



Ku-ring-gai Council

PLANNING PROPOSAL

**Heritage listing of “The Gables” at 69 Kissing Point Road,
Turramurra**

April 2018

Contents

INTRODUCTION	1
PART 1 – OBJECTIVE AND INTENDED OUTCOMES.....	13
PART 2 – EXPLANATION OF PROVISIONS	14
PART 3 - JUSTIFICATION	15
A. Need for the planning proposal.....	15
B. Relationship to strategic planning framework.....	15
C. Environmental, social and economic impact	20
D. State and Commonwealth interests	20
PART 4 - MAPPING	21
PART 5 – COMMUNITY CONSULTATION.....	27
PART 6 – PROJECT TIMELINE	28
APPENDIX A. Peer Review of a Heritage Assessment of “The Gables” 69 Kissing Point Road, Turramurra - Graham Hall and Partners, February 2018	
APPENDIX B. “The Gables” 69 Kissing Point Road, Turramurra, Heritage Assessment – Paul Davies Pty Ltd, November 2017	
APPENDIX C. Council Report and Minutes 27 March 2018	
APPENDIX D. Interim Heritage Order – 69 Kissing Point Road, Turramurra	
APPENDIX E. State Heritage Inventory form – 69 Kissing Point Road, Turramurra	

INTRODUCTION

This planning proposal contains justification for proposed amendments to Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015) and the corresponding Heritage Map to heritage list the dwelling house known as “The Gables” located at 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP 206712).

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the NSW Department of Planning and Environment’s “A Guide to Preparing Planning Proposals” (August 2016).

Council will request the plan making delegation under Section 3.34 of the Environmental Planning and Assessment Act 1979 for this planning proposal.

Background

Council has recently commissioned two heritage assessment reports for 69 Kissing Point Road, Turramurra, to determine its heritage values. These include a peer review report completed by Graham Hall and Partners Architects and Heritage Consultants in February 2018 (see **Appendix A**) and an initial report prepared by Paul Davies Pty Ltd completed in November 2017 (see **Appendix B**).

Council considered Graham Hall's peer review report at its meeting of 27 March 2018 and resolved:

That Council notes the conclusions contained within the Graham Hall Peer Review Heritage Assessment Report and continue its preparation of a Planning Proposal to seek the heritage listing of 69 Kissing Point Road, Turramurra, and forward it to the Department of Planning & Environment for Gateway Determination.

A copy of the Council Report and Minutes are included at **Attachment C**.

69 Kissing Point Road, Turramurra, was initially identified within a heritage assessment undertaken for Council in 2010 (*Paul Davies Heritage Architects 2010 Heritage Conservation Area review – North*) as a potential heritage item and recommended for further investigation. Council considered a report at its meeting of 22 March 2016 following the public exhibition of a planning proposal to add a number of additional heritage items and heritage conservation areas, including the subject site. Following representation from the property owner, Council resolved to defer 69 Kissing Point Road, Turramurra, from the planning proposal, to allow further research to understand recent changes to the property.

The property was listed for sale in July 2017. At its meeting of 18 July 2017, Ku-ring-gai Council resolved to place an interim heritage order (Section 25 *NSW Heritage Act 1977*) on the property known as “The Gables” at 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP206712) to enable full and proper evaluation of the heritage significance and prevent any harm

to the site in the interim. The IHO was valid for a period of six months unless Council passed a resolution before this date. A copy of the IHO is included at **Appendix D**.

Council engaged Paul Davies Pty Ltd in August 2017 to undertake a heritage assessment of 69 Kissing Point Road, Turramurra. The report concluded, inter alia, that *'The building at 69 Kissing Point Road does not achieve the threshold for heritage item status at a local level and our recommendation is that the building not be heritage listed, irrespective of any potential threat due to the recent sale of the site.'*

Council's Heritage Reference Committee (HRC) considered the draft report at its meeting of 7 November 2017 and received a presentation from the property owner, the property owner's lawyer and from Paul Davies. The HRC requested amendments to the report which were completed and the amended report was recirculated amongst HRC members in December 2017. Following its consideration of the amended report, the HRC identified issues with the report and concluded that *'a formal peer review process is recommended for the property'*.

Council considered this matter at its meeting of 12 December 2017 after listening to representations from the new property owner and their legal representatives. Following discussion on this matter, Council resolved as follows:

- a) *That Council proceeds to prepare a planning proposal to amend KLEP 2015 to include 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP206712) as a potential heritage item in Schedule 5 and on the Heritage Map.*
- b) *That the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with the provisions of the EP&A Act and Regulations.*
- c) *That in order to facilitate an expedient Gateway Determination, the NSW Heritage Office be consulted prior to submitting the Planning Proposal to the Department of Planning and Environment. Should comments not be received within 21 days, the Planning Proposal is to be submitted regardless.*
- d) *That Council requests the plan making delegation under Section 23 of the EP&A Act for this Planning Proposal.*
- e) *That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and with the Gateway Determination requirements.*
- f) *That a peer review of the Paul Davies Pty Ltd Heritage Assessment 69 Kissing Point Rd Turramurra (November 2017) be completed for the property and the findings be reported back to Council.*

In January 2018 Graham Hall and Partners Architects and Heritage Consultants were engaged to

undertake a peer review of the Paul Davies heritage assessment report in accordance with Council's brief. The peer review report was finalised in March 2018. The report concludes that the site *'has representative historical significance in Ku-ring-gai. It was one of the earliest small bungalows built on the north side of Kissing Point Road following the subdivision of the orchard which had been established on Boyd's grant'*. Further, it determines the site is *'considered to have representative aesthetic significance as an individually designed small house with the blend of Federation Arts and Crafts and inter-war Californian bungalow characteristics typical of the reduced number of houses designed and built during the First World War'*. A copy of the State Heritage Inventory Form for the property is included at **Attachment E**.

Accordingly, this planning proposal is seeking a Gateway Determination to include 69 Kissing Point Road, Turramurra, as a local heritage item within the Ku-ring-gai Local Environmental Plan 2015.



Image 1: Building façade 69 Kissing Point Road, Turramurra



Image 2: Aerial photograph of 69 Kissing Point Road showing extent of lot boundaries

PART 1 – OBJECTIVE AND INTENDED OUTCOMES

A statement of the objectives and intended outcomes of the proposed instrument

The objective of this Planning Proposal is:

- To include 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP 206712) as a heritage item of local significance within Schedule 5 of the KLEP 2015.

The zoning and development standards applying to the site are not proposed to change as a result of this Planning Proposal.

PART 2 – EXPLANATION OF PROVISIONS

An explanation of the provisions that are to be included in the proposed instrument

This Planning Proposal seeks to amend Schedule 5 Environmental Heritage of the KLEP 2015 by inserting the “The Gables” at 69 Kissing Point Road, Turramurra, within Schedule 5 of the KLEP 2015 as follows:

Suburb	Item Name	Address	Property Description	Significance	Item No.
Turramurra	“The Gables”	69 Kissing Point Road	Lot 4 DP 31925 & Lot 20 DP 206712	Local	I777

This Planning Proposal will result in the amendment to the following map:

Ku-ring-gai Local Environmental Plan 2015 – Heritage Map – Sheet HER_007 to identify 69 Kissing Point Road, Turramurra, with distinct colouring and black edging with the heritage reference number I777.

PART 3 - JUSTIFICATION

The justification for those objectives, outcomes and the process for their implementation

A. Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

The identification of 69 Kissing Point Road, Turramurra, as a potential heritage item occurred as a result of the heritage assessment of potential heritage conservation areas within the northern section of the Ku-ring-gai Local Government Area (LGA). The site was identified as a potential heritage item for further assessment but Council resolved to defer the assessment in response to the circumstances of the individual property owner. The property was offered for sale as a development site in July 2017. As a result, Council deemed the property to be under threat and placed in Interim Heritage Order (IHO) on the property to allow for the full and proper assessment to occur and to avoid damage to the property in the interim.

Council engaged Paul Davies Pty Ltd in August 2017 to undertake a heritage assessment of the property. The report concluded, inter alia, that the site did not have sufficient heritage value to warrant heritage listing. The report was considered by Council's Heritage Reference Committee (HRC) at its meeting in November 2017. The HRC identified issues within the process undertaken within the Paul Davies report and recommended that Council seek a peer review of the report. At its meeting of 12 December 2017 Council considered this matter and resolved to seek a peer review of the Paul Davies report and also prepare a planning proposal for the heritage listing of the property.

Graham Hall and Partners were engaged in January 2018 to undertake a peer review of the Paul Davies report, to include a heritage assessment of the property. Graham Hall's report concluded that the site has *representative historical significance and also representative aesthetic significance* and should be listed as a local heritage item within the Ku-ring-gai Local Environment Plan.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A local heritage listing conserves and protects sites that have been assessed as satisfying the NSW Heritage Council's Criteria for local heritage significance. This property has been assessed as satisfying these criteria and therefore a Planning Proposal is the best means of including the property within Schedule 5 of the KLEP 2015.

B. Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The relevant regional strategy is *A Metropolis of Three Cities – The Greater Sydney Region Plan – Connecting People* (March 2018). This document has been developed by the Greater Sydney Commission and contains a vision, objectives, strategies and actions for a metropolis of three cities across Greater Sydney to the year 2056. The strategy is to be guided by 10 overarching directions, aimed at providing interconnected infrastructure, productivity, liveability and sustainability benefits to all residents.

