissions were received; four in support and 11 opposing the heritage listing.
- The submission from Macquarie Health includes a peer review by heritage consultants GBA
 Heritage of the independent heritage assessment commissioned by Council and undertaken by
 Architectural Projects. The GBA report maintains that 65 Hotham Road Gymea does not meet
 the threshold for heritage listing.
- Council's independent professional advice finds that 65 Hotham Road meets the threshold for inclusion in the LEP as a local heritage item. Retention of the house is problematic for the redevelopment of the site of President Private Hospital, but does not preclude redevelopment.
- Council has twice consulted with Heritage NSW, who advise that the house potentially has local heritage significance.
- This report seeks Council endorsement to request NSW Planning to make the amendment to Sutherland Shire Local Environmental Plan 2015 to heritage list 65 Hotham Road Gymea.

REPORT RECOMMENDATION

THAT:

- 1. Council proceeds with the heritage listing of 65 Hotham Road Gymea, by requesting the Department of planning, Industry and Environment to make the amendment to Sutherland Shire Local Environmental Plan 2015 as exhibited in the Planning Proposal, thereby adding 65 Hotham Road Gymea to Schedule 5 Environmental Heritage and amending the Heritage map.
- Council determines that a public hearing is not warranted because the public views have been clearly articulated within the submissions received and Council has the benefit of heritage reports prepared for Council and by the land owner.

PURPOSE

This report presents submissions received during the exhibition period for a planning proposal to list 65 Hotham Road Gymea, which is within the grounds of President Private Hospital, as a local heritage item. The result of consultation with the Heritage NSW is also included.

BACKGROUND

Development application DA18/0788 was lodged on 3 July 2018 (on behalf of President Private Hospital Pty Ltd) seeking demolition of the house at 65 Hotham Road Gymea to facilitate a minor redevelopment of part of the hospital. This development application has since been withdrawn.

President Private Hospital commenced the process of preparing an Environmental Impact Statement for the redevelopment of the hospital as a State Significant Project. State Significance is triggered where a hospital/medical facility exceeds a capital investment value of \$30 million. Council has been consulted by the Department as part of this process. The proposed redevelopment of the hospital does not retain the house at 65 Hotham Road.

Public submissions to the original development application objected to the demolition of the house and requested that Council consider the house for heritage listing. The property had previously been recommended for heritage listing in the heritage review conducted in 1993 by consultants Perumal Murphy Wu, as a good example of a large individually designed Inter-War brick house. Council did not list the property at the request of the then owner.

The house was again proposed to be heritage listed during the preparation of SSLEP2015. A submission was received from the owner of the land objecting to the heritage listing. Given the lack of a detailed heritage assessment, its inclusion in the LEP was not supported by the Independent Panel in its review of Version 2 of the LEP. The listing was not pursued by Council and the house was not listed at that time.

On 5 November 2018, Council considered a preliminary heritage assessment of the house and resolved to apply an Interim Heritage Order (IHO) to the property, which was published in the Government Gazette on 23 November 2018. Council then commissioned an independent assessment from heritage consultants Architectural Projects Pty Ltd to determine if the property meets the threshold for local heritage listing, in accordance with the guidelines from the NSW Heritage Office. Under those guidelines, an item is considered to have heritage significance if it meets one or more of seven criteria.

The Architectural Projects Heritage Assessment Review (Appendix C) assessed the house and garden as having local heritage significance based on the following types of significance:

- Historic significance for their ability to evidence an early poultry farm in the Sutherland Shire;
- Historic associational significance through the associations with Hotham Farm;

- Aesthetic significance at a local level as a fine and substantial local example of a late
 Federation period house
- Social significance at a local level because of its former uses; and
- Rarity significance at a local level as few original homesteads survive in the locality and the ballroom is a rare element in the LGA.

Architectural Projects assessment of significance of "Hotham House" concluded that the house and garden meet the threshold for listing as a heritage item of local significance in the Sutherland Shire Local Environmental Plan (SSLEP2015).

At its meeting on 19 March, Sutherland Shire Local Planning Panel supported the Planning Proposal proceeding to a Gateway Determination. Council resolved on 15 April 2019 (PLN011-19) to prepare a Planning Proposal to amend the LEP to locally heritage list the property.

DISCUSSION

On 24 June 2019, NSW Planning issued Gateway Determination allowing the public exhibition of the Planning Proposal, with the Minister as plan-making authority. The exhibition of the draft amendment was conducted for a period of 28 days from 3 July 2019 to 1 August 2019. A total of 15 submissions were received: four in support and 11 opposing the proposed heritage listing. The submissions are attached as Appendices A and B and are summarised below.

Four submissions, one on behalf of the Sutherland Shire Historical Society, support the proposal to heritage list the property. The submitters state that they want to retain and protect the house with a heritage listing because of its architectural features and as a link to the social and economic pre-war history of the area, when the area was relatively isolated and dominated by farming uses. Some submissions encourage adaptive reuse of the house instead of demolition to support redevelopment of the hospital.

Eleven submissions oppose the proposed heritage listing. One of these submissions is a petition circulated on social media via Change.org, with 200 supporters as of 8 August 2019. The petition description says that the proposed heritage listing will block the proposed \$40m redevelopment of the President Private Hospital (which is to include a private mental health unit). Some comments by signatories to the petition say that health services are important and an upgrade to the hospital is needed.

Two submissions from medical practitioners cite the important advantages to community health care that will result from the redevelopment of the private hospital, which requires the demolition of Hotham House. Other separate submissions assert that the importance of the hospital outweighs the historical importance of the house, that the hospital requires upgrading, and that the house at 65 Hotham Road has been assessed as structurally unsound and not suitable for patient access.

Two submissions request a public hearing on the proposed heritage listing. Council must decide whether or not to hold a public hearing in response to this request.

