

## 6.6 PENNANT AVENUE (1-13) DENISTONE

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## 1 Objectives of this Part

The objectives of this Part are:

- to ensure that any redevelopment of the site is undertaken in a manner that is sympathetic to the heritage significance of “The Hermitage” and “Wollondilly” and their settings through the provision of appropriate design parameters for redevelopment of the two sites;
- to provide appropriate development controls on the sites to ensure that redevelopment is compatible with existing residential development on adjoining properties and the existing heritage buildings The Hermitage and Wollondilly on the site;
- to ensure that all significant existing landscape elements on the site are retained and incorporated into any redevelopment of the property, and that any proposed landscaping is sympathetic to the heritage significance of “The Hermitage” on the south-western portion of the site and “Wollondilly” to the north of the site and their gardens; and
- to ensure that the site is adequately provided with water, sewerage and stormwater drainage services, and that the location of these services does not adversely affect the heritage buildings on the site or any significant vegetation on the site.

## 2 Land to Which this Part Applies

This Part applies to Lots 1 and 2, DP 221325, known as 1-13 Pennant Avenue, Denistone, including the heritage buildings known as “The Hermitage” and “Wollondilly” and their settings where they are specifically referred to in this plan.

## 3 Heritage Considerations

The settings of both “The Hermitage” and “Wollondilly” will be best suited to development of the land identified as Residential ‘E’ with single residence, detached houses, comparable in scale with those around it. This would maintain the established pattern of development around the site, and entail the least cost to the amenity of both the historically significant houses, and the neighbouring residences.

Whilst Council would prefer and encourage such development economically the yield from this may be less than from more dense residential development. With great emphasis to be placed upon boundary placement, setback and intervening landscape treatment as determining parameters, townhouse or attached housing of a modern, site-specific design could also be suitable provided its scale and bulk did not produce competition with “The Hermitage” or “Wollondilly”. Such housing should not unduly overlook or focus upon the setting and garden areas retained by both existing houses.

A Heritage Statement must be submitted to Council with any Local Development Application for redevelopment of the site. This Statement must be prepared by a qualified Heritage Architect who is recognised by The Heritage Office of New South Wales and the Australian Heritage Commission.

Prior to any construction work being undertaken on the site, archaeological digs shall be carried out in accordance with the recommendations of the Conservation Plan prepared by Perumal Murphy Wu Pty Ltd dated November 1995. An excavation permit, as required under the Heritage Act (NSW) 1977, shall be obtained from The Heritage Office of New South Wales prior to any such work commencing on the site. An archaeological assessment of the site shall be prepared and submitted to Council prior to any construction work on the site being commenced. Council is required to notify The Heritage Office of New South Wales of such an assessment and consider any comments The Heritage Office may wish to make. These requirements should be noted in association with the Land Contamination requirements cited below.

Both “The Hermitage” and “Wollondilly” shall be retained in their current positions on the site. Any proposed works to “The Hermitage” or “Wollondilly” shall be carried out in accordance with the Conservation Plans prepared by Perumal Murphy Wu Pty Ltd dated November 1995 and Clive Lucas and Partners Pty Ltd dated July 1987. Where these two Plans conflict, the Plan prepared by Clive Lucas and Partners Pty Ltd shall take precedence. Additionally the heritage study prepared by Robert Moore Pty Ltd should also be consulted. Copies of these Plans are held by Ryde City Library.

Prior to the demolition of any buildings on the site, the entire site shall be recorded by a qualified heritage consultant and this archival record submitted to Council for retention in its library system. An appropriate monument, in accordance with the recommendations of the Conservation Plan prepared by Clive Lucas and Partners, shall be erected on the site to record the history of the use of the site by the CSIRO.

## **4 Landscaping and Streetscape**

The visual quality of the site is created by the existing landscape features adjacent to Blaxland Road and Anzac Avenue alignments of the site, and the gardens and existing vegetation surrounding “Wollondilly” and “The Hermitage”. The garden of “The Hermitage” is also classified as a heritage item by Council and the National Trust. The existing vegetation must be preserved in any development of the site, and the trees on adjoining sites shall not be adversely affected by any redevelopment of the site. The development is to be designed to maintain and enhance the streetscape presentation of the property that the existing vegetation provides. The location of significant trees are shown on the attached plan.