The following relevant Direction and objective contained within *A Metropolis of Three Cities – The Greater Sydney Region Plan – Connecting People* is relevant to this planning proposal and has been assessed against it as follows:

- *Direction 5: A city of great places: Designing places for people*

This Direction contains Objective 13: ‘*Environmental heritage is identified, conserved and enhanced*’. The objective is supported by Strategy 5.11 which states:

Identify, conserve and enhance environmental heritage by:

- *engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
- *applying adaptive re-use and interpreting heritage to foster distinctive local places*
- *managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This planning proposal is consistent with objectives and strategies for this Direction. It aims to identify and protect an item of local environmental heritage for the Ku-ring-gai community. The planning proposal will protect a building assessed as being of local heritage significance. The planning proposal process provides an opportunity for community input as part of the public exhibition process which will further assist in community understanding of the site and its assessed heritage significance.

A Metropolis of Three Cities – The Greater Sydney Region Plan – Connecting People contains a number of other Directions and this planning proposal is assessed against them as follows:

- *Direction 1: A city supported by infrastructure*

This planning proposal will not have any impacts on Ku-ring-gai’s current infrastructure or its ability to provide adequate infrastructure into the future.

- *Direction 2: A collaborative city*

This planning proposal does not compromise Council’s ability to work collaboratively when planning for the future.

- *Direction 3: A city for people*

This planning proposal will not impact on Council's ability to create vibrant and resilient communities.

- *Direction 4: Housing the city*

This planning proposal only relates to a single property within the Ku-ring-gai local government area. Therefore, it will not impact on Council's ability to provide housing supply with improved affordability outcomes.

- *Direction 6: A well connected city*

This planning proposal will not impact on Council's transport initiatives or options.

- *Direction 7: Jobs and skills for the city*

This planning proposal relates to the listing of an individual property as a heritage item and, therefore, will not impact on this direction relating to employment and training options.

- *Direction 8: A city in its landscape*

This Direction relates to green spaces and landscaping. This Direction also discusses scenic and cultural landscapes. It is considered that the planning proposal is consistent with the aims of the Direction.

- *Direction 9: An efficient city*

This Direction relates to energy efficiency initiatives. This planning proposal will not impact on Council's ability to respond to this Direction.

- *Direction 10: A resilient city*

This Direction relates to resilience planning by local government for the future. It is not considered this planning proposal is inconsistent with this Direction.

The relevant *district* plan is The North District Plan (March 2018) which aims to provide a 20-year plan to manage and guide growth whilst enhancing Greater Sydney's liveability, productivity and sustainability into the future for the northern Sydney region. It is a guide for implementing *A Metropolis of Three Cities – The Greater Sydney Region Plan – Connecting People* at the district level.

Under the North District Plan, *Liveability Priority N6: Creating and renewing great places and local centres, and respecting the District's heritage* requires relevant planning authorities to *identify, conserve and enhance environmental heritage by:*

- 21. Identify, conserve and enhance environmental heritage by:*

- a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*

- b. applying adaptive re-use and interpreting of heritage to foster distinctive local places*
- c. managing and monitoring the cumulative impact of development on the heritage values and character of places.*

The planning proposal is consistent with this priority as it involves the heritage listing in Schedule 5 of the KLEP 2015 of a local heritage item which has undergone an independent heritage assessment. The assessment and listing of heritage items is the role of local government and is an ongoing process. The planning process is the formal process by which Council engages with the wider community regarding identification and protection of local heritage values.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Ku-ring-gai Community Strategic Plan is called “*Our Community. Our Future. Community Strategy 2030*”. The Planning Proposal is consistent with the following objectives within the community strategic plan:

P1.1 Ku-ring-gai's unique visual character and identity is maintained

P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai

P5.1 Ku-ring-gai's heritage is protected, promoted and responsibly managed

The Planning Proposal is also consistent with the following aims of the KLEP 2015:

- (a) To guide the future development of land and the management of environmental, social, economic, heritage and cultural resources within Ku-ring-gai*
- (f) To recognise, protect and conserve Ku-ring-gai's indigenous and non-indigenous cultural heritage*

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following table identifies the key applicable SEPPs and outlines this Planning Proposal's consistency with those SEPPs.

SEPP	Comment on Consistency
SEPP 55 Remediation of Land	Consistent. The planning proposal does not seek to change the permissible land uses on the sites subject to the planning proposal.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Consistent. The planning proposal does not propose rezoning of the site to allow of a residential flat building, shop top housing or mixed use development.

SEPP (Housing for Seniors or People with a Disability) – 2004	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Infrastructure 2007	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Affordable Rental Housing 2009	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Exempt and Complying Development Codes 2008	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent. The planning Proposal is consistent with the aims of the policy.

SREPP	Comment on Consistency
SYDNEY REP 20 Hawkesbury-Nepean River	Consistent. The Planning Proposal is consistent with the aims of the policy and will have no adverse impacts on the Hawkesbury-Nepean River.
SYDNEY REP (Sydney Harbour Catchment) 2005	Consistent. The Planning Proposal is consistent with the aims of the policy and will have no adverse impacts on the Sydney Harbour Catchment.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table identifies applicable Section 117 Directions and outlines this Planning Proposal's consistency with those Directions.

Directions under S117	Objectives	Consistency
2. ENVIRONMENT AND HERITAGE		
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental Heritage significance and indigenous heritage significance.	Consistent. The Planning Proposal is consistent with this direction as it seeks to identify and protect an item of local heritage significance.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	Consistent. The Planning Proposal relates to an established dwelling, and in this regard will have no effect on the housing choice, infrastructure or environment.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Consistent. The Planning Proposal does not preclude the carrying out of a home occupation.
6. LOCAL PLAN MAKING		

Directions under S117	Objectives	Consistency
Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. The Planning Proposal will not result in the requirement for concurrence, consultation or referral of a future development application to a Minister or public authority as a result of the heritage listing.
7. METROPOLITAN PLANNING		
7.1 Implementation of the Metropolitan Strategy	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	Consistent. The Planning Proposal will not adversely affect the directions and actions outlined in the strategy to achieve the four goals relating to economy, housing, environment and community.

C. Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal will not adversely impact any critical habitat, threatened species, populations or ecological communities, or their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no environmental effects envisaged as a result of the listing of the additional heritage item as proposed by the Planning Proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal has no expected social or economic effects. The planning proposal relates to an individual dwelling house only which is zoned R2 Low Density Residential.

D. State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal relates to the listing of an additional heritage item. No additional demand for public infrastructure is anticipated as a consequence.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council will consult with any agencies nominated by the Department of Planning and Environment as part of the requirements of the Gateway Determination.

PART 4 - MAPPING

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

This Planning Proposal will result in the amendment to the following KLEP 2015 map sheets:

- Ku-ring-gai Local Environmental Plan 2015 – Heritage Map – Sheet HER_007

Property at 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP 206712) is to be coloured to be identified as a heritage item