Submissions from the landowners Macquarie Health (Appendix B) and the hospital administrator strenuously object to the proposed heritage listing, citing the following main reasons:

- Council has not adequately consulted with the landowner, or considered the impact of the proposed heritage listing on the landowner or on President Private Hospital.
- Council previously determined not to heritage list the property in 1993 and 2014, and approved demolition of the house in 2009.
- The heritage listing of the property would burden the landowner with costly remediation works with no economic benefit to the owner, render the property incapable of reasonable and economic use, and stymie the redevelopment of the private hospital site.
- The heritage listing will prevent the correction of BCA and building access issues.
- The house is not worthy of heritage listing. The peer review commissioned by the landowners (by GBA Heritage, Appendix B) disputes the assessment and findings of the independent heritage review conducted by Architectural Projects (commissioned by Council) that the property meets the threshold for listing as a local heritage item.

The GBA Heritage Peer Review

The landowner's submission includes a peer review of the Council commissioned heritage study (Appendix B). The review challenges the Architectural Projects review that the house is significant as it evidences an early poultry farm in the Sutherland Shire, with the main critique by GBA that "there is no remaining tangible evidence of the former poultry farm", as all physical evidence of the farming operations have disappeared and the land subdivided for post WW2 housing.

Architectural Projects have responded to the critique (Appendix C), saying that "the house was built at the same time as the Poultry Farm, was established and functioned as its office, and the site includes the original entry and driveway accessing the poultry farm" and that "The proposed listing is supported with extensive research which is footnoted and fully referenced in the bibliography".

BCA Compliance and Engineers' Reports on the Property

The landowner's submission includes BCA compliance and engineering consultants' reports on the property. The BCA report cites instances of non-compliance where works are necessary to enable the property to be used as part of an inpatient unit for a private hospital. The engineering report shows structural defects in the house, with costly repairs required.

Redevelopment of President Private Hospital

The submission from Macquarie Health notes that President Private Hospital is preparing an application to NSW Planning for a \$40m redevelopment of the President Private Hospital site, which will grow the hospital from 45 to 154 beds, including a private mental health unit. The submission says

that proximal, level access to the private hospital entrance is critical for the redevelopment, and requires the demolition of the house at 65 Hotham Road. It argues that the proposed heritage listing would prevent the much needed redevelopment of the hospital.

Consultation

During the assessment of DA18/0788 Council staff met with representatives of the landowner to discuss the application. After Council resolved to place an Interim Heritage Order over 65 Hotham Road, and the matter of heritage listing was considered by the Sutherland Shire Local Planning Panel, representatives of the landowner took up the opportunity offered to speak to the panel and make a submission. A representative of Macquarie Health also addressed Council.

Council was required to consult with the landowner during public exhibition as a condition of the Gateway Determination. On 29 July 2019 and a meeting was held between Council planning staff and representatives of the landowner.

Council was also required to consult with the Heritage Office of the Department of Premier and Cabinet (former OEH Heritage Division). Initial advice was sought on 5/08/19. Council sought further advice on 15/08/19 to gain direction in relation to the two differing views of the heritage experts. A response was received on 16/10/19.

The response accepts the photographic and print evidence offered in the Architectural Projects Heritage Assessment Review concerning the close relationship of the house to the poultry farm and the significance of the farming enterprise, and acknowledges the potential heritage significance of the house. The letter also notes that the house retains its external form, internal layout and timber joinery, and that there appears to be potential to reverse some of the unsympathetic modifications to the house. The response does not give weight to the claims made by GBA heritage that the conclusions of Architectural Projects are unfounded.

The responses from the Heritage office are attached as Appendices D and E.

Public Hearing

Two submissions opposing the proposed heritage listing request a public hearing, so people can voice their concerns about the proposal. Council can resolve to hold a public hearing to determine whether the LEP amendment proceeds or not.

There has been a lot of public interest in this planning proposal, both in favour and against the proposal. Professional heritage evaluations have offered conflicting views. Conflicting views from experts are not unusual in planning matters such as those heard in cases in the Land and Environment Court.

A public hearing allows an independent adjudicator to hear a range of public and professional views on contentious matters and make a judgement. In this case Council has been provided with two conflicting views. Each consultant has reviewed their initial advice on the basis of the conclusions of the other consultant and each has retained their initial view.

The views for and against listing the item are clear and well expressed in the information before Council. As such it is considered that there is little public benefit in holding a public hearing into this matter, as it is unlikely that any new information will come to light. Regardless of whether a public hearing is held, Council will have to decide whether the building should be protected or not and it has sufficient information to arrive at its decision.

RESOURCING STRATEGY IMPLICATIONS

Amendments to the Local Environmental Plan are carried out within the existing budget and resources of Strategic Planning Unit.

COMMUNITY ENGAGEMENT

Following a public notice in the St George and Sutherland Shire Leader and Liverpool Champion, the Planning Proposal to locally heritage list 65 Hotham Road, Gymea was publicly exhibited between 3 July and 1 August 2019. Printed copies were available for public viewing in all Sutherland Shire libraries and in the foyer of Council's Administration Building on Eton Street, Sutherland. The content was also available digitally on the Join the Conversation platform, accessible through Council's website. Submissions could be made via Join the Conversation facility or by post, and 15 public submissions were received.

STRATEGIC ALIGNMENT

Community Strategic Plan Strategy	Delivery Program (2017-2021) Deliverables	
1.4.1 Ensure a strong governance framework	6B Manage new and existing development	
that provides transparency, accountability and	within a robust and effective framework.	
sustainability		
4.1.1 Identify and appreciate places, spaces and	4C Implement legislative requirements to ensure	
stories that contribute to our Sutherland Shire	environmental, archaeological and Aboriginal	
identity	heritage are conserved and valued	

POLICY AND LEGISLATIVE REQUIREMENTS

The *Environmental Planning and Assessment Act 1979* and *Regulations* sets out the legislative requirements for the making and amending of local environmental plans. The Gateway Determination did not nominate Council as the plan-making authority. Should the LEP amendment proceed, the planmaking authority will be the Minister for Planning and Public Spaces. The Minister will make the final decision as to whether the building should be listed.

