
CONSIDERATION OF THE SUBMISSIONS ON THE PLANNING PROPOSAL FOR SEVERAL HERITAGE CONSERVATION AREAS IN WAHROONGA, TURRAMURRA, PYMBLE AND GORDON

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND:

A planning proposal was prepared to include several heritage conservation areas for KLEP 2015 and the KLEP LC 2012.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. This report provides an overview of the outcomes of the public exhibition.

COMMENTS:

A total of 258 submissions were received during the public exhibition of the planning proposal. The submissions have been reviewed and the planning proposal has been revised.

RECOMMENDATION:

That Council proceeds with a heritage listing for several revised heritage conservation areas.

PURPOSE OF REPORT

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 26 November 2013 Council resolved to place 14 potential heritage conservation areas on non-statutory exhibition. This was a peer review of the areas reviewed by Paul Davies Pty Ltd in 2010. These reviewed HCAs were exhibited from 7 March 2014 to 7 April 2014. This work was undertaken by Heritage Consultants Sue Jackson-Stepowski Pty Ltd, Carste Studios and John Oultram.

On 26 November 2013, members from the Pymble community addressed Council regarding the heritage significance of Pymble. Council resolved to seek quotations from a heritage consultant to undertake a further heritage review of Pymble.

Perumal Murphy Alessi Pty Ltd were engaged to undertake this review. On 26 May 2015 Council resolved to place this review of the Pymble East and West HCAs on exhibition.

These were exhibited for a non-statutory period from 5 June 2015 to 3 July 2015.

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Owners were notified by a letter that included a map of the affected area and brochure briefly explaining the proposal, the process and the community's opportunity to make comment. This report provides an overview of the outcomes of the public exhibition.

COMMENTS

Heritage conservation areas conserve the heritage values of an area, rather than a particular item. These are areas in which the historic origins and relationships between various elements create a cohesive sense of place that is worth keeping. These elements can include the buildings, gardens, landscape, views and vistas.

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing which heritage conservation areas should be included in the Ku-ring-gai Principal Local Environmental Plan include:

- Cultural significance – as assessed by the heritage consultant Architectural Projects Pty Ltd. This assessment reviewed the intactness of heritage conservation areas that were previously recommended by the 2006 study *Housing in NSW Between the Wars* prepared

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for the National Trust (NSW) by Robertson and Hindmarsh and/ or the Godden Mackay Logan Urban Conservation Area studies (2001-2005).

- Submissions – issues raised in the submissions are addressed in **Attachments A1 to A14**. The public submissions covered a variety of topics including support or objecting against the findings of the HCA review, factual corrections, concerns regarding incorrect assessment of contributory values and the financial impacts of inclusion in a heritage conservation area.
- Proximity to gazetted Heritage Conservation Areas – where the proposed HCA is adjacent to an existing HCA the extension completes and/or further conserves those conservation areas already gazetted.
- Other planning considerations under the Ku-ring-gai Local Environmental Plans and associated Development Control Plans, including issues such as the management of fire prone areas and interaction with interface zones of areas with medium or high residential density.

Common themes from the community submissions

Council received 258 community submissions for the heritage conservation area peer review, several of these were duplicates sent by mail and electronically: 189 submissions were against the proposal and 23 submissions were for the proposal, the rest were unclear or did not express a for-or-against opinion. A summary of the submissions for each heritage conservation area can be found in **Attachments A1 to A14**.

Common themes from the submissions were:

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval. New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

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Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh. Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to protect Ku-ring-gai's unique garden suburbs. The up zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A15**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The "blanket" approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future

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change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed is the Robertson and Hindmarsh did not undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and

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the history of change to include those areas that best represent the history and heritage of Kuring-gai.

Review of the maps and proposed HCAs

Following the exhibition period Council staff reviewed the submissions and then once again reviewed the proposed heritage conservation areas taking into consideration the information gleaned from the submissions, changes on the ground (demolitions and/or new developments including alterations and additions) and Council held records (such as historical photographs, Council reports, property files and development applications).

Below is a summary of the Council officer's recommendation for each heritage conservation area. Further information for each of the heritage conservation areas can be found in **Attachments A1 – A11** which includes comments, summary of submissions, revised ratings and revised mapping.

Summary of heritage conservation area recommendations

Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
Extension	Mahratta Conservation Area	C4	KLEP	John Oultram	Proceed Extension to existing Mahratta Conservation Area (C4)
New	Gilroy Road Conservation Area	C42	LCLEP	SJS and John Oultram	Proceed amended
Extension	Hillview Conservation Area	C40	LCLEP	SJS	Not proceed
New	Mona Vale Road Conservation Area	C43	KLEP	SJS and PMA	Not proceed
New	Telegraph Road Conservation Area	C44	LCLEP	SJS	Proceed amended Telegraph Road Conservation Area (C44)
New	Lanosa Estate Conservation Area	C45	KLEP	SJS	Not Proceed
New	Athol Conservation Area	C46	LCLEP	PMA	Proceed amended. Athol Conservation Area (C46)
Extension	Pymble Heights Conservation Area	C8A and C8B	KLEP and LCLEP	PMA	Not Proceed

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Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
Extension	Fern Walk Conservation Area	C9	KLEP	PMA	Not Proceed
New	West Pymble Conservation Area	C11A and C11B	KLEP and LCLEP	PMA	Proceed amended Extension to Pymble Avenue Conservation Area (C11)
Extension	Orinoco Conservation Area	C10A and C10B	KLEP and LCLEP	PMA	Not Proceed

Maps of the heritage conservation areas recommended to proceed can be found at **Attachment A16**.

Mahratta Conservation Area - Wahroonga (C4 extension)

The Mahratta Conservation area extension is recommended to proceed unamended. The contribution ratings for the buildings in the proposed extension of Mahratta did not change as a result of the submissions. The majority of submissions were objections. The issues raised included the lack of heritage significance, the impact of change and the effect on house prices. The extension to the Mahratta HCA is recommended to proceed. The historic houses contribute to the understanding of Federation and Inter-war development of Fox Valley Road and provide important context to Mahratta.

Gilroy Road Conservation Area – Turramurra (C42)

The Gilroy Road Conservation Area (C42) is recommended to proceed with changes. The key development period is as an early Inter-War, 'garden estate' aesthetic demonstrated by smaller buildings on allotments with sizeable backyards and space for cars to park adjoining dwellings. Regular shaped and sized allotments containing single storey cottage style dwelling houses either in Federation style or Inter-War/bungalows predominate. Modifications have occurred over time including painting of brickwork and side carports; however the overall original building form and style remain legible. It is considered that the identified areas of Gilroy Road and Eastern Road demonstrate historic and aesthetic heritage values and should be listed as a Heritage Conservation Area with amended boundaries as detailed in this report.

Hillview Conservation Area – Turramurra (C40 extension)

The Hillview Conservation Area extension is not recommended to proceed. The peer review recommended an extension of the existing Hillview Heritage Conservation Area. The two contributory properties to be added are from the Federation period, 2 Kissing Point Road being a single storey Queen Anne style Federation house and 1362 Pacific Highway being a two storey house in the Federation style. Both houses are being adaptively reused for businesses. While both buildings have contributory values in their forms, scale and setbacks, both buildings have some change.

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The land on which they are located is zoned B2 Local Centre. The DCP reviewed these sites and set development controls for new development that responds to the context of the heritage items on Pacific Highway while making a positive contribution to future development on the master-planned Town Centre sites (see Activate Turrumurra). Objecting submissions expressed the opinion that heritage listing would contravene the objectives of the B2 zoning and by extension the Sydney District Plan and s.117 Ministerial Directions. The front of several buildings from 1356-1362 Pacific Highway have been zoned SP2 Classified Road. Given the opportunity the site presents to the Turrumurra local centre, and the future potential compromise of the SP2 zoning, it is recommended the extension not proceed.

Mona Vale Road Conservation Area - Pymble and Gordon (C43)

The Mona Vale Road Conservation Area Pymble and Gordon (C43) is not recommended to proceed. The area displays a range of residential properties of different ages and styles, however the impacts of Mona Vale Road have greatly impacted on its legibility and level of intactness. It is noted that the street contains many excellent examples of residential development, however a significant proportion of these are already listed as individual heritage items. On balance, it is considered that as a whole Mona Vale Road does not meet the threshold for listing as a heritage conservation area.

Telegraph Road Conservation Area - Pymble (C44)

Telegraph Road Conservation Area Pymble (C44) is recommended to proceed with changes. Telegraph Road's importance as a transport route dates back to the area's early development as a timber getting location and it remains an important transport link to this day. Telegraph Road retains many significant examples of high quality, architect designed residential development reflecting the historical trend of wealthy Sydney residents seeking refuge from the more crowded inner urban areas. It is considered that Telegraph Road demonstrates historic, aesthetic and historical association heritage values and should be listed as a Heritage Conservation Area with amended boundaries detailed in this report.

Lanosa Estate Conservation Area - Pymble (C45)

The Lanosa Estate Conservation Area Pymble (C45) is not recommended to proceed. The streets contain a mix of building styles, forms and building materials. Inter-war building styles dominate but there are also examples of 1950s and 1960s dwellings, as well as more recent project home developments. A significant proportion of original properties have undergone substantial changes over time and no longer present in their original forms or retain their original fabric. This has significantly undermined the heritage values of the area and, consequently, the area is not considered to meet the threshold for listing as a heritage conservation area.

Athol Conservation Area – Pymble (C46)

The Athol Conservation Area is recommended to proceed as an amended and reduced conservation area. Based upon submissions and review of Council held information, the rating of several properties in this draft HCA were changed to neutral. The western side of the HCA is recommended to proceed. The houses on this side include the heritage items Athol (19 Athol Street) and Claverton (3-5 Alma Street). The houses date from the 1890s through to the 1950s. The inclusion of the Athol Conservation Area will contribute to the heritage values and the setting of existing Park Estate Conservation Area.

Pymble Heights Conservation Area – Pymble (C8A and C8B extension)

The extension to the Pymble Heights Conservation Area is not recommended to proceed. Several of the ratings were changed due to unsympathetic additions including second storeys and demolition rebuilds. Given the small size of these potential extensions to the Pymble Heights Conservation Area these few changes had a large impact on the significance of these streetscapes. The area does have character in terms of the gardens and the streetscape but does not read as an intact heritage area.

Fernwalk Conservation Area – Pymble (C9 extension)

This extension to the Fernwalk Conservation Area is not recommended to proceed. In this relatively small extension the ratings on five houses changed from contributory to neutral, the main reason being unsympathetic additions and loss of design integrity. The predominance of neutral properties has undermined the heritage significance of the area and the area is not recommended to proceed,

West Pymble Conservation Area – Pymble (C11A and C11B)

The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”. It was agreed that the large areas of neutral properties did not warrant inclusion within a heritage conservation area. Instead several potential small HCAs were reviewed and reassessed more closely where clusters of contributory buildings were indicated on the exhibited map. As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area (C11) be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack.

Orinoco Street Conservation Area (C10A and C10B)

The exhibited map of this extension to the Orinoco Street Conservation Area rated all the properties as neutral and all of these properties were battle-axe lots. These properties, following review, remained neutral. This area is not recommended to proceed as there is no gain to the HCA from the inclusion of historical buildings. This extension to the conservation area is not recommended to proceed.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

This report addresses issues of heritage protection in line with Council's recently gazetted LEPs. The process for the preparation and implementation of the Planning Proposal to implement the new Heritage Conservation Area is governed by the provisions contained in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

Council was issued with plan-making delegation under Section 2.4 (previous s23) of the EP&A Act 1979 to finalise the Planning Proposal.

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Postcards announcing the public exhibition were hand-delivered to the affected properties and letters were sent and hand-delivered to the owners of affected and adjacent properties inviting submissions.

In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee. There were no objections raised to the recommendation. One member did request Council revisit Fox Valley Road Wahroonga (area outside the exhibited HCA) for consideration as a heritage conservation area and expressed their support for the inclusion of the extension to the Hillview HCA.

