



# Hunters Hill Trust Journal

VOLUME 3, No. 3 AUGUST 1974

## TOWN PLAN A TRAVESTY OF DRAFT

In June the Hunter's Hill Trust appeared before Commissioner Dale with objections to the Certified Town Plan. These verbal objections and discussions backed the long and detailed written submission already lodged with the Authority and the Council.

### ENFEEBLED AND OBSCURED

The Trust's comment was that the Certified Plan had enfeebled and obscured those measures in the Draft Plan which were designed to preserve the unique character of the area.

In the Trust's view, the Certified Plan does not commit the Council, the SPA or any other authority to preserve the area. As a result it would be possible for a future Council to abandon preservation entirely if it wished, without departing from the formal provisions of the Plan.

The Trust has sought to have accepted by Council and the State Planning Authority that the special character of Hunter's Hill does not stem merely from the presence of a large number of older style stone houses possessing some historical and architectural significance. What sets this Municipality apart in Australia, making its preservation essential, is the combination of old houses, harbourside landscape, stone walled streets and natural stone outcrops and vegetation.

### Historic and Environmental Districts

"Town Planning and Environmental Districts in Hunter's Hill", published by the Trust in 1968, detailed proposals in which special controls would be exercised over building, demolition and alteration. Although novel in Australia, such controls are well known in the U.S.A. and Europe. The Trust argued that only in this way could the essential character of areas be preserved, and it was hoped that their creation would lead to the gradual aesthetic improvement of surrounding areas.

### National Trust Proposes . . .

The Hunter's Hill Trust has since been confirmed in its belief in "area preservation" by the action of the National Trust in classifying Hunter's Hill as "a district which should be preserved for the benefit of the nation". (separate article, p.3)

Hunter's Hill Council incorporated the idea of area preservation in its Draft Town Plan, which was submitted to the SPA in 1971. It included Trust proposals for an Advisory Committee of experts drawn from professional bodies, to be consulted on matters relating to the Historic Districts.

### SPA Disposes

The State Planning Authority, which is a non-elected body of public servants, has seen fit to throw out these proposals entirely. Thus the Certified Plan, which is almost entirely a creation of the SPA, makes no provisions at all for Historic Districts or an Advisory Committee. Instead it relies entirely on the ancient and ineffective device of "Spot-zoning", which schedules individual houses which cannot be demolished without Council approval. The penalty for unauthorized demolition is hardly a deterrent, however, at \$200.

### Whose hands on Hunters Hill?

Thus the Trust's six year battle has had absolutely no effect on the State public servants, who have introduced a plan which is so stereotyped that it could be applied to almost any Municipality in Sydney. It fails to recognize that the special character of this Municipality requires a special town plan if it is to be preserved.

This is an event of the utmost significance for local government in this State, when a Draft Town Plan, embodying the considered view of Council, its Officers, its Town Planner and, above all, the expressed wishes of its residents -- is rejected in such an important aspect by a State body.

The Hunter's Hill Trust believes that only the most active, determined and sustained efforts by Council and residents will prevent the inadequate and undemocratic Plan from becoming law.

**HOUSE INSPECTION**  
AUGUST 14th page 4

### Letter to the Editor:

Dear Sir,

We read in the Herald on July 26 that the Minister for Planning and Environment, Sir John Fuller, blamed local government's failure to accept responsibility for even minor planning decisions for the extinction of the State Planning Authority.

He was also reported as having said that local councils would have to accept a fair share of responsibility for decisions affecting their areas.

Women Active Politically would like to ask, rhetorically, how Sir John reconciles this view with the change and deletions his State Planning Authority made to the Hunter's Hill Town Plan?

Sincerely yours, Deborah Bennett  
for N.A.P.

## THE PLAN - COUNCIL OBJECTIONS

As members may know, Hunter's Hill Council will itself be making a number of formal objections to the Certified Plan.

The Trust urges the Council to spare no effort to demonstrate to the Commissioner that it is Hunter's Hill Council and not the State Planning Authority which should determine the Town Plan.

### Historic Precincts

Council has objected to the omission of the provision in the Plan for a "village precinct zone" (XIV) and to the omission of the descriptive designation "Historic and Environmental Precincts for zones" 2(A3). The reasons given by the Council for its objection to the omission of the "village precinct zone" are summarised thus:

- (1) One of the prime purposes of the Council in resolving to prepare a planning scheme was to retain and embellish the historic nature of certain parts of the Municipality.
- (2) The village area of the Municipality is of tremendous historic and architectural significance to the metropolitan area of Sydney.
- (3) The village area is worthy of protection for without special provisions with specific philosophies contained within the ordinance, adequate controls for development within the unique area cannot be achieved.

