

1 Rosemead Road, Hornsby

Heritage Peer Review

Report prepared for NSW Department of Planning, Industry and Environment

October 2020



Sydney Office Level 6 372 Elizabeth Street Surry Hills NSW Australia 2010 T +61 2 9319 4811

Canberra Office 2A Mugga Way Red Hill ACT Australia 2603 T +61 2 6273 7540

GML Heritage Pty Ltd ABN 60 001 179 362

www.gml.com.au

Report Register

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1.0 Introduction

1.1 Background

The NSW Department of Planning, Industry and Environment (the Department) has commissioned GML Heritage Pty Ltd (GML) to prepare a peer review of heritage advice which has been provided in relation to a State Significant Development Application (SSDA) (SSD-10444) for 1 Rosemead Road, Hornsby, also known as Mt Errington (the site). The site is listed as a heritage item within Schedule 5 of the *Hornsby Local Environmental Plan 2013* (Item 545 “Mt. Errington” and Gardens’). The site is located within the Mount Errington Precinct of the Hornsby West Side Heritage Conservation Area. It is also located in the vicinity of a number of other heritage items.

The SSDA seeks to redevelop the site for use as a community school, including internal alterations and exterior additions to the house and alterations to the garden.

This report reviews the heritage aspects of the proposal and submissions made in response to the public exhibition of the SSDA. It provides an independent assessment of the heritage impacts related to the proposal and makes recommendations to inform the assessment of the development application.

1.2 Site Identification

The site is located in the Hornsby Local Government Area (LGA), in the northwest of Sydney. The site is approximately 21 kilometres northwest of the Sydney CBD, nine kilometres northwest of the Macquarie Park business park, and 25 kilometres northeast of the Castle Hill town centre. The site occupies an irregularly shaped lot and encompasses the whole of Lot A of Deposited Plan 327582. The location of the site and its immediate context is shown in Figure 1.1 and Figure 1.2.



Figure 1.1 Location of the site. (Source: SIX Maps with GML overlay)



Figure 1.2 The site, outlined in red. (Source: SIX Maps with GML overlay)

1.3 Statutory and Heritage Context

The site is located within the Hornsby LGA. The *Hornsby Local Environmental Plan 2013* (HLEP 2013) is the principal environmental planning instrument applying to the site. The site is identified as an item

of local heritage significance under Part 1 of Schedule 5 of the HLEP 2013, item 545. The listing is for “Mt. Errington” and Gardens’.

The State Heritage Inventory listing includes the following statement of significance:

Garden with period elements and retained from the Federation period including mature Bunya Pine as well as later planting. Of local significance.

The listing includes the following description:

Fine Federation house with remnant period garden. Significant elements including fine diagonal pattern timber gates on heavy posts and lozenge shape brown gravel drive with brick gutter edging. Tall Bunya Pine (to 25m from c1900) is sited on the nature strip. An English Oak (to 14m from c1930?) and large Palm clump (Possibly from c1930s) are significant. Also of note are the Smooth Bark Angophora (16m) and Red Bloodwood (c14m) as well as trees from c1950/60s. These include Liquid Amber (C16m) and Lemon scented gum. Also Camphor Laurels to 12m in street. Also more recently the garden has been underplanted with native shrubs with the more traditional Azaleas. The garden has overgrown somewhat and period quality could be enhanced by attention to issues of clarity and sympathetic species planting.

The site is located within the Mount Errington Precinct of the Hornsby West Side Heritage Conservation Area, C3 (the HCA). A Statement of Significance for the Mt Errington Precinct included in the *Hornsby Development Control Plan 2013* (HDCP) is as follows:

The Mount Errington Precinct demonstrates the historic development of Hornsby, with surviving evidence of early development. Houses and gardens from the Federation and Inter War periods, and the landscape contribute to quality streetscapes.

The dramatic setting contributes to a high level of aesthetic significance, with bush encircling the area on three sides providing a green backdrop that is reinforced by the dominant tree canopy of remnant and regeneration forest.

The site is located in close proximity to several locally listed heritage items as detailed in Table 1.1.

Table 1.1 Heritage Items in the Vicinity of the Site.

| Item Name | Address | Item Number | Significance |
|----------------------|---|-------------|--------------|
| House | 52 William Street, Hornsby | 557 | Local |
| House | 4 Rosemead Road, Hornsby | 546 | Local |
| The Haven | 6 Rosemead Road, Hornsby | 825 | Local |
| 'Kurranda' | 8 Rosemead Road, Hornsby | 826 | Local |
| 'Birklands' | 52 Dural Street, Hornsby | 824 | Local |
| 'Brinawa' and Garden | 44 William Street, Hornsby | 556 | Local |
| Garden Tree | 12 Rosemead Road, Hornsby | 547 | Local |
| Street Trees | Rosemead Road (Road Reserve upper eastern section, Rosemead Road) | 544 | Local |
| Street Trees | William Street (Road Reserve William Street) | 553 | Local |
| Street Trees | Dural Street (Road Reserve Dural Street) | 468 | Local |

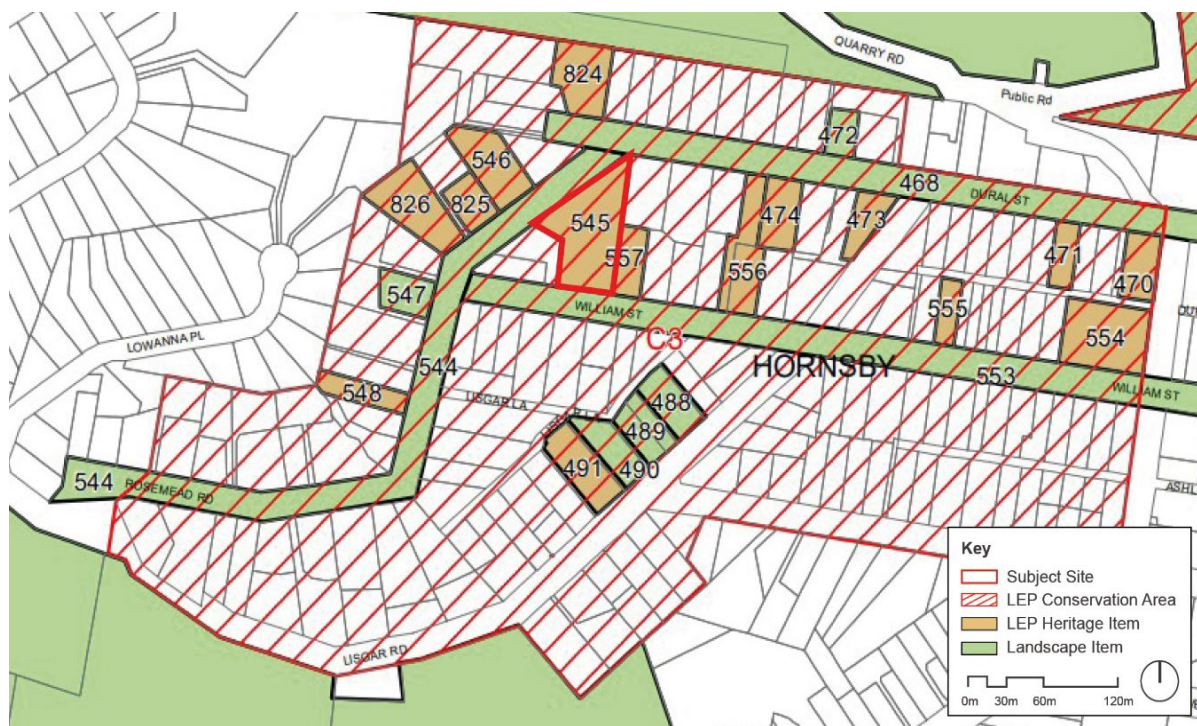


Figure 1.3 Extract of Hornsby LEP Heritage Map showing the heritage context of the site. (Source: HLEP 2013, with GML overlay)

1.4 Methodology and Terminology

This report has been prepared with reference to the guideline document *Statements of Heritage Impact* by the NSW Heritage Council. This report is also consistent with the relevant principles, guidelines and terminology of the *Australia ICOMOS Burra Charter, 2013* (the Burra Charter).

An inspection of the site was undertaken on 1 September 2020 by GML staff together with representatives from the Department, the architect and the owner of the property.

1.5 Background Documents

Tables 1.2 and 1.3 list the documentation for the proposal that has been reviewed in the preparation of this report, including architectural plans and the schedule of materials and finishes provided by Armada Architecture, Masterplanning and Design Agency, the Landscape Plan by Fiona Cole Design, and the Survey Plan by Hammond Smeallie & Co Pty Ltd.

Table 1.2 Reports Submitted in Support of the Proposal.

| Document Details |
|---|
| Environmental Impact Statement State Significance Development, 1 Rosemead Road Hornsby, prepared by Andrew Martin Planning Pty Ltd for Best-Practice Education Group Ltd, dated 1 June 2020 |
| Planning Secretary's Environmental Assessment Requirements (SEARs), prepared by the Department of Planning, Industry, and Environment, dated 28 May 2020 |
| Statement of Heritage Impact, 1 Rosemead Road, Hornsby, prepared by Heritage 21, dated May 2020 |
| Arboricultural Impact Assessment Report, 1 Rosemead Road, Hornsby, prepared by Andrew Morton for Blue Gum Community School, dated April 2020 |

Document Details

Planning Advice: Letter of comments prepared by Hornsby Shire Council for the Department of Planning, Industry and Environment, dated 9 July 2020

Responses to Submission published on Department of Planning, Industry and Environment Major Works portal

Response to Submission, prepared by Karen Harragon, Director, Social and Infrastructure Assessments, dated 17 July 2020

Letter to the Department of Planning, Industry and Environment, from Richard Mason, dated 23 June 2020

Table 1.3 Drawings Submitted for the Development Application by Armada Architecture, Masterplanning and Design Agency, Fiona Cole Design, and Hammond Smeallie & Co.

| Plan Title | Drawing No. | Revision | Date |
|---|-------------|----------|------------------|
| Site and Roof Plan | A100 | H | 7 May 2020 |
| Floor Plans + Sections | A200 | H | 7 May 2020 |
| Elevations House | A210 | H | 7 May 2020 |
| Elevations Site | A220 | H | 7 May 2020 |
| Additional Details | A230 | H | 7 May 2020 |
| Site Management + Stormwater Concept Plan | A300 | H | 7 May 2020 |
| Landscape Plan | 02419 B | N/A | 8 May 2020 |
| Detail and Levels Plan (site survey) | | C | 5 September 2019 |

1.6 Limitations

This report is subject to the following limitations.