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A member of the HRC has raised concerns about the extent of Gilroy Road and Eastern Road proposed for inclusion within the HCA and has recommended that the boundaries be extended to include additional properties. The exhibited HCA boundaries were approved for progression under the Gateway determination issued by the Department of Planning & Environment. Therefore, this report cannot include matters outside of these areas. This matter can be further reviewed and referred back to the Heritage Reference committee.

INTERNAL CONSULTATION

This report has been referred to the relevant sections of Council and the Heritage Reference Committee for comment.

SUMMARY

This report considers the community submissions to a planning proposal to list eleven additional heritage conservation areas in Wahroonga, Turramurra, Pymble and Gordon. Based on the submissions and further heritage assessment five conservation areas are recommended to proceed.

RECOMMENDATION:

- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation areas as identified in **Attachment A16** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- C. That those who made a submission be notified of Council's resolution.

Andreana Kennedy
Heritage Specialist Planner

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



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Team Leader Urban Planning

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Attachments:	A1	 Assessment - Extension to Mahratta Conservation Area (C4)	2018/106010
	A2	 Assessment - Gilroy Road Conservation Area Turrumurra (C42)	2018/107105
	A3	 Assessment - Extension to Hillview Conservation Area Turrumurra (C40)	2018/105690
	A4	 Assessment - Mona Vale Road Conservation Area Pymble and Gordon (C43)	2018/105960
	A5	 Assessment - Telegraph Road Conservation Area Pymble (C44)	2018/105955
	A6	 Assessment - Lanosa Estate Conservation Area Pymble (C45)	2018/105958
	A7	 Assessment - Athol Conservation Area Pymble (C46)	2018/106311
	A8	 Assessment - Pymble Heights Conservation Area (C8A & C8B)	2018/106566
	A9	 Assessment - Fernwalk Conservation Area Pymble (C9)	2018/105446
	A10	Assessment - West Pymble Conservation Area (C11A & C11B)	2018/106991
	A11	 Assessment - Orinoco Conservation Area (10A and 10B)	2018/107040
	A12	 Submission summary table - West Pymble and Orinoco	2018/108327
	A13	 Submission summary table - subject is all HCAs	2017/334722
	A14	 Submission summary table - HCA Not Specified	2017/343501
	A15	 Attachment: Brief literature review of the effect of designation on area on house prices	2018/109311
	A16	 Maps with recommended boundaries	2018/115925

Extension to Mahratta Conservation Area (C4)

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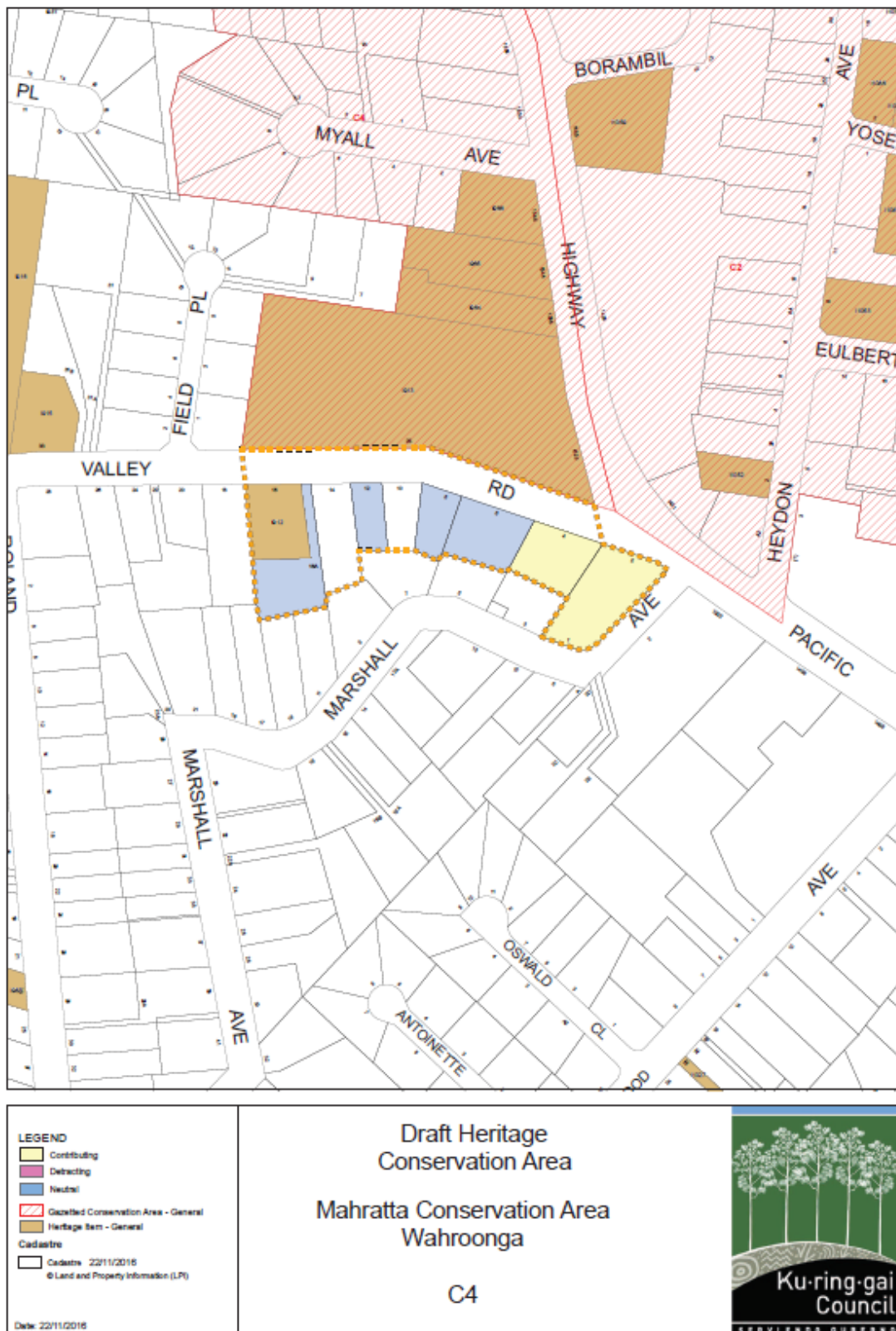
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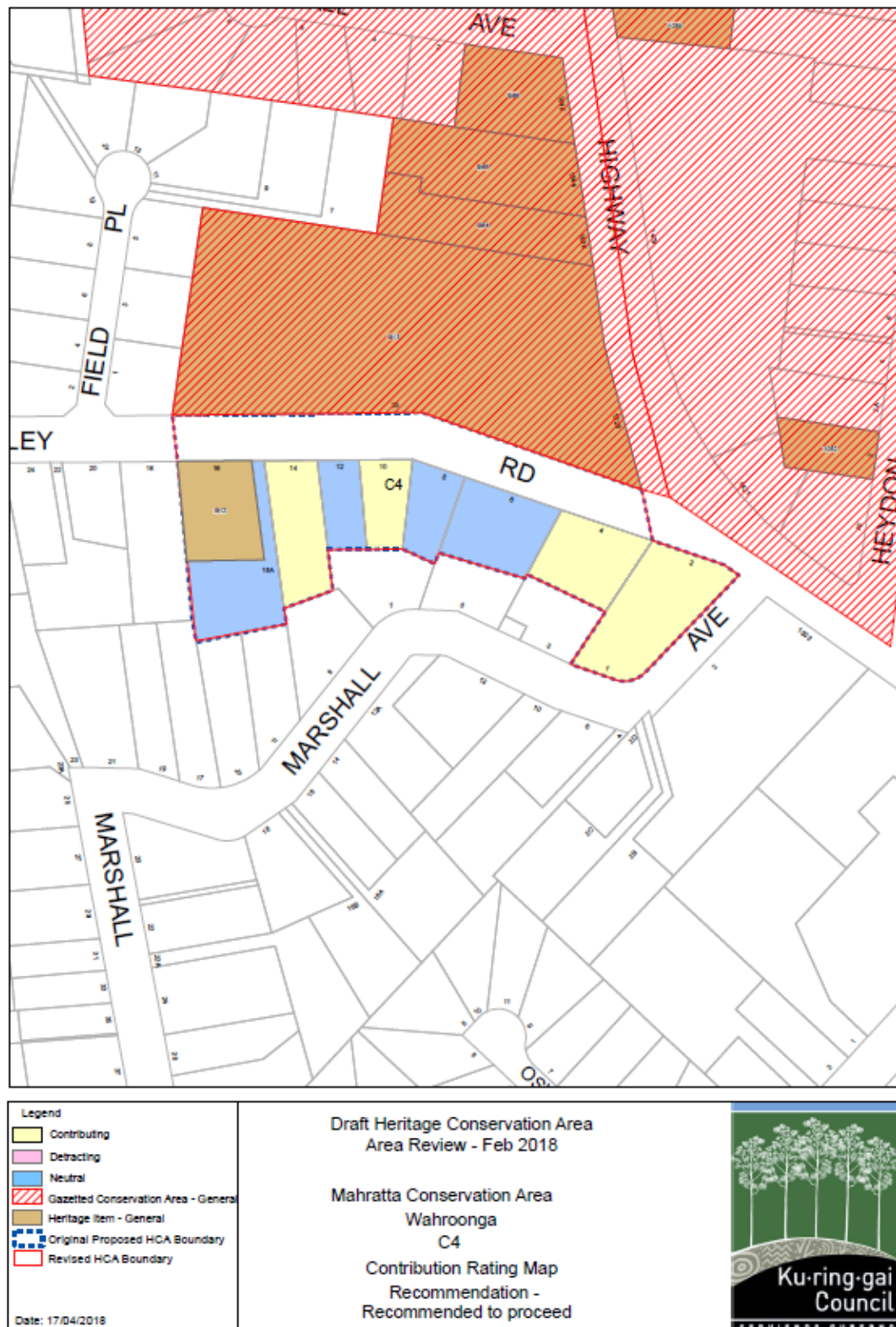
Ratings review 11

Maps

1. Exhibited rating map



2. Revised rating map



Comments

The area reviewed was a proposed extension to the Mahratta HCA (C4) that included 9 properties located on Fox valley Road, Wahroonga.

The area was identified for listing as a Heritage Conservation Area by John Oultram in 2013. The statement of significance prepared to support the listing states:

The Mahratta Heritage Conservation Area is of historical and aesthetic significance for its largely intact fabric (houses, gardens, street layout) dating from the 1890s through to the inter war period into the 1940s. The area is of aesthetic significance as it encompasses the State Heritage Listed Mahratta built 1941 on the corner of the Pacific Highway and Fox Valley Road with its substantial gardens designed by Paul Sorenson; the 1924 subdivision of Myall Avenue as a rare early cul-de-sac design, distinctive for its Inter war period housing and circular planting bed; the 1912 subdivision of the eastern end of Gilda Avenue, with its collection of Federation period to inter-war period housing.

The area is of historical significance as one of the earliest areas of housing development on the western side of the Pacific Highway at Wahroonga, encompassing the 1896 Brown's Estate that covered a large portion of the area, the 1912 Warrawee View Estate (eastern end of Gilda Avenue) and the Myall Avenue (a subdivision of part of Toohey's Estate). The 1943 aerial photo of the area shows the eastern end of Gilda Avenue with unified formal street tree plantings (likely brush box), indicating the influence of the Wahroonga Progress Association in the early 20th century.

The area has associations with John Brown who owned and cleared a large portion of land to the north and south of Fox Valley Road and whose descendants subdivided and developed the land from 1896 onwards. The area also has associations with Thomas Hyndes who was granted a large parcel of land at Wahroonga in 1838 that he used for timber getting.

As a result of the statutory public exhibition process, 6 objections were received all against the proposal and 1 submission was received directly in support of the draft Mahratta HCA extension.