Shire Strategic Planning Committee

2 December 2019

CONCLUSION

Retention of a heritage building can be challenging, expensive and can affect redevelopment options. Retaining the house while substantially redeveloping the site is problematic for Macquarie Health. Retention and adaptive reuse would entail a more complex design and building process and may limit the ability to realise the optimal arrangement of floor space on the site. This could also affect the efficiency of the layout of the medical facility.

As such the decision to list the house is not be taken lightly, although the primary decision to be made at this point is whether or not the building has local heritage significance or not. This decision should not be overwhelmed by consideration of what might happen on the site in the future. The balance between heritage conservation and the value to the community of development of the site for medical facilities is an assessment for a later point in time.

Many heritage listed buildings in NSW are adapted for reuse in clever and creative ways. Retention does not preclude redevelopment. The advice from Council's external, independent expert is that 65 Hotham Road meets the threshold for inclusion in the LEP as a local heritage item.

Council commenced the LEP amendment to heritage list the house based on independent professional advice and in response to community requests. The arguments presented by the landowner are not considered sufficient to outweigh the public interest in preserving an item of Sutherland Shire's history with the listing of the house.

This report seeks Council endorsement to request NSW Planning, Industry and Environment to make the proposed amendment to Sutherland Shire Local Environmental Plan 2015 to add 65 Hotham Road, Gymea to Schedule 5 Environmental Heritage and amend the maps, all as exhibited in the Planning Proposal.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Manager Strategic Planning, Mark Carlon, who can be contacted on 02 9710 0376

File Number: 2018/319322

To: SSC: Subject: completed Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road,

Date: Tuesday, 16 July 2019 3:08:15 AM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

No Answer

You can upload your submission here

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10 July 2019

Sutherland Council
4 Eton Street
SUTHERLAND NSW 2232

Dear Sir/Madam

RE: PROPOSED DEVELOPMENT AT PRESIDENT HOSPITAL

I am writing to support the President Hospital Redevelopment proposal. President Hospital has been an important part of the health care system for Sutherland Shire over the past 40 years. As the population of the Shire has expanded rapidly, there is an urgent need for more hospital facilities in the area. Currently President Hospital is a centre for rehabilitation medicine and short-stay surgical procedures.

It is important that the facilities are modernised and expanded to keep up with the needs of Sutherland Shire.

The Development Plan proposes to demolish Hotham House in order to develop a completely new hospital entrance so that cars can drop patients off at the hospital without further congesting President Avenue. As a doctor working in the area, I am very aware of feedback from patients who value the easy and efficient access to hospitals without parking or traffic congestion. The proposed development would address these needs for accessibility.

Hotham House has been used in the past as a rehabilitation gym. The limitations of an old building have been accommodated but it is not ideal. Yes, Hotham House does have an interesting history and perhaps could have been restored with an historic heritage listing 20 or 30 years ago but this time has passed. The present building which is owned by President Hospital has deteriorated further and is completely unsuitable for the hospitals' needs.

It is also worth noting that when a review of historical buildings was conducted in the 1990's, Hotham House was not deemed worthy of inclusion at that time.

As a practitioner working in Sutherland Shire for the past 35 years, I have found President Hospital has been central to many peoples' health care. I support the redevelopment of President Hospital as a 21st century Health Facility and with this development, the hospital will serve the community for many years to come.

Yours sincerely,



Subject: Environmental Plan 2015 - Proposed local heritage listing of 65

Hofham Road, Gymea

Date: Monday, 22 July 2019 10:28:13 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

I write on behalf of the Sutherland Shire Historical Society and a great many concerned Shire citizens. One of the Society's objectives is 'to encourage and foster an interest in the Sutherland Shire and the preservation of its historic associations, buildings and artefacts." The heritage credentials of Hotham House have been articulated in submissions to Council and by Council's own heritage assessment procedures. The property was the centre of a significant poultry industry in the Sutherland Shire and the dwelling is a substantial and rare example of the early twentieth century building style. It's ball room was the site of many social events in the predominantly rural life of the Shire at that time. I was a consultant on Council's Built Heritage register in 1993. Of those items listed, 37% have since been lost. Why do we need heritage protection? The Shire has a unique history which it could more fully exploit. Hotham House is a direct link to the Shire's pre-war history when farming, poultry, orchards, dairies, piggeries and floristry dominated this idyllic country area. Knocking down a significant heritage item that was synonymous with this period for a carpark could be seen as an act of cultural vandalism. We take pride in this area being called the Sutherland Shire. Let me be clear. A Shire is an old English term meaning a rural area. In 1993 Council agitated successfully for a special act of parliament that allowed us to continue to use this term in our name. Residents love this nostalgic reference to our rural beginnings that is unique in Sydney, Hotham House exemplifies this association with our past. This matter has since excited much public interest in social media and other forums and there is a public howl of anger and angst about the impacts of recent development, especially since the 2015 LEP opened the floodgates. There are creative methods of adaptive reuse and I urge Council to work towards a creative win-win on behalf of the Sutherland Shire Historical Society

You can upload your submission here

From: To: Subject: Suiterland Shire Counc

completed Sirherland Shire Local Environmental Plan 2015 – Proposed local her/tage listing of 65 Hotham Road, Gymea Tuesday, 23 July 2019 2:55:32 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 - Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

No Answer

You can upload your submission here

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/86134ed5746c5b4ffa8da22dbc883f26d725fbad/file_answers/files/035/721/720/original/Hotham_Housedocx.docx? 1563857659

DA18/0788 proposed demolition of 63-65 Hotham Road, Gymea

Hotham House should be preserved as it is:

- A representative example of a Federation-style residence which is unique in the suburb of Gymea
- It is a link to the time when poultry farming was the main primary industry in Sutherland Shire
- It was an important social centre for local people in an isolated area

Hotham House is an intact example of a pre-World War I Federation-style residence. It is a full brick construction with a red tiled (Marseilles tiles?) roof. Although over 100 years old, it is beautifully preserved with intact leadlight windows and a deep verandah with decorative touches on the north and east (street frontage) side where there is a gabled entrance. The only addition observable from the outside is a sympathetic walkway at the back of the building used by the adjoining hospital. The large room on the southside of the house was apparently a very early, but sympathetic addition. A mature Norfolk Island palm at the front – a classic cultural planting in Sydney – enhances the setting of this striking residence. Its construction date c1912 makes it contemporary with *Castlewood* at 89 Woolooware Road, but in some ways, this is a simpler but perhaps more impressive building.