- GML has relied on information provided by the Department.
- Limited additional historical research has been undertaken in the preparation of this report.
- The site description and analysis were prepared following inspection of the building and grounds, but without intervention into the building fabric. Visual observation primarily informed this analysis.
- An assessment of Aboriginal cultural heritage values associated with the site has not been conducted as part of this report.
- An archaeological assessment has not been undertaken as part of this report.

1.7 Authors

This report has been prepared by Anna Simanowsky (GML Senior Associate), Lucy King (GML Heritage Consultant), and Lisa Trueman (GML Senior Associate). All photographs used in this report were taken by GML in August 2020.

2.0 The Site

2.1 Site Analysis

Mt Errington is located at the corner of Rosemead Road and Dural Street. The property is sited at the peak of a gentle slope which runs down to the east. The site fronts Rosemead Road, with the rear boundary facing William Street. The surrounding area has a generally leafy green character and the property is surrounded by low rise residential properties, a children's play area and an aged care facility.

The Mt Errington house is situated within the centre of the lot and is surrounded by gardens characterised by large trees of a variety of species. The house is accessed via a driveway which enters from the northeast of the site from Rosemead Road through timber gates. A curved stone pathway leads to the house from the gates. The house is a two-storey detached building in the Arts and Crafts style, dating from 1894. The main body of the house is largely rectangular, with a narrow wing which protrudes to the south. The roof is a high-pitched hipped and gabled roof with bellcast eaves, and a hip and valley roof along the rear wing. The primary elevation faces towards the corner of Rosemead Road and Dural Streets and features a semi-circular arch on the ground floor, supported by stone foundations, that leads to the verandah, with a balcony on the upper floor. There is decorative timber panelling in the gable with extended eaves. A verandah runs along three sides of the building, supported by painted timber posts, and has been enclosed on the western side. Constructed of masonry, the building has face brick on the ground floor with roughcast render on the upper floor and the entrance arch. There are chimneys finished with roughcast render and decorative brick courses with terracotta chimney pots.

The interiors are largely intact, retaining much of the early layout and proportions, with high ceilings and a timber staircase. The rooms have retained significant original fabric including ceiling roses, skirtings, cornices, finishes and joinery. A section of highly significant early wallpaper has also been retained below the staircase. However, several alterations have been undertaken to modernise the residence, with many works concentrated around the wet areas.

Key areas of the site and its surrounds are illustrated in Figures 2.1–2.18.



Figure 2.1 Mt Errington, as viewed from Rosemead Road. The original entrance gates can be seen on the right.



Figure 2.2 Driveway from Rosemead Road. The vegetation on the right includes highly significant trees T111 and T112.



Figure 2.3 South elevation (and proposed location of the external stair). The palm tree T27 is proposed for removal.



Figure 2.4 Vegetation along the eastern boundary adjacent to the house, including tree T19—the large tree in the background—which is proposed to be removed.



Figure 2.5 Rear verandah, which is proposed to be infilled.



Figure 2.6 Part of the rear garden—the location of the proposed amphitheatre.



Figure 2.7 Looking south across the former tennis court.



Figure 2.8 The north elevation of the existing garage. A new driveway exit is proposed to be constructed adjacent to the garage.



Figure 2.9 Window on the rear (south) elevation—proposed to be adapted to become a new doorway.



Figure 2.10 Children's Room 4.



Figure 2.11 The existing internal stair is an original feature of the house.



Figure 2.12 An existing bathroom with contemporary finishes and fixtures.



Figure 2.13 Original/early wallpaper below the stair.



Figure 2.14 Original door with leadlight glazing.



Figure 2.15 The Staff Verandah at the front of the house with original timber balustrade.



Figure 2.16 View from the Staff Verandah over the front garden and original timber driveway gates.



Figure 2.17 Rosemead Road, with the site on the left.



Figure 2.18 The William Street boundary fence and street trees.

3.0 The Proposal

3.1 Description of the Proposed Works

The proposal seeks to convert the existing residential house and garden to a community school—refer to Figures 3.1–3.6 for excerpts from the development application drawings.

The proposal includes the following works.

3.1.1 External Works

Driveway and Carpark

- New permeable carpark surface to match existing driveway.
- Realignment of existing driveway kerb.
- 1 x new driveway exit onto Rosemead Road.

Fencing and Gates

- Existing Mt Errington Gates removed and repurposed as gates into the Community Vegetable Garden.
- Existing front gate posts to be retained.
- Western front gate post and letterbox relocated to create compliant driveway width.
- Existing low timber fence to be removed along Rosemead Road frontage and replace with new low height black open metal fence.
- New powder-coated metal fence to enclose outdoor play area at rear to eastern boundary.
- New egress/access gate to William Street to replace existing gate.
- Two new pedestrian gates in fence on Rosemead Road at eastern boundary.
- New low metal pedestrian gates in fence on Rosemead Road at eastern boundary.
- New low metal fence and gates to separate carpark from outdoor play area at rear of site. New sliding gates at both the driveway entry and exit points and along *Disability Discrimination Act 1992* (DDA) compliant car space.

Access

- New accessible concrete pathway and ramp.
- One accessible car space in concrete (next to accessible pathway).
- New Building Code of Australia (BCA) compliant external fire stair.
- New drop-off and pick-up footpath.

- Existing handrail of upstairs verandah raised with solid base to meet BCA height requirements.

Landscaping

- Addition of a new Community Vegetable Garden.
- Tree and vegetation removal.
- Substantial new plantings of trees and vegetation.
- New paved area utilising recycled brick paving and shade sail mounted on free-standing poles.
- Three new stepping stones to match existing near fire stair exit.
- New sandstone pavers in pebble to match existing path to front door.
- New iron bar garden bed edging flush with lawn to distinguish lawn and garden areas.
- Re-use large angophora branches as climbing structures.
- Dry stone creek bed with water pump at tap.
- New timber amphitheatre steps, built separated from existing building fabric.
- New outdoor storage enclosure with roof re-using existing slab.

Waste

- New opening to air screened bin enclosure to existing garage (not original garage).

Signage

- A sign for the school is limited to one sign on the front boundary. An indicative sign has been proposed and is noted on the architectural plans.
- Wayfinding signage is included within the site.
- Additional signage requirements are noted in the Access report.
- Signage size, position and type of fixing will be guided in accordance with the BCA and in response to advice from the heritage consultant.

3.1.2 Internal Works

Ground Floor

Flooring

- Carpet removed and refurbishment of original floorboards.

New Wet Areas

- All new wet areas to include a batten and sheet lining to separate existing fabric from new finishes, adhesives, waterproofing and the like.

GML Heritage

- New tiles are to be attached to the compressed fibre cement sheeting and not to the original heritage walls (the sheeting would 6mm thick and would be off set from the walls by 40mm).

New DDA WC

- Existing main bathroom converted to new accessible WC to meet access consultant requirements.
- W18 in existing main bathroom enclosed behind batten system for privacy in new accessible WC.

New WC 1

- Convert existing room into new ambulant WC and amenities, using existing footprint.
- W19 retained in this space, but half-frosted for privacy and supervision.
- New exhaust vent to meet heritage requirements.

New WC 2

- Existing laundry brick wall and door removed to create new WC layout.
- New exhaust vent to meet heritage requirements.
- Existing external stairs retained.

Admin

- Existing covered porch to rear of the property enclosed to create new administration space.
- Detail to match existing adjacent enclosed western verandah.

Reception

- Existing window removed and stored to meet heritage requirements.
- In place of window, new powder-coated aluminium entry door and side window to be installed.

Activity Room 1

- New sink.
- Existing external stairs retained.

First Floor

Existing Stair

- New handrail added to existing stair handrail to meet BCA requirement and heritage requirements.
- Carpet removed and refurbishment of original floorboards.
- Nosing detailing and a non-slip paint finish (to match existing) are proposed.
- A non-slip paint finish will be applied to the landing area, to match existing, to meet BCA requirements.

New WC 3

- Existing (recent) bathroom reconfigured with new full-sized toilets and amenities.
- Finish substrate to heritage requirements.

School Room 4

- Existing wall removed to enlarge room and improve egress.

Common Room

- Existing end wall detail removed, wall cut back to widen opening and then detail replaced to replicate original design.

Additional Notes

- All original cabinetry to be retained.
- Original features are to be retained throughout the house as noted on the Room Data Sheets.
- All door hardware, with the exception of the handle of the ground floor new DDA WC, are to be retained as is.
- Existing wallpaper to be enclosed under clear polycarbonate to heritage requirements.
- Leadlight window features to be enclosed under polycarbonate to meet heritage requirements—it is understood this would apply to glazing in doors only.
- Window restricting devices are to be added to windows as required by BCA.
- The pull cords for lights downstairs are sufficiently high to be deemed compliant. Upstairs they need to be shortened slightly—this will be done without altering their look or function.
- No additional lighting (with the exception of emergency lighting) is being proposed internally.
- The Fire Safety Assessment Report maps out the number of proposed positions for exit signs. It also notes the number of emergency lights required and positions for portable fire extinguishers and fire blankets.

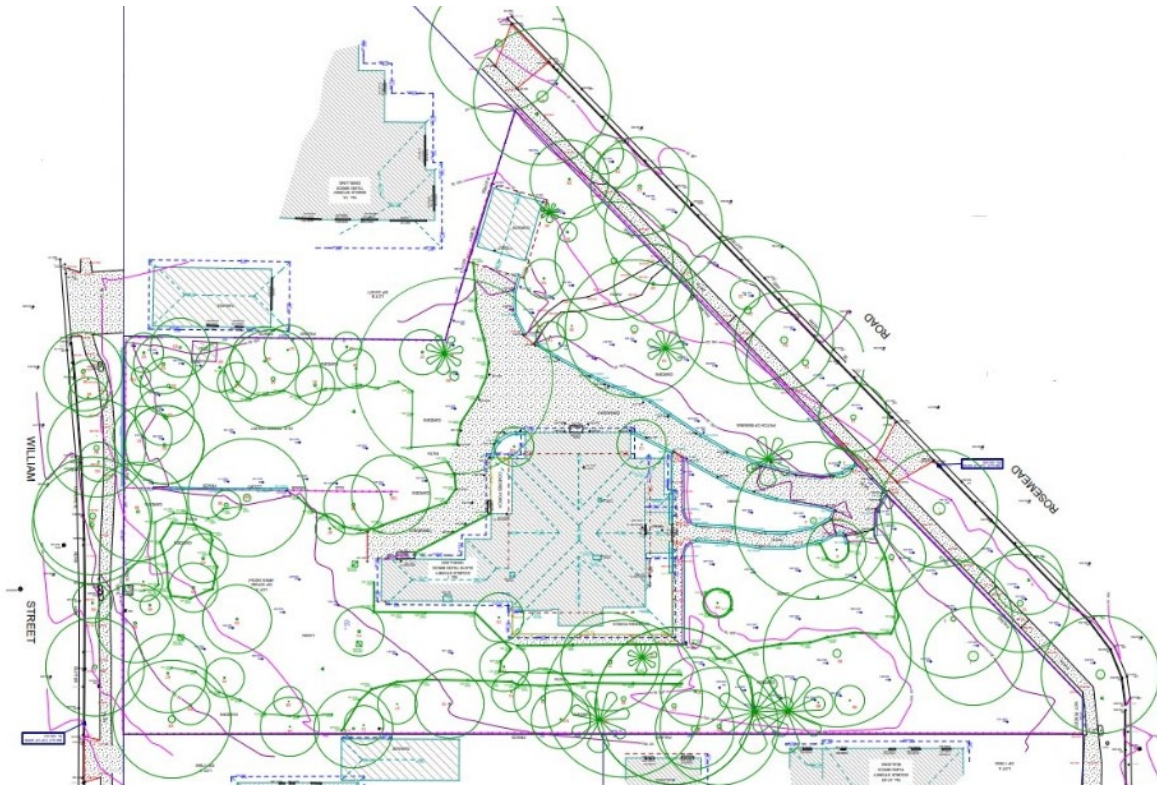


Figure 3.1 Detail of a survey plan of the site. (Source: Hammond Smeallie & Co Pty Ltd)