Issues raised in the submissions included the lack of heritage significance, increased development restrictions and financial burden. These issues are addressed in the main report and in the summary submission table below. One submission did raise the inconsistency of the inclusion of the south side of Fox Valley Road within the conservation area as it was not part of the land developed by John Brown. This land was originally part of the Thomas Hyndes six acre land grant, granted in 1836. This land was sold to John Brown in 1854, and the land which became Marshall Estate sold to Reginald Edmund Finlay, purchased from the Estate of John Brown in January 1892.

The subsequent subdivisions and estates within the HCA include Brown's Estate (post 1892), Marshall Estate (1905), Warrawee View Estate (1912) and a portion of Toohey's Estate.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers.

The ranking of each property within the draft conservation area is included below. No rankings were changed. Based upon the reassessment the extension to the Mahratta Conservation Area is recommended to proceed.

It is recommended the rest of the Marshall Estate should be investigated for historical significance and 2 Fox Valley Road be further investigated for its cultural significance.

The revised statement of significance for the extended Pymble Avenue Conservation Area is:


The Mahratta Heritage Conservation Area is of historical and aesthetic significance for its largely intact fabric (houses, gardens, street layout) dating from the 1890s through to the inter war period into the 1940s. The area is of aesthetic significance as it encompasses the State Heritage Listed Mahratta built 1941 on the corner of the Pacific Highway and Fox Valley Road with its substantial gardens designed by Paul Sorenson; the State Heritage Listed Purulia house and garden designed by renowned architect William Hardy Wilson and built 1912-1913; the 1924 subdivision of Myall Avenue as a rare early cul-de-sac design, distinctive for its Inter war period housing and circular planting bed; the 1912 subdivision of the eastern end of Gilda Avenue, with its collection of Federation period to inter-war period housing.


The area is of historical significance as one of the earliest areas of housing development on the western side of the Pacific Highway at Wahroonga, encompassing the 1896 Brown's Estate that covered a large portion of the area, the 1905 Marshall Estate (southern side of Fox Valley Road, the 1912 Warrawee View Estate (eastern end of Gilda Avenue) and the Myall Avenue (a subdivision of part of Toohey's Estate). The 1943 aerial photo of the area shows the eastern end of Gilda Avenue with unified formal street tree plantings (likely brush box), indicating the influence of the Wahroonga Progress Association in the early 20th century.

The area has associations with John Brown who owned and cleared a large portion of land to the north and south of Fox Valley Road and whose descendants subdivided and developed the land from 1896 onwards. The area also has associations with Thomas Hyndes who was granted a large parcel of land at Wahroonga in 1838 that he used for timber getting.

Submission summary table: Mahratta Conservation Area (C4)

No	TRIM	Issue/Concern	Comment
18	2017/269728	<p>Opposed to HCA.</p> <p>Previous proposal for their property to be heritage listed was refused. They were not privy to why. Is Council trying to prevent rezoning prioritised by the State Government?</p>	<p>Opposition noted.</p> <p>The issue of listing was discussed at Council's meeting on 22 March 2016 and the report outlined why some properties did not proceed. This was a public report. For your property at 10 Fox Valley Road this was:</p> <p>"The house would be considered contributory within a heritage conservation area but is not recommended to proceed due to the unsympathetic and extensive additions including a bricked in front verandah."</p> <p>The listing is recognition of the heritage significance of the Mahratta Heritage Conservation Area not an attempt to pervert a State Government rezoning plan. Council has applied to be a priority Council with the State Government.</p>
38	2017/284369	<p>Opposed to HCA.</p> <p>Property has already been extensively modified and is no longer intact or original. We have already successfully argued against heritage listing for our property in the past. The proposal offers no genuine protection and is a financial burden</p>	<p>Opposition noted.</p> <p>2 Fox Valley Road while modified is considered to be significantly intact and a representative example of transitional Federation bungalow.</p> <p>This is not an individual heritage listing, it is listing as a contributory building within a HCA. The threshold for inclusion is lower than that for an item. Potentially as an item, the alterations and additions on your place negatively impacted on the interpretation of the design intent. This could exclude a place from being</p>

No	TRIM	Issue/Concern	Comment
		on owners.	<p>listed.</p> <p>For an HCA a house is assessed based upon its contribution to key development periods (in this case Federation and Inter-war). The house has substantial characteristics and intact fabric which identify it as an important building from this period. It is one of the only intact lots from the 1906 subdivision of this area (Deposited Plan 4696). Recommended the rating remains contributory and the lot is included in the HCA.</p> 
166	2017/296519	<p>Opposed to HCA.</p> <p>Dwelling not historically significant and has been altered. The Aug 2013 HCA Review report this was recognised, noting the lack of historical significance or aesthetic significance of the households in general. Also concerned with loss of property rights and wants</p>	<p>4 Fox Valley Road</p> <p>The house at 4 Fox Valley Road is a modified Inter-war Arts and Craft style house. The house has an extension to the side but it is not out of scale and the design is considered sympathetic. The various solar water heating devices on the roof are unsympathetic but are not considered irreversible.</p> <p>The reference in the report to a lack of significance referred to the wider area being considered. The final recommendation included a cluster of contributory places and heritage</p>

No	TRIM	Issue/Concern	Comment
		consideration of broader zoning considerations.	<p>items.</p>  <p>Please see the main body of the report regarding rezoning and house prices.</p>
176	2017/296593	<p>Opposed to HCA.</p> <p>Three points of opposition:</p> <p>Heritage report (2013) by John Oultram Heritage and Design does not recommend this proposal. It is only the existing Mahratta HCA.</p> <p>The report focuses on land developed by John Brown but the subject land was developed by others.</p> <p>The assessment finds these buildings unremarkable and with various uncharacteristic</p>	<p>Opposition noted.</p> <p>The actual quote from the John Oultram report is "Council should consider including the cluster of heritage, contributory and neutral items at the eastern end of Fox Valley Road (2-16 Fox Valley Road) in the existing Mahratta Conservation Area in the Draft Ku-ring-gai Local Environmental Plan 2013"p. 34 i.e. extend the Mahratta HCA to include the properties from 2-16 Fox Valley Road. That is what this planning proposal does.</p> <p>The land on which these additional houses are located was part of The Marshall Estate (bordered by Fox Valley Road and Roland Avenue, and including both sides of Marshall Avenue). This land was originally part of the Thomas Hyndes six acre land grant, granted in 1836. This land was sold to John Brown in 1854, and the land which became Marshall Estate sold to Reginald Edmund Finlay, purchased from the Estate of John</p>

No	TRIM	Issue/Concern	Comment
		<p>features.</p> <p>Issues with zoning and surrounding development.</p> <p>Proposal would impose long-term hardship on property owners.</p>	<p>Brown in January 1892. When the mortgage on this land was defaulted, the mortgagee exercising power of sale transferred the land to James Marshall in July 1905. The subject land and the land on which Mahratta is situated was all part of the land owned by John Brown but it was sold as several estates including Brown's Estate and Marshall's Estate. For further reference please see <i>The Historian</i> 35.1, p66 (publication of The Ku-ring-gai Historical Society held at Gordon library). Marshall's Estate is historically significant to the development of the area as an early residential subdivision. It is recommended the rest of the Marshall Estate should be investigated for historical significance.</p> <p>It is unlikely that any house has undergone no change. In assessing the contributory values the question asked is does the degree of change prevent the historic significance from being understood or does it degrade the aesthetic significance to the point it no longer reaches the threshold for inclusion. John Oultram's comments were upfront about the degree of change and recommended ratings of contributory on 2, 4, 10, 12, 14 and 16. Your property at 8 and 6 and 16A are neutral. Please see comments on heritage items in response to submission 18 above.</p> <p>There is no R4 (High Residential Density) zoning immediately adjacent the proposed HCA. There is R4 across Marshall Avenue and opposite 2 Fox Valley Road. The height of building for all properties around the proposed HCA is 9.5, even on the</p>


No	TRIM	Issue/Concern	Comment
			<p>opposite R4 site.</p> <p>In line with the North District Plan Council will in the future be preparing a Housing Strategy to respond to the need for housing diversity in Ku-ring-gai. This will be balanced with our legislative and community responsibility to protect the Ku-ring-gai environment: built and natural. The impacts upon existing residents Issues such as traffic stress and loss of amenity are given due consideration by Council in these studies and in Development Applications. Council endeavours to provide compatible zoning at the interface of HCAs to ensure the long term viability of these valued heritage places.</p> <p>Please see the main body of the report on house values.</p>
229	2017/302666	<p>Opposed to HCA</p> <p>Dwellings in the C4 extension represent a mixture of times. Concerned with property values dropping. Their dwelling (14 Fox Valley) has been altered and recently assessed as non-heritage.</p>	<p>The contributory houses in this area are representative of transitional Federation and Inter-war buildings consistent with the larger HCA. Inter-war housing is known for its diversity of styles.</p> <p>Please see the main body of the report on house values.</p> <p>The issue of listing was discussed at Council's meeting on 22 March 2016 and the report outlined why some properties did not proceed. For your property at 14 Fox Valley Road this was:</p> <p>"In 2006 a DA was approved for a small second storey to be added on to 14 Fox Valley Road. The resulting addition has altered the roofline by adding a new gablet at the pinnacle of the roofline and new roof ridge which</p>

No	TRIM	Issue/Concern	Comment
			has the effect of reducing the visual prominence of the chimneys. The integrity of the original roof form has been compromised. Other features like the original face brick, rough cast render, gable detailing and windows are still present and <i>the house would still be contributory within a heritage conservation area.</i>
2	2017/259164	Supportive of HCA. I am completely in favour of the proposed Mahratta Conservation Area.	Support noted.

Ratings review

Rating	John Oultram	Revised 2018
Contributory	5 (56%)	5 (56%)
Neutral	3 (33%)	3 (33%)
Uncharacteristic	2 (11%)	2 (11%)
Total	11	11

Address	HCA Review Rating John Oultram	Recommended rating	Comment
2 Fox Valley Road	C	C	Same Further assessment recommended.

4 Fox Valley Road	C	C	Same
6 Fox Valley Road	N	N	Same
8 Fox Valley Road	N	N	<p>Front of house visible on 1943 aerial- extension to the rear and carport added but the main roof line remains the same. The house cannot be easily photographed from the street due to the heavy vegetation but it can has been rendered.</p> 
10 Fox Valley Road	Item	C	Was a draft item but considered threshold not worthy individual listing but should be recognised as contributory
12 Fox Valley Road	D	N	BA91/0712 new two storey residence.
14 Fox Valley Road	Item	C	Was a draft item but considered threshold not worthy individual listing but should be recognised as contributory
16 Fox Valley Road	Item	C	item
16A Fox Valley Road	N	N	(battle axe)
25 Fox Valley Road	Item	C	item