### OBJECTIONS

The Council's objections to the omission of the historic and environmental precincts in zone 2(A3) are summarised thus:

- (1) The areas zoned 2(A3) are those areas of historical significance.
- (2) The omission of the description reduces the impact of the purpose and philosophy of the scheme.

The Hunter's Hill Trust believes that in making these objections the Council is adopting a defeatist approach and is offering a compromise of its town planning principle. The Council appears to be seeking to preserve what it describes as a "village precinct zone" encompassing both sides of Alexandra Street between Mount Street and Ferry Street with parts of Madeline Street included, and it seeks in its objection power to control and plan for the preservation of this zone.

Precisely the same arguments the Council now advances for the retention of the "village precinct" should be made for the whole of the Historic and Environmental Precincts set out in the Draft Town Plan and the controls are the very controls that should be exercised over them.

To make a special and unique feature of Alexandra Street alone is a serious error. It would perpetuate the misconception that the only part of Hunter's Hill which merits special attention is in East Ward, adjacent to the Town Hall. This error simultaneously weakens the case that should be made for the preservation of the historic and environmental character of the municipality generally.

It is to be hoped that the Council will not accept the compromise of preserving the character of Alexandra Street only and allow the bolder and more imaginative proposals which it once supported so strongly to be lost.

### Visit the Trust Centre

Hours

Tues., Wed. 10 to 12:30  
Sat. 9:30 to 11:45  
Sun. 2 to 4:30

## Foreshore Building Line

Another important issue concerning town planning in Hunter's Hill revolves around the proposed foreshore building line regulations. This ordinance, as most residents will appreciate, is designed to protect the foreshores of the harbour by prohibiting the erection of buildings within a certain distance of the waterfront. The provision in the Plan at present being considered is for a fixed foreshore building line of 15 metres and this particular proposal has aroused a considerable amount of controversy in the Municipality. It is a proposal that has been objected to by many individuals and organisations, including the Trust and the Council. It is, however, important to make sure that objections to the proposed foreshore building line be treated with the greatest caution and that the real significance of the proposal should not be over-looked in attempting to meet the objections offered. The Council, for example, has advanced a number of objections which are summarised thus:

- (1) That it does not allow the Council sufficient discretion when flexibility is required to achieve proper aesthetic atmosphere in areas where problems exist due to topography of the shoreline of the Municipality.
- (2) That the proposal would render valuable existing parcels of land unusable.
- (3) It would create undue hardship to landowners.
- (4) The provisions are unreasonable.
- (5) That the concurrence of the State Planning Authority is not considered necessary, as the issues involved are not of regional significance.

The Hunter's Hill Trust in its submission to the Council recognised that some difficulties are likely to arise in connection with defining the foreshore building line, and proposed that careful attention should be given to the possibility of redrawing the line where necessary, having regard to the special features of the landscape.

There are likely to be serious difficulties if one adopts the Council's objections uncritically. In particular, attention is drawn to the objection that such a regulation will create hardship to landowners, or that the provisions are unreasonable, and that land would be rendered unusable. In one sense, these observations are correct. However, the Trust Committee would like to point out that all town planning controls involve some hardships (or restrictions) on how an owner may use his land. Owners of land in areas designated for private dwellings only, for example, could claim that they suffer hardship because they are unable to sell their land for office blocks or multi-dwelling. However, as a recent commission on land rights and land tenure, headed by Mr. Justice Elise Mitchell, pointed out, the ownership of land confers no rights or privileges by itself. The uses to which land may be put are determined solely by society, and most commonly by town plans as the instruments of society. If it is judged better for the community that foreshores should not be built on, then this should be the overriding consideration in determining the controls placed on the land.

The Trust, while appreciating the need to examine carefully the existing proposals for a foreshore building line, reminds Council and residents that the very beauty of the area is, to all observers, determined by its foreshores.

### Appeal . . .

Corrections to Part II of the Trust's Submission on Historic Houses - do you know of errors or omissions? Any bits of historiana will be gratefully accepted by Joyce Wood, at 89-1703

## The National Trust classifies Hunter's Hill

On June 28, 1974, the National Trust released a list of areas to be classified, thus setting a precedent in New South Wales. Hunter's Hill is the first metropolitan area designated in the recommendation that "the significant features should be protected and that all future development within the defined area should be sympathetic with these features."

Excerpts from the proposed classification:

**BUILDINGS** - erected before 1915, more than 220 of which are included in the Trust's REGISTER. The majority of these buildings are constructed of stone. Additional to those included in the REGISTER are a number... which contribute to the character of the area.