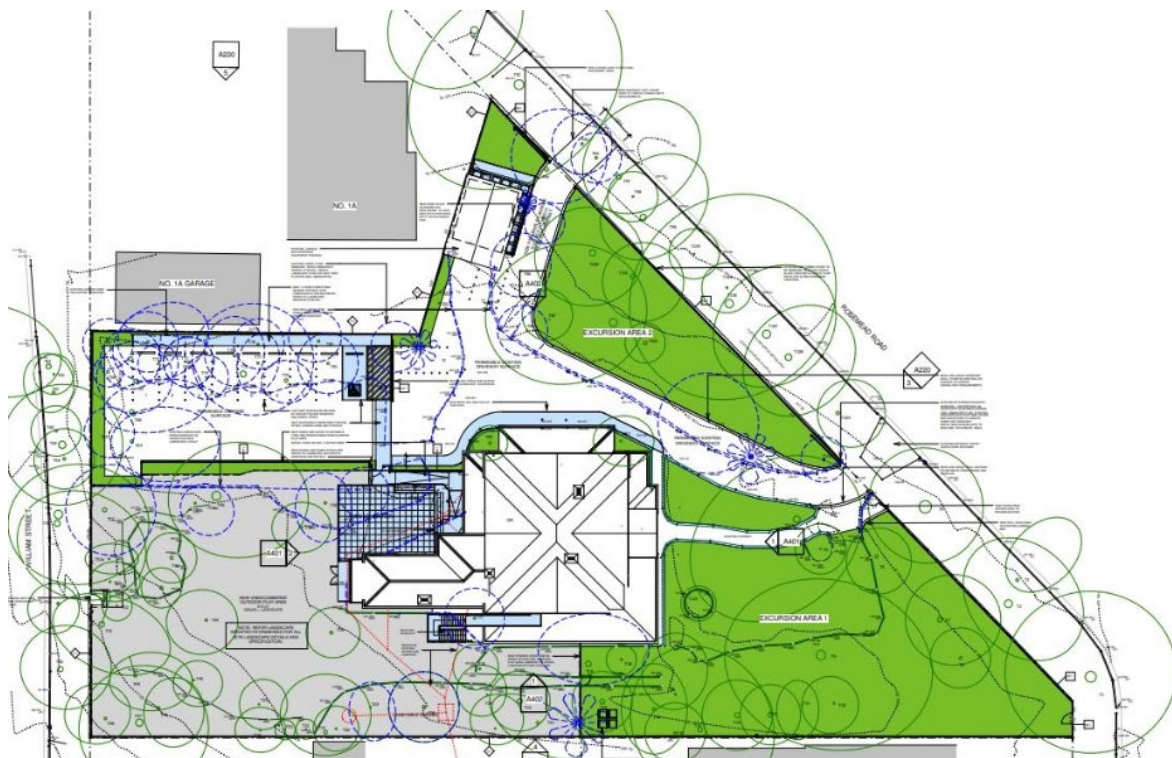


Figure 3.2 Detail of the site plan for the proposal. (Source: Armada)

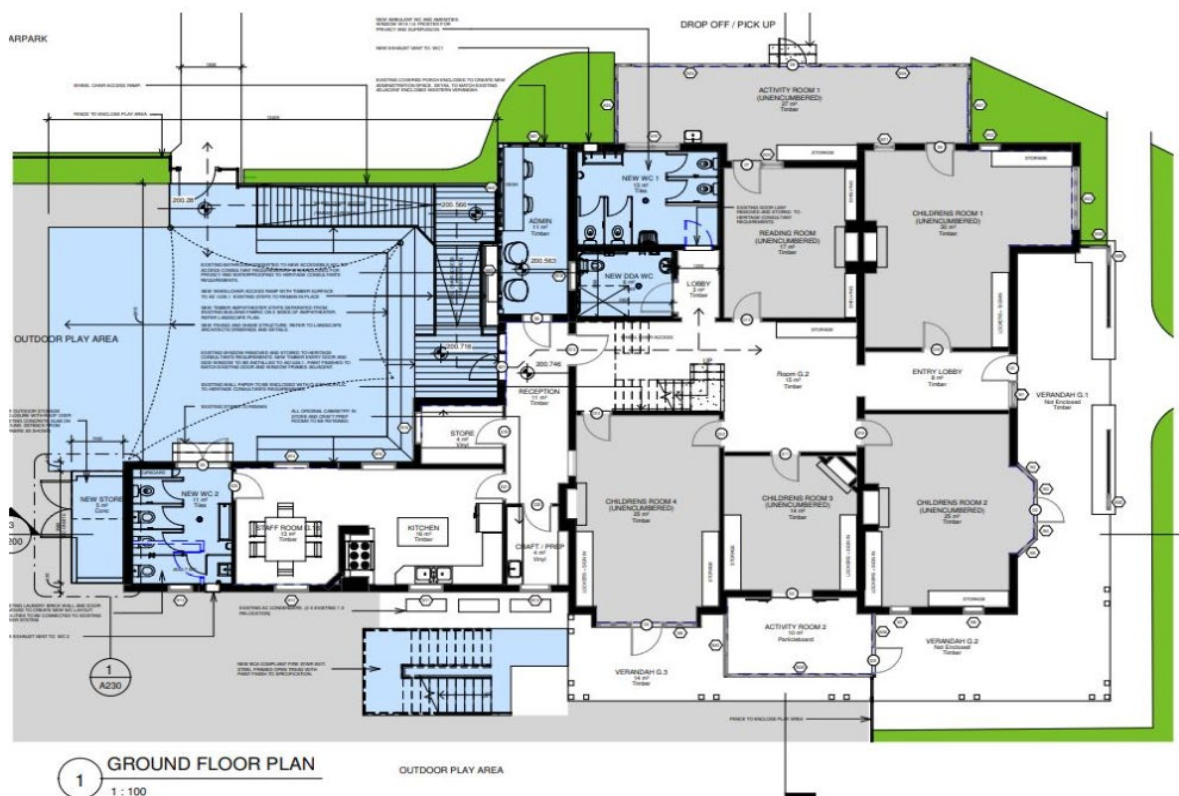


Figure 3.3 Ground floor plan showing the proposed works. (Source: Armada)

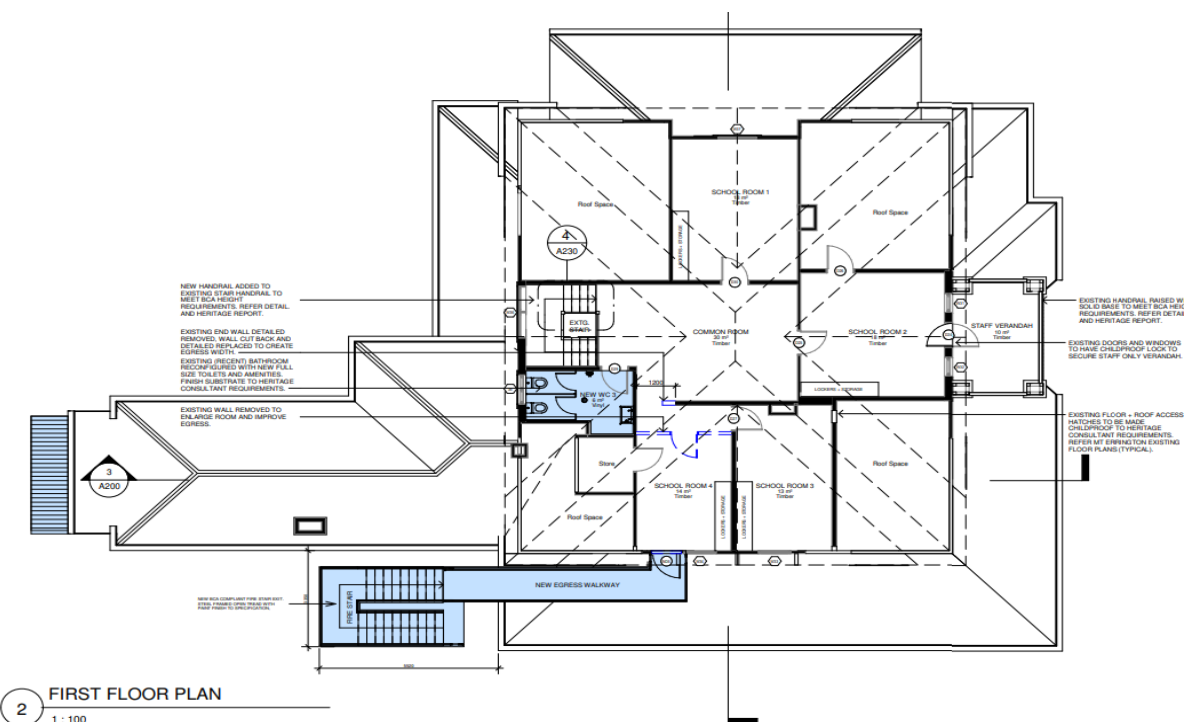


Figure 3.4 First floor plan showing the proposed works. (Source: Armada)