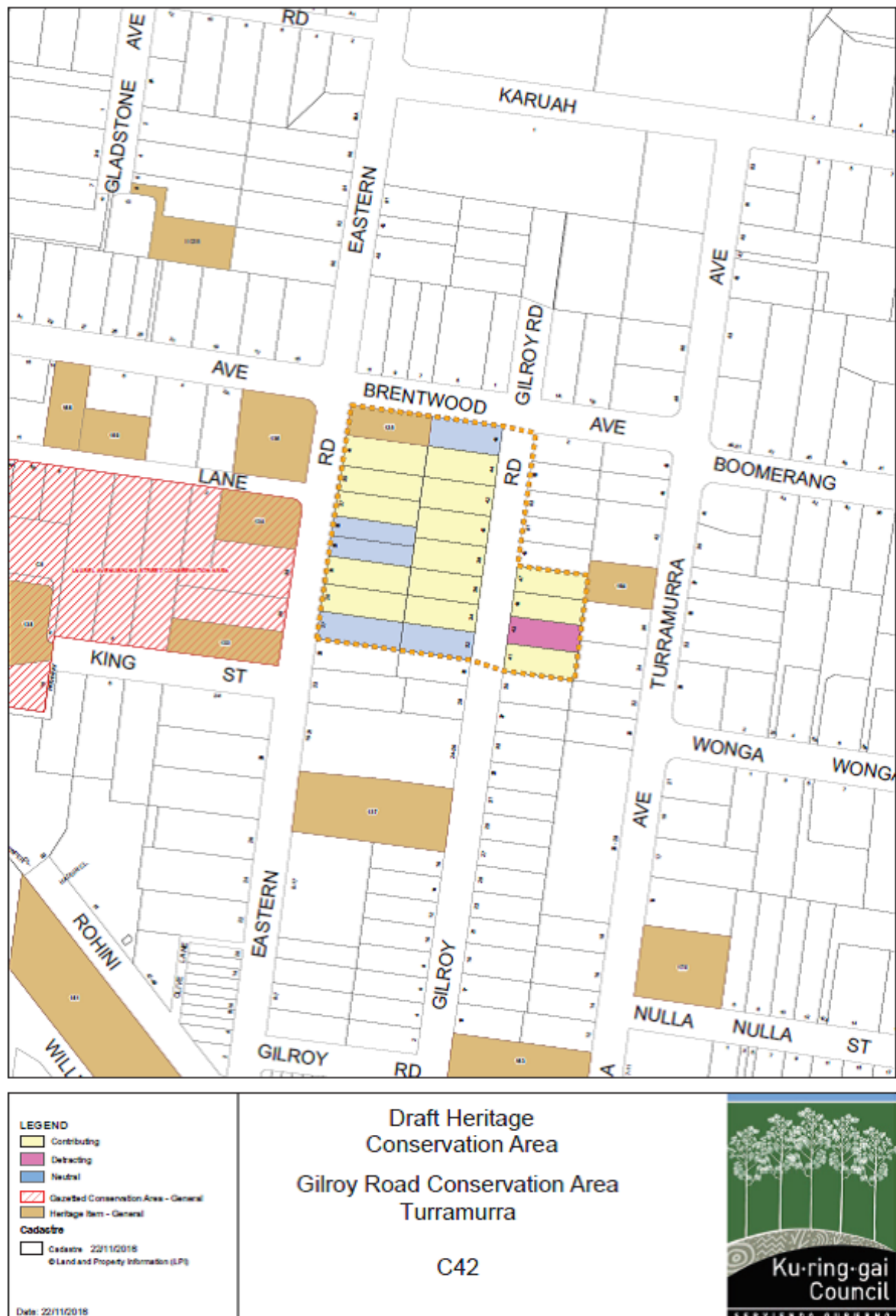
GILROY ROAD DRAFT HERITAGE CONSERVATION AREA C42

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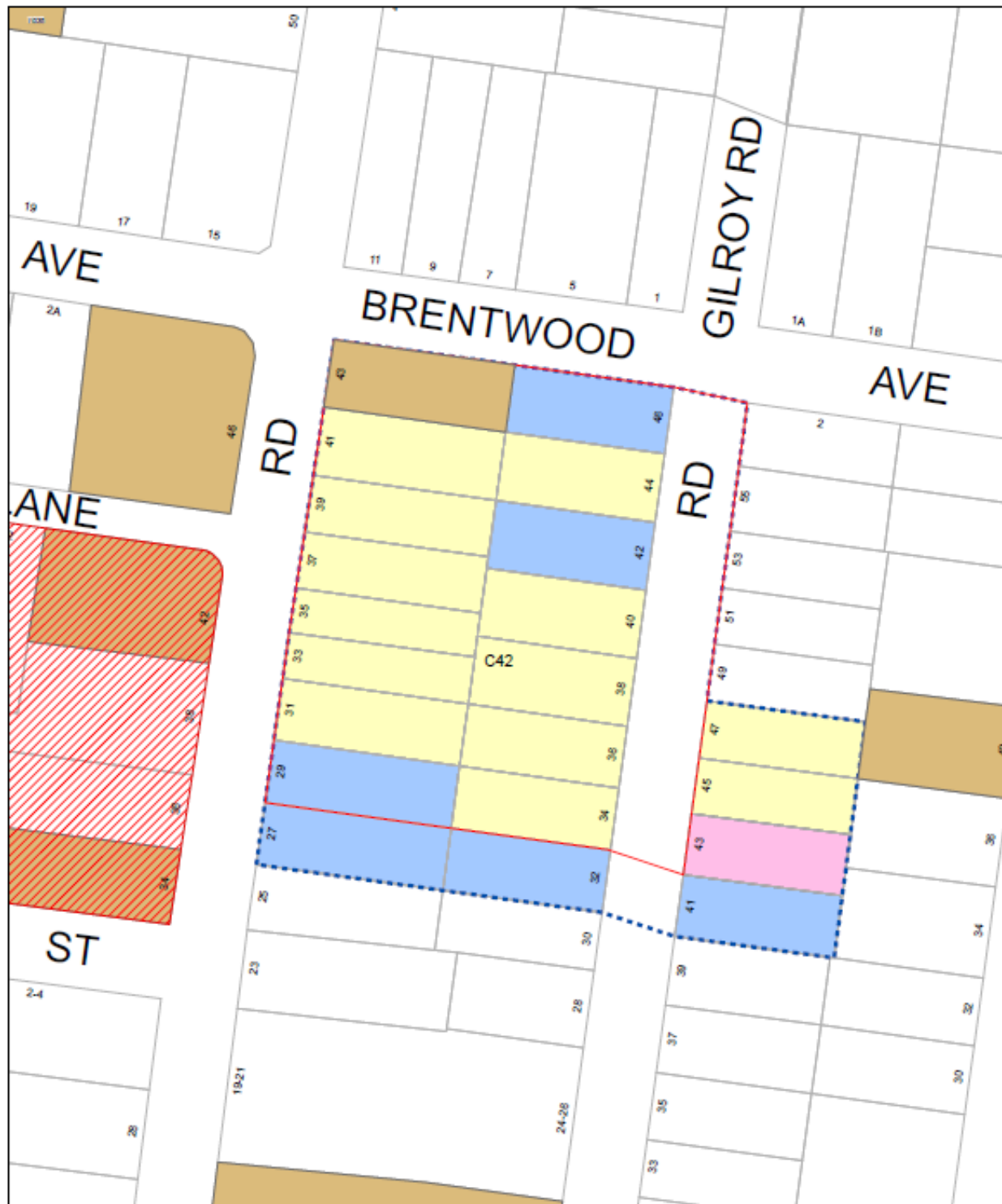
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1. Maps

1.1 Exhibited ratings map for draft Gilroy Road HCA



1.2 Revised ratings map for draft Gilroy Road HCA



<p>Legend</p> <ul style="list-style-type: none"> Contributing Detracting Neutral Gazetted Conservation Area - General Heritage Item - General Original Proposed HCA Boundary Revised HCA Boundary <p>Date: 17/04/2018</p>	<p>Draft Heritage Conservation Area Area Review - Feb 2018</p> <p>Gilroy Road Conservation Area Turramurra C2</p> <p>Contribution Rating Map Recommendation - Recommended to proceed - review boundaries</p>	
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2. Comment

The exhibited proposed Gilroy Road Heritage Conservation Area (HCA) contains 21 properties. As part of the public exhibition process, objections were received from 11 properties or 52% of properties. This includes a group submission prepared by City Plan Services on behalf of 11 properties. A further submission by Architectural Projects was received on behalf of the owners of 32 Gilroy Road. Submissions raised concerns with impacts on the potential of the area to be rezoned and redeveloped for high density residential housing in the future as has occurred closer to Turrumurra railway station. Concerns were also raised over the potential for the proposal to impact on Council's ability to meet its housing obligations. Submissions also noted that buildings have been altered and modified and should no longer be considered heritage. Individual submissions are responded to below.

Following the public exhibition process, the rating of each property within the draft HCA was reconsidered. The re-assessment of each property is included below. Overall, the proportion of buildings considered to be rated Contributory remains high at 67% following re-assessment. It is noted that changes have occurred within the precinct, including painting of brick facades and the introduction of carports. However, it is considered that the character of the area has been retained and is still legible from the public domain. The commonality and repetitiveness of building form and materials are highly visible makes for a pleasing streetscape as seen in images 1 and 2.

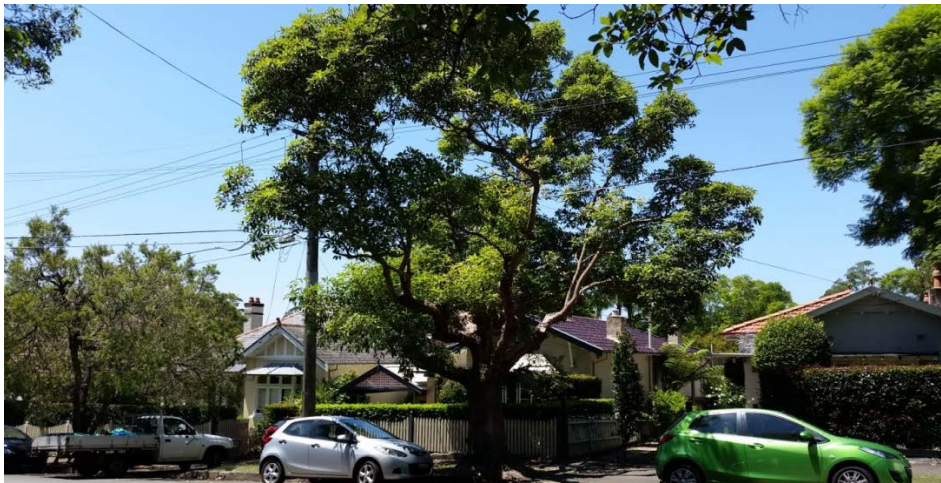


Image 1: Eastern Road streetscape



Image 2: Gilroy Road streetscape

It is evident that Eastern Road and the southern side of Gilroy Road were developed as part of the same subdivision (being the Gilroy Estate) which was originally advertised for sale in 1901 but re-subdivided and re-advertised for sale in 1912 as Deposited Plan 6494. The majority of allotments within the HCA retain this original Deposited Plan from 1912.

In order to increase the legibility and integrity of the HCA, it is recommended that the 2 Neutral buildings at the southern edge of the exhibited draft HCA (being nos. 27 Eastern Road and 32 Gilroy Road) be removed from the HCA boundaries.

The exhibited draft HCA boundaries also included a smaller group of 4 building located on the eastern side of Gilroy Road (nos. 41-47). These properties are located in the middle of Gilroy Road and properties to the north and south of the road have been excluded. These properties were part of land eventually subdivided as the Fifeshire Estate in 1918. Only 2 the 4 properties on this side of Gilroy Road contained within the exhibited HCA can be considered to be Contributory buildings. See images 3 to 6 for details. As a consequence, it is recommended that the boundary of the HCA be amended to remove 41-47 Gilroy Road.

Heritage significance is embodied in an area's fabric, setting and historical records. The area's high degree of intactness, remnant original fabric and documentation around its historical development all add to the heritage significance of this area. It remains obvious that the vast majority of buildings were constructed around the same period and retain many of the same original features. It is noted that the southern areas of Gilroy Road and Eastern Road have been rezoned for increased residential densities and have, consequently, undergone significant change. Therefore, they have been excluded for assessment as part of this current process. Despite this, it evident that the area contained within the revised HCA boundaries of Gilroy and Eastern Roads have heritage significance for the Ku-ring-gai local government area and should be retained and protected into the future.