**STREETS** - The buildings are set amongst fine trees, stone walls, and tree-lined streets.

**LANDSCAPE FEATURES** - Many natural features - mature trees, rock outcrops, cliffs, and several tracts of bushland. Notable landscape features are: Clark's Point, Kelly's Bush, Lane Cove River mangrove colony, waterfront bushland, Boronia Park, the foreshore area.

**VIENS** - components and trees combine to give pleasing views from within and without the area.

**UNSYMPATHETIC DEVELOPMENT** - the most noticeable of these are:

Mobil oil terminal at Pulpit Point, which has alienated a large portion of foreshore land; residential subdivision and development dating from the 1940's, which has removed substantial trees and produced incongruous settings for larger residences; residential flat buildings, generally dating from the 1960's, which have removed some stone buildings and altered the character of two major thoroughfares, Church Street and Gladesville Road, and have removed part of the village character of Woolwich; freeway linking the bridges of Gladesville, Tarban Creek and Figtree, which has physically divided the peninsula into two parts and in so doing has destroyed some historically important buildings, the most notable being St. Malo.

**REASONS** - Hunter's Hill is one of Australia's oldest suburbs. The original residential settlement was developed for speculation by the Frenchmen brothers Jules and Didier Joubert and others, beginning in the 1840's. It was quite separate from the settlement of Sydney, although not a rural township. The Jouberts arranged the immigration of stonemasons and builders from Lombardy to assist in the building of many stone houses which formed the basis of the area's present character. Unlike other areas settled in the mid-nineteenth century, Hunter's Hill has remained a suburb of cottages and villas set in gardens, with little intensification of buildings and few industrial intrusions. Unsympathetic residential development dates from the 1940's but despite this, the character of the area has remained, fostered by a strong community of residents. In Hunter's Hill the man-made and natural features combine to form a unique suburban environment.

## Trust Policy for 1974 Elections

The Hunter's Hill Trust Committee views this as an extremely important election as it is clear that the Town Plan will not be finalised in the life of the present Council. It seems extremely important for the future of the Municipality that the new Council be a strong and dedicated one.

The Trust therefore intends actively to support candidates whose views are congruent with those of the Trust and, where relevant, whose performance in Council has been consistent with Trust aims and preservation interests.

Intending candidates are welcome to talk with the Trust concerning issues vital to the preservation of Hunter's Hill.

The Trust urges people with vision and integrity to stand for Hunter's Hill Council.

In a later issue the Journal hopes to publish its opinion concerning the merits of the various candidates.

## IMMOBILISED?

On the 27th May last, Hunter's Hill Council voted unanimously:

"That this Council hereby resolves, in pursuance of the powers vested in it under the Local Government Act, 1919, as amended, and in particular Sections 249, 269 and 530 thereof and all other powers it therunto enabling to regulate the use of Mybalena Road, Fern Road and Francis Street, Hunter's Hill and in particular, to prohibit as from 1st September, 1974 the use of those roads by any motor vehicles, including articulated vehicles, having an unladen weight in excess of 3 tons, during the hours 9 p.m. - 6 a.m. Mondays to Saturdays inclusive and from 9 p.m. Saturdays until 6 a.m. Mondays inclusive; provided that this restriction shall not prohibit the entry in emergency situations, of public utility repair units, fire tenders and similar vehicles."

Counsel for Mobil Oil stated that there is a voluntary curfew from 11:30 p.m. to 6:00 a.m. ... except where industrial conditions or other circumstances intervened. He also said that if Council's resolution were passed, the Company would be affected in the following ways:

1. An initial capital cost of \$160,000 would be involved;
2. The Company would face an additional wages cost of \$60,000;
3. The standing cost of vehicles, together with the extra wages would total additional revenue expenditure in excess of \$100,000;
4. Disruption of the afternoon shift would exceed 200 man-hours per week;
5. Inconvenience would be experienced in recovering schedules and deliveries after a strike or other disruption to service.

The Trust would like to congratulate Council on an heroic stand in a very necessary battle against the encroachment of industrial conditions in Hunter's Hill.

### MEMBERSHIP APPLICATION

The Treasurer,  
Hunters Hill Trust,  
P.O. Box 85,  
Hunters Hill N.S.W. 2110

FAMILY	\$4.00	{ }
INDIVIDUAL	\$2.00	{ }
STUDENT OR PENSIONER	\$1.00	{ }

(tick appropriate space)

I wish to open/renew membership with the Hunters Hill Trust and enclose \$..... for subscription valid to February 28, 1975.

NAME.....\*OCCUPATION..... DONATION \$.....

ADDRESS.....POST CODE.....

