



BUSINESS PAPER

EXTRAORDINARY MEETING

**Tuesday 14 August 2018
at 5:00pm**



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GENERAL BUSINESS

Office of the General Manager

Nil

Corporate Support Division

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Environment and Human Services Division

Nil

Planning Division

Nil

Infrastructure and Recreation Division

Nil

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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."

ABORIGINAL RECOGNITION

Statement by the Chairperson:

"We acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

"I advise all present that tonight's meeting is being video streamed live via Council's website and also audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The audio and video recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so."

APOLOGIES / LEAVE OF ABSENCE

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairperson:

"In accordance with Section 147 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement."

If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council's Code of Conduct."

DECLARATIONS OF INTEREST

Clause 52 of Council's Code of Meeting Practice (Section 451 of the Local Government Act, 1993) requires that a councillor or a member of a Council committee who has a pecuniary interest in a matter which is before the Council or committee and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

The Councillor or member of a Council committee must not be present at, or in sight of, the meeting of the Council or committee:

- (a) at any time during which the matter is being considered or discussed by the Council or committee.*
- (b) at any time during which the Council or committee is voting on any question in relation to the matter.*

Clause 51A of Council's Code of Meeting Practice provides that a Councillor, Council officer, or a member of a Council committee who has a non pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

If the non-pecuniary interest is significant, the Councillor must:

- a) remove the source of conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.*

OR

- b) have no involvement in the matter by absenting themselves from and not taking part in any debate or voting on the issue as if the provisions of Section 451(2) of the Act apply.*

If the non-pecuniary interest is less than significant, the Councillor must provide an explanation of why they consider that the interest does not require further action in the circumstances.

CONFIRMATION OF MINUTES

PETITIONS

PRESENTATIONS

RESCISSION MOTIONS**MAYORAL MINUTES****Page Number 1****Item 1 MM20/18 NO. 22 BELLEVUE STREET, THORNLEIGH****RECOMMENDATION**

THAT Council Liaise with the developers of property Nos. 20-22 Bellevue Street, Thornleigh to seek their agreement that:-

1. The descendants of Nurse Jane Starkey Dawes be permitted to inspect the property at No. 22 Bellevue Street, Thornleigh and take photographs;
2. The descendants of Nurse Jane Starkey Dawes be allowed to remove from property No. 22 Bellevue Street, Thornleigh any non-structural fittings / fixtures of sentimental value to family members (such as the front door knocker);
3. The developers undertake a photographic archival record (interior and exterior) of property No. 22 Bellevue Street, Thornleigh to be submitted to Hornsby Council's Local Studies Library;
4. The developers make a financial contribution or fund investigations and implementation of opportunities to recognise the important life and work of Nurse Jane Starkey Dawes through a local history initiative and/or onsite heritage interpretation and;
5. Consideration be given to how this work may be presented to the broader Australian community particularly through incorporation in the Thornleigh Community Centre with appropriate material in recognition of Nurse Jane Starkey Dawes.

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS*Note:*

Persons wishing to address Council on matters which are on the Agenda are permitted to speak, prior to the item being discussed, and their names will be recorded in the Minutes in respect of that particular item.

*Persons wishing to address Council on **non agenda matters**, are permitted to speak after all items on the agenda in respect of which there is a speaker from the public have been finalised by Council. Their names will be recorded in the Minutes under the heading "Public Forum for Non Agenda Items".*

GENERAL BUSINESS

- *Items for which there is a Public Forum Speaker*
- *Public Forum for non agenda items*
- *Balance of General Business items*

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

Nil

ENVIRONMENT AND HUMAN SERVICES DIVISION

Nil

PLANNING DIVISION

Nil

INFRASTRUCTURE AND RECREATION DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS

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1 NO. 22 BELLEVUE STREET, THORNLEIGH

I have received significant representations from members of the community raising concerns about the proposed demolition of a dwelling house at property No. 22 Bellevue Street, Thornleigh which is considered by the community to have significant heritage value and consequently worthy of retention.

The property, along with No. 20 Bellevue Street are currently the subject of a development application which was lodged on 20 December 2016 for demolition of existing dwellings and construction of a 5 storey multi-unit development. The application is currently being evaluated by Council officers including consideration of the matters raised by residents about the heritage attributes of the property. The Hornsby Planning Panel is the determining authority for the application.

Property No. 22 Bellevue Street is not currently listed as a heritage item or located within a heritage conservation area under Council's planning instruments and on 6 August 2018, a Complying Development Certificate was issued by a private certifier for the demolition of the dwelling. A notice of commencement of works has been issued which indicates that works may commence this week. This has increased requests from the community for Council to act to seek to ensure retention of the dwelling. Therefore, it is urgent that Council consider the heritage value of the dwelling.