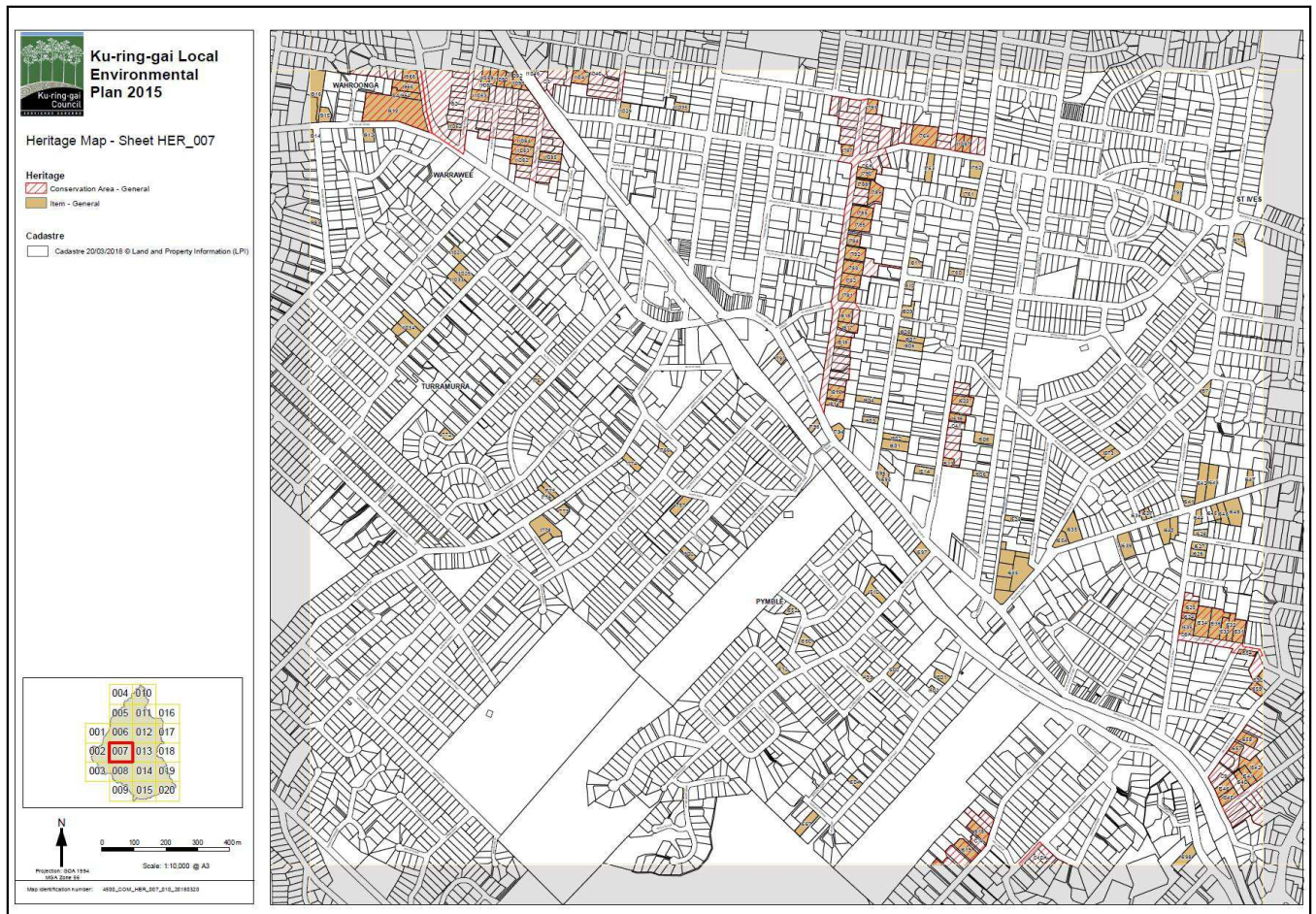


Image 3: Existing KLEP 2015 Heritage Map Sheet- Sheet HER_007

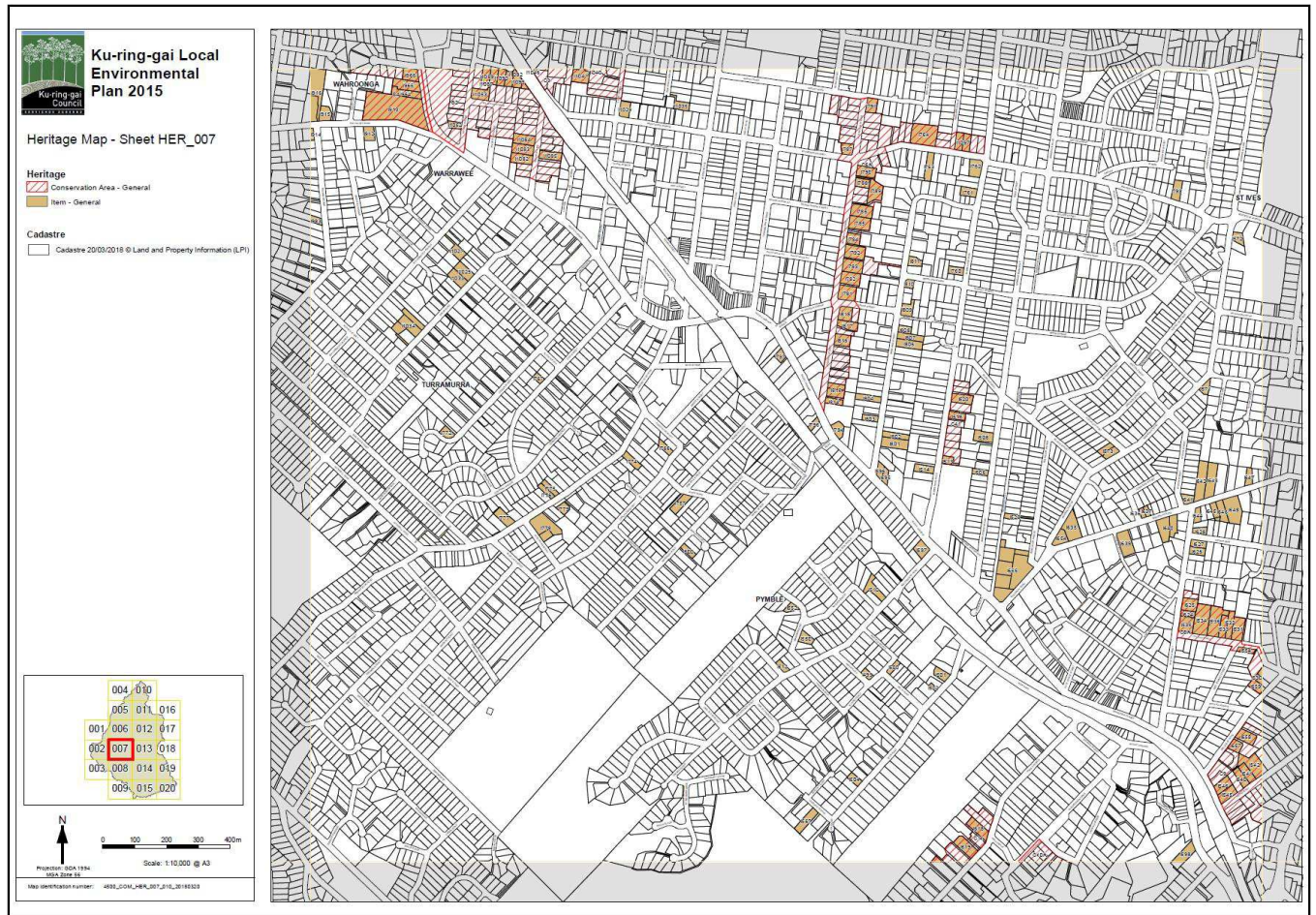


Image 4: Proposed KLEP 2015 Heritage Map Sheet- Sheet HER_007

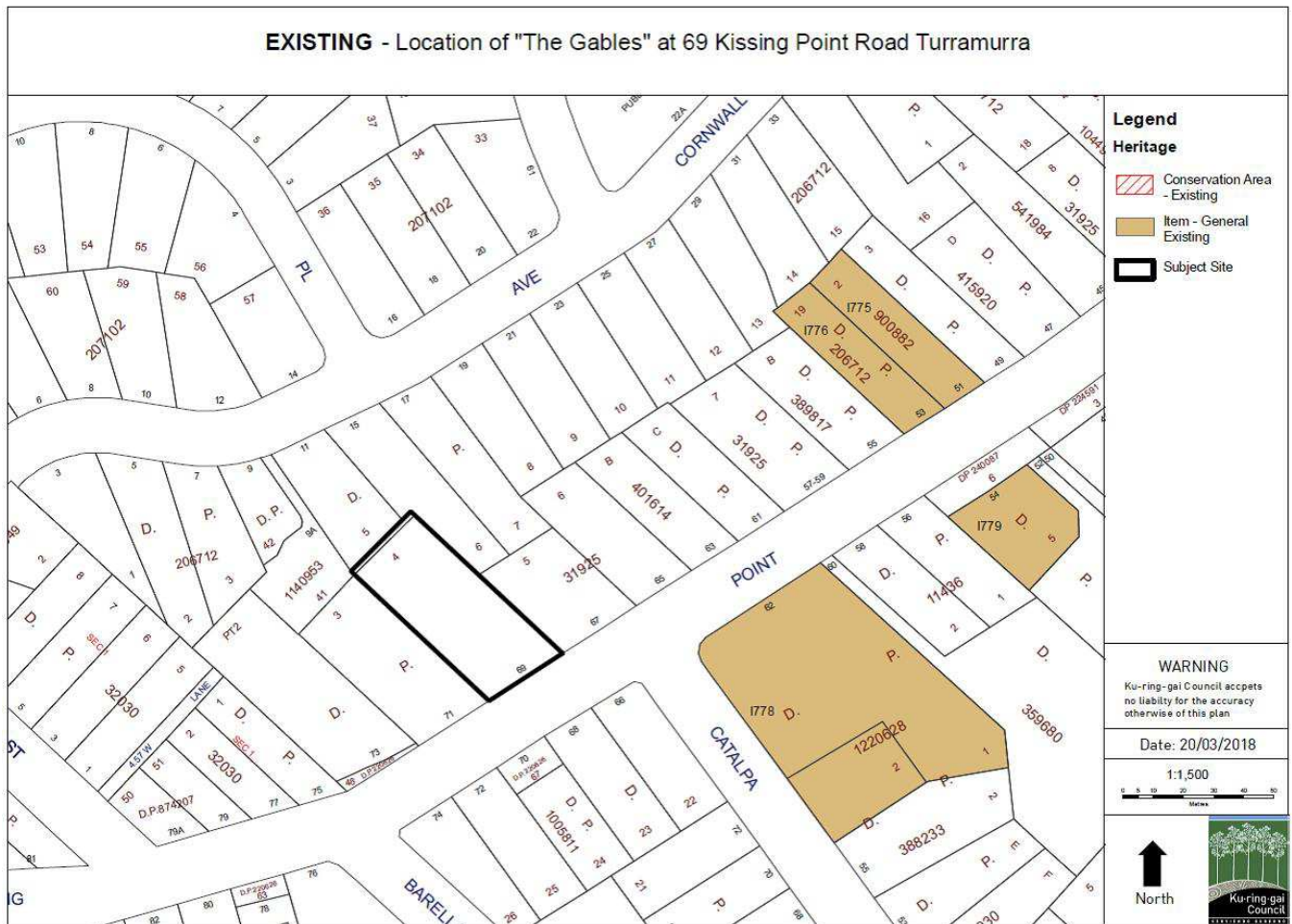


Image 5: Existing KLEP 2015 Heritage Map showing the subject site



Image 6: Proposed KLEP 2015 Heritage Map showing subject site



Image 7: Aerial photograph of 69 Kissing Point Road, Turramurra

PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

Community Consultation for this Planning Proposal will be consistent with the requirements of the Gateway Determination and the consultation guidelines contained in the Department of Planning and Environments “*A Guide to Preparing Local Environmental Plans*” (August 2016). The Planning Proposal is considered to be a ‘low impact’ proposal in accordance with the requirements set out in “*A guide to preparing local environmental plans*” and should be subject to a 14 day public exhibition period.

