
16 STANHOPE ROAD, KILLARA - POTENTIAL HERITAGE ITEM

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To have Council consider the potential heritage status of 16 Stanhope Road, Killara following the Councillor site inspection on 1 August 2007.

BACKGROUND:

At the Council meeting held on 17 July 2007, Council considered the independent heritage consultants report, regarding the potential heritage listing of 16 Stanhope Road, Killara. This matter was deferred to a site inspection. On 1 August 2007 a site inspection was held with the Councillors and the owners representatives.

COMMENTS:

This report provides the feedback from the Councillors site inspection including a formal reply to the questions raised at the on-site meeting and additional social historical research that has been undertaken by the independent heritage consultant.

RECOMMENDATION:

That 16 Stanhope Road, Killara be deleted from the potential heritage item list.

PURPOSE OF REPORT

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BACKGROUND

At the Council meeting held on 17 July 2007, Council considered the independent heritage consultants report, regarding the potential heritage listing of 16 Stanhope Road, Killara (see **Attachment 1** officer's report OMC 17 July 2007). This matter was deferred to a site inspection. On 1 August 2007 a site inspection was held with the Councillors and the owners representatives. A development application has been lodged for demolition of the house and a new two storey house and pool – Development Application No. 1423/06.

COMMENTS

On 1 August 2007 a site inspection was held with the Councillors and the owners representatives (see Attachment 2 Site Inspection Notes 16 Stanhope Road, Killara). At the site inspection there were several questions raised on the heritage significance of the property and the current development application to demolish the house and construct a new two storey dwelling plus pool.

A response to the general questions raised on the Development Application 1423/06 is provided below and additional information from the independent heritage consultant is also provided and discussed.

QUESTIONS AND ANSWERS - 16 STANHOPE ROAD, KILLARA – DA 1423/06

1. **What are the side setbacks for a dwelling where there is a battleaxe on both sides of the property?**

In accordance with Clause 4.1.3 of DCP 38, the minimum ground floor distance to a side boundary for sites less than 20m in width is 1.5m for a single storey and 2m for a two storey.

For sites greater than 20m in width the setback is 9% of site width for a single storey and 12% of site width for a two stores.

The first floor of any dwelling shall be set back a minimum of 2.5 metres or 15% of the site width, whichever is the greater.

2. **Will the relocation of the palm tree at the front be done by a qualified arborist?**

A condition can be imposed requiring the transplanting of the palm tree to be directly supervised by an experienced and qualified arborist / horticulturist.

3. **If granted demolition, what would be the issues with retaining the front façade?**

The retention of the front façade is not proposed under the current development application DA1423/06.

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If it were proposed to retain the front façade only, this would be dependent on structural issues and would require a substantial redesign of the dwelling from that currently proposed.

4. Is it possible to estimate the side setbacks for the four or five dwellings on this side of the street- as this will affect the streetscape- this could be done by aerial photos?

According to Council’s GIS system and site context plan (Drawing No: DA-A003 Issue B dated 07.05.2007) submitted by the applicant in respect of DA1423/06, the approximate minimum side setbacks for the adjoining properties are as follow:

Address	Western side setback	Eastern side setback
4 Stanhope Road	6m	2m
6 Stanhope Road	3m	5m
8 Stanhope Road	3.5m	1.5m
12 Stanhope Road	1.5m	0.75m
14 Stanhope Road	3.75m	1.25m
18 Stanhope Road	8.5m	2.75m
20 Stanhope Road	2m	N/A

5. Have Council been successful in L & E Court cases- where the basis for conservation is the national trust UCA status- ie. what weight would be given to these?

No. In accordance with statutory provisions, the Court applies weight in considering an issue where there is an established heritage link with a subject property. This link is established through listing of a site in an LEP or draft Environment Planning Instrument (EPI). In respect of the latter, there must be a sufficient degree of immanency and certainty in adoption of the draft EPI for the Court to give determinative weighting in respect of heritage values. This is in accordance with the heads of consideration under S79C of the Environmental Planning and Assessment Act 1979.