CHRISTIAN NAMES (Family Membership).....(\*optional)

## Auxiliary News

The Annual Meeting of the Trust Auxiliary was held in June at the home of Professor and Mrs. J. Wood. The following Committee was elected:

Mrs. K. Lehany (President)  
Mrs. J. Budd (Secretary)  
Miss N. McKelvie (Treasurer)  
Mrs. M. Cousins  
Mrs. M. Farrell Publicity  
Mrs. D. Coulman-Trust Centre  
Mrs. G. Shannon-Catering  
Dr. D. Temple, Mesdames J. Wood, C. Martin, A. Ryan, A. Oppen.

Mesdames Wood and Lehany were elected as Auxiliary representatives on the Trust Committee. Professor Reg Martin represents the Trust Committee on the Auxiliary.

It is regretted that Mrs. K. Fairfax, who had assisted in catering as well as performing as Treasurer, had to resign for health reasons.

Members are reminded that the Auxiliary levy of 50¢ (to cover postage of notices) is now due and may be paid at the Centre. New members are always welcome. If any Trust members can spare a few hours to help at the Centre, Mrs. Coulman (89-5811) would be delighted to hear. There is an ample supply of fascinating reading matter in the Centre, so if business is not brisk the few hours spent there can still be rewarding. 'Thank you' to all those who help.

In May we entertained wives of delegates to a medical conference. Thanks to the generosity of Drs. Frank and Joan Croll, and Mr. and Mrs. David Thurlow, who loaned their delightful homes, and to the Auxiliary members who provided the delicious food, the occasion was a very happy one, as well as being a financial success.

A card party planned for this month - again at the Crolls' home - was cancelled because of the influenza epidemic. We hope to have it at a future date.

For our forthcoming House Inspection (see separate article) we would welcome helpers. Gay Shannon (89-2495) is in charge of catering and Cecily Martin (89-2178) the roster for the houses.

Any suggestions for fund raising activities or social functions are always welcome.

For information about the Auxiliary, phone  
Jan Budd (89-0280)  
Kath Lehany (89-2248)

## The Annual General Meeting, May 1974

Mr. Justice Hope spoke on the Australian Government's Enquiry into the National Estate. He focussed on the need to preserve whole areas in places such as Hunter's Hill, giving Paddington as an example of successful (2G) zoning, where all buildings must conform and where site coverage is one to one, thus making demolition of old buildings impractical.

He suggested an injection of funds, in places like Hunter's Hill in the form of taxation concessions for restoration costs, and in places like Glebe in grants and loans where restoration might otherwise be impossible.

Miss Meredith Walker spoke on the National Trust's Urban Conservation Committee, outlining the wider scope of the Trust's system of classification.

## HOUSE INSPECTION

The Hunter's Hill Trust Auxiliary has arranged an interesting and contrasting inspection of three houses on Wednesday, 14th August, from 10:30 a.m. to 2:30 p.m.

The oldest house is in Hybalena Road, the home of Mr. and Mrs. J. Amory. From early information the original part of the house - now the kitchen - may have been built as a whaler's cottage as early as 1830-40. Subsequent owners added many more rooms, and now this house, with gardens which sweep down to the foreshores of the Parramatta River, is beautiful and much admired.

The classically designed stone house "Doonbah", in Kareelah Road, was built about 1860, and is now the home of Dr. and Mrs. F. C. Hinde. "Doonbah" had been unoccupied for over five years before the present owners purchased it, and it is now being restored to its former state.

The third house opened for inspection is in Ferdinand Street, and is the home of Dr. and Mrs. Giovannelli. This beautifully designed, two-year old modern house was planned to take advantage of the views over the Lane Cove River.

The Hunter's Hill Trust is most grateful to the owners of these three houses for allowing them to be opened for inspection.

Tickets are limited, so early application is advisable. Tickets are \$2 each, and this includes morning tea at the Hunter's Hill Gallery.

Cheques should be sent to the Hunter's Hill Trust, Box 85, P.O. Hunter's Hill, and stamped addressed envelopes enclosed for return of tickets.

Tickets may be collected at the Trust Centre, 44 Alexandra St., Hunter's Hill on the Saturday morning before the inspection.

Inquiries: 89-2248 or 89-2755

**Nominations  
for Council  
close on August 21**

This year's Trust Committee is:

Prof. R. Martin, President, 89-2178  
Dr. C. Coulman, Vice-President, 89-5811  
Mr. S. Sheffer, Secretary, 89-1712  
Mr. A. Dircks, Treasurer, 89-2110  
Dr. R. Temple, 89-4941  
Mr. T. Farrell, 89-2014  
Mr. R. Stuckey, O.B.E. 89-1306  
Mrs. A. Oppen, 89-5175  
Dr. T. King, 89-1617  
Mr. R. Barbour, Q.C., 896-2470

Mr. R. Budd has resigned, and the Committee is grateful for his invaluable service in the past, as Treasurer, Editor, and Publicity Officer.