Given the level of community interest in this matter, Council staff have engaged an external heritage specialist to undertake a preliminary heritage assessment of the dwelling. The heritage specialist concludes *"that the house would not meet the threshold using the Heritage Manual criteria for identification as an item of local significance and there are no heritage considerations that would preclude its demolition"*. A copy of the preliminary heritage assessment is attached.

Although the heritage assessment does not identify the dwelling as having heritage significance, the work by Nurse Jane Starkey Dawes is worth of recognition as it is through an understanding of our history and the events of the past we may better connect our community to earlier generations and their way of life. Therefore, it is appropriate that Council continue to work with the developer to explore opportunities to recognise the important life and work of Nurse Jane Starkey Dawes through a local history initiative and/or onsite heritage interpretation.

RECOMMENDATION

THAT Council Liaise with the developers of property Nos. 20-22 Bellevue Street, Thornleigh to seek their agreement that:-

1. The descendants of Nurse Jane Starkey Dawes be permitted to inspect the property at No. 22 Bellevue Street, Thornleigh and take photographs;
2. The descendants of Nurse Jane Starkey Dawes be allowed to remove from property No. 22 Bellevue Street, Thornleigh any non-structural fittings / fixtures of sentimental value to family members (such as the front door knocker);
3. The developers undertake a photographic archival record (interior and exterior) of property No. 22 Bellevue Street, Thornleigh to be submitted to Hornsby Council's Local Studies Library;
4. The developers make a financial contribution or fund investigations and implementation of opportunities to recognise the important life and work of Nurse Jane Starkey Dawes through a local history initiative and/or onsite heritage interpretation and;
5. Consideration be given to how this work may be presented to the broader Australian community particularly through incorporation in the Thornleigh Community Centre with appropriate material in recognition of Nurse Jane Starkey Dawes.

The Honorable Cr PHILIP RUDDOCK

Mayor

Attachments:

1. [Preliminary Heritage Assessment - 22 Bellevue Street Thornleigh](#)

File Reference: DA/1545/2016

Document Number: D07503082

JOHN OULTRAM HERITAGE & DESIGN

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ABN 23 581 172 790

13th August 2018

The General Manager

Hornsby Shire Council,

Po Box 37,

Hornsby,

NSW 1630

Attention: James Farrington, Group Manager Planning

Dear Sirs,

Re: 22 Bellevue Street, Thornleigh DA/1545/2016**1.0 Proposed Works:**

Demolition of the existing house and redevelopment of the site (and adjoining site) for a five storey, multi-unit development.

2.0 Statutory Controls

Hornsby Local Environment Plan 2013 (HLEP)

Hornsby Development Control Plan 2013 (HDCP)

3.0 Heritage Listings:

The property is not listed as a heritage item in Schedule 5 Part 1 of the HLEP and is not within a heritage conservation area

The property is in the vicinity of heritage items at:

REF	ADDRESS	ITEM	RANKING
694	37 Bellevue Street	House	Local
718	9 Station Street	House	Local
720	14 The Comenarra Parkway	House	Local

Nominated Architect. John Oultram NSW ARB 7359

4.0 Current Property

22 Bellevue Street is an example of a single storey, late Edwardian period house in the set on a large block at the corner of Bellevue Street and Wood Street. The house fronts Wood Street.

The house is in painted brick and render with a gabled, terracotta tile roof. The original section of the house is in the colonial revival style with a symmetrical front elevation with a central door with French doors each side. The house has later weatherboard, gabled section to Bellevue Street that flanks a single storey verandah under the main roof supported on timber posts.

The main entrance is to Wood Street. The house has skillion sections to the rear.

Windows are a mix double hung timber sashes and multi-pane casements with fanlights in bays of three with hoods over.

The house has a garden to the front and side with a timber picket fence to the street. There is a side drive to the south with a pitched roof carport to the front. There is a small garden to the rear.

Bellevue Street is a busy, tree lined street is lined with many similar houses from the same period onwards including some Inter War development. The site is opposite the Thornleigh shopping centre, a late Twentieth Century development.

The interior of the house was not inspected but the detailing appears to be typical of the Edwardian period (realestate.com).

5.0 Historical Development

The site is part of the large land grant of 640 acres granted to George Henry Thorne in 1840.

A portion of the grant was purchased by the Haymarket Permanent Land Investment and Building Company (one of the many such development companies established in Sydney in the late Victorian period) in 1884¹. The company subdivided a portion of the land in 1886 under DP 1854. The subject site is Lot 18 of the subdivision.