Public exhibition of the Planning Proposal is generally undertaken in the following manner:

- Notification in a newspaper that circulates the area affected by the Planning Proposal
- Notification on Council's website
- Notification in writing to the affected and adjoining land owners

During the exhibition period, the following material is made available for viewing:

- Planning Proposal
- Gateway Determination
- Information relied upon by the Planning Proposal (e.g. reports)

At the conclusion of the public exhibition, a report will be prepared and reported back to Council to allow for the consideration of any submissions received from the community.

PART 6 – PROJECT TIMELINE

Stage	Timing
Anticipated commencement date (date of Gateway determination)	Late April 2018
Timeframe for government agency consultation (post exhibition as required by Gateway determination)	Late April – Late May 2018 21 days
Commencement and completion dates for public exhibition period	1 – 14 June 2018 14 days
Post exhibition review and reporting	July 2018
Council meeting / consideration	July 2018
Legal Drafting LEP	July 2018
Anticipated date RPA will make the plan (if delegated)	August 2018
Notification of Plan on Legislation website	August 2018

**APPENDIX A - Peer Review of a Heritage Assessment of “The Gables” 69
Kissing Point Road, Turramurra - Graham Hall and Partners, February 2018**

Included as separate DropBox file due to file size

APPENDIX B – “The Gables” 69 Kissing Point Road, Turramurra, Heritage Assessment – Paul Davies Pty Ltd, November 2017

Included as separate DropBox file due to file size

APPENDIX C – Council Report and Minutes 27 March 2018

Ordinary Meeting of Council - 27 March 2018

GB.3 / 1

Item GB.3

S10066
23 February 2018

PEER REVIEW HERITAGE ASSESSMENT REPORT - 69 KISSING POINT ROAD, TURRAMURRA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To report the findings of a peer review heritage assessment report prepared by Graham Hall and Partners for 69 Kissing Point Road, Turramurra, as per Council's resolution of 12 December 2017.
BACKGROUND:	At its meeting of 12 December 2017, Ku-ring-gai Council resolved, inter alia, to commission a peer review of the Paul Davies Heritage Assessment report for 69 Kissing Point Road, Turramurra and that the findings be reported back to Council.
COMMENTS:	A peer review heritage assessment report has been completed by Graham Hall and Partners Architects & Heritage Consultants. The report concludes that 69 Kissing Point Road does have heritage significance and should be listed as a local heritage item within the <i>Ku-ring-gai Local Environmental Plan 2015</i> . The peer review report has been considered by the Heritage Reference Committee who resolved to accept the peer review report dated February 2018 and concur with the heritage significance assessment contained within it.
RECOMMENDATION:	That Council accept the conclusions contained within the Graham Hall Peer Review Heritage Assessment Report and continue its preparation of a planning proposal to seek the heritage listing of 69 Kissing Point Road, Turramurra, and forward it to the Department of Planning & Environment for Gateway Determination.

Ordinary Meeting of Council - 27 March 2018

GB.3 / 2

Item GB.3

S10066

23 February 2018

PURPOSE OF REPORT

To report the findings of a peer review heritage assessment report prepared by Graham Hall and Partners for 69 Kissing Point Road, Turramurra, as per Council's resolution of 12 December 2017.

BACKGROUND

At its meeting of 12 December 2017, Council considered a heritage assessment report it had commissioned for 69 Kissing Point Road, Turramurra, undertaken by Paul Davies Pty Ltd. The report was commissioned to assess the heritage value of the property following Council's resolution of 18 July 2017 to place an Interim Heritage Order (IHO) on the property under Section 25 of the *NSW Heritage Act 1977*.

At the time of the issuing of the IHO the property was for sale by auction. Following notification by Council of the IHO, the sales campaign was amended accordingly and the property was subsequently sold at auction on 8 August 2017.

The IHO allocated Council six months in which to undertake a full and proper evaluation of the site's heritage significance and prevent any harm from occurring in the interim. Under the conditions of the IHO the order was due to lapse on 19 January 2018.

The Paul Davies concluded that the site failed to reach the threshold for heritage listing. The recommendation of the report was to *'not heritage list the property and that the Interim Heritage Order on the property should be removed'*. A copy of the report Paul Davies Heritage Assessment report dated November 2017 is provided in **Attachment A1**.

Council's Heritage Reference Committee (HRC) considered this matter at its meeting of 7 November 2017 and received presentations from the property owner, the property owner's lawyer and from Paul Davies. The HRC requested amendments to the report which were completed and the amended report was recirculated amongst HRC members in December 2017. Following its consideration of the amended report, the HRC identified issues with the report and concluded that *'a formal peer review process is recommended for the property'*.

Council considered this matter at the Council meeting of 12 December 2017, after hearing representations from the new property owner and their legal representatives.

Council resolved:

- a) *That Council proceeds to prepare a planning proposal to amend KLEP 2015 to include 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP206712) as a potential heritage item in Schedule 5 and on the Heritage Map.*
- b) *That the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with the provisions of the EP&A Act and Regulations.*
- c) *That in order to facilitate an expedient Gateway Determination, the NSW Heritage Office be consulted prior to submitting the Planning Proposal to the Department of Planning and Environment. Should comments not be received within 21 days, the Planning Proposal is to be submitted regardless.*

Ordinary Meeting of Council - 27 March 2018

GB.3 / 3

Item GB.3

S10066

23 February 2018

- d) That Council requests the plan making delegation under Section 23 of the EP&A Act for this Planning Proposal.*
- e) That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and with the Gateway Determination requirements.*
- f) That a peer review of the Paul Davies Pty Ltd Heritage Assessment 69 Kissing Point Rd Turramurra (November 2017) be completed for the property and the findings be reported back to Council.*

The resolution made by Council to prepare a planning proposal for the heritage listing of the property allowed the IHO to remain in place for the property in accordance with the Ministerial Order gazetted on 22 April 2013 which allows Local Council's to make Interim Heritage Orders.

COMMENTS

In accordance with Council's resolution and consistent with Council's procurement's policy, a brief was developed and requests for quotation were sought for a heritage peer review report in December 2017. In January 2018 Graham Hall & Partners Architects and Heritage Consultants were engaged to complete the heritage peer review report which was completed and finalised in March 2018.

Graham Hall & Partners Heritage Assessment Peer Review Report

The report has undertaken its own heritage assessment of the property in accordance with the criteria gazetted by the NSW Heritage Council. The assessment concludes that the site '*has representative historical significance in Ku-ring-gai. It was one of the earliest small bungalows built on the north side of Kissing Point Road following the subdivision of the orchard which had been established on Boyd's grant*'. Further, it determines the site is '*considered to have representative aesthetic significance as an individually designed small house with the blend of Federation Arts and Crafts and inter-war Californian bungalow characteristics typical of the reduced number of houses designed and built during the First World War*'. A full copy of the report is included at **Attachment A2**.

The report provides a critical review of the Paul Davies report by examining the theoretical basis for heritage listing in NSW and applying this to the heritage assessment undertaken. The Graham Hall report concludes that the Paul Davies report fails to follow the NSW Heritage Assessment Procedure in the following ways:

- 1. The process does not commence with an assessment of the house against the nature-of-significance criteria.*
- 2. It does not give due consideration to the question of historical significance.*
- 3. It entertains the (theoretical) possibility of its having aesthetic significance in its absence.*
- 4. It proceeds to assess the house's aesthetic significance by means of a comparative analysis, comparing its aesthetic value that of listed and contributory inter-war Californian bungalows in the LGA but outside Turramurra.*
- 5. In doing so it recognises a threshold operating in Ku-ring-gai, whereby the fact of heritage listing to aesthetic significance.*

Ordinary Meeting of Council - 27 March 2018

GB.3 / 4

Item GB.3

S10066

23 February 2018

6. *It concludes that the house is aesthetically inferior to those examined, and that in the absence of significance against other criteria, does not reach threshold, and is therefore is not worthy of listing.*
7. *The comparison with a series of inter-war Californian bungalows finds the house neither representative nor rare, and this informs the assessment that is made using the guidelines.*

As inferred above, the Paul Davies and Graham Hall reports do not reach the same conclusion regarding the heritage significance of the property. Further, Graham Hall's report has identified issues within the heritage assessment procedure undertaken by Paul Davies in reaching their conclusions and subsequent recommendations.

The preparation of the Paul Davies and Graham Hall reports have resulted in two separate heritage assessments being completed which reach different conclusions regarding the heritage significance of the property. The Graham Hall report has detailed explanations of the processes and assessment criteria applied in assessing the heritage significance of 69 Kissing Point Road and the consistency of these processes with the Burra Charter and the NSW Heritage Office publication *Assessing Heritage Significance* (2001), as opposed to the approach taken by Paul Davies in this particular individual heritage item assessment. The aim of setting processes and thresholds for heritage assessment is to create a clear, consistent and systematic process for heritage assessment.

Accordingly, it is considered appropriate to take a cautious approach in relation to the property and continue to move towards the local heritage listing of the property.