In this instance, the subject site is not listed as a heritage item or as a draft heritage item in any EPI. Similarly, the site is not located within a conservation area that has statutory weighting under the Act. National Trust UCA’s remain non-statutory and therefore are excluded from legal consideration under the Act.

Significant time has elapsed since initial recognition of the subject site in the consultant’s report, without any statutory weight being conferred through an LEP or draft LEP. Neither has UCA 10 been given statutory weighting under the Act, despite its long standing existence. That is not to say that a National Trust UCA is an irrelevancy but rather its consideration is supplementary and dependent on the statutory weighting afforded an item by inclusion in the KPSO or draft LEP. In the absence of the latter, the former cannot be considered determinative.

6. Will the new house be parallel to the street as opposed to the existing dwellings?

Yes. This is indicated on the site plan (Drawing No: DA-A008 Issue C dated 07.05.2007) submitted with DA1423/06.

OTHER COMMENTS**Heritage – Social Significance**

At the site inspection a request was made for additional research on the social significance of the property. Council's independent consultant Ian Kirk was engaged to conduct additional research, this is reproduced below:

REPORT FROM IAN KIRK – additional information – Social Significance***Background***

*This short report is to be read in conjunction with the Heritage Assessment Report of 16 Stanhope Road, Killara prepared by INHERITage in June 2007 (see **Attachment 1**).*

The site is within the Springdale Estate which was first subdivided and offered for sale in 1896 and then re-offered for sale in 1899. In 1922, Sydney merchant Percival Charles Basche purchased Lot 3 of the Springdale Estate from Arthur Ducker. At the Council meeting of 22 November 1922 building approval was granted and the existing house was constructed by 1924. The house is first listed in the Sands Directory of 1924 and was initially known as "St Helens" and included a garage at the rear.

Percival C Basche

Percival Charles Basche was born about 1886 and was the son of Carl and Emilie (or Emily) Basche who were originally from "Greenfields" Frederickton near Kempsey. He married Eileen R Hipgrave in 1911. They had at least one son – Rollo Oswald.

Basche was merchant and horse breeder - his primary business was Basche and Lowney in Sydney but P.C. Basche shared in thoroughbred breeding partnerships with Herbert Thompson, who was the leading breeder of the day and was a "financial" partner with Herbert Thompson in owning the Hunter Valley "Sunnyside" stud property.

While collectively, with the inclusion of "Widden" and other studs, at that time the Thompson family were the largest group of thoroughbred breeders, individually, Herbert was the only breeder to rival Percy Miller of "Kia Ora" stud at Scone. The fact that in the depression year of 1935, 35% of Herbert Thompson's Sales draft was owned by the Messrs H.S. Thompson & P.C. Basche partnership, confirms that Basche was a very significant force in the thoroughbred industry of the time. Mr Basche died in 1961.

Whilst Mr Basche was a significant figure in the thoroughbred horse breeding industry, the house at 16 Stanhope Rd has no connection to that industry other than being the Sydney home of Mr Basche.

Harold A. Rofe

Harold A. F. Rofe was a Medical Practitioner and was the owner of the house from 1934 until 1960 when it was transferred to his wife Roma C Rofe.

Whilst there are Rofe Parks in Turramurra and in Hornsby Heights, these were actually named after Thomas Ernest Rofe - former President of Hornsby Shire Council in 1932 who resided at 'Neringla' in Woonona Avenue, Wahroonga.

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Thomas Rofe was a well known philanthropist and also donated the land for Hornsby Hospital. He was born on 15 June 1869 in Sydney, fourth son of Sydney-born parents .Alfred Rofe (d.1902), leather cutter and later solicitor, and his wife Sarah, née Fulton.

