

# Heritage Referral

## DA 2018-AF-041

### 84-90 Hyde Street, Bellingen.

Image 42  
Hillier's Hotel and vine house



April 2018

Bellingen Heritage Conservation Area  
Bellingen Shire LEP 2010

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<b>Officer</b>	Matthew Hutchings, Bellingen Shire Council
<b>Date</b>	24 April 2018
<b>Reference</b>	Documentation GEOLINK First Issue 15.03.2018 Plans Ian Bassett and Partners: Sheets 1-8 dated February 2018
<b>Proposal</b>	Retail and Shop Top Housing Development

## 1. Background

The development proposal is for mixed use retail and shop top housing within the historic Bellingen main street precinct. The application includes a Statement of Environmental Effects (SEE) and Statement of Heritage Impact (SOHI) which provide a detailed assessment of the proposal.

The applicant held a series of discussions with Council, from the inception of the proposed redevelopment. Heritage Advisor comments dated 19 August 2016, 21 June 2017 and 11 October 2017 were provided during the pre-development application process and are appended to the Applicant's Statement of Heritage Impact. These earlier heritage referrals addressed design issues in relation to the critical issue of the site context of the main street precinct within Bellingen Heritage Conservation Area, and various elements of the proposed design. The current submitted plans DA1-8 appear substantially the same as the plans referred to in the October 2017 advice and reflect the recommendations of previous advice.

## 2. Site Context

The subject site comprises a former service station development with a centrally located gabled roof building which is setback from the front building alignment surrounded by large areas of hard standing and forecourt, reflecting its former use. The existing development creates a large visual 'gap' and detracts from the setting of the historic main street, which is characterised by one and two storey buildings aligned to the front setback building line. The context of the historic main street is a fine grained streetscape with multiple buildings of narrow frontages, further emphasised by the vertical divisions of verandah posts at ground and first floor levels. The earlier historic buildings are of dominant timber and iron construction, with later infill being of brick and masonry construction. Individually listed heritage items are important elements of the streetscape.

### 3. Heritage Status and Policies

The subject site is located within the statutory Bellinghen Heritage Conservation Area and lies in the vicinity of several heritage items listed in Bellinghen Shire LEP 2010 including the Commonwealth Bank, National Australia Bank, Federal Hotel and Hammond and Wheatley Emporium, the latter being listed on the State Heritage Register (SHR).

Under Clause 5.10 of the Bellinghen LEP 2010, Council must consider the effect of the proposed development on the heritage significance, fabric, setting and views of the heritage item, and Conservation Area. The Bellinghen DCP 2017 Heritage Chapter 15 also contains detailed policies which apply to the proposed works.