The landscaping to be provided in the vicinity of “The Hermitage” is to be compatible and complementary to the existing landscaping in the curtilage of that building. The setback from the eastern-most wall of “The Hermitage” shall be

landscaped with species that are sympathetic to the heritage significance of the original and existing plantings contained within "The Hermitage" garden and shall be fenced with traditional hardwood timber palings.

A survey plan of the site prepared by a qualified surveyor shall be submitted with any local development application for redevelopment of the site. This plan shall accurately indicate the position of all existing trees on the site and the design for the site shall incorporate these trees wherever possible but shall, at the very minimum, include the retention of the following:-

The two (2) existing Blackbutt trees (*Eucalyptus pilularis*), and the surrounding stand of trees and vegetation along the Blaxland Road frontage shall be retained. Any buildings proposed to be located on the site shall be completely clear of the canopies of these trees. The three (3) Chinese Weeping Elm trees (*Ulmus parvifolia*) and the Lemon-Scented Gum tree (*Corymbia citriodora*) to the east of The Hermitage, the White Cedar tree (*Melia azedarach var. australasica*) and the Gossamer Wattle (*Acacia floribunda*), shall be retained as part of any redevelopment of the site.

The above trees shall be suitably protected during construction works in accordance with a report to be prepared by a qualified arborist and submitted to Council with any local development application for the site.

The five (5) Narrow-leaved Black Peppermint trees (*Eucalyptus nicholii*) on the nature strip in Anzac Avenue shall be retained and protected during the course of construction works in accordance with the above requirements.

The existing landscape features are to be supplemented by additional planting to be provided in accordance with a landscape plan to be submitted to, and approved by, Council with any local development application for the site.

## 5 Restoration of the Hermitage

No development is to take place on the site until the curtilage of 'The Hermitage' is restored by demolition of buildings located on the land. Additionally and as mentioned in 6 above the restoration and subsequent development of 'The Hermitage' must be undertaken in accordance with the Clive Lucas Stapleton and Partners Conservation Plan to the satisfaction of the Council.

Consent must not be granted for development of the site unless a condition is included in the consent that requires 'The Hermitage' to be restored in accordance with this Part and that an occupation certificate for the development on the site shall not be granted until the restoration of 'The Hermitage' and its gardens are completed to the satisfaction of Council.

A Heritage Agreement has been placed on the Title of the land, which addresses details regarding the restoration of the 'Hermitage' The agreement takes the form of positive covenants and restrictions on the use of the land. Any reference in the agreement to DCP 26B is to be taken as a reference to this Part of DCP 2006.

## 6 Building Form and Height

No buildings should exceed two storeys in height above natural ground with a maximum number of dwellings in the Residential “E” zone, being 32. Dwellings abutting the boundary with “The Hermitage” must not include dormer windows, gablets or large skylights which facilitate undue overlooking of “The Hermitage” site, or create inappropriately complex, “historicist” rooflines.

Basement parking levels should not mean that new buildings have a ground floor level more than 900mm above natural ground level.

No new dwellings shall exceed or unduly compete with the height, scale and bulk of the main roof of “The Hermitage”.

## 7 Setbacks from Boundaries

Any buildings to be constructed on the Blaxland Road frontage are to maintain similar setbacks to the property adjoining at No. 358 Blaxland Road. Additionally a setback of at least three metres will need to be observed on the boundary adjoining 358 Blaxland Road to ensure privacy. It will also be necessary to ensure that no windows or balconies along this boundary overlook No. 358 Blaxland Road.

Buildings on the Anzac Avenue frontage must be set back to ensure that the existing vegetation is not compromised during either construction or occupation.

Buildings adjoining the curtiledge of “The Hermitage” must be set back at least 31.5m from the northeast corner of “The Hermitage”.

## 8 Fencing

The boundary between “The Hermitage” and any new development on the south-eastern portion of the site is to be fenced with traditional hardwood palings.