While its architectural features are a distinctive reminder of the early days of Sutherland Shire, its social history is also significant. It was constructed for the Tildesley family and was part of the Hotham poultry farm, the largest in Sutherland Shire. According to a former Gymea resident Mick Derrey, who recorded his memories of Hotham's farm in the Sutherland Shire Historical Society bulletin in 1989, Sid Zealey, an English bricklayer, built the house which Albert Tildesley called 'Ron-Al-Bert' after his three sons.

In 1924 Hotham's had 6000 layers and one of its 'mammoth hatchers' had a 20 000-egg capacity. By 1947 this farm, under new management, specialised in the sale of 'day-old white and khaki Campbell ducklings'.

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Poultry farming had become the pre-eminent primary industry in the district when Hotham House was built. This occurred as fiuit growing in Sydney and adjacent areas declined. An increasing proportion of land in country New South Wales was under agriculture, a trend given impetus by the construction of the Burrinjuck Dam in 1907. Water from this dam helped open up the Murrumbidgee Irrigation Area where fruit and market garden crops were produced. Other areas of the state were also cleared and made into small farms in the wake of the closer settlement movement. Therefore, farmers in Sutherland Shire and in other parts of Sydney gradually turned to poultry farming which could be successfully managed on small holdings with relatively poor soil. Hotham House is a reminder of the relative prosperity of some poultry farmers at this time.

¹ Unlabelled advertisement for Pennant Kerosene, 1924, VF 'Hotham Poultry Farm'. (LSC); Poultry, 13 December, 1947, Vol. 30 No. 50, p.1.

² M. Christie, The Sydney Markets, 1788-1988, Sydney Market Authority, Sydney, 1988, p. 92.

The history of this house also demonstrates evidence of the social and economic life of the time prior to the construction of the Sutherland/Cronulla railway branch line. For the scattered residents — many of them rural producers — of what are now the suburbs of Gymea and Kirrawee Hotham House was a gathering place on the evenings when the front room addition on the south side was used as a dance hall. This was a boon for an area — unlike Sutherland, Miranda and Cronulla — which had no School of Arts or other meeting place. Mick Derrey, wrote of how he would never forget hearing Albert Tildesley sing on social evenings and how 'his voice would echo down through the gully towards North West Arm.'

While the local youngsters enjoyed dancing, on other occasions it was an important meeting place for those who were unable to qualify for bank loans to start a business or for a house purchase. As Albert Tildesley was secretary of the innovative Balmain and Rozelle Starr-Bowkett Building Society, draws for loans were held in this room. Society members entered a draw for a loan, rather than submitting an application. Unfortunately, in 1927 Tildesley's career with this organisation came to a sudden end after misappropriation of funds was discovered. This is probably when the house and farm were sold to FT Turner.

More research is needed on this important building.

It is suggested an alternative to losing Hotham House could be that the 1960s brick building (image attached) on the north side of the house be demolished and that area be used as a car park.

Society.

Subject: Subject: Completed Sutherland Shire Local Environmental Plan 2015 - Proposed local heritage listing of

65 Hotham Road, Gymea

Date: Thursday, 25 July 2019 8:04:53 AM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

As one who has taken a keen interest in the fate of the historically important pre-WWI home at 65 Hotham Road, I strongly urge Council to continue the process of amending the SSLEP2015 to include this house as an item of local heritage significance. Both Councilemployed and independent heritage experts have established that the house qualifies for such listing on social, cultural, aesthetic, historic and other legitimate grounds. All panels before which the matter has passed have supported this finding with their own recommendations. The NSW Department of Environment and Planning has confirmed, via its gateway decision, that it is appropriate to include the house in an amended LEP. I don't object to the property owner's desire to provide shire residents with quality health services. I do object to the needless destruction of a rare and significant part of Gymea's, and the shire's, heritage on the way to doing so. Incorporating the house, creatively repurposed, into the fabric of the new complex is a task well within the capabilities of architects and engineers of talent and vision, who could deliver a showpiece architectural blend of old and new, a credit to both Council and the property owner. Council must proceed with submitting the amended LEP to the department including Hotham House in the schedule of items of heritage significance. The house must be afforded the layer of legislated protection for which it has been proven to qualify.

You can upload your submission here

From: To: Subject Sufferland Shire Council

5553 Completed Sutherland Shire-Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road, Gymea Thuradey, 25 July 2019 2:37:36 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

No Answer

You can upload your submission here

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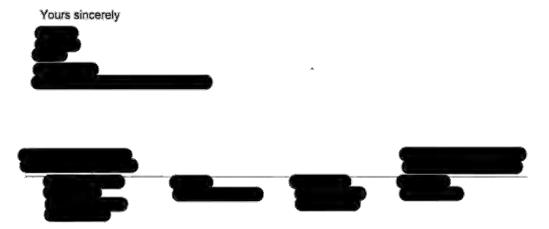
22 July 2019

Sutherland Shire Council 4 Eton Street SUTHERLAND NSW 2232

To Sutherland Shire Council

Re: Redevelopment of President Private Hospital

I am a Gastroenterologist and I have been serving the Sutherland Shire community full time since 2004. I have used the Operating Theatre at President Private Hospital. I strongly support the plan for President Private Hospital to expand its facility and increase the bed numbers. This will certainly allow me to provide better care to my patients residing in the Sutherland Shire. The population in the Sutherland Shire has increased. There is definitely a need for expansion of the medical facility in order to improve health care for the residents residing in the Shire. Therefore, I strongly support the plan to expand and improve the facility at President Private Hospital.