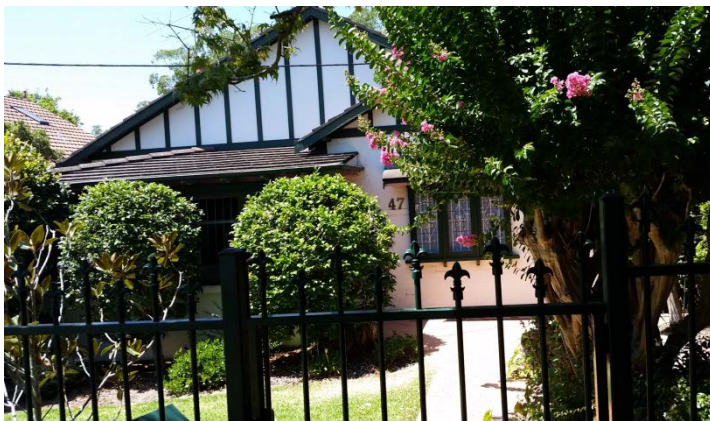
**Image 3: 41 Gilroy Road –
Rated as Neutral (2018)**



**Image 4: 43 Gilroy Road –
Rated as Detracting (2018)**



**Image 5: 45 Gilroy Road –
Rated as Contributory (2018)**



**Image 6: 47 Gilroy Road –
Rated as Contributory (2018)**

3. Statement of Significance

The Gilroy Road HCA has historical representative significance as a remnant example of the ‘Garden Suburb’ philosophy of the early 20th century; being a residential subdivision featuring regular sized allotments with consistent front and side setbacks containing single storey houses sited on their lots to enable ‘natural light’ and ‘fresh air’. Some properties also show evidence of early provision for the motor car with drive way wheel strips and ‘motor homes’ behind the footprint of the house. It is representative of an early example of a more modest subdivision deliberately designed to cater for the evolving upwardly middle class at the beginning of the 20th century.

The Gilroy Road HCA has aesthetic significance as a demonstration of the application of the 'Garden Suburb' philosophy and also architectural pattern books made accessible by major department stores for use by both small builders and home owners. The majority of the buildings are low scale, single storey cottages dating from the late Federation and Inter-War eras. There remains a consistency of materiality and finishes including dark face brickwork and gables roofs featuring decorative embellishments such as battened sheet finishes, vent grilles and terracotta ridge capping. The HCA retains a relatively high degree of intactness and integrity in building detail and materials, allotments, street plantings, character and form.

4. Submissions Table

No	Issue/Concern	Comment
191	<p>Opposed to HCA</p> <ul style="list-style-type: none"> • Submit that the planning proposal should not proceed in its present form as far as the Gilroy Road HCA is concerned, and in any event not until Council has prepared a proper housing strategy that is endorsed by the Greater Sydney Commission as being consistent with the regional plan. • The heritage studies are inconsistent and incomplete, they lack a single complete heritage inventory form and there is no evidence that they consider the degree of change to the individual properties. • The heritage studies have not properly and rationally considered the most appropriate conservation and management strategies given their context, which includes their broader strategic value as a logical location for future urban renewal consistent with the regional and draft district plans; and • There is no evidence that the planning proposal has properly considered the regional plan. • The planning proposal indicates that in November 2013 Council resolved to place this, and 13 other proposed and extended HCAs on non-statutory public exhibition and that the exhibition took place from 7 March 2014 until 7 April 2014. Advised none of the owners recall receiving notification of the proposal or an invitation to comment and owners are concerned that they have been denied procedural fairness. Owners request confirmation from Council of how they were notified of the 	<p>City Plan Services</p> <p>On behalf of the owners of 31, 33 and 39 Eastern Road and 32, 34, 36 42, 46, 41, 43 and 47 Gilroy Road</p> <p>Opposition noted</p> <p>A single Heritage Inventory Form for the Gilroy Road proposed HCA was exhibited between 15 September and 23 October 2017. This form has been updated to reflect the amended boundaries and is included as an attachment to the report.</p> <p>An individual building rating has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>The aim of the heritage studies was to peer review proposed HCAs, not to proposed ongoing management strategies for these areas. The heritage assessment process requires assessment against criteria gazetted by the NSW Heritage Council, using its guidelines. There is no requirement for heritage assessment to consider conservation management strategies within the context of the site and, therefore, does not negate the findings of the assessment process.</p>

No	Issue/Concern	Comment
	<p>proposal in 2014.</p> <ul style="list-style-type: none"> The proposal to create the Gilroy Road HCA is informed by two heritage documents: <ul style="list-style-type: none"> "Gilroy Road, Turramurra, Proposed Heritage Conservation Area Heritage Inventory Form" prepared by Stephen Booker and Sue Jackson Stepowski and dated 3 June 2013 (the Gilroy Road Study); and "Eastern Road Turramurra Proposed Heritage Conservation Area Summary Report and Heritage Inventory Form" prepared by John Oultram Heritage & Design and dated August 2013 (the Eastern Road Study). The Gilroy Road Study apparently considers the entire length of Gilroy Road, and recommends that <i>"the Inter War housing in the Gilroy Estate as defined in the attached Figure 5, deserves recognition as a Potential Heritage Conservation Area."</i> We note, however, that within the Gilroy Road Study placed on public exhibition with the planning proposal, there is no plan of the recommended Potential Heritage Conservation Area in Figure 5. It is therefore not clear what area the Gilroy Road Study was recommending and whether indeed it is consistent with the small subset of properties on Gilroy Road now proposed for inclusion in the HCA. We also note that of the 12 properties comprising that subset, there is only one property which features in the Figures contained within the Study. None of the other nine properties that are represented in the Figures are 	<p>It is not agreed that the planning proposal has not properly considered relevant regional strategies. It is a requirement of all planning proposals to adequately consider all relevant strategies and this is covered in Part 3(b) of the planning proposal. It is important to note that the Gateway determination issued by the Department of Planning & Environment in May 2017 raised no issues with this content of the planning proposal.</p> <p>Council has confirmed that residents of Gilroy Road and Eastern Road received letters regarding the non-statutory public exhibition held between 7 March and 7 April 2014. Council received several submissions from property owners also the subject of this objection at the time as contained within Appendix N of Council's planning proposal dated March 2017.</p> <p>It is agreed that Figure 5 appears to be missing from the SHI form publicly exhibited. However, the planning proposal includes several maps of the proposed HCA boundary which clearly demonstrate the extent of the area. The draft HCA boundary is not the same as that proposed by the consultants. At its meeting of 6 December 2016, Council considered a report on this matter following the non-statutory exhibition and resolved:</p> <p><i>Gilroy Road, Turramurra</i> <i>There were several submissions against the Gilroy Road HCA proceeding. Many noted the impact of the new residential flat buildings on the dwelling houses and the subsequent loss in value if parts of the street were to be downzoned from R2 to R4. It is</i></p>

No	Issue/Concern	Comment
	<p>proposed for inclusion in the HCA. Finally, we note that there is no discussion regarding the level of management required and how the preferred conservation and management strategies can be implemented</p> <ul style="list-style-type: none"> • Common to both studies is that they do not consider the extent of change that has occurred to the properties contained within the proposed HCA. We are advised that most of properties have experienced substantial alterations and additions. • Because of the limitations of the heritage studies underpinning the planning proposal, and the incompleteness of these studies, we do not consider that they provide a sound or a sufficient basis for making the proposed HCA. • When preparing a planning proposal, Section 75AI of the <i>Environmental Planning and Assessment Act, 1979</i> (the Act) requires the relevant planning authority to give effect to any district plan applying to the local government area, or if there is no district plan, to any regional plan applying to the region of which the local government area forms a part. • The relevant district plan applying to the Greater Sydney Region is <i>A Plan for Growing Sydney</i> (December 2014). In November 2016 the Greater Sydney Commission published a draft update to A Plan for Growing Sydney, known as <i>Towards Our Greater Sydney 2056</i> • Submit that the planning proposal does not properly consider the regional plan and in particular Goal 2, against which the planning proposal states that the proposal will have no impact on Ku-ring-gai's ability to meet 	<p><i>not recommended to include those areas zoned currently as R4. Instead the boundary will reflect the current zoning and provide a buffer between the R4 zoning and the proposed HCA. The proposed HCA is much reduced in size.</i></p> <p>It is noted that the regional strategy in place at the time of the issuing of the Gateway determination was <i>A Plan for Growing Sydney</i> (December 2014) and <i>Towards Our Greater Sydney 2056</i>; and the <i>Draft North District Plan</i>" (November 2016). The planning proposal responded to all relevant considerations within these documents. It is also important to note that these documents also contain provisions for the protection of heritage assets including <i>Liveability Priority 7: Conserve heritage and unique local characteristics</i>, which requires relevant planning authorities to protect "aboriginal, cultural and natural heritage and places, spaces and qualities valued by the local community".</p> <p>There is no suggestion that Council cannot meet its housing targets as well as identifying and protecting its heritage assets. Indeed, the relevant strategic documents contain objectives and actions relating to both matters. Therefore, Councils are obliged to ensure that it can achieve both outcomes. The current planning proposal contains 21 properties. It is not considered that the creation of an HCA over these properties will impede Council's ability to provide additional housing into the future.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy</p>

No	Issue/Concern	Comment
	<p>the housing and employment targets.</p> <ul style="list-style-type: none"> Also do not consider that the proposal should proceed until there has been a proper consideration of the most appropriate conservation and management strategy given the "moderate" level of heritage significance area the broader regional strategic importance of the land; and certainly not until Council has prepared a long-term housing strategy for the local government area in accordance with the regional and district plans. 	<p>Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
191.1	Duplicate of above	See above response
31	<p>Opposed to HCA.</p> <p>We believe Council is rushing to create the conservation area to prevent further 5 storey multi-level apartments being constructed in Gilroy and Eastern Roads.</p> <p>Alterations and additions done to dwelling that make it out of character.</p> <p>Should Council proceed with this conservation area and include our house, we will strenuously fight this in the courts to have our house removed as it is "out of character" based on the Heritage Checklist which follows plus it is even acknowledged as "out of character"</p>	<p>Opposition noted.</p> <p>This process has been ongoing since 2013. The zoning contained within the area was adopted under the Local Centres LEP from 2012. The area proposed for the HCA is zoned R2 and multi-level apartment buildings are not permissible on this land.</p> <p>An individual building rating has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the</p>

No	Issue/Concern	Comment
		limited contribution they make to the HCA.
72	<p>Opposed to HCA.</p> <p>Opposed because renovations have taken place, inconsistent and lack of credibility in identification processes, and restrictions that will arise.</p> <p>In the Minutes of the Ordinary Meeting of the Council on December 6, 2016 (Appendix L of the draft HCA), it mentioned that the draft Gilroy HCA was intended to “reflect the current zoning and provide a buffer between the R4 zoning and the proposed HCA”, suggesting that the spirit of the draft HCA is to ensure no further high density zoning is granted on the remaining parts of the street.</p>	<p>Opposition noted.</p> <p>An individual building rating has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>The amended boundaries of the HCA reflect the current zoning of the land. It is agreed that high density zoning is not suitable for land identified as having heritage significance.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
110	<p>Opposed to HCA.</p> <p>Property modified significantly through approved works. Of the eight properties proposed to be listed in the HCA on the Eastern Road frontage, six (6) have been modified significantly or rebuilt over the years.</p> <p>The HCA strategy is to quarantine these areas from future development and the creep of higher density housing.</p> <p>Issues surrounding Due Process and</p>	<p>Opposition noted.</p> <p>An individual building ratings has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of</p>

No	Issue/Concern	Comment
	<p>Notification of Residents for 2013/14 proposal.</p> <p><i>Can you advise what public consultation was sought in 2013 and what notification was provided to residents to provide feedback and comment prior to submission to the Dept. of Planning.</i></p>	<p>Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>The amended boundaries of the HCA reflect the current zoning of the land. It is agreed that high density zoning is not suitable for land identified as having heritage significance.</p> <p>As discussed, all residents were notified of the non-statutory exhibition and submissions were received from properties within the current proposed HCA boundaries. Appendix N of the planning proposal includes submissions and responses as part of the non-statutory exhibition process.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
133	<p>Opposed to HCA.</p> <p>Houses are not heritage significant. Zoning and development housing demand concern.</p>	<p>Opposition noted.</p> <p>Professional heritage studies have concluded that the area does have heritage significance and should be protected.</p> <p>Providing additional housing at the expense of heritage properties is not a good or reasonable response to strategic planning.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>