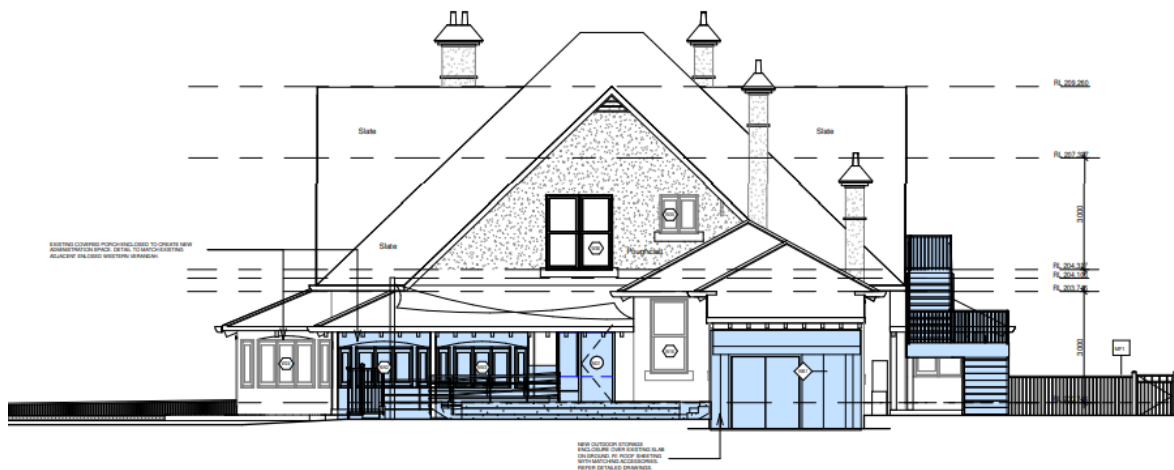


Figure 3.5 Detail of the proposed works to the southern elevation. (Source: Armada)

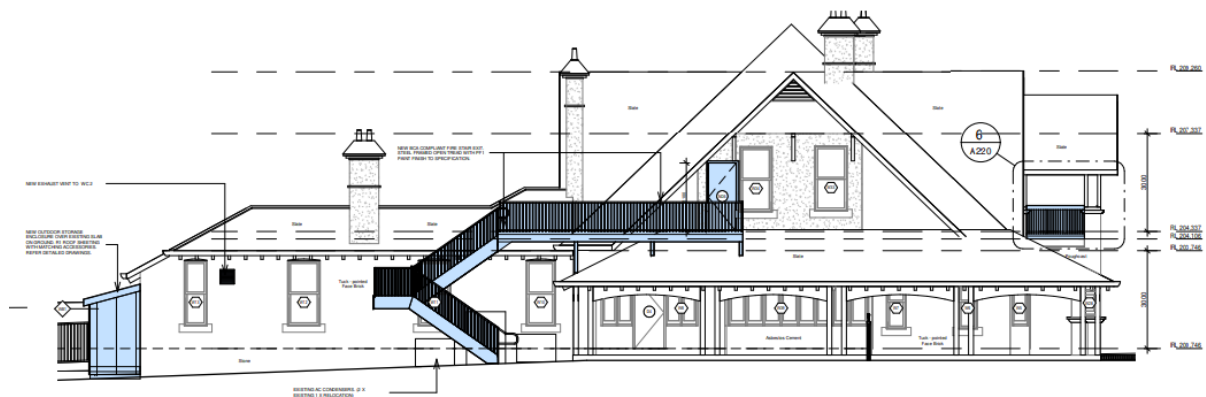


Figure 3.6 Detail of the proposed works to the eastern elevation. (Source: Armada)

4.0 Peer Review of Proposal Documentation

4.1 Background

This section provides a review of the documentation provided with the SSDA, the response to the proposal by Hornsby Shire Council (Council), and community submissions made in response to the application.

4.2 Applicant's Heritage Documents

The following documents were provided in support of the development application:

- Statement of Heritage Impact—1 Rosemead Road, Hornsby (Heritage 21, May 2020) (SOHI);
- Arboricultural Impact Assessment Report—proposed School 1 Rosemead Road, Hornsby (Earthscape Horticultural Services, April 2020) (AIAR); and
- Environmental Impact Statement—1 Rosemead Road, Hornsby (Andrew Martin Planning Pty Ltd, June 2020) (EIS).

4.2.1 Statement of Heritage Impact

The Statement of Heritage Impact (SOHI) provided by the applicant has generally been prepared in accordance with the NSW Heritage Branch document *Assessing Heritage Significance* (2001) and the Department of Planning (NSW) document *Statements of Heritage Impact* (1991). However, a number of inadequacies have been identified in the report as follows.

- The SOHI assesses the significance of the house and identifies original features, but the same detailed assessment does not extend to the gardens. The SOHI identifies that the gardens are 'a quintessential part of the subject site setting and curtilage', but the historical development of the gardens is not explored, and elements/trees/plants of heritage significance are not thoroughly identified. The result is that potential impacts of the proposal on the heritage significance of the site are not adequately assessed. It is noted that the AIAR includes an assessment of the landscape significance of individual trees and an assessment of the impact of the proposal on the trees within the site, but this information is not referenced in the SOHI.
- The potential heritage impact of the removal of trees on the significance of Mt Errington has not been fully addressed. The SOHI includes an assessment of the potential impact of removal of a palm tree near the driveway (T111), but there is no impact assessment provided for the other 39 trees proposed for removal.
- The SOHI does not include an assessment of the potential heritage impacts on heritage items in the vicinity (although an assessment is included in the EIS). Although the works are largely contained to the rear of the property, the removal of the original timber gates, the removal of significant trees, the alteration of the driveway and the addition of the fire egress stair are changes that will be visible from the public domain and as such will impact upon the streetscape, the heritage character of the area and views from heritage items in the vicinity.
- The SOHI includes an assessment of potential impacts on the HCA, but is inadequate as it does not include the potential impacts of the proposed removal of trees on the site. This is despite the

area's 'dominant tree canopy' being identified in the HDCP as contributing to the aesthetic significance of the HCA.

- The SOHI does not include a rigorous assessment of the archaeological potential of the site and potential impacts associated with the proposal.
- The SOHI does include a schedule of original features to be retained throughout the house.
- The SOHI does not include details of alternative solutions that were considered during the design development phase for the new external stair. It is understood from discussions with the architect that alternative solutions were considered, but these are not detailed in the report (although alternative solutions are included in the EIS).

4.2.2 Response to Planning Secretary's Environmental Assessment Requirements (SEARs)

The Planning Secretary's Environmental Assessment Requirements (SEARs), reissued on 28 May 2020, provide requirements for the assessment of the heritage significance of the site. The requirements stated:

Provide a statement of significance and an assessment of the impact on the heritage significance of the heritage items on the site and immediately adjacent to the site in accordance with the guidelines in the NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1996). The assessment of the impact on the heritage significance must detail any proposed changes required to convert the site from a dwelling house to an educational establishment and childcare centre, including, but not limited to:

- *required changes to the external fabric of the Mt Errington mansion, including changes to the external façades, balconies, entry points, external lighting and any fittings;*
- *required changes to the internal fabric of the Mt Errington mansion, including changes to any fittings, hardware, doorways, surface coverings, internal staircases, windows, room uses, wet areas, walls and the like;*
- *required changes to the grounds of the Mt Errington mansion, including the removal of the tennis court, vegetation and tree removal, realignment of the driveway, front fencing treatment, signage, any new pathways/paving, the addition of an amphitheatre and the removal of the front gates; and*
- *justification of any changes.*
- *Address archaeological significance on the site and the impacts the development may have on this significance.*

The application does not adequately address a number of these requirements. There is no assessment of the impact upon neighbouring heritage items or the HCA. It also does not include a rigorous assessment of the proposed changes to the grounds or the archaeological significance of the site.

4.2.3 Arboricultural Report

The AIAR records the relevant protections of the trees and vegetation present on the site, noting that all of the trees on the site are protected under the HDCP as part of the HCA, although tree T84 (Sydney Red Gum) has been approved for removal by Council as part of a separate tree removal.

- Section 5.3.4 provides a brief overview of the historical development of the gardens and planting, noting that the Bunya Pine (T4) is one of the earliest plantings on the site. There is no discussion on the historical development of other landscape features which may have influenced tree plantings.

- The report provides a landscape significance rating for each tree within, and adjacent to, the site.
- The report includes a thorough assessment of the impacts of the proposal upon significant trees and plantings, with appropriate mitigation measures proposed to lower the possibility of adverse impacts.
- The report notes that the widening of the driveway will necessitate the removal of two trees of high significance, T111 and T112. The report states that no feasible options were proposed to facilitate the retention of the trees without negative impacts to the accessibility of the site. It is unclear if other options for access were proposed that did not necessitate the removal of these trees.
- The report does not include details of alternative solutions that were considered during the design development phase. It is understood from discussions with the architect that alternative solutions were considered, but these are not detailed in the report.

4.2.4 Environmental Impact Statement

The Environmental Impact Statement (EIS) considers that the proposal would have minimal heritage impact on the heritage significance of the site and allows the 'opportunity to retain and preserve the historical significance of the site'.

The EIS makes reference to the SOHI in regards to heritage issues, and to the AIAR in regards to landscape and trees. It provides supplementary information to that included in the SOHI by including options considered for access to the upper floor, toilet locations, parking, and vehicular access through the site. It includes discussions around fencing materials and reasons for material selection.

5.0 Review of Submissions

5.1 Background

This section provides a review of the submissions made during the public exhibition of the SSDA. It is limited to a review of the heritage issues raised in the submissions.

5.2 Hornsby Shire Council's Response to the Proposal

Hornsby Shire Council provided a detailed assessment of the proposal in a submission to the Department dated 9 July 2020. The Council is generally in favour of the proposed change in use but recommends that the proposal be revised as in its current form it would result 'in an unreasonable and adverse impact on several significant heritage elements'. The Council's submission includes an assessment of the proposal in itemised form, which is included in Table 4.1 together with a review of the Council's assessment and recommendations for each item of work that comprises the proposal.