Building Condition and Ongoing Management

As noted in the report to Council on 12 December 2017, the house is currently in poor condition. Whilst condition is not a matter for consideration in the heritage assessment process, it is an issue for the ongoing management of any identified heritage values. The peer review brief required the successful consultant to:

- *Consider the implication of the building condition on the retention of original fabric within the building and the likely impacts to the original fabric of required rectification works.*
- *Consider the implications of the condition of the property from an ongoing management perspective.*

The Graham Hall report states that *'since the house is significant, and since despite its condition there is no suggestion that it poses a danger, it should be conserved, as long as that is physically feasible'*.

The report includes a grading of the significance of specific components of the house. This information will assist manage future change to the building. The report notes that *'It is not necessary to conserve fabric that is intrusive or of little significance...intrusive components and those of little significance may be removed or altered, while those of high significance should be retained. In practice this will mean that any alterations should be internal or at the rear'*. Further guiding advice is provided on options for change to the structure.

Ordinary Meeting of Council - 27 March 2018

GB.3 / 5

Item GB.3

S10066

23 February 2018

Attachment A3 has been circulated separately and contains a range of A3 colour internal photographs and a copy of Graham Hall's fabric analysis and grading of significance for components of the house.

Heritage Reference Committee

This matter was considered by Council's Heritage Reference Committee at its meeting of 1 March 2018. The Heritage committee membership comprises representatives of the Australian Institute of Architects, the Ku-ring-gai Historical Society, The National Trust, a community member and Councillors. They attended 69 Kissing Point Road for an external site inspection prior to its deliberation of the Graham Hall report. The property owner was present for the site inspection. The committee also met with Graham Hall to discuss the contents of his report in detail.

Following consideration of this matter Council's Heritage Reference Committee resolved to accept the peer review report undertaken by Graham Hall as contained within his report dated February 2018 and concur with the heritage significance assessment contained within it.

Consultation with Current Owner

On 18 July 2017 Ku-ring-gai Council resolved to place the interim heritage order on 69 Kissing Point Road, Turramurra. At this time, the property was for sale. On Friday 21 July 2017 a notice for the Interim Heritage Order was published in the NSW Government Gazette. Consultation was undertaken with the owners pursuing the sale of the property, as well as their solicitors and real estate agents.

Following this new information from Council a new Section 149(2) certificate was applied for and issued on 28 July 2017 which included the following information:

***15. IS THE PROPERTY IDENTIFIED AS A HERITAGE ITEM by Council or State Government?
(and if so, what is the status, e.g. local environmental plan, Heritage Act etc.)***

The subject land is effected by Interim Heritage Order No. 7 pursuant to Section 25 of the Heritage Act 1977 as published in Government Gazette No. 81 dated 21 July 2017.

The property was subsequently sold on 8 August 2017. Accordingly, the current owners purchased the property with knowledge of the existence of the Interim Heritage Order.

Council has been involved in ongoing discussion with the current property owners since their purchase of the property on 8 August 2017. The property owners have met and presented to the Heritage Reference Committee on two occasions, the most recent being at the property on 1 March 2018. The property owners also addressed Council as part of its consideration of the 12 December 2017 report on this matter.

Further consultation will occur as part of the public exhibition component of the planning proposal process should Council resolve to adopt the recommendations of this report.

Ordinary Meeting of Council - 27 March 2018

GB.3 / 6

Item GB.3

S10066

23 February 2018

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P5.1 Ku-ring-gai's heritage is protected, promoted and responsibly managed.	Strategies, plans and processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets.	Monitor, identify and respond to gaps in existing heritage strategies, development controls plans and local environmental plans.

GOVERNANCE MATTERS

Council has previously resolved to prepare a planning proposal to amend the KLEP 2015 to include 69 Kissing Point Road, Turramurra (Lot 4 DP 31925 & Lot 20 DP206712) as a heritage item in Schedule 5 and on the Heritage Map and that it be forwarded to the Department of Planning and Environment for a Gateway Determination.

RISK MANAGEMENT

There is a community expectation that places of heritage significance within Ku-ring-gai Council local government area will be identified and protected. There is a strategic risk of damaging the reputation of Council if these culturally significant places are not identified and considered for protection.

FINANCIAL CONSIDERATIONS

The costs associated with this matter are covered by the Strategy and Environment Department, Urban and Heritage Planning budget.

SOCIAL CONSIDERATIONS

Council is responsible for the identification and management of Ku-ring-gai's environmental heritage. Consideration of this matter will assist Council in meeting this requirement.

ENVIRONMENTAL CONSIDERATIONS

Council is responsible for the identification and management of Ku-ring-gai's environmental heritage. Consideration of this matter will assist Council in meeting this requirement.

COMMUNITY CONSULTATION

Council officers have been engaged in ongoing dialogue with the new owners of the property since its sale. The new property owner has made verbal representations to both Council and the Heritage Reference Committee on this matter. Further public consultation in the form of a public exhibition process is a legislative requirement of the Planning Proposal process should it receive a favourable Gateway Determination from the Department of Environment & Planning.

Ordinary Meeting of Council - 27 March 2018

GB.3 / 7

Item GB.3

S10066

23 February 2018

INTERNAL CONSULTATION

Consultation with other sections of Council has occurred where relevant for the preparation of this report. Council's Heritage Reference Committee has considered this matter at its meetings of 17 November 2017 and 1 March 2018.

SUMMARY

As resolved by Council at its meeting of 12 December 2017, a heritage assessment peer review report for 69 Kissing Point Road, Turramurra, has been completed by Graham Hall and Partners. This report concludes that the site meets the heritage listing criteria for both historical and representative aesthetic significance. As part of its peer review component, the report raises numerous procedural and contextual issues with the Paul Davies report which result in concerns regarding the validity of the report's conclusions.

The report also discusses future options for the site in light of its condition and its assessed heritage values. It is identified that scope for change to the building exists provided any changes respect the significance of the item and the grading of its components.

The matter was considered by Council's Heritage Reference Committee at its meeting of 1 March 2018 where it was resolved to accept the peer review report dated February 2018 and concur with the heritage significance assessment contained within it.

Accordingly, it is recommended that Council continue the preparation of a planning proposal to seek the heritage listing of 69 Kissing Point Road, Turramurra, and forward it to the Department of Planning & Environment for Gateway Determination.

RECOMMENDATION:

That Council notes the conclusions contained within the Graham Hall Peer Review Heritage Assessment Report and continue its preparation of a Planning Proposal to seek the heritage listing of 69 Kissing Point Road, Turramurra, and forward it to the Department of Planning & Environment for Gateway Determination.

Maxine Bayley
Strategic Planner Heritage

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments: A1 Paul Davies Heritage Assessment Report: 69 Kissing Point Road Excluded 2017/336263

FOR ACTION

ORDINARY MEETING OF COUNCIL – 27/03/2018

TO: Strategic Planner Heritage (Maxine Bayley)

Subject: OMC69 - Peer Review Heritage Assessment Report - 69 Kissing Point Road, Turramurra
Minute Number: 69
Notes:
File Reference: S10066 2018/053975

Resolved:

(Moved: Councillors Szatow/Smith)

That Council notes the conclusions contained within the Graham Hall Peer Review Heritage Assessment Report and continue its preparation of a Planning Proposal to seek the heritage listing of 69 Kissing Point Road, Turramurra, and forward it to the Department of Planning & Environment for Gateway Determination.

For the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Clarke, Greenfield, Citer, Smith, Kelly and Szatow

Against the Resolution: Councillor Spencer

APPENDIX D - Interim Heritage Order – 69 Kissing Point Road, Turramurra**KU-RING-GAI COUNCIL****HERITAGE ACT 1977****INTERIM HERITAGE ORDER NO. 7**

Under Section 25 of the *Heritage Act 1977* Ku-ring-gai Council does by this order:

- i. make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule “A”; and
- ii. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule “B”.

This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date; and

- (i) in the case of an item which, in the council’s opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; or
- (ii) In the case of an item which, in the Council’s opinion, is of State heritage significance, the resolution requests the Heritage Council to make a recommendation to the Minister for Heritage under section 32(2) of the Heritage Act to include the item on the State Heritage Register.

John McKee
General Manager
Ku-ring-gai Council
Sydney 19 July 2017

Schedule “A”

The property known as The Gables, situated at 69 Kissing Point Road, Turramurra on land described in Schedule B.

Schedule “B”

All those pieces or parcels of land known as (Lot 4, DP 31925 & Lot 20 DP 206712) in Parish of Gordon, County of Cumberland.