No	Issue/Concern	Comment
208	<p>Opposed to HCA.</p> <p>Strongly, we feel the inclusion of the properties 41-47 Gilroy is a pure land grab by council to stop the natural extension of high density living that local and Sydney resident desperately require in this prime located area with proximity to the station (>400m). These properties with their isolation to the other properties in the DHCA by the road and lack of heritage significance should not be included. Noting that the property is on the edge of the DHCA area map and lacks heritage significance.</p>	<p>Opposition noted.</p> <p>Providing additional housing at the expense of heritage properties is not a good or reasonable response to strategic planning.</p> <p>Professional heritage studies have concluded that the area does have heritage significance and should be protected.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
212	<p>32 page detailed report prepared by Architectural Projects with specific reference to 32 Gilroy Road, Turramurra. The report includes the following contents:</p> <ol style="list-style-type: none"> 1. Introduction 2. History of reports regarding Gilroy Road Turramurra Area significance 3. History of Gilroy Road 4. Significance of Gilroy Road 5. Methodology for defining Conservation Area boundaries 6. Historical Research <ol style="list-style-type: none"> 6.1. National Trust Inter-War Study, Godden Mackay Logan studies historical research 6.2. Additional research 7. Review of fieldwork 8. Background to assessing contributory properties within a HCA <ol style="list-style-type: none"> 8.1. Land & Environment Court Precedents 9. Methodology 10. Background to listing 11. Recommendations 	<p>The submission discusses the Gilroy Road HCA proposal with specific reference to 32 Gilroy Road, Turramurra. The submissions states that <i>'an independent assessment by Architectural Projects indicates that many of the buildings identified as contributing components of the original Gilroy Road, Turramurra Conservation Area in 2013 have large detracting additions in the style of the original, which transform the building from contributing to detracting.'</i> However, this independent assessment is not included within the report. It is also important to note that the 2013 version of the HCA was not what was publicly exhibited. In 2016, Council resolved to adopt smaller boundaries for the draft HCA to remove land zoned R4. It was these boundaries which were placed on public exhibition in 2017.</p> <p>Council's 2018 reassessment of the publicly exhibited HCA boundaries concludes that 14 out of 21 properties (or 67%) are considered as contributory</p>

No	Issue/Concern	Comment
	<p>The preliminary subdivision mapping indicates that Gilroy Road, Turramurra Heritage Conservation Area as originally proposed reflects the history of the subdivision of the Interwar as the Gilroy Estate. In its reduced form, its ability to present these aspects of its history is limited. An independent assessment by Architectural Projects indicates that many of the buildings identified as contributing components of the original Gilroy Road, Turramurra Conservation Area in 2013 have large detracting additions in the style of the original, which transform the building from contributing to detracting. On the basis of this mapping we have identified a lower percentage of contributing buildings within the streetscape and therefore are not on the opinion that the streetscape of the original Gilroy Road, Turramurra Conservation Area in 2013 reaches the threshold for listing.</p> <p>The total number of contributory buildings has to be at least greater than 50% for the area to be considered for inclusion in a Heritage Conservation Areas due to building alterations, demolitions and new development. The original study area does not meet this threshold.</p> <p>The lack of a rigorous review of borderline examples has inflated the number of contributory and neutral components and provided a false impression of the integrity of the area.</p> <p>Recent material on Council's website suggests a proposal to list smaller groups of buildings within the conservation area. The listing of a smaller group is usually based on a higher level of integrity than buildings within a conservation area.</p>	<p>buildings. Therefore, it is not agreed that the reduced area has limited ability to demonstrate the history of the subdivision of the Gilroy Estate. The majority of buildings within the proposed HCA retain values and features associated with their era of development and have been rated accordingly.</p> <p>The 2013 Jackson-Stepowski & Carste assessed an areas containing Nos. 15-55 Gilroy Road, 2 Brentwood Avenue & 2-46 Gilroy Road. This area contains 42 properties and 28 (or 67%) were identified as Contributory. There is no requirement that HCAs must contain at least 50% contributory properties to be gazetted. A HCA is more than a collection of individual properties. Rather it is an area which contains enough original elements and material to tell a story of how the area came to be. This can include other streetscape elements such as subdivision pattern, building materials, garden setting and plantings.</p> <p>The original study area is not what was publicly exhibited but a much smaller area. All properties within this revised area have been reassessed and ratings amended accordingly.</p> <p>This would be true were Council to seek listing of the properties as a group of Heritage Items. However, this is not the case and the proposal is still to list the area as a HCA.</p> <p>In relation to HCAs, Council's DCP states: <i>The demolition of Heritage Items and contributory properties within HCAs is not supported.</i> It is the practice to retain building considered Contributory but for those considered Neutral or</p>

No	Issue/Concern	Comment
	<p>Despite the DCP noting that contributing components can be demolished the practice is to retain buildings identified as contributory, those from the key period of significance.</p>	<p>Detracting owners may seek to apply for a suitable replacement.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
230	<p>Opposed to HCA.</p> <p>The dwelling is of no heritage significance. It is a plain house with no special features and contributes nothing to the HCA.</p> <p>Houses of similarly plain appearances in the vicinity of our house have already been rightfully excluded from consideration of a heritage conservation area.</p>	<p>Opposition noted</p> <p>Agreed that the house at 46 Gilroy Avenue is not from the key development period and is therefore rated Neutral.</p> <p>The site is part of the original subdivision and is adjoining a heritage item so it is recommended it be retained within the HCA. However, the owner may seek to replace the building with a more suitable structure.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>



5. Rating Assessment


Gilroy Road HCA - Initial Jackson Stepowski/Oultram 2013; February 2018 re-assessment

RATING (revised boundary)	SJS/Oultram 2013	2018
Contributory	15 (71%)	25 (45.5%)
Neutral	5 (24%)	25 (45.5%)
Detracting	1 (5%)	5 (9%)
TOTAL	21	12


Rating: N – Neutral, C – Contributory, D – Detracting, Item – Existing Heritage Item


Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
27 Eastern Road	N	N	Post 1943 two storey brick dwelling house, unsympathetic fence and awning over front entrance obscuring original entranceway. Not from key development period. It is recommend re-aligning draft HCA boundaries to remove this property and 32 Gilroy Road from the area.
29 Eastern Road	C	N	Gable front Federation bungalow? With likely painted face brick and integrated garage forward of front building alignment impacting on its legibility from the street.


Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
			 <p>It is recommended that the rating for this property be amended to Neutral due to intrusive enclosed garage forward of front building alignment</p>
31 Eastern Road	C	C	Lovely Federation style cottage featuring slate roof with terracotta ridge capping, front gable, front verandah with timber posts, face brick façade. Carport to side of dwelling does not detract from appearance.
33 Eastern Road	N	C	<p>Modest pre-1943 cottage, prob late Fed/early Inter-War, single storey, painted face brick, hipped roof with original front projecting front gable featuring window frame with awning.</p> 

Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
			It is recommended that the rating for this property be amend to Contributory. It retains key architectural features from its period of construction and is clearly discernible as a late Federation/Early Californian cottage.
35 Eastern Road	N	C	<p>Partner to 33 Eastern Road, also painted face brick, garage integrated into building with open carport forward of front building alignment. Alts behind main roof line</p>  <p>It is recommended that the rating for this property be amend to Contributory. It retains key architectural features from its period of construction and is clearly discernible as a late Federation/Early Californian cottage.</p>
37 Eastern Road	C	C	Federation style cottage, painted face brick, alterations behind front building elevation not visible from street, slate roof with terracotta ridge capping.
39 Eastern Road	C	C	Late Fed/early Inter-War appears substantially intact, painted façade, attached carport to building façade but does not obscure façade.
41 Eastern	C	C	Pre 43 appears substantially intact late Fed/early Inter-War cottage painted façade

Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
Road			featuring roughcast
43 Eastern Road	Item C	C	
32 Gilroy Road	N	N	New build
34 Gilroy Road	C	C	Inter-War cottage with projecting front gable, on 1943 aerial, painted façade, sandstone foundations
36 Gilroy Road	C	C	Extended single storey pre-1943 cottage, face brick with symmetrical façade, double chimneys, corrugated iron roof
38 Gilroy Road	C	C	Modified early Inter-War cottage with double front gables, painted façade, side entranceway, garage to side of building present in 1943.
40 Gilroy Road	C	C	Face brick Inter-War single storey cottage, no significant modifications on file but has been amended, original glass windows to façade verandah, newer carport adjoining front of building
42 Gilroy Road	C	N	Californian bungalow, domineering and poorly proportioned upper floor addition.

Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
			 <p>It is recommended that the rating for this property be amended to Neutral as a result of unsympathetic alterations.</p>
44 Gilroy Road	C	C	Intact Inter-War cottage, extended to rear from 1943 aerial, dominant front gable and face brick façade intact featuring bay and casement windows, space for car and side garage added post 1943.
46 Gilroy Road	N	N	Post 1943 single storey dwelling house, no significant applications on file. Not from key development period.
41 Gilroy Road	C	N	Extensively modified late Fed/early Inter-War cottage, amendment to façade including infilled front verandah? Loss of original fabric including windows and doors, amended roof line.

Address	Rating	Rating	Comments
	Jackson Stepowski/ Oultram 2013	2018 re- assessment	
			 <p>It is recommended that the rating for this property be amended to Neutral due to unsympathetic modifications.</p> <p>Nos. 41-47 Gilroy Road are not part of the Gilroy Estate subdivision from 1912 (DP6494). They were created via the Fifeshire Estate (DP9301) in 1918. Two of the four properties proposed for inclusion within the draft HCA are rated either Neutral or Detracting. As a result, only 2 properties on the eastern side of Gilroy Road are considered contributory. Consequently, it is recommended that this side of Gilroy Road be removed from the boundaries of the HCA.</p>
43 Gilroy Road	D	D	Unsympathetic second storey addition dominating original structure. Carport forward of front building alignment.

Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
			 <p>Nos. 41-47 Gilroy Road are not part of the Gilroy Estate subdivision from 1912 (DP6494). They were created via the Fifeshire Estate (DP9301) in 1918. Two of the four properties proposed for inclusion within the draft HCA are rated either Neutral or Detracting. As a result, only 2 properties on the eastern side of Gilroy Road are considered contributory. Consequently, it is recommended that this side of Gilroy Road be removed from the boundaries of the HCA.</p>
45 Gilroy Road	C	C	<p>Lovely single storey face brick late Fed/early Inter-War with return integrated front verandah. Minor extension to rear but substantially intact from 1943 aerial.</p> <p>Nos. 41-47 Gilroy Road are not part of the Gilroy Estate subdivision from 1912 (DP6494). They were created via the Fifeshire Estate (DP9301) in 1918. Two of the four properties proposed for inclusion within the draft HCA are rated either Neutral or Detracting. As a result, only 2 properties on the eastern side of Gilroy Road are considered contributory. Consequently, it is recommended that this side of Gilroy Road be removed from the</p>

Address	Rating Jackson Stepowski/ Oultram 2013	Rating 2018 re- assessment	Comments
			boundaries of the HCA.
47 Gilroy Road	C	C	<p>Painted face brick late Fed/early Inter-War cottage, extended to rear. Unsympathetic front fence.</p> <p>Nos. 41-47 Gilroy Road are not part of the Gilroy Estate subdivision from 1912 (DP6494). They were created via the Fifeshire Estate (DP9301) in 1918. Two of the four properties proposed for inclusion within the draft HCA are rated either Neutral or Detracting. As a result, only 2 properties on the eastern side of Gilroy Road are considered contributory. Consequently, it is recommended that this side of Gilroy Road be removed from the boundaries of the HCA.</p>

Extension to Hillview Conservation Area Turramurra (C40)