Table 5.1 Review of Council's Submission.

| Proposed Works Item | Council Submission | Review of Council Submission |
|-----------------------------|--|---|
| Driveway and Carpark | | |
| 1. New Permeable Carpark | <p>Impact: Minor</p> <p>Council raised concerns over the removal of the original tennis court. Council noted that the SOHI currently 'fails to identify the heritage significance and impact of removing the tennis court'.</p> <p>Council raised no objections over the proposed permeable pebble surface for the proposed carpark.</p> <p>Council raised no objection over the 17 trees to be removed as part of the proposal as the trees are of low historic significance. Council believes that the removal of trees and vegetation on the tennis court would be acceptable if the tennis court was proposed to be refurbished and as such there are no heritage concerns about their removal in this case.</p> <p>Council recommends that an amended Landscape Plan be submitted that includes the interpretation of the tennis court, including the retention of its dimensions and significant elements with appropriate fencing.</p> <p>Objections are raised over the proposed use of concrete for the accessible path. Council recommends investigating alternative solutions or materials.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Amendments to the Landscape Plan to show retention of the tennis court dimensions, interpretation of the significant elements and appropriate fencing to meet heritage and regulatory requirements. • Alternative material and finish for the new concrete accessible path to meet heritage and regulatory requirements. • A revised heritage impact assessment and justification for the alternative design adjustments. | <ul style="list-style-type: none"> • The conversion of the tennis court to parking will have a moderate to high impact upon the setting of the house, reducing the curtilage of the garden and introducing unsympathetic materials. • The tennis court is a significant early landscape element which contributes to the understanding of the historic use of the house. We concur that the removal of the tennis court and its impact upon the heritage significance of the site was not adequately addressed in the application. • Several of the trees proposed for removal are of moderate landscape significance (as assessed in the AIAR) and contribute to the aesthetic quality of the gardens. Their removal would have a negative impact on the significance of the site. • Alternative designs incorporating off-site parking should be investigated. On-site carparking should be minimised (limited to disabled and staff spaces) to reduce the impact on the setting of the house. • The re-use of the tennis court as a children's play area would be a more acceptable heritage outcome. • Alternative landscape strategies should be investigated that retain and interpret the layout and scale of the tennis court. • Trees of moderate significance should be retained, or provision made for replacement trees and planting that will screen the adjacent property. • The existing fencing that surrounds the tennis court is of little heritage value in itself, but contributes to the legibility of the tennis court. The fencing could be replaced with minor heritage impacts if the legibility of the tennis court was improved through other landscape strategies. • The SOHI should be revised to address the treatment of the tennis court and alternative landscape/carparking schemes. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| 2. Realignment of Existing Driveway Kerb | <p>Impact: Unsympathetic</p> <p>Council raised concerns over the realignment and the required removal of the Cabbage Tree Palm (T111) and Giant White Bird of Paradise (T112) due to their historic importance and the impact on the integrity of:</p> <ul style="list-style-type: none"> the heritage-listed garden; significant views to and from the site; the setting of the heritage-listed dwelling and its contribution to the HCA. <p>Recommendations:</p> <ul style="list-style-type: none"> Alternative driveway design to retain T111, T112 and other significant plantings to meet heritage and regulatory requirements. A revised heritage impact assessment and justification for the alternative design. | <ul style="list-style-type: none"> The proposal to provide replacement plantings in new locations would not adequately mitigate the impact of the removal of T111 and T112. |
| 3. New Driveway Exit onto Rosemead Rd. | <p>Impact: Unsympathetic</p> <p>Concerns were raised about the new driveway placement due to the removal of 10 contributory trees and the impact on landscape aesthetics, and the site's contribution to the streetscape.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Alternative solution investigated to provide the second driveway off William Street to minimise the impact of significant trees on site. A revised heritage impact assessment and justification for the alternative design. | <ul style="list-style-type: none"> The trees proposed for removal are of moderate and low significance. The potential heritage impact would be minor. The retention of trees of high significance in the immediate vicinity will ensure the character of the garden remains intact. The removal of the trees would have a negligible impact on the HCA. Trees T95 and T96 are located outside of the property boundary and form part of local heritage item 544, 'Street Trees'. They are assessed as having low significance in the AIAR. No other trees within item 544 will be impacted by the proposed driveway exit. The impact on item 544 would be minor. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| Fencing and Gates | | |
| 4. (Relocate) Existing Mt Errington gates and posts | <p>Impact: Adverse</p> <p>Concerns were raised over the removal of the original, highly significant gates and posts due to the impact on:</p> <ul style="list-style-type: none"> views to and from the property; the site's contribution to the HCA; the ability to interpret the site; and highly significant fabric. <p>These impacts are not considered to be mitigated through the relocation of the gates.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> The original gates and posts should be retained in situ. Alternative solution to meet heritage requirements. | <ul style="list-style-type: none"> We concur with Council's assessment and recommendations. The potential heritage impact would be significant. The posts are original and contribute to the overall significance of the site. The gates and posts should be retained and alternative access provided. |
| 5. Existing low timber fence to be removed and replaced—Rosemead Road Frontage | <p>Impact: Adverse</p> <p>No objections were raised to the removal of the low timber fence as it is a modern addition and is of no heritage significance.</p> <p>Concerns were raised over the unsympathetic materiality and design of the proposed new fence and their impact on the character of the house and its presentation to the HCA.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Alternative design, materials and finish to meet heritage and regulatory requirements. | <ul style="list-style-type: none"> We concur with Council's assessment and recommendations. The potential heritage impact of the proposed new fence would be significant. The proposed design and fabric of the new fence is unsympathetic to the character of the house and would impact upon its contribution to the HCA. An alternative fence design should be provided. |
| 6. New powder-coated metal fencing and egress/access gates to William Street, Rosemead Road, to separate the carpark and sliding gates to driveway entries | <p>Impact: Adverse</p> <p>Concerns were raised over the unsympathetic materiality and design of the proposed new fences and their impact on the character of the house and its presentation to the HCA.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Alternative design, finishes and materials to meet heritage and regulatory requirements. | <ul style="list-style-type: none"> The potential heritage impact of the fences/gates is as follows: <ul style="list-style-type: none"> A lapped timber board fence is proposed for the William Street boundary, replacing a similar timber fence. There will be no impact as a result. There would be a moderate impact as a result of the proposed black metal gate and fence to the carpark. The fence and gate will not be prominent from Rosemead Road, but they are unsympathetic to the house in their colour and design, and would detract from the character of the house and gardens. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| | | <ul style="list-style-type: none"> - The new fence proposed for the Rosemead Road boundary will have a significant impact as identified in item 5. • An alternative fence design should be provided for the Rosemead Road boundary, and fencing and gates within the site. |
| Access | | |
| 7. New accessible path and ramp | <p>Impact: Minor</p> <p>No objections are raised to the proposed new accessible path and ramp.</p> <p>However, Council raised concerns that the metal handrail is an obtrusive visual addition that does not complement the period or style of the dwelling.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Alternative handrail design, finishes and materials to minimise visual impacts and complement the heritage item to meet heritage and regulatory requirements. | <ul style="list-style-type: none"> • We concur with Council's assessment and recommendations. • An alternative handrail design, finishes and materials to minimise visual impacts and complement the heritage item to meet heritage and regulatory requirements should be provided. |
| 8. One accessible car space | <p>Impact: Adverse</p> <p>Concern is raised over the materials and finishes which are considered to have a detrimental visual impact upon the house and its setting.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Alternative material and finish to meet heritage and regulatory requirements. | <ul style="list-style-type: none"> • We concur with Council's assessment and recommendations. • The site plan notes that the accessible carparking spaces are to be 'hardstand', without further detail provided. The carparking spaces should be of a material/finish that is sympathetic to the character of the house and gardens. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| 9. New BCA compliant external fire stair | <p>Impact: Adverse</p> <p>Council recognises the need for a fire stair to meet BCA requirements and accepts the adverse impact it will have on the heritage significance of the place, its visual setting and views to and from the site.</p> <p>Concern is raised over the proposed colour scheme of the stair.</p> <p>A detailed drawing of the new fire egress door (ND5) should be included on the Architectural Plans (East Elevation) to meet the heritage requirements, and designed to complement the heritage item in design and materials.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> The paint finish should match the existing exterior colour scheme of the house to minimise the visual impact, complement the heritage item and meet heritage and regulatory requirements. Architectural detail illustrating the new design of ND5 to meet heritage and regulatory requirements. | <ul style="list-style-type: none"> It is noted that a second exit from the upper floor is required due to the use of the building as a school. The heritage impact would be moderate, based on the following: <ul style="list-style-type: none"> The proposed fire stair is an unsympathetic addition that sits awkwardly with the existing form of the building. Although the stair will be visible from Rosemead Road, it will not be visually prominent as it located towards the rear of the house and will be substantially screened by vegetation. The stair will be designed to be removable in the future. There will be little impact on the (largely intact) interior spaces of the house. To reduce the impact of the stair it is recommended that: <ul style="list-style-type: none"> Alternative locations and/or designs for the stair be considered in order to minimise impacts. Paint colours for the stair should be sympathetic to the house but also recessive (ie dark in tone). Should the stair remain in its current location the window into School Room 3 should be altered to be a doorway rather than forming a new separate doorway. The window should be salvaged and stored safely on site for potential reinstatement in the future. The existing opening should not be widened or increased in height when forming the doorway. |
| 10. New drop-off and pick-up footpath | <p>Impact: Adverse</p> <p>Concern is raised over the use of concrete. The concrete would have a detrimental visual impact on the item and its visual setting.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Alternative materials and finish to meet heritage and regulatory requirements. | <ul style="list-style-type: none"> We concur with Council's assessment and recommendations. An alternative design should be submitted. |
| 11. Raised balustrade on first floor balcony | <p>Impacts: Adverse</p> <p>Concern is raised over the unsympathetic design of the proposed amendment to the first floor balcony and its detrimental impacts on:</p> | <ul style="list-style-type: none"> We concur with Council's assessment and recommendations. The original balustrade should be retained and a new complying balustrade installed to |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| | <ul style="list-style-type: none"> significant original fabric; the presentation of the primary façade; and views to and from the item. <p>Recommendations:</p> <ul style="list-style-type: none"> The original balustrade should be retained. An alternative solution and justification to meet heritage and regulatory requirements. | the rear, which would not be visually obtrusive. |
| Landscaping | | |
| 12. New Community Vegetable Garden | <p>Impact: Negligible Impact</p> <p>No objections are raised to the garden. A vegetable garden is a complementary domestic garden element. It is suitable located in the rear garden, within the private open space.</p> | <ul style="list-style-type: none"> The potential heritage impact would be minor. The proposal includes the removal of tree T28 (moderate landscape significance). Impacts related to the removal of the tree would be mitigated by the planting of new trees along the eastern property boundary. |
| 13. Tree and vegetation removal | <p>Impact: Unsympathetic</p> <p>Council raises concerns over the removal of significant tree plantings (T83, T111, T27, and T112) as well as the removal of over 10 contributory trees for the new driveway access off Rosemead Road. The loss of these trees would adversely impact upon the:</p> <ul style="list-style-type: none"> integrity of the garden; significant views to and from the site; and setting of the house. <p>Concern is raised over the removal of the Juniper (T19). The significant lean of T19 towards the dwelling would aid to obscure views of the new fire stair addition from Rosemead Road.</p> <p>No concern is raised over the removal of trees located within the former tennis court on heritage grounds.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Alternative driveway design to retain T83, T111, T112 and other significant plantings to meet heritage and regulatory requirements. Relocation rather than removal of T27. Retention of T19. | <ul style="list-style-type: none"> We concur with Council's assessment and recommendations. Refer to items 1, 2 and 3 regarding tree removal related to the proposed driveway and carparking area. Tree T27 has moderate landscape significance according to the AIAR and its removal would have a minor impact. Relocation of the tree rather than removal would be desirable. Tree T19 has moderate landscape significance according to the AIAR. The AIAR has assessed that the construction of a new fence in close vicinity to the tree could cause damage to the roots and increase the risk of the tree falling. The removal of the tree would have a moderate impact. It is recommended that tree T19 remain if it is stable, and that the new fence be relocated away from the tree to prevent root damage. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| | <ul style="list-style-type: none"> A revised heritage impact assessment and justification for the alternative design. | |
| 14. New plantings and vegetation | Impact: Negligible No objections are raised to the new plantings and vegetation. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 15. New paved area and shade sail | Impact: Minimal No objections are raised to the proposed paving or shade sail. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 16. New stepping stones and pavers | Impact: Negligible No objections are raised to the proposed stepping stones and pavers. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 17. New iron bar garden bed edging | Impact: Negligible No objections are raised to the new iron bar garden bed edging. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 18. Angophora branch climbing structures | Impact: Negligible No objections are raised to the proposed re-use of the angophora branch for climbing structures. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 19. Dry stone creek bed | Impact: Negligible No objections are raised to the dry stone creek bed. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 20. New timber amphitheatre | Impact: Minor No objections are raised to the proposed timber amphitheatre. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 21. New outdoor storage enclosure | Impact: Minimal No objections are raised to the new outdoor storage enclosure. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| Waste | | |
| 22. New open to air screened bin enclosure | Impact: Minimal No objections are raised to the new open air screened bin enclosure. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| 23. Sign on the front boundary | Impact: None No objections are raised to the proposed sign. | <ul style="list-style-type: none"> We concur with Council's assessment. |
| Internal Works | | |
| 24. Flooring | Impact: None No objections are raised to the removal of the carpet and refurbishment of the flooring. | <ul style="list-style-type: none"> We concur with Council's assessment. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| 25. New wet areas | <p>Impact: Minor</p> <p>No concerns are raised over the modification of the wet areas. WC2 and WC3 have been previously modified; therefore, further modifications will have no heritage impact.</p> <p>Construction of the new wet areas (WC1, WC2 and DDA WC) is not desirable, yet they are a minor and a reasonable modification to facilitate the new adaptive re-use.</p> <p>Objections were raised to the proposed enclosure of W18.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Retention of W18 with frosting to match W19 to meet heritage and privacy requirements. | <ul style="list-style-type: none"> We concur with Council's assessment. There would be no adverse heritage impact related to WC3. The construction of the new wet areas (WC1, WC2 and DDA WC) would have a minor impact. Window W18 is shown as retained on current drawings (issue H) but sheeted over internally. There would be a minimal impact related to this solution. Council's recommendation that W18 be retained is no longer applicable as drawings have been updated showing the window retained. |
| 26. Admin— Existing covered porch enclosed to create new administration space | <p>Impact: Minor</p> <p>No concerns are raised over the enclosure of the verandah. It is a small, reversible addition and has been designed sympathetically.</p> | <ul style="list-style-type: none"> We concur with Council's assessment. To reduce potential heritage impacts, significant fabric, such as the timber fascias, should be retained. |
| 27. Reception— Existing window removed and new entry door and side window installed | <p>Impact: Minor</p> <p>No concerns are raised over the removal of the window or the creation of the new entry door and side window.</p> <p>Although the removal of original fabric will have an adverse impact, the modifications are required for the change of use. Impacts can be mitigated through sympathetic design and material choices.</p> | <ul style="list-style-type: none"> We concur with Council's assessment. The replacement doorway and window should be designed to be sympathetic to existing windows and doors, and should be constructed of timber. |
| 28. Existing stair— New handrail, non-slip paint finish and nosing detail | <p>Impact: Adverse</p> <p>No objections are raised to the new handrail, non-slip paint finishes or nosing details proposed to the existing stair. Although the installation of the new handrail will have a visual impact upon the stair, and a minor physical impact upon its fabric, Council recognises the requirement of the modifications to ensure BCA compliance.</p> | <ul style="list-style-type: none"> We concur with Council's assessment. |