Subject: Subject: Completed Sutherland Shire Local Environmental Plan 2015 -- Proposed local heritage listing of 65

Hotham Road, Gymea

Date: Sunday, 28 July 2019 2:34:27 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

I strongly support giving heritage listing to 65 Hotham Rd. It is a lovely building to look at, and reminds us of some of the history of the area, a topic addressed in other submissions. It would be a terrible shame if such a structure could be demolished without long and careful consideration of what is being lost, and what is being gained. Local heritage listing is therefore vital in order to ensure that such consideration is given.

You can upload your submission here

Front Tel Subject: Date:

emples is declarifying the Christian in No. 2015 - Proposition for large May 2015 Holland Real, Gymai No. 19 1 to 19 15 Form

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymes' with the responses below.

Write your submission here

President Private Hospital, is an older facility that provides excellent care for patients in the community. However the constraints experienced by the staff are numerous. There is substantial risk management undertaken to ensure that patient and staff safety is minimized. Risk management is undertaken with regards to disficulties associated with cornidors being too narrow, beds not fitting outside of doors properly, the hospital not meeting current healthcare standards for attracture, door sizes etc. Only 9 patient rooms have ensure built batheroun, making patient share bathrooms between 2 to 4 people. Any patient going to thestree have to be wheeled past waiting patients and visitors in the reception area. The house itself is not suitable for patient access, the stain glass windows do not meet code, our patients are required to leave the main hospital in all types of weather to attend gym sexions. The floor is of un even surface and springy which makes it difficult for potients to unvigate. The facilities at President are fired and desperately require, not only an upgrade, but also a rebuild to bring the hospital to current standards. There is no possible function that Hotham can been incorporated within a new hospital architecture and still meet requirements.

You can upload your submission here

https://doi.org/10.000/10.000/10.000/10.000/10.000/10.000/10.0000/10.0000/10.0000/10.0000/10.0000/10.0000/10.0000/10.0000/10.00000/10.0000

Rehabilitation Inpatient Survey

April 2019

Catering Survey Comments

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Inpatient Comments

Thank you to all the staff at President. They were all professional and caring, helping to settle me in quickly and getting me into a routine. Everyone was very friendly which made me feel so much more comfortable especially as I was here for approximately 5 weeks. My mobility has increased immensely and I look forward to returning for the outpatients program. I can't thank you enough.

I thank you for your care and excellent service. Staff were not only helpful but also very obliging. Their courtesy was most commendable.

My third stay at President. Thank you to all staff for their professionalism, courtesy and pleasant disposition. Thank you to all the staff. They made my stay very comfortable and productive.

I like to thank the physiotherapist and occupational therapist for their love and affection shown to us to improve our mobility and walk with confidence. May God bless them with all happiness.

I am very appreciative of the professional care, and the kindness I have received. It has healed me body and soul. I am very very confident going home.

Best hospital in Shire. I have been in most. Here you are a person, not just a patient. All stars for caring from all staff.

Admin/catering/nursing physio/ thank you

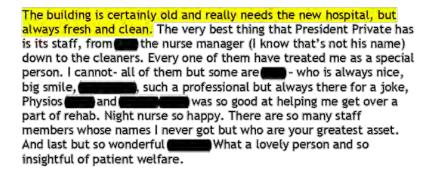
Would have liked a towel during the day so you can have a wash at night (hands and face).

RM 29 The tap in bathroom does not turn off properly. Ants in bathroom, need a spray. All the staff have been very nice and friendly. They all smile which I think with the age of the patients is great.

The best thing about President Private is the staff. They cannot do enough for you. They really care. However there is not enough of them, both in ward and physio. The portions of food are too small e.g. pick on, also it should be noted what type of soup is available. The overall look of the hospital and café - coffee shop is that it is unloved. God bless the beautiful family that work there.

Not satisfied that I am only offered 2 sessions a week for outpatient rehab. Nurses unnecessarily noisy in the early hours say around 5am most times, interrupting at least 2 hours sleep. Generally the hospital is in need of total refurbishment. Having paid top hospital cover from age 16 I felt that I should have been offered a room of my own. Generally the whole staff were courteous and kind. I would have gone home next day after admission, but stayed and it was not so bad. It is a tired place, the staff were kind but nurses noisy.

Obviously hospital is outdated and requires updating, but otherwise I enjoyed single storey low key set up for rehab. Room with full length window, air-conditioning noise and temp, catering/chef better than St George Private, staff attitude and vibe.



Subject: Explored Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65

Hotham Road, Gymea

Date: Thursday, 1 August 2019 8:50:30 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

Dear Sutherland Shire I like to submit that the development and expansion of president private is very important to the people of the shire and outweighs the its historical importance. I also would like to claim that I have nothing to disclose.

You can upload your submission here

Subject: Subject: Subject: Subject Sutherland Shire Local Environmental Plan 2015 - Proposed local heritage listing of 65

lotham Road, Gymea

Date: Thursday, 1 August 2019 11:41:10 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

I do not consider Hotham House to be a heritage item as the building is in disrepair and has not to my knowledge been a significant building contributing to the culture and identity of the Sutherland Shire. The building is part of the President Private hospital site and would be removed to make way for the redevelopment of the hospital to improve hospital and rehabilitation facilities for the growing population of residents in the Sutherland Shire.