Contents

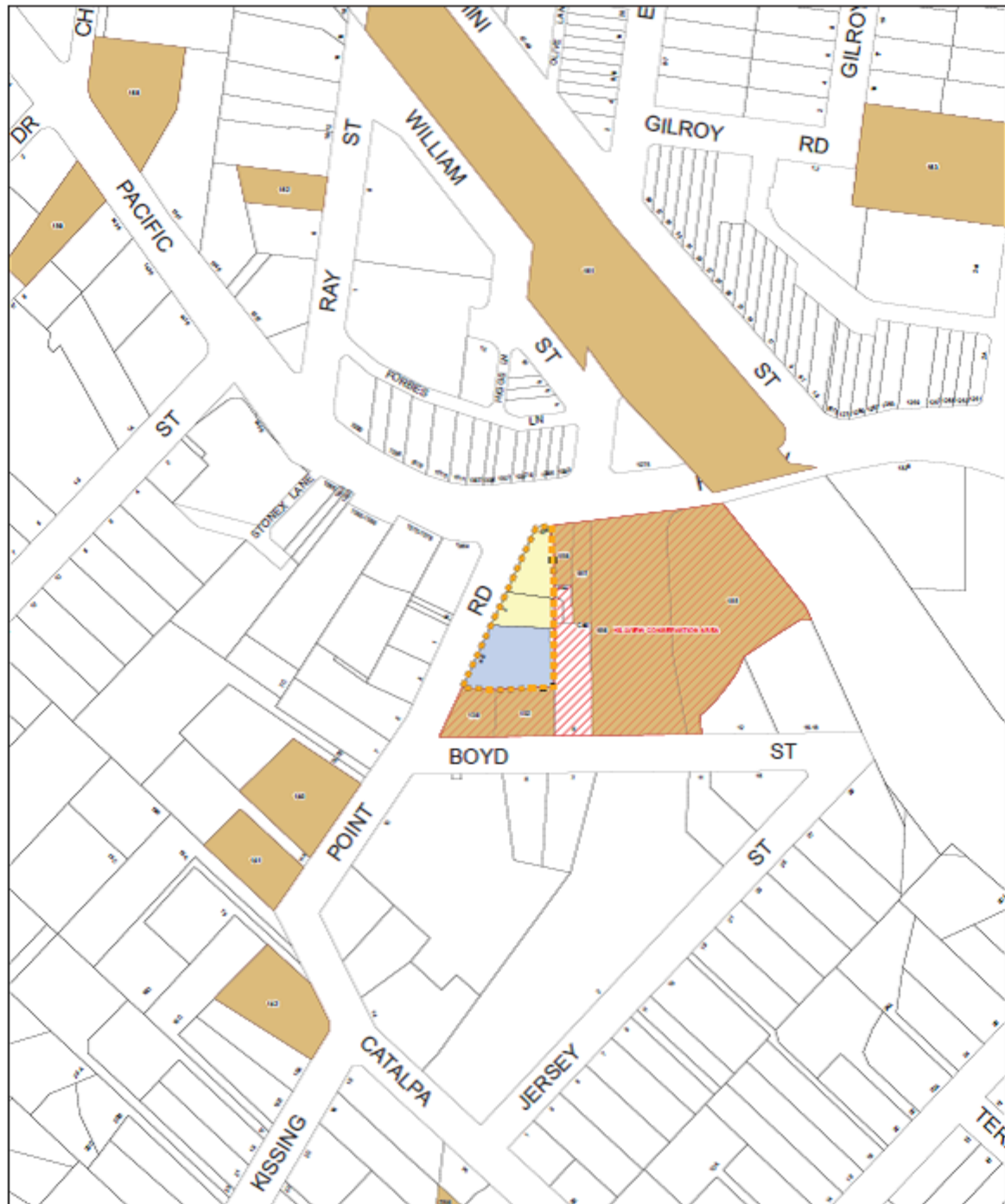
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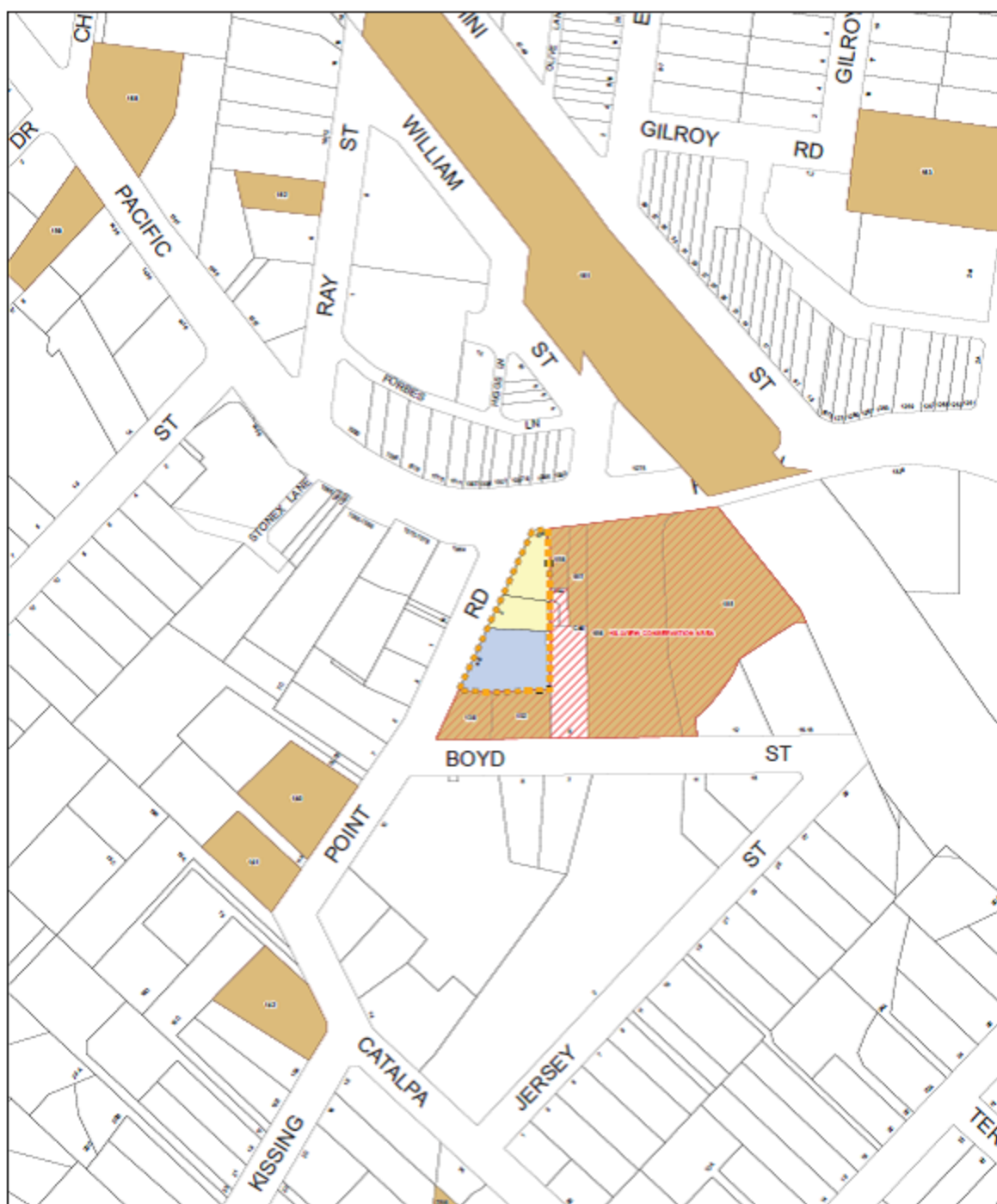
Maps

1. Exhibited rating map



<p>LEGEND</p> <ul style="list-style-type: none">ContributingDetractingNeutralGazetted Conservation Area - GeneralHeritage Item - General <p>Cadastral</p> <ul style="list-style-type: none">Cadastral: 22/11/2018© Land and Property Information (LPI) <p>Date: 22/11/2018</p>	<p>Draft Heritage Conservation Area</p> <p>Hillview Conservation Area</p> <p>Turramurra</p> <p>C40</p>	
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2. Revised rating map



LEGEND

- Contributing
- Detracting
- Neutral
- GAZETTED CONSERVATION AREA - GENERAL
- Heritage Item - General

Cadastral

- Cadastre - 22/11/2018
- © Land and Property Information (LPI)

Date: 22/11/2018

Draft Heritage Conservation Area

Hillview Conservation Area Turramurra

C40



Comments

The area reviewed was a proposed extension to the Hillview HCA (C40) that included 3 properties located on Pacific Highway and Kissing Point Road, Turramurra.

The area was identified for listing as a Heritage Conservation Area by Sue Jackson-Stepowski in 2012. The statement of significance prepared to support the listing states:

The Hillview Heritage Conservation Area displays a layering of history of the North Shore. The precinct is an historical record of the growth of the North Shore, its attractiveness as a retreat from the inner city of Sydney and the building of the Railway which encouraged this growth. The whole records the subdivision of land (Section 3) and the speculative investment by the Port Jackson Land and Investment Company (c1885) in land originally used for farming and orchard use as part of the grant to Thomas Boyd in 1832. The current subdivision pattern of Hillview and surrounding properties display the continued investment by smaller business owners and wealthy businessmen. These latter included Ivan AuPrince and Edmund Sheffield Willoughby Paul who purchased Hillview and surrounding land. Hillview operated prior to and during AuPrince's time as a Health Resort and was developed by Paul with a new grand Guest House.

Other parts of the subdivision included smaller lots than Hillview and fronted the Pacific Highway, Kissing Point Road and Boyd Street. The shopfronts and former Commonwealth Bank on the Pacific Highway record the development of the Pacific Highway (formerly called Lane Cove Road) as a main thoroughfare and the commercial centre of Turramurra that grew around the Railway Station. Kissing Point Road records the residential development with the building of both cottages and larger houses. The building of the "Paisley" flats has diminished this earlier historical record, though it represents the later development of flats in the commercial centres of the North Shore. Boyd Street provides a frontage for Hillview and also records the earlier subdivision of this land into smaller lots. Similarly this has been altered with a later flat development that has diminished the significance. Boyd Street is assessed as retaining adequate significance to represent the historical layers of the development.

The whole of the Hillview Conservation Area is significant within Ku-ring-gai as a precinct that displays values such as a mature landscape setting, varied topography that creates vistas and distant views framed by trees and a predominant built form that contributes in scale and form to the streetscape.

The buildings within Hillview are significant examples of Federation style architecture from the earlier Queen Anne Federation style with elaborate and

decorative details to the simpler garage building. The dominant siting of Hillview for display and to experience panoramic views enhance the architectural significance of these buildings. The mature trees and garden setting that is partially retained today also contributes to the setting and aesthetic significance of the Hillview complex.

The Commonwealth Bank is a rare example of an intact Art Deco style bank building.

The shopfront on 1360 Pacific Highway is a rare example of an intact shopfront with leadlight windows. is a representative example of a late Victorian and early Federation residence and later Guest House complex. The conservation of a part of the grounds and curtilage of Hillview has conserved its significant setting and siting with views towards Sydney contributing to its representative qualities as a place of retreat.

Hillview is used by the community as a health service, its grounds are accessible to the public and it is valued by the local community of Ku-ring-gai.

As a result of the statutory public exhibition process, 5 submissions were received, 4 were objections were received all against the proposal and 1 in support.