[9234]

APPENDIX E- State Heritage Inventory form – 69 Kissing Point Road, Turramurra

ITEM DETAILS							
Name of Item	"The Gables"						
Other Name/s Former Name/s							
Item type (if known)	Built						
Item group (if known)							
Item category (if known)	House						
Area, Group, or Collection Name							
Street number	69						
Street name	Kissing Point						
Suburb/town	Turramurra				Postcode	2074	
Local Government Area/s	Ku-ring-gai						
Property description	Lot 4 DP 31925						
Location - Lat/long	Latitude				Longitu de		
Location - AMG (if no street address)	Zone		Easting		Northin g		
Owner	Private						
Current use	Residential						
Former Use	Residential						
Statement of significance	<p>The house has representative historical significance at the local level in Ku-ring-gai. It was one of the earliest small bungalows built on the north side of Kissing Point Road following the subdivision of the orchard which had been established on Boyd's grant.</p> <p>It has representative aesthetic significance at the local level as an individually designed small house with the blend of Federation Arts and Crafts and inter-war Californian bungalow characteristics typical of the reduced number of houses designed and built during the First World War.</p>						
Level of Significance	State <input type="checkbox"/>				Local <input checked="" type="checkbox"/>		

DESCRIPTION	
Designer	Unknown
Builder/ maker	Unknown
Physical Description	<p>The house was completed in or about 1919. It was of one storey and had a front veranda, and was thus a bungalow. It was asymmetrical, with the front door facing the street but set back, at the side. There was an inset veranda under the main roof at the rear.</p> <p>The external walls were generally cavity brick on rock-faced squared coursed sandstone dwarf walls. Examination of the roof and wall junction in the space above the laundry shows that it is the outer skin which was loadbearing, as was commonly the case at the time. The brick at the front was red-brown face work in stretcher bond to about sill level, with face brick quoins and roughcast render above. The side and rear walls were also rendered, with bullnosed face brick window sills.</p> <p>The internal walls behind the transverse corridor were timber-framed, as were the external walls on the three sides of the inset veranda. This has been enclosed, as discussed below, and there is no record of the cladding, doors or windows. However a short length of the end wall of the enclosed veranda is clad with rusticated checked weatherboards to about 900 mm, with battened fibro sheets above. The same cladding is evident on the derelict shed. It is most likely that the walls of the inset veranda were clad in this way, as were some entire houses of the period. There would have been windows, perhaps a continuous run of casements, between the lounge room and veranda, substituted for fibro panels.</p> <p>The rear wall of the present kitchen is roughcast rendered like the other external walls, but it is timber-framed, on the usual sandstone base. It appears to be original, clad with fibro to which the roughcast render has been applied, with chicken wire possibly aiding adhesion. One may speculate that a lack of money or a shortage of bricks accounts for this.</p> <p>The gables were clad in battened asbestos cement sheets. The veranda floor was tinted concrete. The flat veranda roof was probably covered with bituminous felt. It was supported on short square section pots on rock-faced coursed sandstone piers.</p> <p>Both front windows comprise three leadlight casement panes with panelled skirts below sill level, and are fixed on the outer face of the brick walls and protected by a narrow hood. The small pair of front doors is fully glazed with multiple rectangular pieces of obscure glass set in leadlight making up four panes per door leaf.</p> <p>Side windows are set within the wall thickness, again casements in groups of three, each with two larger panes, the lower having obscure glass, and two small panes of coloured glass above.</p> <p>The house provides a relatively early example of the use of "Fibro" or asbestos cement sheets, which began to be imported in about 1912. As well as the gables and cladding the rear veranda walls, it appears to have been used for some internal wall linings.</p>

	<p>Brick walls were solid plastered internally. The joints in the internal timber framed walls were covered with battens extending between the skirting board and picture rail, which was at door head height and formed the top architrave to the doors. The side architraves were tapered in elevation. The skirting boards, architraves, cover battens and elements of built-in fixtures were simple rectangular sections, and would have been dark stained. The doors were three-panelled, high-waisted and similarly detailed. Ceilings were patterned fibrous plaster, generally in panels, with decorative cornices.</p> <p>One room finished differently was the entrance lobby, where the external face brick to mid height is continued, separated from the plastered wall above by a picture rail or ornament shelf at an unusually low height.</p> <p>Face brickwork was also used on the false or unfinished fireplace in the lounge room. The false chimney breast was panelled and battened as described above.</p>					
Physical condition and Archaeological potential	The building is showing signs of internal and external cracking and movement. Evidence of damp penetration can also be found internally. A structural engineering report was commissioned in 2017 which has concluded that the damage can be repaired and made recommendations as to how this can be achieved.					
Construction years	Start year	1915	Finish year	1919	Circa	X
Modifications and dates	<p>The exterior of the front of the house is almost intact. The red terra cotta Marseilles pattern roof tiles were replaced with the same type, in brown, following a storm in recent decades but the red finials were retained.</p> <p>The flat roof of the veranda is covered with metal pan roofing, probably replacing built-up bituminous felt which is not very durable.</p> <p>The front fence is shown in a photograph in the NBRs report as medium height capped piers, probably roughcast rendered brick, with a similar base infilled with top and bottom rails, probably timber with woven wire between them. The style suggests that it was the original fence. The present fence is similar in that it has piers and a base course, but is much lower and the piers appear to be more widely spaced. It is rendered brick, not rendered concrete as stated by Davies.</p> <p>The wall between the lounge room and the back bedroom is timber-framed and has two offsets, providing a built-in cupboard in the back bedroom. It intrudes into the lounge room, where its detailing suggests a chimney breast or a display cabinet, subsequently blanked off. It does not intersect with the pattern of the ceiling in the lounge room but the dimensions suggest that the wall was originally straight. There certainly have been alterations in this area, but there is no obvious explanation or sequence of events.</p> <p>There is a similarly detailed servery between the present dining and lounge rooms. Behind a modern facing the original stained timber can be seen. All the joinery would have been similarly stained. It is now painted.</p> <p>The inset rear veranda was enclosed at an unknown time. The wall and windows between it and the lounge room were removed, either then or later, as there is now a wide opening.</p>					

	<p>The enclosing wall was in turn removed when a flat-roofed garden room was added in 2003. The drawings for the relevant development application are reproduced below. The opening between the dining and lounge rooms has been widened, and all the walls in this area are now lined with plasterboard.</p> <p>A toilet has been added, next to the laundry. A passage has been created by reducing the size of the back bedroom or the laundry, with an attic ladder leading to a platform above the laundry and thence into the roof space. The bathroom fixtures and fittings date from the early post war period and the door is modern. The kitchen is also mid-late twentieth century.</p> <p>The original garage has been demolished and a larger garage constructed in the north-east corner of the site.</p>
Further comments	<p>Site was initially identified in the Paul Davies Architects Heritage Review – North (2010) as a potential Heritage Item requiring further investigation. An Interim Heritage Order applying to the property was gazetted on 19 July 2017.</p>

HISTORY

Historical notes	<p>The area north of Sydney Harbour was occupied for thousands of years by people speaking the Kuringgai (Guringgai) language. Clans of this language group lived as far north as Brisbane Water, and several clans gave their names to localities including Turramurra, derived from the <i>Terramerragal</i> clan which lived in the wooded heights east of the Lane Cove River. Many of this clan perished in the smallpox epidemic which followed European settlement in 1788; surviving generations were progressively alienated from their land.</p> <p>Due to its distance from Sydney and poor road access, Turramurra's European population was small prior to the construction of the North Shore railway. In 1826 former soldier and veteran of the Napoleonic Wars, Thomas Boyd, was granted 100 acres of land at Turramurra, where he planted an orchard and built a residence. Boyd lived on his grant which was named Toulouseville or Toulisville and was appointed a constable and pound keeper.</p> <p>Boyd's son James purchased his father's land in 1856, extended the orchard and in 1878 offered the district's first subdivision (the Toulouseville Estate), 'consisting of over ONE HUNDRED ACRES subdivided into convenient-sized FARM ALLOTMENTS' (<i>Sydney Morning Herald</i>, 15 January 1878, p.9) The land, comprising 18 lots, was described as well-timbered aside from the twelve acres that had been cleared and planted as an orchard and that came with the farm cottage (<i>Sydney Morning Herald</i>, 12 January 1878).</p> <p>Sales must have been slow as a few years later, in 1882, the land was renamed Boyd's Orchard Estate and re-offered for sale (<i>Sydney Morning Herald</i>, 16 October 1882). Centred on Kissing Point Road, a government road constructed during the 1850s from Lane Cove River, the Estate was purchased in 1885 by the Port Jackson Land and Investment Company, formed that year for the purpose with a capital of £50,000 (<i>Sydney Morning Herald</i>, 19 October 1885, p.9).</p>
------------------	--

However the 'dullness' of the market and slow construction of the last part of the North Shore Line from St Leonards to Milsons Point saw the Company halt land auctions until the 'Milsons Point Railway' opened during 1893 (*Daily Telegraph*, 1 February 1887, p.3, 1 April 1893, p.1). At that time the Estate was redrawn to increase the number of residential sites, although many of the blocks were still large enough for the orchards and poultry farms common in the district: 'This Estate...has been divided into allotments and blocks to suit all classes of purchasers and as the Railway Extension to Milson's Point opens on MONDAY, the Auctioneers invite buyers to attend this sale, and secure a site in the Estate' (*Daily Telegraph*, 29 April, 1893, p. 3).

During 1902 more residential lots were added and the estate was redrawn as Deposited Plan 3895 (LPI Vol. 1386, Folio 82, 6 January 1902). In 1915 Francis James Lynch purchased the western half of Lot 77, Section 5. This half lot was still large enough for a 29 metre frontage to Kissing Point Road, and was 306 metres deep (LPI Vol. 2628 Folio 121, 3 December 1915). At this time the north side of Kissing Point Road to what is now Monteith Street was occupied by just five residences, although this number increased to fifteen by 1918.

The pattern of subdivision resulting from the various sales was different, the major change in the latter offerings being the increased number of residential blocks. In the 1893 subdivision the Boyd/Jersey Road loop was formed and the surrounding lots divided into smaller landholdings. This doubled the number of lots from 50 in 1882 to 102 in 1893.