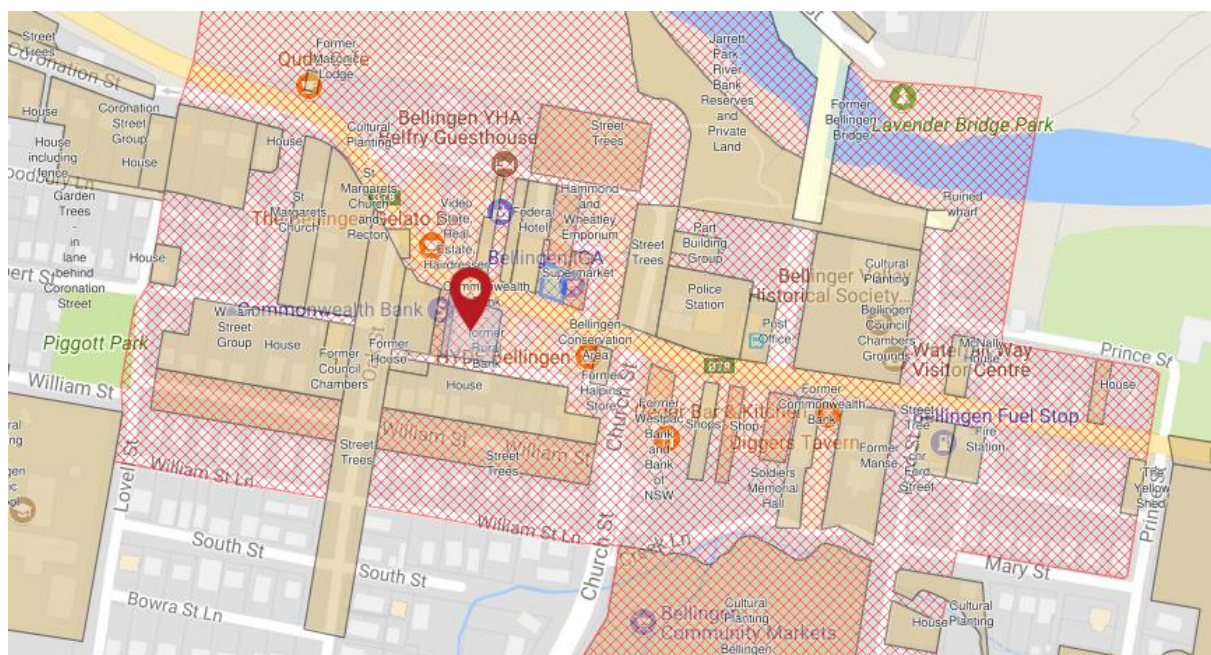


Figure 1 Subject Site in Heritage Conservation Area marked in red hatching with heritage items shown shaded brown: Extract NSW Planning Portal, 24 April 2018

### 4. Design Elements

The proposed design was previously reviewed in October 2017, and a reiteration of the main aspects is provided below. Since this time, a heritage chapter has been adopted in the Bellinghen DCP 2017 which provides detailed policies on infill development in the Conservation Area, in particular, 15.8.11 Shopfronts and Commercial Development; 15.8.12 Verandahs and Awnings, 15.8.13 Doors and Windows; and 15.9 Development in the vicinity of Heritage Items and the Bellinghen Conservation Area. It is considered that the proposal is consistent with this policy direction.

#### **4.1 Overall Bulk and Scale**

The proposed bulk and scale is considered acceptable within the context of the existing streetscape and the setting of heritage items in the vicinity of the site.

#### **4.2 Height**

The proposed development presents as essentially a two storey building to the Hyde Street, with the third storey effectively set back, so that it is not imposing and does not dominate the one and two storey established character of the heritage precinct. The rear of the proposed development will introduce a three storey building height to Halpins Lane which is currently characterised by a range of single storey sheds, garages and commercial premises, with an occasional two storey building, however this would not impact upon the principal heritage streetscapes within the Conservation Area or on the settings of heritage items in the vicinity of the site. Setbacks to the side boundaries have provided separation with the adjoining heritage item and commercial premises.

#### **4.3 Articulation of Façade**

The design of the façade and alternating one and two storey verandah elements effectively subdivides a large frontage into a series of smaller elements which is complementary to the fine grained pattern and rhythm of the existing streetscape.

#### **4.4 Fenestration**

The overall pattern of glazing is of vertical proportions which is sympathetic to the existing pattern of glazing and openings in the streetscape. The glazing to the lower floor fits within each proposed bay, maintaining some dividing solid wall and a stall riser in keeping with the traditional shop fronts of the precinct.

#### **4.5 Materials**

Two shades of grey brick are proposed to the front façade and part of the return elevations, which is currently represented in the heritage precinct in the Court House and Police Station. Traditional materials of a brick (or rendered) finish is supported in preference to other forms of cladding materials which could appear incongruous in this precinct. The need for identity of the building as a contemporary building is acknowledged and a neutral body palette is likely to be successful. The proposed natural finish timber posts will provide this reference, distinct from the traditional painted timber of the heritage building stock, whilst relating to the timber heritage of the area. The proposed materials appear sympathetic and final samples of materials, and colours for external finishes, windows and other elements can be provided as a condition of development consent.

## 4.6 New Work

Article 22 from the Burra Charter (*updated Version 2013*) regarding 'New Work', is outlined below. It is important that this article or part of it, is not read in isolation. There has been a tendency by some proponents, to place emphasis on the part of the clause which states that the work should be 'readily identifiable as such', but this should not be taken out of context as the rest of the article requires it to be consistent with several other heritage conservation principles in terms of the precautionary approach, values, setting, change and adaption, and the need to respect the significance of the place through its form, scale, character, colour texture and material.