You can upload your submission here

Fram: To: Subject: Sutherland Shire Counc

555 <u>Greenplated Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road, Gymea</u> Thursday, 1 August 2019 9156:37 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

No Answer

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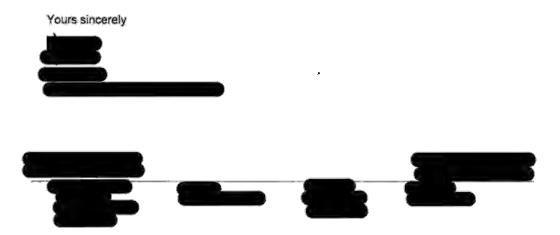
22 July 2019

Sutherland Shire Council 4 Eton Street SUTHERLAND NSW 2232

To Sutherland Shire Council

Re: Redevelopment of President Private Hospital

I am a Gastroenterologist and I have been serving the Sutherland Shire community full time since 2004. I have used the Operating Theatre at President Private Hospital. I strongly support the plan for President Private Hospital to expand its facility and increase the bed numbers. This will certainly allow me to provide better care to my patients residing in the Sutherland Shire. The population in the Sutherland Shire has increased. There is definitely a need for expansion of the medical facility in order to improve health care for the residents residing in the Shire. Therefore, I strongly support the plan to expand and improve the facility at President Private Hospital.



Subject: Subject: Proposed local heritage listing of 65

Hotham Road, Gymea

Date: Thursday, 1 August 2019 7:07:08 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

This is a Joke! Population is growing in Sutherland and we require better healthcare facilities with more beds for our ageing population. This will create more jobs for our community. Pls STOP this and hear from local voices who fully support the build. I request a Public Hearing so people can voice their concern. Support ScoMo's Vision of creating more jobs for Your Locals who have trusted you to act fairly.

You can upload your submission here

From: To: Subject: Date:

Sutherland Shire Counci

Completed Sutherland Shire Local Environmental Plan 2015 – Proposed local heritage listing of 65 Hotham Road, Gymes Thursday, 1 August 2019 2:05:55 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 - Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

No Answer

You can upload your submission here

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31tt July 2019

13

Sutherland Shire Council 4 Eton Street Sutherland NSW 2232

To whom it may concern,

RE: Proposed local heritage listing of 65 Hotham Road, Gymea ("the Application")

(am writing as the Hospital of President Private Hospital. The purpose of this letter is to object to the heritage listing of the property located at 65 Hotham Road, Gymea ("the Property") which is located on the grounds of President Private Hospital.

The horitage listing of the Property was previously considered by Council in 1993 and 2014. The conclusion of those two prior processes was to not proceed with the heritage listing of the Property, in addition, in 2009, Council issued an approval to demolish the Property.

During the two previous processes, Council considered input from President Private Hospital, which will be significantly adversely affected by the imposition of a heritage listing. In this current heritage listing process, Council has neither consulted nor even considered the impact of the proposed heritage listing of the Property on President Private Hospital, the hospital's referring medical practitioners, patients or staff. This highlights a contrived process and is a breach of due process. How can a decision on the heritage listing be made by Council without direct consultation with those members of the community their decision directly affects?

President Private Hospital will be significantly adversely affected by the imposition of a heritage listing of the Property. The reasons for this are as follows:

1. The Property is structurally unsafe and unfit for use by the hospital without modification:

President Private Hospital engaged MiEngineers to conduct a structural inspection of the Property. In their report, MiEngineers has identified that the Property is unsafe and unfit for use by patients. As a result of the MiEngineers report, the hospital has ceased using the Property for any inpatient use. This means that the property is unusable by the hospital in its current



state. Heritage listing of the Property will prohibit any substantial modifications and therefore prevent the hospital from ever being able to use the Property for its intended use.

The Property is non-compliant with regards to access, fire and a number of other critical BCA issues:

Blackett Maguire and Goldsmith has conducted a BCA Audit and noted numerous noncompliance and risk matters that require rectification. These issues include:

- a. Creation of fire compartments
- b. Widening of all exits and most of the internal doors
- c. Fitout of sprinkler systems through the entire house
- Removal and the replacement of all of the stained glass windows
- e. Structural stabilisation of the floor
- f. Removal and replacement of the wrap around porch

A heritage listing will prevent the hospital from addressing these matters and further prohibit the hospital from using the Property for its intended use.

For the above mentioned safety reasons the hospital no longer treats patients within Hotham House,

 The heritage listing of the Property prohibits the re-development of President Private Hospital and will therefore threaten the survival of the hospital;

The demolition of the Property is critical to the re-development of President Private Hospital, The location of the Property on the site and the naturally sloping topography of the site mean that the only viable and compliant access to the hospital would be achieved by demolishing the Property. If the Property is heritage listed, then it will prohibit the re-development of the hospital. Without re-development, President Private Hospital, which has had no significant expansion since it was first opened almost 50 years ago will be unable to adequately service the needs of the local community.

This heritage listing has been instigated as a direct response to President Private Hospital seeking to re-develop its facilities to better serve the needs of the Community. The process has been reactionary and has completely excluded the affected party, President Private Hospital, from the consultation process.

The Property serves no Community need. By contrast, President Private Hospital serves a major and growing Community need. Ultimately, the Community will be adversely affected by the proposed heritage listing of the Property.

For the reasons set out above, we object to this heritage listing.



Subject: Subject: Proposed local heritage listing of 65

Hotham Road, Gymea

Date: Thursday, 1 August 2019 9:22:25 PM

just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

Write your submission here

This property is worth nothing of heritage, it is old and infested with pests, it represents no history that we know of, it could be a farm house but that is it, no one can visit it and it does not worth visiting it anyway, there is just nothing in there except an old and abandoned gym for President Private Hospital, it is important to look forward and not stuck in the past. It is of no educational value in history of arts for our kids. It would not be missed if it is gone, the benefit of redevelopment outweigh the benefit of listing as a heritage property, it does not have a heritage value except it was built a long time ago. Take Garrawarra centre into comparison. Garrawarra centre has more heritage value than Hotham house but look at Garrawarra centre. The abandoned property post a health risk to the local community, if anything to be done to heritage listing and keep as a heritage property, the focus is on the Garrawarra Centre, not this Hotham house. I urge the council not to bow to a small group of "environmental activists", they do not have vision for future. They are stucked in the past. Not good for our shire moving forward.