Educated at Cleveland Street Public and Sydney Grammar schools, Tom was articled in his father's office. Admitted as a solicitor on 17 March 1893, he became a partner in Alfred Rofe & Sons, 60 Castlereagh Street. At Redfern he married Minnie Edith Hilder on 27 December. A Nationalist, Rofe was a member of Hornsby Shire Council (1927-41; president, 1932), a vice-president of the Local Government Association, sometime president of the Town Planning Association and a trustee of National Park. Rofe died at his Wahroonga home on 16 May 1945 and was cremated. He left the residue of his estate, valued for probate at £90,915, in trust to benefit the Churches of Christ and other worthy causes.

Whilst the connection between Harold and Thomas Rofe has not been established, there is clearly no connection between the Rofe Parks at Hornsby Heights and Turramurra and the house at 16 Stanhope Road, Killara.

1. *Research notes prepared by Kathie Reith – Ku ring Gai Historical Society, 16 Stanhope Road.*
2. *Research information provided by Keith Binney author "Horsemen of the First Frontier 1788 – 1990".*
3. *Hornsby Shire Council Library On Line Catalogue Photo 00653.*

CONSULTATION

Consultation has been conducted as part of Council's potential heritage item review. In addition residents and other interested persons were notified of this report going to Council.

FINANCIAL CONSIDERATIONS

Project costs for the potential heritage item review are covered by the Strategy Department capital works budget.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Comments from Council's Heritage Officer

Questions 5

UCAs have been recognized by the Court although I am not aware of an application for demolition that has been refused by the Court because it is a contributory item in a National Trust UCA.

The cases I am aware of where the Court has refused an application for demolition in a UCA and the Court has places some weight on the UCA are; 5 Boomerang Street, Turramurra and 50 Rosebery Street, Killara. In both cases, Council resolved to prepare a LEP to list as individual local items.

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Question No 6

Building practice in Ku-ring-gai in the earlier period was to align a building with the side boundary, rather than the front boundary which is the current practice. Alignment of buildings with the front boundary is in DCP 55.

Social significance

The information prepared by Ian Kirk is additional historical information - not really social significance. Social significance is defined as:

An item has strong or special association with a particular community or cultural group in the area for social, cultural or spiritual reasons.

This criterion includes:

- *Items which are esteemed by the community for cultural values;*
- *Items which if damaged or destroyed would cause the community a sense of loss Items which contribute to a communities sense of identity.*

Items are excluded if

- *They are valued only for their amenity*
- *The community seeks their retention only in preference to a proposed.*

SUMMARY

Council engaged an independent heritage consultant to assess the heritage significance of 16 Stanhope Road, Killara and the previous heritage assessments prepared for the property. The consultants report concludes that 16 Stanhope Road, Killara has insufficient heritage significance to justify it being individually listed as a heritage item but the author concurs with the report by Godden McKay Logan that the house is a contributory building within the proposed Killara Heritage Conservation Area.

The property at 16 Stanhope Road, Killara is currently identified as a Contributory item in the National Trust Urban Conservation Area 10, Killara. Stanhope Road contains many other heritage listed and contributory items. However, while it is listed as an urban conservation area by the National Trust, this UCA has no statutory power and is not listed within any draft or gazetted environmental planning instrument.

Council inspected the site on 1 August 2007 and additional heritage research has been undertaken to further assess the social significance of the site.

The additional information provided by the consultant on the social history of the site is not of sufficient importance to warrant the property being listed as an individual heritage item. The issues raised at the site inspection have been addressed in this report and relate primarily to the current development application before Council. The officer's recommendation remains that the item be deleted from the potential heritage item list.

RECOMMENDATION

- A. That 16 Stanhope Road, Killara be deleted from Council's potential heritage item list.
- B. That Council notify all affected residents and all persons who made a submission of its decision.

Antony Fabbro
Manager Urban Planning

Steven Head
Director Strategy

Attachments: 1. Officers report & attachments, Council Meeting 17 July 2007 - 815590
2. Site inspection notes of Meeting held 1 August 2007 - 815594