<b>Article 22. New work</b>	
22.1 New work such as additions or other changes to the <i>place</i> may be acceptable where it respects and does not distort or obscure the <i>cultural significance</i> of the place, or detract from its <i>interpretation</i> and appreciation.	New work should respect the significance of a place through consideration of its siting, bulk, form, scale, character, colour, texture and material. Imitation should generally be avoided.
22.2 New work should be readily identifiable as such, but must respect and have minimal impact on the <i>cultural significance</i> of the <i>place</i> .	New work should be consistent with Articles 3, 5, 8, 15, 21 and 22.1.

It is considered that the proposed development successfully achieves this article through its sympathetic design whilst being readily identifiable as new work.

## 5.0 Statements of Heritage Significance

### 5.1 Bellingen Conservation Area

Statement of Significance.

*'Historic interest as a representative example of a country town established in a dairying district. The town still evokes a way of life which characterised the first decades of this century. Special architectural interest for the extant collection of buildings by George Edward Moore, a prominent designer/builder in the district. General architectural interest for its intact characteristic examples of commercial, public and private buildings. Aesthetic interest as a relatively intact collection of buildings set in an attractive landscape. The settlement contributes to an understanding of the character of an early twentieth century country town'.*

SHI 1110027

### 5.2 Commonwealth Bank

Statement of Significance.

*'Outstanding twentieth century building. A fine local example of an Inter-War Art Deco style, surviving unaltered. Major streetscape contribution. Complemented by neighbouring National Australia Bank which is also of face brick. One of the town's best buildings'.*

SHI 1110179

### 5.3 Federal Hotel

Statement of Significance.

*'Federal Hotel: Outstanding Federation hotel with many features of individual architectural interest. One of the best older style commercial buildings in the Shire. Somewhat altered from the original but changes are now part of the history. Part of a row of two storey main street buildings, with verandahs. This group is largely responsible for the historic character of Hyde Street. Building is nicely juxtaposed against the inspired facade of the adjacent Emporium'*

SHI 1110654.

### 5.4 Hammond and Wheatley

Statement of Significance.

*'The Hammond & Wheatley Commercial Emporium is a rare two-storey commercial building type, formerly common in regional areas. The construction of concrete block and large steel beams is unusual for the Federation period. Considerable original detail remains including decorative cement render to the façade, pressed metal ceilings and cedar joinery.*

*Commercial Emporium: Outstanding commercial building. Important local landmark. Has stood as the town's most impressive building since 1909. Dominates the important Hyde Street historic townscape grouping. One of the Shire's few elaborately decorated older buildings. Special architectural interest for its early concrete block construction. One of the best surviving examples in NSW. Notable also for its association with local builder, George Moore. Remarkably intact. Original interiors of retail emporiums such as this are now quite rare. Sensitively restored and reconstructed. Continues in retail use.'*

SHI 111653.

## 6. Heritage Significance Criteria

**Criterion (a): Historic Significance – (evolution) 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);**

The Bellingen Conservation Area is assessed as historically significant, locally. The subject site is historically significant as the location of the first hotel in Bellingen; 'Black's Boat Harbour Hotel', which subsequently became Tyler's Hotel, a steep gabled roofed weatherboard building. This was rebuilt in 1895 as a substantial two storey weatherboard known as the Exchange Hotel. Two timber cottages were also situated on this land and an early map denotes a wine shop. The Exchange Hotel was demolished in the 1960s to make way for the current service station.

Whilst the Conservation Area is historically significant, the proposed development will not have an adverse impact upon any elements which demonstrate historical significance within the Conservation Area.

**Criterion (b): Associative Significance – (association) an item has strong or special association with the life or works of a person, or group of persons, or importance in NSW's cultural or natural history (or the cultural or natural history of the local area);**

The Conservation Area is not assessed as demonstrating historical Associative Significance.

**Criterion (c): Aesthetic Significance - (scenic qualities / creative accomplishments). An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the local area);**

The Conservation Area is assessed as holding aesthetic significance as an *'intact collection of buildings set in an attractive landscape. The settlement contributes to an understanding of the character of an early twentieth century country town'*.

The subject site currently detracts from the assessed values of the main street precinct and it is considered that the proposed redevelopment is complementary and will enhance the aesthetic values of the Conservation Area.

**Criterion (d): Social Significance - (contemporary community esteem) an item has a strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the cultural or natural history of the local area);**

The Conservation Area is assessed as significant locally under this criteria, however the subject site is not considered to demonstrate social significance.