| Proposed Works Item | Council Submission | Review of Council Submission |
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| 29. School Room 4 and Common Room existing wall removed | <p>Impact: Minor</p> <p>No objections are raised to the removal of the wall. It is a negligible modification located in a less important area and would not adversely affect the heritage significance of the place. Nibs of the original wall should be retained to permit interpretation of the original floor plan. Amended plans should be submitted to reflect the requested change.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> Retention of wall nibs. | <ul style="list-style-type: none"> We concur with Council's assessment and recommendations. The proposed removal of the wall would have a minor heritage impact. Wall nibs should be retained to interpret the existing layout. |
| Additional Notes | | |
| Existing wallpaper to be enclosed under clear polycarbonate to meet heritage requirements | <p>Impact: Preservation</p> <p>Council raises no objections to the enclosure of the existing wallpaper under polycarbonate. This would be an acceptable preventative measure to conserve the fabric given the change of use.</p> <p>The Protective Polycarbonate Screen detailing includes further assurance that the work will be completed to meet heritage requirements.</p> | <ul style="list-style-type: none"> We concur with Council's assessment. |
| Leadlight window features to be enclosed under clear polycarbonate to meet heritage requirements | <p>Impact: Adverse</p> <p>Council raises concerns over the intervention into original fabric required to install the polycarbonate. They question whether the polycarbonate is required given the window features in question are at a raised height and not likely damaged from general use.</p> <p>The impact of the fixtures in the original timber door leaves would have an irreversible, adverse and unnecessary impact on the original fabric.</p> <p>Recommendations:</p> <p>Removal of clear polycarbonate enclosure to leadlight window features.</p> | <ul style="list-style-type: none"> The potential heritage impact would be minor. It is understood from the current documentation that the polycarbonate sheeting would only be used on leadlight glazing to doors (SOHI, page 54). It is recommended that polycarbonate sheeting be limited to leadlight on doors, and not be used on windows or to protect fireplaces. Fixings should be selected and installed to minimise impacts on heritage fabric and allow the panels to be removed in the future. |

5.3 Community Submissions in Response to the Proposal

There were 54 community submissions received in relation to the proposal. Of these submissions, 52 objected to the proposal, with 45 submissions objecting on heritage grounds. Specific heritage issues raised are itemised, discussed and assessed in Table 4.2.

Table 5.2 Assessment of Community Submissions—Heritage Related Issues.

| Community Submissions—Heritage Related Issues | Discussion and Assessment |
|---|---|
| Change of use | <ul style="list-style-type: none"> Several submissions have objected to the change of use of the site, and particularly to the commercial and educational uses of the house. The proposed change of use of the site as a school is an acceptable change, as it will ensure the ongoing use (and maintenance) of the place. The house and gardens are to remain largely intact, and Mt Errington can remain legible as a large Arts and Crafts house in extensive gardens. It is noted, however, that the change in use will increase the wear and tear on the fabric of the house and gardens, which will need to be monitored and managed by the occupants/managers of the property. |
| Fencing | <ul style="list-style-type: none"> Several submissions object to the design and materiality of the metal fences as being not in keeping with the aesthetic qualities of the property and the character of the area. Several also note that the proposed fences do not comply with the HDCP requirements for the HCA which have been enforced throughout the neighbourhood. It is recommended that the fence design, materials and finishes should be amended to be sympathetic to the character of Mt Errington's house and gardens and the HCA, and to comply with the HDCP. |
| Removal of the timber gates | <ul style="list-style-type: none"> Several submissions objected to the removal of the timber entry gates on Rosemead Road. These objections raised concerns over the change in the streetscape and the presentation of the property, and fears over potential damage to the heritage fabric. It is recommended that the timber gates and posts be retained in situ and alternative driveway plans submitted. |
| External stair | <ul style="list-style-type: none"> Several submissions objected to the design of the proposed external stair. These objections primarily relate to the bulk, design and materiality of the addition which would be visible from the street. The stair is required as part of the change of use. The stair will not be visually prominent from Rosemead Road, but it does represent an unsympathetic addition. It is recommended that alternative locations for the external stair be considered to reduce impact. |
| Alteration of the driveway | <ul style="list-style-type: none"> Several submissions objected to the widening of the driveway on the grounds of the disruption of the garden, the change in the presentation of the house, the removal of tree plantings, the loss of heritage fabric and the change in the character of the property. It is recommended that the driveway design be amended to avoid the removal of trees T111 and T112, which are of very high landscape significance. Recommendations to minimise visual impacts on Mt Errington and the HCA are also proposed in response to this concern. |

| Community Submissions—Heritage Related Issues | Discussion and Assessment |
|---|---|
| Signage | <ul style="list-style-type: none"> Objections were raised over the potential for future signage to detract from views to or from the property. The proposed signage, modest in size and form, would not detract from or obstruct views to or from the property. |
| Removal of significant trees and alterations to the landscape | <ul style="list-style-type: none"> Approximately 30 submissions objected to the removal of significant trees and plantings within the boundary of the site. Many of the objections raised concerns over the removal of the two trees of high significance (T111 and T112), the alteration in the character and presentation of the property, and potential adverse impacts on the heritage significant garden. It is recommended that the proposal be amended to avoid the removal of trees T111 and T112, which are of very high landscape significance, and to minimise tree removal elsewhere on the site. |
| Paving | <ul style="list-style-type: none"> Objections were raised over the use of paving and largely relate to the use of unsympathetic materials within the landscape. It is recommended that the proposal be amended to omit concrete paving and use other more sympathetic paving. |
| Shade sail | <ul style="list-style-type: none"> Objections were raised in relation to the bulk and materiality of the proposed shade sail affecting the fabric of the house and views to the property. The shade sail is a reversible change that will have a minor impact on the fabric of the site. It is a modest structure that will be located at the rear of the house and will not impact on views of the property from Rosemead Road. |
| Outdoor storage enclosure | <ul style="list-style-type: none"> A small number of objections raised concerns over the materiality of the storage enclosure and its impact on views to and from the property. The enclosure is a minor addition that will not adversely impact upon the heritage significance of the site. The materials do not detract from the character of the site and the massing does not obstruct key views to or from the property. |
| New wet areas | <ul style="list-style-type: none"> Objections were raised regarding interventions into the fabric required for the construction of the proposed wet areas. Where wet areas involve alterations to existing bathrooms, there will be no heritage impact as the bathrooms have contemporary fabric and fittings. Where wet areas are introduced into other areas, the battening and lining of walls is proposed to form a zone for services pipes and conduits, so impact on heritage fabric will be minimised. |
| Indoor plumbing and heating/cooling | <ul style="list-style-type: none"> General concerns were raised over the need for indoor plumbing, heating and cooling systems. The current proposal does not include provision for heating or cooling systems. Should these amenities be proposed, detail documentation should be submitted for approval with a revised SOHI. |
| Widening of doorways and removal of doors | <ul style="list-style-type: none"> A number of objections were raised in relation to widening doorways and the removal of doors, which largely centred on the loss of heritage fabric. |