The boundary to Anzac Avenue in the vicinity of any new development on the south-eastern portion of the site shall not be fenced.

Any fencing proposed for the Blaxland Road frontage shall not have any adverse impact on the existing vegetation identified in the *Landscaping and Streetscape* section above and shall be erected in accordance with the protection measures required for the existing vegetation in this area of the site.

## 9 Parking

Parking for any residential redevelopment on the site should be provided on the following basis:

- 1 car space per one or two bedroom dwelling;
- 2 car spaces per three or four bedroom dwelling; and
- 1 visitor car space per 4 dwellings.

Any car parking area included in any development shall be designed in accordance with the provisions of Council's Parking Code and any fractional amounts shall be rounded up to the nearest whole number.

Council would also support the provision of basement level parking which does not adversely affect existing vegetation rather than at grade parking spaces or areas. Below ground parking would maximise the amount of open space available around proposed buildings and minimise the amount of hard paved and building areas provided within the development.

However Council will not agree to basement parking which will raise the ground floor level of any new dwelling more than 900mm above finished adjacent external ground.

## **10 Access**

The vehicular access to the land zoned Residential 'E' and facing Blaxland Road is to be provided from Anzac Avenue but no closer than 18 metres to the intersection of Blaxland Road.

All driveways should be designed in accordance with Part 9.3 and in accordance with the requirements of Council's Development Engineers.

## 11 Density

In any development of the site the following densities shall apply:

<i>Dwelling Size</i>	<i>Site Area Required per Dwelling</i>	<i>Landscaped Area Required per Dwelling</i>
Small	70m <sup>2</sup>	30m <sup>2</sup>
Medium	100m <sup>2</sup>	40m <sup>2</sup>
Large	130m <sup>2</sup>	50m <sup>2</sup>

Note: The definitions of 'small', 'medium', 'large' and 'landscaped area' are as detailed in Clause 55 of the Ryde Planning Scheme Ordinance.

## 12 Development at Rear of "Wollondilly"

The land at the rear of "Wollondilly" which is zoned Residential "E" must not be developed for more than eight town houses with a maximum of two storeys.

The existing trees located between "Wollondilly" and the proposed development must be maintained. These trees shall be suitably protected during construction works in accordance with a report to be prepared by a qualified arborist and submitted to Council with any local development application for the site.

Any development of the land zoned Residential "E" must be so designed as to ensure the privacy of adjoining properties. This will entail the placement of windows in such a way as to ensure that there is no overlooking. Balconies must also be placed in such a way as to ensure the privacy of adjoining properties.

The historic house "Wollondilly" is an important part of the heritage of Ryde and any development at the rear of this building must ensure that the integrity of the building is not compromised. This can be achieved by ensuring that there is adequate setback and that the design of the town house development is such that it does not compete with "Wollondilly" in terms of design. The design should not attempt to replicate or imitate either "Wollondilly" or "The Hermitage" but rather complement both houses.

## 13 Services

### 13.1 Water and Sewerage

Development must not be carried out on the land until arrangements satisfactory to Sydney Water have been made for the provision of water and sewerage services to the land.

## **13.2 Stormwater Drainage**

Arrangements are to be made for the proper management of stormwater drainage to Council's satisfaction so as to ensure that stormwater disposal can be effected without any adverse impact on other properties in the catchment area within which the land is situated. Drainage is to be in accordance with Part 8.2.

All stormwater facilities shall be located so that they do not adversely affect The Hermitage or Wollondilly or any tree identified in this Part. Stormwater facilities shall also be located so that they do not interfere with any archaeological evidence discovered on the site as required by this Part.

## **14 Land Contamination**

Council must be satisfied that any land contamination detected on the site has been remediated to the requirements of the Environment Protection Authority. A field investigation of the site shall be carried out by a qualified geotechnical engineer. The results of this investigation shall be lodged with the Local Development Application for the site. Any remediation works shall be undertaken prior to the approval of the Construction Certificate for the site. This work shall also be carried out in accordance with the requirements for an archaeological dig on the site as referred to above.



### Location of Trees and Curtilage