You can upload your submission here

From: <u>Sutherland Shire Council</u>

Subject: Completed Sutherland Shire Local Environmental Plan 2015 - Proposed local heritage listing of 65

Date: Thursday, 1 August 2019 6:34:08 PM

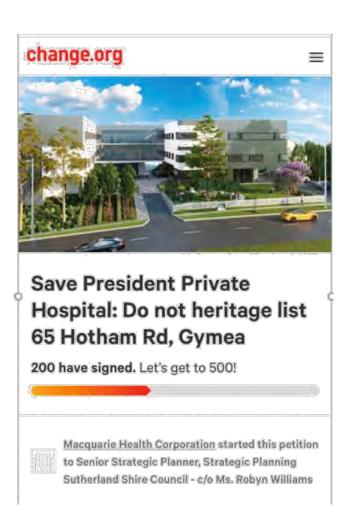
just submitted the survey 'Sutherland Shire Local Environmental Plan 2015 — Proposed local heritage listing of 65 Hotham Road, Gymea' with the responses below.

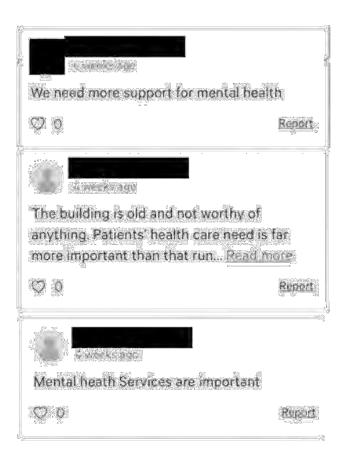
Write your submission here

Objection Firstly I request a Public hearing for this issue as per my rights as an objector. This has to be allowed in the Gateway determination process. The whole of the Shire need to be made aware of whats happening here in Gymea. A small minority of local voices are ruining the opportunity for fantastic health care asset. I object to heritage listing this building as it severely impacts the construction of a world class health facility. Legally there could be issues for Council if our parents and friends are denied care or have to travel further to receive it or are encumbered due to access levels not working and access being difficult all due to the house remaining on this site. If Council wants to make poor decisions that affect the health of the community then the Shire community will hold them accountable. You are denying people access to good mental health and care. You cant inhibit this basic human right. This is our right living in a democracy in the so called free world. You should not put bricks over the health of people. I am disappointed that Council would try and rush through a heritage listing on a property due to inaccurate facts and fear rather than solid groundwork, research and compassion. Retention of this old house blocks the re-development of the hospital and the construction of a new mental health facility, which the community and all of Sydney are crying out for. There was an ABC Q&A episode on this topic last week and the politicians were pledging to fix the situation. Even Scott Morrison promised that he would reduce the numbers of suicide in this country per year yet is prepared to sit back and watch retention of an old house who's history is questionable win over a new mental facility and hospital. In summary, Here are my points against the heritage listing: 1. Sutherland Shire Council ("Council") is taking away the freedom of land owners who purchase property with certain zonings and history by at any moment having the right to impose a new zoning or heritage listing that never existed previously. (even when the landowner objects) If Council want to do such things to people's private property and wealth then they can compensate those they have restricted and inhibited. 2. Council has not considered the impact the proposed heritage listing has on the President Private Hospital re-development as noted above. As the heritage listing is not in isolation council must legally consider the gateway application for the hospital redevelopment and assess the listing against this, not as an isolated structure. It has a context! 3. I saw an alternate heritage report by GBA heritage which debunks much of Councils heritage consultants report, How can Council go through the motions of heritage listing this old house when there is another expert opinion that challenges the very basis of that listing? In addition the director of GBA has much more experience and more widely respected as a heritage expert than Councils consultant.(I asked around and did some research on their education and experience) 4. As per my opening words, Council did not previously list this house on two seperate occasions when it was raised in 1993 and again in 2014. Its clear that the issue of listing the house this time has come from some misinformation spread amongst a small number of the community that the house was being demolished for a car park. Like the two previous attempts this attempt should be dismissed. Nothing has changed historically from 1993 and 2014 part from the proposed re-development so lets be truthful about what listing this house is really about. Stopping progress and fear of Change! Nothing more nothing less. If it was about heritage it wouldn't have failed twice before and council wouldn't have issued a demolition order in

2008. 5. The house over time no longer represents a quality piece of this periods architecture compared to the thousands of these Federation homes that already exist throughout Sydney. Its been renovated, fixed, patched, added to etc etc There are much better examples that are scattered around Sydney that have been preserved and are architecturally true to the period. 6. The heritage listing of the Property would severely restrict or stop the re-development of the private hospital site. If this happens its a disaster and Council will be held accountable for this and all legal options will be explored even if this becomes a landmark case. Council are playing with peoples lives, health and future. This is a serious issue thats a lot more important than keeping this old house. It defies belief as a human being that this argument has to be fought at all. Bricks over hearts! It is not acceptable to rush through an important issue like this and not consider all the arguments from all the experts. Council seem to think that the hospital can be re-developed and the house can be kept. I have seen the plans and this cannot happen. I have shown this to urban design professionals and they said it cannot happen so without Council producing evidence (by virtue of another siteplan from an architect) that clearly shows the hospital developed in full glory with the house not impacting on that re-development then they need to trust the information they have been given. As they say "put your money where your mouth is" Council thinks it can happen then invest the money and provide a scheme that shows this. Its scary to think what sort of things a minority of loud people and an uninformed Council can do to land owners and projects that clearly are so important to the entire community. There is a silent majority and hopefully in the public hearing this majority will get vocal so you can see that the people pushing for the heritage listing are a very very small minority when it comes to this issue.

You can upload your submission here



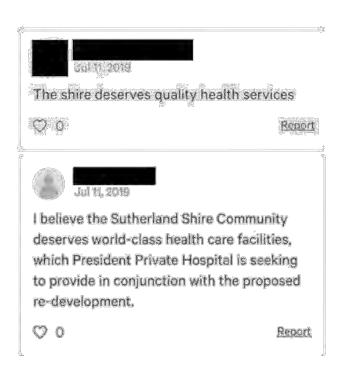














Reference: DOC19/578522

Ms Manjeet Grewal Chief Executive Office Sutherland Shire Council Locked Bag 17 SUTHERLAND NSW 1499

Attention: Robyn Williams - Senior Strategic Planner

rwilliams@ssc.nsw.gov.au

Dear Ms Grewal

Planning Proposal – Heritage listing of 'Hotham House' at 65 Hotham Road, Gymea

Thank you for your email of 3 July 2019 requesting advice on the planning proposal to list the property known as 'Hotham House' located at 65 Hotham Road, Gymea as an item of local heritage significance in the Sutherland Shire Local Environmental Plan 2015.