| Community Submissions—Heritage Related Issues | Discussion and Assessment |
|--|--|
| | <ul style="list-style-type: none"> The proposal includes a small number of changes to existing doors and windows, but for the most part doors and windows will remain intact. The main elevation of the house will not be impacted. The proposed changes will have a minor impact. |
| Use of polycarbonate for protection of heritage features | <ul style="list-style-type: none"> A small number of objections were raised in regard to the use of polycarbonate throughout the property and were concerned with potential damage to heritage fabric and unsympathetic materials. The use of polycarbonate to enclose the fireplaces has since been removed from the proposal. The use of polycarbonate to enclose and protect the heritage significant wallpaper beneath the stairs is an appropriate conservation measure and will have no adverse impact on the fabric. The use of polycarbonate to enclose leadlight features would have a minor impact on the fabric, but would have a positive outcome, conserving original detailing. It is recommended that the use of polycarbonate sheeting be limited to leadlight on doors. |

6.0 Assessment against Relevant Planning Controls

This section provides an assessment of the proposal against the relevant heritage clauses and sections of the HLEP 2013, HDCP and the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the Education SEPP).

6.1 HLEP 2013 and HDCP

Assessments of the compliance of the proposal to the relevant heritage clauses of the HLEP and HDCP are outlined in Tables 5.1 and 5.2.

Table 6.1 Assessment of the Compliance of the Proposal to Relevant Clauses of the HLEP 2013.

| Relevant Clauses of the HLEP 2013 | | Comment |
|-----------------------------------|---|--|
| Clause 5.10 Heritage Conservation | | |
| 5.10 (1) | Objectives | <ul style="list-style-type: none"> The proposal includes a change of use that is acceptable and allows for the ongoing use of the site. The proposal includes the retention of the house and much of its significant fabric. The majority of changes are minor and reversible. As such, the proposal generally complies with clause 5.10 (1). The proposal does not fully comply with Objective (b) due to the proposed removal of the timber gates, the widening of the driveway, removal of significant trees, and alteration of the former tennis court externally, and the proposed alteration to the first floor balustrade internally. |
| 5.10 (2) | Requirement for consent | <ul style="list-style-type: none"> Consent is required and a development application has been submitted. |
| 5.10 (4) | Effect of proposed development on heritage significance | <ul style="list-style-type: none"> A SOHI has been provided by the applicant that provides an assessment of heritage impacts related to the proposal. However, the SOHI has not adequately addressed several aspects of the proposal. |
| 5.10 (5) | Heritage Assessment | <ul style="list-style-type: none"> A SOHI has been submitted by the applicant which considers the effect of the proposed development. However, the SOHI has not adequately addressed several aspects of the proposal. |
| 5.10 (6) | Heritage Conservation Management Plans | <ul style="list-style-type: none"> No conservation management plan has been provided to guide the change of use of the site. Clause 5.10 (6) states that: <ul style="list-style-type: none"> <i>the consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</i> <p>Council or the Department may request that a CMP be prepared.</p> |
| 5.10 (7) | Archaeological Sites | <ul style="list-style-type: none"> The site is not an identified archaeological site. |

| Relevant Clauses of the HLEP 2013 | | Comment |
|-----------------------------------|--|--|
| 5.10 (8) | Aboriginal Places of heritage significance | <ul style="list-style-type: none"> The site is not an identified Aboriginal Place of heritage significance. |

Table 6.2 Assessment of the Compliance of the Proposal to Relevant Clauses of the HDCP.

| Relevant Sections of the HDCP | Comment |
|---|---|
| 9.2.1 General Design Requirements | |
| Desired Outcomes (a, b, c, d) | <ul style="list-style-type: none"> The proposal complies with (a) and (b). The proposal complies with (c) and (d) in terms of proposed alterations and additions to the house. However, it does not comply in relation to removal of significant trees, which would represent substantial and irreversible changes resulting in adverse impacts on the significance of the place. |
| Prescriptive Measures – General (a, c, d, g) | <ul style="list-style-type: none"> The proposal does not comply with (a) and (d) due to the proposed removal of trees of very high landscape significance (T111, T112), and the large number of trees removed which are of moderate landscape significance. The proposal complies with (c), (d) and (e). The proposal does not comply with (g) due to the proposed fire stair. |
| Prescriptive Measures – Form, Massing and Scale (l, j, k) | <ul style="list-style-type: none"> The proposal complies with (i), (j) and (k). |
| Prescriptive Measures – Internal Changes (n) | <ul style="list-style-type: none"> The proposal complies with (n). |
| Prescriptive Measures – Materials, Colours and Finishes (p) | <ul style="list-style-type: none"> The proposal complies with (p) except for the proposed new metal fencing. |
| 9.2.2 Garages, Carports and Driveways | |
| Prescriptive Measures Driveways (d, e) | <ul style="list-style-type: none"> The proposal complies with (d) and (e). The use of pebbles (as per existing) on the new and realigned driveway portions and carpark complies. |
| 9.2.3 Gardens, Trees and Landscaping | |
| Desired Outcomes (a, b) | <ul style="list-style-type: none"> The proposal does not comply with (a) due to the proposed removal of trees of very high landscape significance (T111, T112), and the large number of trees removed which are of moderate landscape significance. The proposal generally complies with (b). Most existing trees will remain intact within the garden which will remain complementary to the heritage significance of the house. |
| Prescriptive Measures – Gardens (a, b, c, d) | <ul style="list-style-type: none"> The proposal generally complies with (a) and (c). The proposal does not comply with (b) and (d), due to the proposed new driveway alignment which will result in the loss of two trees of very high landscape significance (T111, T112). |
| Prescriptive Measures – Trees and landscaping (e, f) | <ul style="list-style-type: none"> The proposal does not comply with (e) and (f), although some tree replacement is proposed and new trees are proposed as part of the proposed landscape works. |

| Relevant Sections of the HDCP | Comment |
|--|--|
| 9.2.4 Fences and Gates | |
| Desired Outcomes (a, b) | <ul style="list-style-type: none"> The proposal does not comply with (a) and (b). Original gates are proposed to be removed and the proposed metal fencing does not complement the heritage significance and architectural style of the heritage item. |
| Prescriptive Measures – Fences and Gates (a, b, c, d) | <ul style="list-style-type: none"> The proposal does not comply with (a), (b), (c) and (d). Original gates are proposed to be removed and the proposed metal fencing 'should be avoided'. |
| 9.3 Heritage Conservation Areas | |
| 9.3.1 General Design Provisions | |
| Desired Outcomes (a) | <ul style="list-style-type: none"> The proposed metal fencing to Rosemead Road does not comply. |
| Prescriptive Measures – Maintain and Reinforce Characteristic Details (a, b) | <ul style="list-style-type: none"> The proposal complies with (a). The proposal does not comply with (b), due to the proposed removal of the front gates, proposed new metal boundary fencing and removal of trees of very high landscape significance (T111, T112). |
| Prescriptive Measures – Form, Massing, Scale and Setbacks – Streetscape Character (d, e) | <ul style="list-style-type: none"> The proposal complies with (d) for building elements, but does not comply with (d) for landscape elements due to the proposed new metal boundary fencing on Rosemead Road. The proposal complies with (e). |
| Prescriptive Measures – Materials and Finishes (l) | <ul style="list-style-type: none"> The proposal complies with (l) except for the proposed new metal boundary fencing on Rosemead Road. |
| 9.3.2 Garages, Carports and Driveways | |
| Desired Outcomes (a) | <ul style="list-style-type: none"> The proposal complies with (a). |
| Prescriptive Measures – Garages and Carports (e) | <ul style="list-style-type: none"> The proposal complies with (e). Four car spaces are proposed for the front garden but they are gravel rather than hardstand. |
| Prescriptive Measures – Driveways (h, i) | <ul style="list-style-type: none"> The proposal generally complies with (h). There are no turning circles, but the number of driveways on Rosemead Road could potentially be reduced if off-site drop-off was possible. The proposal complies with (i). |
| 9.3.3 Gardens, Fences and Gates | |
| Desired Outcomes (a, b, c) | <ul style="list-style-type: none"> The proposal complies with (a). The proposal does not comply with (b) and (c). |
| Prescriptive Measures – Gardens (a, b, c, d, e) | <ul style="list-style-type: none"> The proposal complies with (a) and (b). The proposal does not comply with (c) and (d), due to the proposed removal of trees of very high landscape significance (T111, T112). The proposal complies partly with (e)—a replacement tree is proposed for T111. |
| Prescriptive Measures – Fences and Gates (h, i, j, k) | <ul style="list-style-type: none"> The proposal does not comply with (h), (i), (j), and (k). |

| Relevant Sections of the HDCP | Comment |
|---|---|
| 9.3.7 Hornsby West Side Heritage Conservation Area | |
| Prescriptive Measures (a) | Refer to Section 9.3 Heritage Conservation Areas. |

6.2 The Education SEPP

The proposal is subject to the controls of the Education SEPP. This document provides general guidelines for the development of existing and proposed schools, including controls and design principles. Although several clauses provide controls for works to new and existing schools, there are few specific heritage controls, and none relate directly to the adaptation of existing heritage items to schools.

The Education SEPP's Schedule 4 Schools—Design Quality Principles Principle 1 is relevant to the proposal in a general sense. It requires that schools be designed to 'respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage' and that the 'landscape should be integrated into the design of school developments to ... contribute to the streetscape and mitigate negative impacts on neighbouring sites'. The proposed works to the house generally comply with this policy and include the interpretation of significant fabric and elements, and the sensitive modification of the house. However, amendments are required to the proposal in order to fully comply with this principle, particularly in regards to the Rosemead Road fencing and the removal of significant trees and original gates.