The Boyd's family cottage was purchased in 1893 and was redeveloped by Ivan Au Prince in 1894 into a property named Hillview (now 1334 Pacific Highway) and enlarged in several stages.

Frank Lynch purchased the site in 1915, when it was had a 29 metre frontage to Kissing Point Road and was 306 m deep. Lynch is shown as the occupant in *Sands' Sydney Directory* for 1916, but the house was not complete. Lynch invited tenders in the *Construction and Local Government Journal* of 20 January 1919 under the classification "Alterations and Additions," but the physical evidence and the notation on a photograph mentioned in the NBRIS report confirm that the work involved completion of the unfinished house, rather than extensions. In brief, the front veranda was added and some rooms were made habitable. There is no record of the designer or the builder for either stage. Lynch was a "car builder" – a builder of motor vehicle bodies and railway coaches. While there is no evidence, it is entirely conceivable that he applied his trade skills to home building, particularly of some fixtures and detailing, with occasional unusual results.

Following Frank Lynch's death in 1942, the house passed to his widow Annie and later to her two sons Geoffrey and Francis. During 1961 Lot 77 and neighbouring lots were retitled as Deposited Plan 32925; 69 Kissing Point Road is Lot 4 (LPI Vol. 9092, Folio 62, 15 December 1961). Shortly afterwards a narrow strip of land was added to the rear of the block, Lot 20 of neighbouring Deposited Plan 206712 (LPI Vol. 9124, Folio 146, 22 February 1962).

It is not clear when 69 Kissing Point Road acquired the name "The Gables." No name is listed for the house prior to *Sands'* demise in 1933 nor in the Kuring-Gai council records.

THEMES	
National historical theme	4. Building Settlements, town and cities
State historical theme	6. Land Tenure 10. Townships 24. Housing

APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	The house has historical significance in Turramurra and the Ku-ring-gai LGA. It was one of the earliest small bungalows built on the north side of Kissing Point Road and has survived largely intact. It shows evidence of, and is associated with a significant human activity in the area: its conversion from an orchard to a residential suburb including relatively modest houses beginning in the late Federation period, during the First World War.
Historical association significance SHR criteria (b)	
Aesthetic significance SHR criteria (c)	An individually designed small house with the blend of Federation Arts and Crafts and inter-war Californian bungalow characteristics typical of the reduced number of houses designed and built during the First World War. When viewed from the street and any direction other than the rear, it presents as an integrated composition, with pleasing proportions, well balanced massing, and a consistent hierarchy of materials. The interior detailing is simple, but consistent with the Arts and Crafts philosophy and style and modest scale of the house, as is the ordinary standard of workmanship.
Social significance SHR criteria (d)	
Technical/Research significance SHR criteria (e)	
Rarity SHR criteria (f)	
Representativeness SHR criteria (g)	The house has representative historical significance. It is one of the earliest small bungalows built on the north side of Kissing Point Road following the subdivision of the orchard which had been established on Boyd's grant. It is one of the few intact surviving houses from that subdivision, but it is representative in the Ku-ring-gai LGA as it demonstrates the typical process of subdivision of the early large grants along the ridge (Pacific Highway) which had been used for timber-getting and agriculture. It has representative aesthetic significance as a largely intact individually designed small house with the blend of Federation Arts and Crafts and inter-war Californian bungalow characteristics typical of the reduced number of houses designed and built during the First World War.

HERITAGE LISTINGS

Heritage listing/s	

INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Written	Paul Davies Architects	Historical Assessment: 69 Kissing Point Road, Turramurra	2017	Ku-ring-gai Council
Written	Shreeji Consultants	Structural Inspection: 69 Kissing Point Road, Turramurra	2017	Ku-ring-gai Council
Written	Paul Davies Architects	HCA Review – North	2010	Ku-ring-gai Council
Written	Ku-ring-gai Council	Historic BA Registers and Indexes		Ku-ring-gai Council
Written	Sands	Street Directory		Ku-ring-gai Library

RECOMMENDATIONS

Recommendations	Include as a Heritage Item within Schedule 5 of the Ku-ring-gai Local Environment Plan 2015.
-----------------	--

SOURCE OF THIS INFORMATION

Name of study or report	Peer Review of a Heritage Assessment of "The Gables", 69 Kissing Point Road, Turramurra	Year of study or report	2018
Item number in study or report			
Author of study or report	Graham Hall		
Inspected by	Graham Hall		
NSW Heritage Manual guidelines used?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
This form completed by	Maxine Bayley and Graham Hall	Date	March 2018

IMAGES - 1 per page

Image caption	Boyd's Orchard Estate, 1902				
Image year	1902	Image by		Image copyright holder	NLA

BOYD'S ORCHARD, TURRAMURRA

*Batt, Rodd & Purves
Auctioneers Ltd
28 Pitt Street
Sydney.*


OPPOSITE THE STATION
Choice Building & Residential Sites
FOR AUCTION SALE ON THE GROUND
SATURDAY THE 12TH APRIL 1902 AT 3.30 P.M.
BATT, RODD & PURVES LTD
AUCTIONEERS.

TERMS :-
Deposit - 20 per cent.
Balance on completion
or in Six Half yearly
instalments with interest
added at 5% per annum
on the unpaid Balance.
No interest will be charged
if paid within Six Months
from date of Sale.

*ARCHISON & SCHLEICHER
Civil Engineers & Surveyors
Licensed Surveyors
Sydney.*

VENDORS
*The Port Jackson Land Co
& Investment Ltd
FRANCIS W KING
Manager
24 Pitt St Sydney.*

SOLICITORS TO VENDORS
*Wilkinson & Osborne
& Gurneys & St
Sydney.*



TORRENS TITLE.

All Streets & Roads in the Estate 66 FT Wide.
Shaded Lots are sold.
All dimensions subject to Deposition Plan.

Image caption	Deposited Plan 3895 (detail)				
Image year	1902	Image by		Image copyright holder	LPI

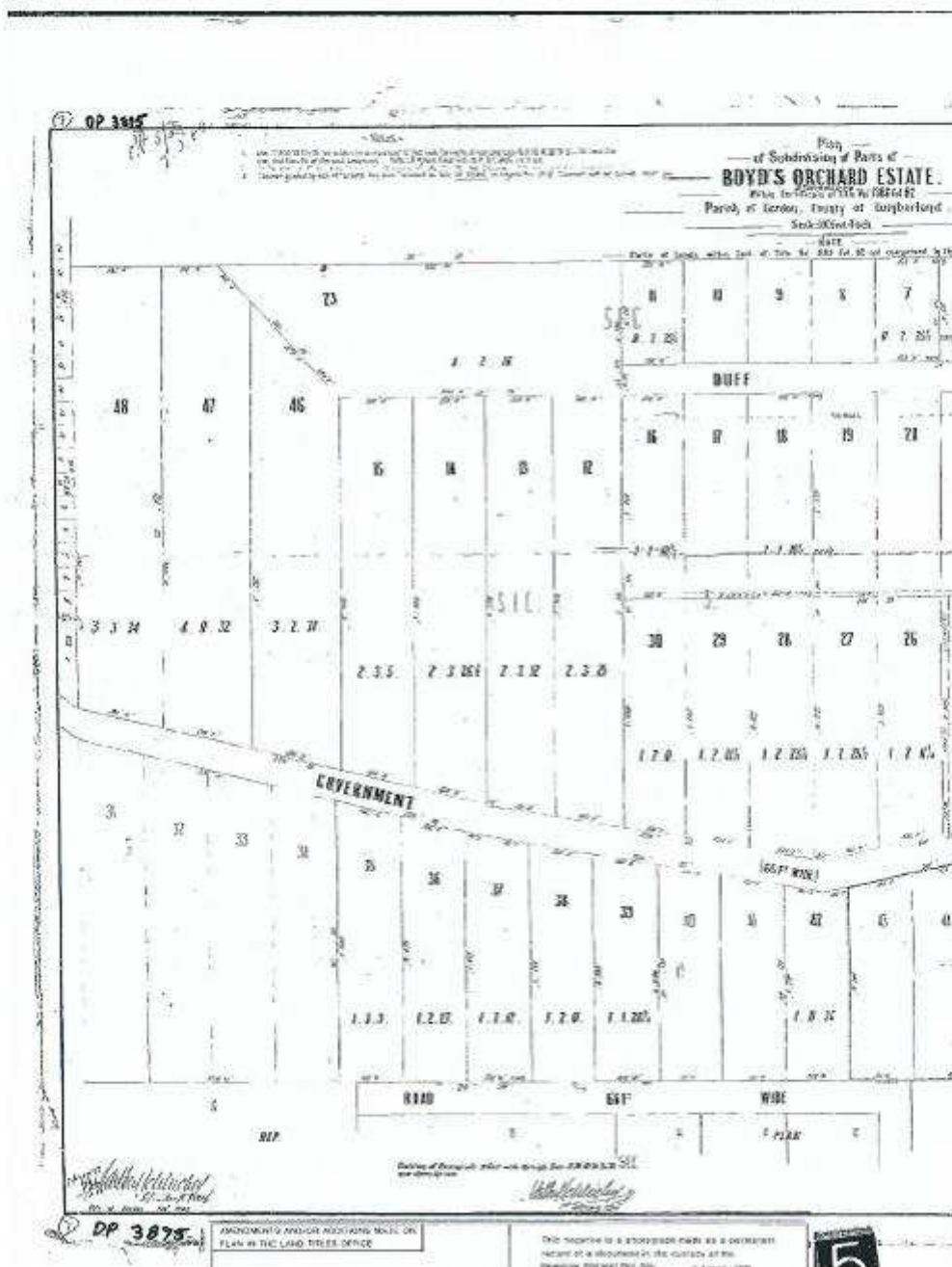


Image caption	LPI Vol.2628, Folio 121, 1915 (detail)				
Image year	1915	Image by		Image copyright holder	LPI