We understand that in September 2018, Sutherland Shire Council sought an Interim Heritage Order (IHO) to stop demolition of 'Hotham House', to enable a review of its heritage significance by Architectural Projects.

It is understood that the planning proposal intends to provide for the ongoing protection and recognition of the heritage significance of the house and garden. We have reviewed the planning proposal and heritage assessment. We note that the statement of significance for 'Hotham House' indicated that it met the criteria for listing at a local level, due to its associations with a former poultry farm as well as the subdivision and occupation of the Holt Sutherland estate between Sutherland and Sylvania.

We understand that Council sought an IHO for the property to allow for negotiation with Macquarie Health Corporation (the owners), about its retention and adaptive reuse. We understand that the owners disputed the proposed heritage listing and commissioned GBA Heritage to peer review the heritage assessment.

We note that the peer review by GBA Heritage found that the house and garden did not meet any of the required 'special', 'strong' or 'important' attributes that would otherwise justify the inclusion of this house on the LEP. The peer review also argues that there is no remaining tangible evidence of the poultry farm, which is given as the main reason for the property's heritage significance.

52 Martin Place Sydney ■ CPD Box 534ll Sydney NSW 2001 ■ Po(02) 9228 5555 ■ Po(02) 9228 3935 ■ dpc.nsw.gov.au

Heritage encourages the identification and listing of new heritage items, providing the necessary due diligence, assessments and notifications have been undertaken. Given the conflicting opinions of Council's heritage assessment and the peer review, Council should respond to the concerns raised in the peer review prior to proceeding with the planning proposal. We strongly encourage you to continue working with the owners on the heritage matters raised in both reports.

If you have any questions please contact James Sellwood, Senior Heritage Programs Officer – Statewide Programs at Heritage, Department of Premier and Cabinet by phone on 02 9274 6354 or via email at iames.sellwood@environment.nsw.gov.au.

Yours sincerely

Rochelle Johnston Manager – Statewide Programs

Heritage

8 August 2019





Mr Mark Garlon Manager Strategic Planning Strategic Planning Unit Sutherland Shire Council Locked Bag 17 SUTHERLAND NSW 1499

HOTHAM HOUSE, 65 HOTHAM ROAD, GYMEA

Dear Mr Carlon

Thank you for your correspondence of 15 August 2019 requesting advice on the significance of Hotham House located at 65 Hotham Road. Gymea (Lot 24A in DP 26995). We note that the property is the subject of an Interim Heritage Order to prevent demolition whilst Council undertakes a review of the heritage value of the property for possible listing on the Local Environmental Plan (LEP). The documentation listed below has been reviewed and forms the basis for our comments.

- 65 Hothem Road, Gymea Heritage Assessment Review by Architectural Projects dated March 2019
- 65 Hollham Road, Gymea Response to LEP Listing Nomination by GBA Hentage dated 9 May.
 2019
- 65 Hotham Road, Gymea Response to GBA Heritage Peer Review dated 6 August 2019

The listing of an item on the Local Environmental Plan is a decision for Sutherland Shire Council However, in relation to the significance of the subject item we make the following comments:

- The Heritage Assessment Review (HAR) of Architectural Projects notes that the house was built around the time the poultry farm was established and that early aerial photographs show the close relationship of the house to the poultry sheds. A newspaper article of 1926 sited in the HAR, suggests that the 20-acre poultry farm was a significant enterprise and that two operators of the farm were responsible for innovations in the industry. Potentially the house has some local significance for its association the Hotham Poultry Farm.
- The HAR states that during the ownership of Mr Turner the residence was used as a place for social gathering by the local catholic population to hold panels dances and balls as there was no community half in the vicinity. Potentially the house has some local significance for this former use.
- The item may potentially have some significance for its association with the Starr-Bowkelt
 Society. However, to determine the extent of the significance of this association a better
 understanding of the society's activities, social standing and the extent to which the subject
 item was used by the Society, would be required.

12 Martin Place Sydney • GPO Box 5341 Sydney NSW 2001 • P. (02) 9228 5555 • F. (02) 9228 3935 • doc.now.pox.op

- The comparative analysis included in the HAR lists a small number of comparable items. It
 would appear from this analysis that the c 1912-15 residence at Hotham Road is a relatively
 rare example of pre 1940 housing in the Local Government Area. Potentially the house is of
 local significance as a relatively rare surviving early residence of the area.
- It is acknowledged that the house has undergone some modification (externally and internally) and is in need of some conservation work. Despite external modifications the house does appear to have retained much of its early form and architectural detail, particularly as it presents to Hotham Road. The GBA Fleritage report notes that internally the main rooms have retained their original layout and most of their timber joinery. Overall it would appear that the house is reasonably intact and there is the potential to reverse some of the less sympatric modifications that have taken place.

Strould Council make a determination to/not to list the item on its LEP, it is recommended that as a photographic archival recording be undertaken. The recording should be in accordance with Heritage Office publication *Photographic Recordings of Heritage Items Using Film or Digital Capture*. Any new development of the site should also include interpretation of the site's history.

If you have any questions please contact Tracy Appel, Senior Hentage Programs Officer, Statewide Programs on 02 9873 8559 or email tracy appel@environment.nsw gov.au, Please direct any further correspondence to James Sellwood on 02 9274 6354 or email ames sellwood@environment.nsw.gov.au

Yours sincerely

Tim Smith OAM
Director, Heritage Operations

Heritage NSW 10 October 2019