In 1887 four lots of the subdivision (Lots 17, 18, 30 and 31) were purchased by Herbert John Fairfax, the sites being set on the corner of Bellevue Street, Paling Street (now Wood Street) and Station Street. In 1913 Fairfax sold two of the lots (Lots 18 and 31) to the east side of the site to Alberta Victoria Buchanan, wife of Arthur Somerville Buchanan a schoolmaster of Marrickville². Mrs Buchanan sold the two lots to Jane Dawes in 1918. The Dawes retained the properties till the 1950s when the subject site (Lot 18) was sold to Ann Amelia McCreath³.

A house appears in the Sands at the corner of Bellevue Street and Paling Street in 1923 occupied by Nurse E Starkey though the style of the house would suggest an earlier build. Council records indicate that a house was built on the site in 1918 and that Nurse Starkey was paying rates on the property (she is noted as owner in the titles noted above as Jane Dawes). The house was later named Durbanville (or Burbanville).

¹ NSW Land Registry Services, Vol. 659, Fol. 159

² NSW Land Registry Services, Vol. 856, Fol. 73

³ NSW Land Registry Services, Vol. 2435, Fol. 74

Nurse Starkey (Jane Starkey Dawes) appears to have been a midwife who arrived in Sydney in 1895 with her husband. She raised funds for the Friendly Society Hospital, was a life member of the Civil Ambulance and Transport Brigade and later joined the St Johns Ambulance Brigade. She later operated a hospital out of a house in Moree Street, Gordon. She reportedly owned the property at 20 Bellevue Street that was licensed in 1926 as a 2 bed medical and surgical lying in hospital. Nurse Starkey registered as a midwife in 1927 but surrendered her registration in 1929 (Source: Hornsby Shire Council).

The Sands listed her in occupation of the house till the Directory ceased publication in 1933

6.0 Preliminary Heritage Assessment

Based on the above we consider that the house is unlikely to meet the threshold using the Heritage Manual criteria for identification as item of local significance. The design of the original house with its Colonial Revival style, symmetrical front elevation house is a little unusual for the period of construction but the interior detailing appears quite typical.

The house has associations with Jane Starkey Dawes (Nurse E Starkey) and her husband William Dawes who appear to have built the house in 1918. Mrs Dawes was a midwife and appears to have used the house as a lying in hospital for women approaching the birth though it is not clear of babies were born at the property.

Nurse Starkey is recorded surrendering her certificate and badge in 1929 and the property appears have operated as a lying in hospital for only one years. 'Cottage' hospitals of this type were far more common this period due to the limited nature of hospital services particularly in outlying suburbs and, considering the scale of the house, the number of beds available at would have been limited. The house was built on one of the lots of the early subdivision and was part of the residential development of the area.

While the early use is of some interest the use is not signalled in the form or detail of the house and is an historical association that will remain even if the house is demolished.

See Appendix A

Recommendation:

Our preliminary assessment is that the house would not meet the threshold using the Heritage Manual criteria for identification as item of local significance and there are no heritage considerations that would preclude its demolition.

Yours faithfully,



JOHN OULTRAM

Appendix A Preliminary Heritage Assessment

Criterion (a)	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
	22 Bellevue Street is an example of a late Edwardian period house built c, 1918 for Jane Starkey Dawes (Nurse E Starkey) and her husband William Dawes
	The house may have been used for lying hospital operated by Nurse E Starkey but was built as a residence and was only registered for this use for one year
	The house was built on part of the 1886 subdivision of a large portion of the local area by the Haymarket Permanent Land Investment and Building Company
	Does not meet the criterion
Criterion (b)	An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)
	The is associated with Jane Starkey Dawes (Nurse E Starkey) and her husband William Dawes but neither could be said to be persons of note
	Does not meet the criterion
Criterion (c)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
	The building is an modest, single storey, late Edwardian house in a colonial revival style with later extensions in the Federation style
	Does not meet the criterion
Criterion (d)	The item has strong or special association with a particular community or cultural group in NSW (or the local area) for social or spiritual reasons
	The house has no associations with a particular group
	Does not meet the criterion
Criterion (e)	An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)
	The site has no archaeological potential
	Does not meet the criterion
Criterion (f)	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)
	This building type is not rare locally
	Is not rare. Does not meet the criterion
Criterion (g)	An item is important in demonstrating the principal characteristics of a class of NSW's Cultural or natural places; or Cultural or natural environments
	The building is typical for this period
	(or a class of the local area's: Cultural or natural places; or Cultural or natural environments)
	The building is typical for the period
	Does not meet the criterion