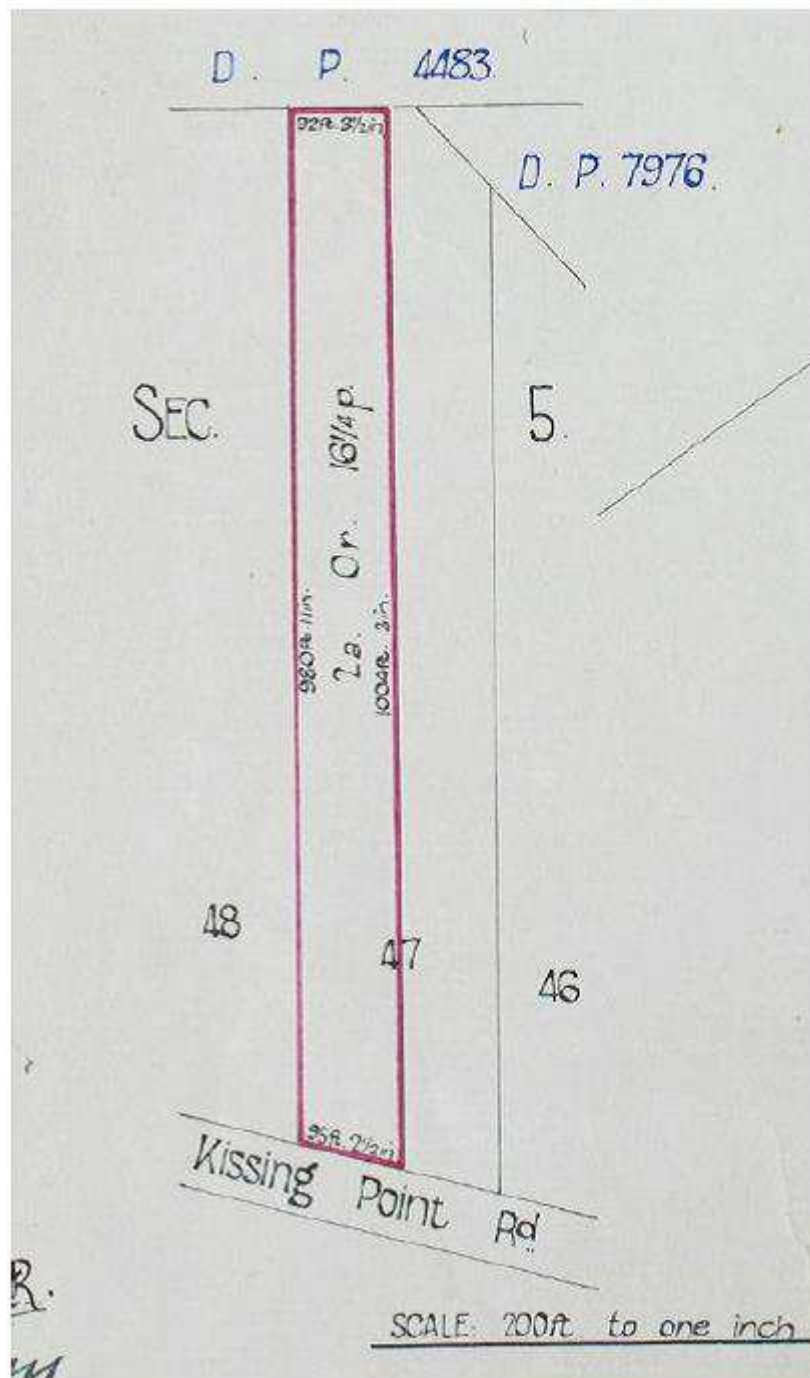


Image caption	Deposited Plan 31925, 1961.				
Image year	1961	Image by		Image copyright holder	LPI

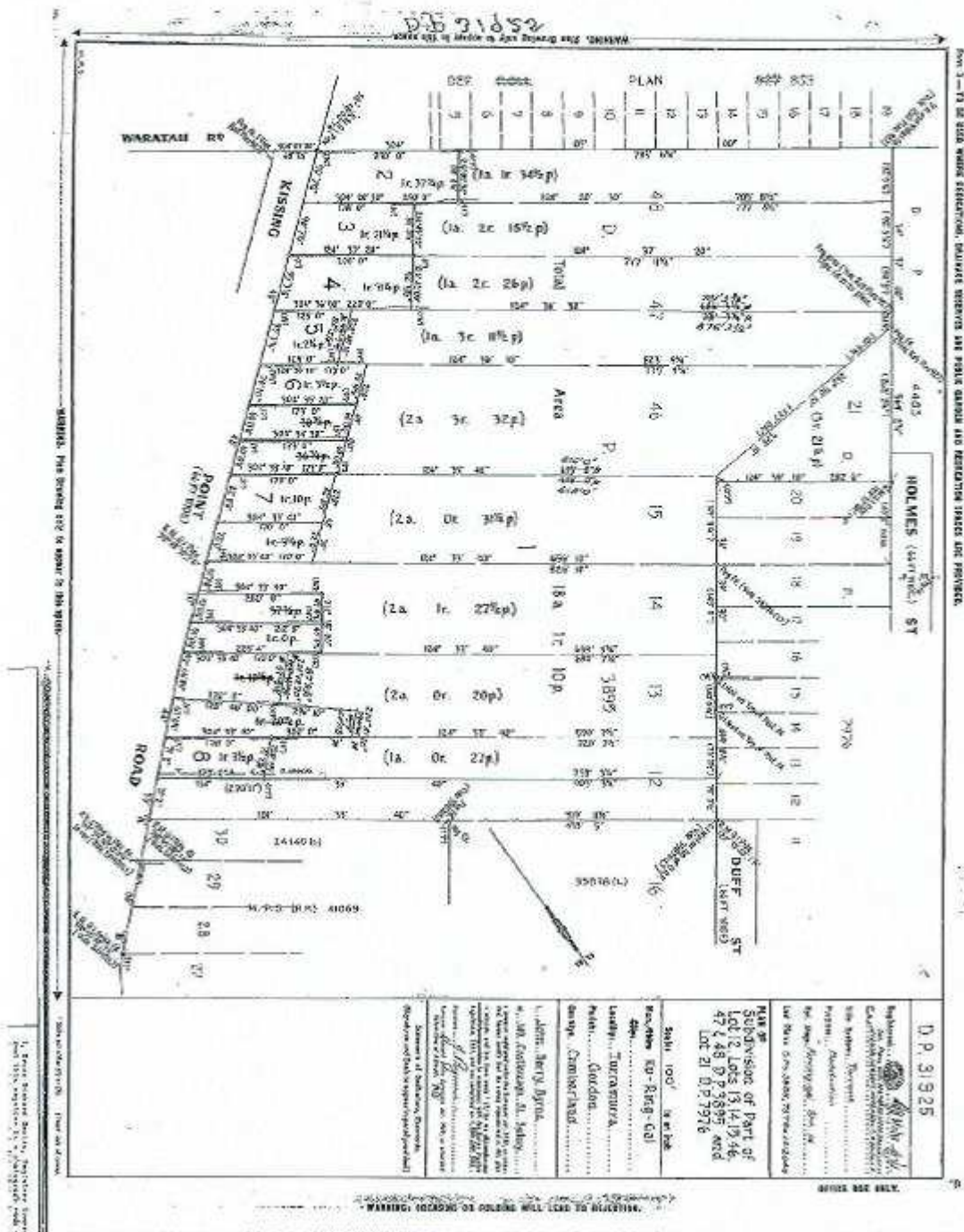


Image caption	"The Gables" – 69 Kissing Point Road, Turramurra				
Image year	2018	Image by	Graham Hall	Image copyright holder	Graham Hall / Ku-ring-gai Council



Image caption	"The Gables" – 69 Kissing Point Road, Turrumurra: view from the front garden				
Image year	2018	Image by	Graham Hall	Image copyright Image copyright holder	Graham Hall / Ku-ring-gai Council



65

Image caption	"The Gables" – 69 Kissing Point Road, Turramurra, eastern elevation showing gable with timber battens, gable vent, taper-cut bargeboard, roughcast stucco and sandstone foundations				
Image year	2017	Image by	Shreeji Consultants	Image copyright holder	Shreeji Consultants / Ku-ring-gai Council



Image caption	Building eastern elevation and rear elevation showing sunroom addition, rear gablet and roughcast chimney				
Image year	2017	Image by	Shreeji Consultants	Image copyright holder	Shreeji Consultants / Ku-ring-gai Council



Image caption	Living Room showing original detailing including picture rails, decorative ceilings, decorative cornices dark brick fireplace				
Image year	2017	Image by	Realestate.com.au	Image copyright holder	Realestate.com.au



Image caption	Dining room featuring fire place, coloured window, picture rail, skirting board				
Image year	2017	Image by	Realestate.com.au	Image copyright holder	Realestate.com.au



Image caption	Ceiling detail				
Image year	2017	Image by	Maxine Bayley	Image copyright holder	Ku-ring-gai Council