7.0 Conclusion and Recommendations

7.1 Conclusion

This report provides an independent review and assessment of the SSDA, relevant supporting documentation and public submissions in response to the proposal. The proposal has been assessed against the relevant heritage clauses of the HLEP 2013, HDCP and the Education SEPP. The independent assessment of the proposal is detailed in the sections above, with the following conclusions:

- The proposed use of Mt Errington as an educational establishment is a suitable use for the place, ensuring that the house and garden are occupied and maintained into the future. The new use will ensure that Mt Errington will remain legible as a large Arts and Crafts house in a substantial garden setting.
- The proposed additions and alterations to the house (new wet areas, minor alterations to windows and doors, new handrail to internal stair, new storage enclosure, amphitheatre, ramp and sunshade) would have a minimal impact on the heritage significance of the place.
- However, there are some aspects of the proposal that require amendment in order to reduce the heritage impacts.
 - The driveway realignment should be revised in order to retain the front gates and highly significant trees.
 - Alternatives for vehicular access to the site, on-site drop-off and on-site parking should be considered.
 - The extent of tree removal is considered to be excessive, resulting in an adverse heritage impact. The proposal should be revised to minimise the removal of trees of moderate significance and avoid the removal of trees of high significance.
 - The proposed external stair would have a moderate adverse impact. However, the stair is required to enable the new use of the building which, on balance, is acceptable. Alternative locations/designs for the stair should be considered in order to reduce heritage impacts.

7.2 Recommendations

It is recommended that the application be amended to address the issues raised in this report, and that additional information be provided to enable a full and thorough assessment of the heritage impacts of the proposal. The following amendments and additional information are requested.

7.2.1 Design Amendments

- **Vehicular access:** the proposed vehicular access and driveway realignment involves the removal of original fabric (including the gates and posts) and trees of high landscape significance (T111 and T112) and will have an unacceptable level of heritage impact on the setting of the heritage items. An alternative location for vehicular access should be found that allows the retention of all significant trees and the historic entrance gates and posts.

- **Carparking and drop-off:** the provision of a drop-off area and carparking on the site involves the removal of original landscape features and significant trees and will have a high impact on the setting and significance of the place. Alternative designs and landscape plans should be developed that investigate off-site carparking and drop-off/pick-up zones. On-site parking should be minimised to reduce heritage impacts on the setting, landscape character and significance of the site.

A traffic study should be undertaken to assess the feasibility of off-site parking. Should this be acceptable, the former tennis court area should be retained as an open play area with existing trees retained in situ, and the tennis court should be interpreted.

- **Fencing to Rosemead Road:** the proposed new metal fence to the Rosemead Road boundary is not compliant with the HDCP and would have an adverse impact on Mt Errington and the HCA. A revised fence design is required that complies with the HDCP and is sympathetic to the character of Mt Errington and the HCA.
- **External stair:** the proposed external stair would have a moderate adverse heritage impact. Alternative designs/locations for the stair should be considered in order to find a solution with reduced heritage impact. If alternative locations are not available, the design should be revised to omit the new doorway and instead adapt an existing window to form a doorway. Details of the new door and stair should be submitted for approval, including proposed paint colours which should be sympathetic to the house but also recessive. The stair should be reversible and able to be removed in the future without undue damage to the fabric of the house.
- **Tennis Court:** the former tennis court area should be interpreted through retention of the original dimensions and significant fabric.
- **Tennis Court:** trees of moderate significance within the tennis court area that are proposed for removal should be retained, or provision made for replacement trees and plantings that will screen the adjacent property.
- **Balustrade to front balcony:** the original balustrade on the front balcony (Staff Verandah) is of high significance and should be retained in its current form. An alternative design that incorporates a supplementary balustrade to achieve BCA compliance should be considered.
- **Enclosure of the porch:** the enclosure of the covered porch for an admin area should include the retention of the existing timber fascias and timber verandah detailing.
- **Removal of the wall in Room 4:** the removal of the wall in Schoolroom 4 should include the retention of wall nibs to interpret the demolished wall/original floor plan and this should be noted on the drawings.
- **Trees T19 and T27:** tree T19 should be retained and the proposed adjacent fence relocated to avoid risk of damage to the tree roots. Tree T27 should be relocated rather than removed if possible.
- **Proposed new fencing and gates within the site:** fencing materials and designs should be proposed that are sympathetic to the character of the house and gardens.
- **Accessible path and ramp:** alternative designs, materials and finishes should be proposed for the handrail to minimise visual impacts and complement the house.

- **External paving:** proposed concrete paving/surfaces within the gardens, including carparking and paths, should be replaced with alternative materials/finishes that are sympathetic to the character of the house and gardens.

7.2.2 Additional Recommendations

The following additional information should be provided for consideration in the assessment of the proposal:

- An amended Landscape Plan should be submitted which reflects the changes recommended above, including the amended driveway solution and parking designs with the retention of the tennis court, original gates and posts, and trees T111 and T112 in situ.
- Details of the proposed handrail for the accessible ramp should be submitted for approval. The handrail should be of a design and materiality that is sympathetic to the character of Mt Errington.
- Details of the replacement doorway and window to the Reception Area should be submitted for approval. The proposed doorway and window should be sympathetic in scale and character to the existing windows and doors, and should be constructed of timber.
- Polycarbonate sheeting should be limited to leadlight on doors, and should not be used on windows or to protect fireplaces. Fixings should be selected and installed to minimise impacts on heritage fabric and allow the panels to be removed in the future.
- A cultural landscape assessment should be prepared by a qualified landscape heritage specialist which investigates the significance of the gardens and landscape elements and assesses the impacts of the proposal. This could be included in the revised SOHI.
- The SOHI should be revised to include:
 - a revised assessment and justification for the alternative designs;
 - an assessment of the heritage impacts on the HCA and heritage items in the vicinity as per the SEARs requirements; and
 - a comparative analysis to establish the significance of the property within the LGA to determine whether the site meets the threshold for state significance.
- The site should be assessed for historical archaeological potential by a qualified archaeologist/heritage expert, and assessments and recommendations should be made in relation to the proposal and management of any archaeological resource.

7.2.3 Recommended Conditions of Consent

In addition to the design changes and additional information requested above, the following information is recommended to be included as conditions of consent, should the application be approved. Additional conditions may be required after assessment of the changes and additional material.

Signage

The design, location and installation of signage within the house and gardens should be determined in consultation with a heritage consultant to minimise potential heritage impacts.

Schedule of Conservation Works

Prior to the issue of the Construction Certificate, a schedule of conservation works is to be prepared. The schedule is to include details of how significant interior finishes within the house and gardens shall be conserved including, but not limited to, the flooring and floor coverings, lighting and electrical fixtures, walls and surface finishes, tiles, signage, handrails and balustrades, ceilings, window and door hardware, windows and doors, and interpretive devices. The schedule shall include the installation of new services such as general power outlets, exit signs and emergency lights, and consider the type of fixture, installation method and cabling/conduit/duct path.

The schedule is to be prepared by a suitably qualified heritage architect/consultant with extensive experience in detailing alterations to historic buildings and is to include the scope of works relating to brickwork, historic timberwork and joinery, detailing to new window/door openings in masonry fabric, use of concrete, tiling, salvaging of materials, care with original fabric, design development, inspections and redundant services. The schedule of conservation works is to be approved by Council's heritage planner in writing prior to the release of the Construction Certificate and the works are to be implemented to the written approval of the heritage architect/consultant prior to the issue of the Occupation Certificate.

Interpretation Plan

Before the issue of any Construction Certificate, an interpretation plan for the house and gardens should be developed to enhance the user experience of the place. There is opportunity to interpret the history and heritage values of the site through engaging and inspiring interpretive elements, including signage and wayfinding within the site.

The interpretation plan must be prepared by an experienced heritage interpretation practitioner and submitted to the written satisfaction of Council. This plan shall be in accordance with the Heritage Council's *Interpreting Heritage Places and Items Guidelines*, 2005. Written approval from Council is to be provided to the certifying authority. The plan must make allowance for the display of any potential archaeology uncovered during the works, and interpret the history of the various elements on the site in a way that is engaging, informative and readily accessible to the majority of visitors. The interpretation plan must be implemented, with written confirmation from Council, prior to the issue of the Occupation Certificate.

Archival Recording

A full archival photographic recording of the house and gardens is to be undertaken—including all internal and external features—prior to any works commencing on the site. The archival recording is to be prepared in accordance with the requirements of:

- the NSW Heritage Office's *How to Prepare Archival Records of Heritage items*, 1998; and
- the Department of Planning's *Recording Places of Cultural Significance*, 1991.

The record in digital form is to be submitted to Council and written approval of Council's heritage advisor should be submitted prior to the release of the Construction Certificate.

Management Guidelines

- The preparation of management guidelines for Mt Errington (house and gardens) could be required as a condition prior to the issue of an occupation certificate. Alternatively, the preparation

of management guidelines could be included as a condition of consent for any future proposal for further works or change of use.

- Management guidelines, which could take the form of a conservation management plan, a conservation management strategy, or similar, would guide the ongoing use and conservation of the site while balancing the requirements of the school's usage and the retention and conservation of significant heritage fabric. These guidelines should address:
 - preventative measures to protect significant internal heritage features and details such as timberwork, fireplaces, skirting boards and architraves from everyday wear and tear from children;
 - guidance on interventions in the fabric and the installation of fixed furniture and fixtures required for use as a childcare centre and school; and
 - the future loss or removal of significant garden elements to expand play spaces.

Heritage Site Induction

Before any works commence on site, all contractors and subcontractors shall undergo an induction session, prepared and delivered by a suitable heritage consultant, highlighting the historical significance of the site and in particular those building elements and archaeology requiring conservation.

Heritage Architect to be Commissioned

A suitably qualified and experienced heritage architect is to be commissioned to provide detailed heritage advice to the project for its duration, including providing guidance to the construction documentation, the implementation of the conditions of consent and throughout the construction process. Written documentation to support the commission of the heritage architect is to be submitted with the Construction Certificate.

Project Arborist

A project arborist with AQF Level 5 qualifications must be appointed to provide monitoring and certification throughout the construction period.

Tree Protection Plan

A Tree Protection Plan (TPP) should be prepared by an AQF 5 Arborist in accordance with the AIAR and tree location plans submitted as part of the Development Application showing Tree Protection Zones and Structural Root Zones, construction methodology to avoid damage to trees, and specification on tree protection materials and methods.

Conditions As a Result of Applicant's Consultation with Council

- a) *All original door and windows are to be retained;*
- b) *All new door and window required locking fixtures are to be discreet and reflect the design and materials of the original hardware and installed to the nominated Heritage Consultant's requirements;*
- c) *All original light cords and handles are to be retained;*

- d) *Any new lighting plan would require consultation with Council and to be installed to the nominated Heritage Consultant's requirements; and*
- e) *Any new signage would require consultation with Council and are to be installed to the nominated Heritage consultant's requirements.*