**Criterion (e): Technical/Research Significance - (archaeological, educational, research potential and scientific values) an item has 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 Conservation Area is not assessed as significant under this criteria. The subject site has had previous early uses as a hotel and former cottages, however given the redevelopment of the site during the 1960s and installation of petrol underground tanks, the site has been highly modified and disturbed and has low potential to yield information. An appropriate condition can be placed on a consent to ensure that archaeological matters are addressed should they arise.

**Criterion (f): Rarity 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);**

The Conservation Area is assessed as rare at a local level. Whilst the subject site does not contain any original building fabric, or a heritage item, the need to respect the heritage significance of the precinct has been a critical issue in the redevelopment of the site. It is considered that this has been carefully considered in the proposed bulk, scale, form, and detailing of the proposed infill development.

Subsequently, it is considered that the proposed development would not have an adverse impact upon the assessed rarity of the Conservation Area.

**Criterion (g): Representativeness an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places of cultural or natural environments (or the cultural or natural history of the local area). 4.**

The Conservation Area is assessed as representative locally and regionally. It is considered that the proposed development would not have an adverse impact upon the assessed representative criteria of the Conservation Area.

### **Integrity**

The Conservation Area is noted for its '*relatively intact collection of buildings*'. The proposed development will remove a detracting element within the precinct and is considered to be complementary to the setting of items which contribute to the integrity of the precinct.



## **7. Conclusion**

The proposed redevelopment is an opportunity to provide for a long term enhancement of a non-contributory site within the Bellingen historic main street precinct. It is considered that the submitted plans successfully addressed the heritage matters outlined in previous reports, and that the proposed development is a positive design response which will harmoniously relate to the existing Heritage Conservation Area streetscape. After review of the proposed development and the existing assessed heritage significance, it is considered that the proposed development is not likely to have any adverse impacts on the assessed significance of the Bellingen Heritage Conservation Area or of adjacent heritage items.

## **8. Recommendations**

### **1. External Finishes**

A schedule of all external finishes and colours, sympathetic to the setting of Bellingen Heritage Conservation Area, in accordance with the provisions of Bellingen DCP 2017, are to be submitted to, and approved by Council, prior to approval of the Construction Certificate.

### **2. Signage**

Details of all signage are to be submitted to, and approved by Council, prior to approval of the Construction Certificate and must be appropriate to the setting of the Bellingen Conservation Area.

### **3. Unexpected Archaeological finds.**

The proposed conditions and due diligence awareness for staff/contractors set out in the 4.3 of SHOI is considered appropriate.

### **Advice: Alterations**

Owners are advised of the requirements of Clause 5.10 of Bellingen LEP 2010 in relation to the need to obtain prior consent for any future works including 'any alterations to the fabric, finish and appearance' of a heritage item or a building in a Conservation Area. Many works can be approved through a 'no fee' minor works and maintenance application under Clause 5.10 (3).

### **Advice: Vibration**

Vibration may have some associated impacts on adjoining buildings, including the Commonwealth Bank which is a heritage item and of masonry construction. Dilapidation reports to document the pre-existing condition are often commissioned for projects where potential issues may arise. Council may need to explore this further and provide appropriate advice.

### **Advice: Car parking**

Formalisation of the road reserve with excavation and a new surface may impact upon the roots of heritage listed street trees in Oak Street. It is acknowledged that these trees are in various states of health and integrity and proposals may be under consideration for an application to replant this avenue (subject to assessment and consent). Options for surfacing can be considered at detailed design stage to address this and the visual amenity and significance of the Conservation Area.

## 9. References

1. *Australia ICOMOS The Burra Charter - Australia ICOMOS Charter for the Conservation of Places of Cultural Significance* 2013
2. *NSW Heritage Office 1998. Assessing Heritage Significance. Parramatta, Heritage Office*
3. *Bellingen Shire Local Environmental Plan 2010*
4. *Bellingen Shire Council, DCP 2017.*
5. *Department of Environment and Heritage State Heritage Inventory- Heritage Item -SHI 110027 data sheet. Bellingen Conservation Area.*
6. *Department of Environment and Heritage State Heritage Inventory- Heritage Item – SHI 1110179; Commonwealth Bank.*
7. *Department of Environment and Heritage State Heritage Inventory- Heritage Item – SHI 1110654; Federal Hotel*
8. *Department of Environment and Heritage State Heritage Inventory- Heritage Item – SHI 1110653; Hammond and Wheatley Emporium*

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