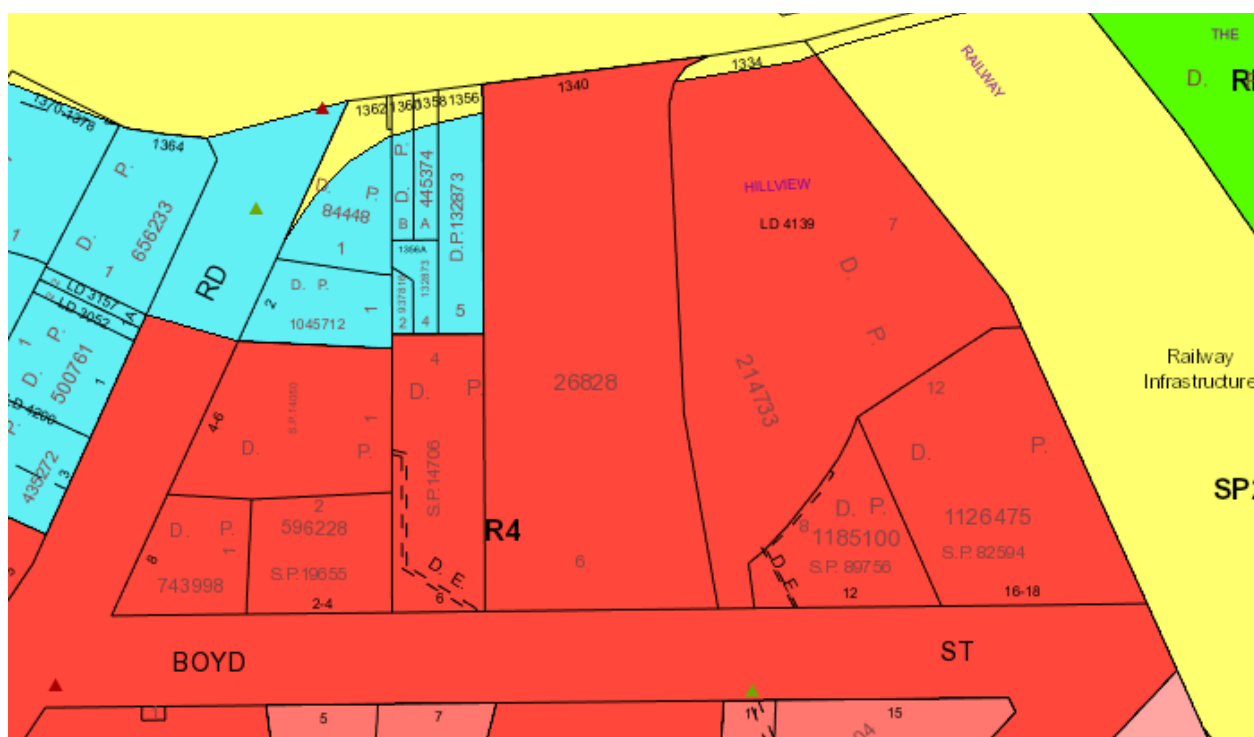
Issues raised in the objecting submissions included the SP2 Classified Road zoning, the B2 zoning and associated development standards, and the changes to the contributory properties which would reduce their contribution ratings to neutral. The one submission in support asked who had recommended opportunities for development on the Hillview site, why the state listing of the entire HCA was scuttled and gave support for the listing. These issues are addressed in the response to submissions below.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers. None of the contribution ranking were changed as a result of the reassessment and the submissions, however, the Hillview Conservation Area extension is not recommended to proceed. The two contributory properties to be added are from the Federation period, 2 Kissing Point Road being a single storey Queen Anne style Federation house and 1362 Pacific Highway being a two storey house in the Federation style. Both houses are being adaptively reused for businesses. While both buildings have contributory values in their forms, scale and setbacks, both buildings have some change.

The land on which they are located is zoned B2. The DCP reviewed these sites and set development controls for new development that responds to the context of the heritage items on Pacific Highway while making a positive contribution to future development on the master-planned Town Centre sites (see Activate Turramurra). Objecting submissions expressed the opinion that heritage listing would contravene


the objectives of the B2 zoning and by extension the Sydney District Plan and s.117 Ministerial Directions. The front of several buildings from 1356-1362 Pacific Highway have been zoned SP2 Classified Road (see Figure 1 below). Given the opportunity the site presents to the Turrumurra Local Centre, and the future potential compromise of the SP2 zoning, it is recommended the extension not proceed.

Figure 1: current zoning of the Hillview Conservation Area (red: R4 (High Density Residential), blue: B2 (Business Zone – Local Centre) and yellow SP2 (special uses – Classified Road))



Submission summary table

No	TRIM	Issue/Concern	Comment
50	2017/289449	<p>Opposed to HCA.</p> <p>Rezoning the front of the property to SP2 as part of the Local Centres LEP was unadvertised and may be unlawful.</p> <p>According to the Gateway Determination for PP_2016_KURIN_003_00</p>	<p>The zoning to SP2 was at the request of the roads and Maritime Services. This LEP is made (gazetted) and is legal.</p> <p>This is not a change to the development standards or a rezoning (the Gateway made reference to rezoning (land use) not reclassification (community vs</p>

No	TRIM	Issue/Concern	Comment
		<p>Council does not have the right to impose development standards or reclassify SP2 land.</p> <p>By changing the zoning to SP2 Council has shown clear intent not to protect these properties, extension to the rezoned area would be pointless.</p> <p>Summary: Finds the road reservation to be unlawful and proof of intent for Council to not want to protect the property.</p> <p>The inclusion of the property in the HCA is contrary to the DCP.</p> <p>For the above reasons reduce the HCA to only include 4-6 Kissing Point Road.</p>	<p>operational land)).</p> <p>Council has previously acknowledged the value of these properties by their individual listing and the Hillview Conservation Area. The RMS rezoning expresses an intent for the future which may or may not be realised in its current form. In the event these 'necessary' road works do not proceed the area has been protected. If the roadworks do proceed greater consideration should be given to the recognised heritage values of this area as expressed by community values and Council's support for heritage at Hillview.</p> <p>The LEP has primacy and informs the DCP. If the LEP changes, the DCP will be changed to reflect the DCP.</p>
138	2017/295360	<p>Opposed to HCA.</p> <p>Request the proposed extension be removed.</p> <ul style="list-style-type: none"> the property (and its adjacent neighbours) is not worthy of inclusion in the HCA; the proposal is contrary to (and challenges) the objectives of the B2 Local Centres zoning and the provisions of the Ku ring gai Local Centres LEP 2012 (LEP); it goes against the State government's approach to 	<p>Dentist 2 Kissing Point Road</p>  <p>The property is described as:</p> <p>The house is a Federation Queen Anne style building with a projecting gable and tall brick chimney. The building has been altered with painted brickwork, new tiled roof, enclosed verandah and hard paved carparking to entire street</p>

No	TRIM	Issue/Concern	Comment
		<p>business centres near railway stations;</p> <ul style="list-style-type: none"> the property (and the adjacent property to the north) should not be included in the proposed HCA, because the listing goes against Council's non-conservation position in the established, applicable development control plan (DCP). the proposal does not support Council's broader strategic planning framework for the Turrumurra Local Centre; the recommended removal of the enclosed front verandah and hard paved car parking area is unacceptable, and not practical in terms of the ongoing operation of the dental practice. It is also unlikely to be legally enforceable by Council; and In the context of the property and its locality, the proposal is contrary to object "(ii) promotion and coordination of the orderly and economic use and development of land" of the NSW Environmental Planning and Assessment Act 1979. 	<p>frontage.</p> <p>The house is being considered for its contributory value to the HCA not on its individual merits as an intact Queen Anne house. The house is not being considered for individual listing.</p> <p>It is agreed the property works well as a dental surgery servicing the Turrumurra community and through adaptive re-use its continued use as such is encouraged. It is not isolated as an example of a Federation house being adaptive re-used for health or professional services.</p> <p>While this building is altered:</p> <p>"altered with painted brickwork, new tiled roof, enclosed verandah and hard paved carparking to entire street frontage"</p> <p>The scale, form, materials and details of this building do contribute to an understanding of its development layer in the Federation period.</p> <p>The Environmental Planning and Assessment Bill was enacted on 1 March 2018 and includes the new object:</p> <p>"to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)".</p> <p>This object does not work in isolation but works with other objects such as "to promote the orderly and economic use and development of land". While</p>

No	TRIM	Issue/Concern	Comment
			<p>heritage conservation does not have primacy it also cannot be ignored. Priority N6 of the North District Plan is:</p> <p>“Creating and renewing great places and local centres, and respecting the District’s heritage”.</p> <p>The existing conservation area and the heritage listed items are valued and recognised heritage places. In some ways the zoning to B2 of this site and adjacent sites failed to give consideration to Ministerial Directive 2.3 Heritage Conservation to conserve places of environmental heritage significance. Regardless, the current proposal could be considered to contravene the intentions of Ministerial Directive 1.1 Business and Industrial Zones by reducing “the total potential floor space area for employment uses and related public services in business zones”.</p> <p>Heritage listing does not change the zoning and consequently the permissible uses remain the same. Any future development would be assessed on its merits against the LEP and the DCP.</p> <p>The issue then becomes one of planning and not heritage. Are the wider needs of the current and future community better met by the inclusion of two additional contributory buildings in the HCA or could there be a better outcome for the conservation of the heritage places and the</p>

No	TRIM	Issue/Concern	Comment
			<p>Turramurra Village if more space was made available for a more sympathetic and responsive design?</p> <p>Given the known SP2 zoning and the intention to use this space as classified road, and the corresponding future loss of the front of the buildings in this zone it is recommended that the HCA extension not proceed.</p>
	2017/296604	<p>Strongly opposed to HCA.</p> <p>Opposed on limits for enhancement of dental practice, lack of topographical relation to Hillview (no views and vistas) and conflict with objectives of current zoning and DCP.</p>	<p>Dentist 2 Kissing Point Road</p> <p>Objection noted.</p> <p>The house at 2 Kissing Point Road is being adaptively reused as a dental practice. As a Federation Queen Anne style building it is representative of the key development layer for the Hillview HCA. It does not have to be visually connected to the Hillview heritage item to have historical significance in the context of a HCA i.e. it has value in and of itself as a contributing element to the HCA, and makes a contribution to the understanding of the periods of development and redevelopment.</p> <p>Please see comments in submission 138 on zoning and the 117 directions.</p>
197	2017/296776	<p>Opposed to HCA.</p> <p>Submission prepared by Beatty Legal and City Plan Services.</p> <p>4-6 Kissing Point Road should not be included in</p>	<p>Please see comments in submission 138 on Plan for Growing Sydney and the main body of the report on housing targets.</p> <p>It is standard practice that neutral properties are included in</p>

No	TRIM	Issue/Concern	Comment
		<p>the Hillview Conservation Area for the following reasons:</p> <ul style="list-style-type: none"> ▪ Inclusion of the site, which has no heritage significance, within the Heritage Conservation Area serves no purpose; ▪ The planning proposal has not properly considered A Plan for Growing Sydney and the capacity of the site to contribute to meeting the housing targets in the regional plan. 	<p>HCA's where they are bordered by contributory buildings and heritage items. They are not excised as an isolated lot. This is to encourage sympathetic development that contributes to the values of the HCA rather than development that does not respond to the context. For example, there is little or no consideration of heritage values in the requirements for complying development under the SEPP.</p>
221	2017/298044	<p>Who put forward the indicative map on pg 22 of the inventory sheet?</p> <p>It is important we prioritise the protection of biodiversity and protect Turramurra's identity and inheritance.</p> <p>Personally forwarded a nomination for Hillview HCA to the NSW Heritage Office. Turramurra meaning "big hill" is unique in Sydney for its topography and vegetation. As an early subdivision it represents the earliest built history of the area. The rare and endangered remnant BHMF and STIF elevate the significance of this area to state and national significance.</p> <p>Why was the state listing</p>	<p>The map was prepared by Design 5 Architects in 1997 as part of a conservation management plan for the Hillview site. It was chosen by the consultant's carste STUDIO who worked with Sue Jackson-Stepowski on the peer review to demonstrate views to be retained and in the opinion of Design 5 Architects opportunities for future development.</p> <p>Council was asked by the Heritage Office if we had a formal position on the state listing, at this time Council did not have a formal position (i.e. one endorsed by the elected Councillors). We did tell them that we were placing the expanded HCA on a statutory exhibition.</p> <p>Heritage listing is to conserve those places from the past that are valued by the community; it</p>

No	TRIM	Issue/Concern	Comment
		<p>scuttled? Following local government consultation the issues were “obfuscated sufficiently to cause confusion, and thus rejection”.</p> <p>Hillview HCA, Little Village Park and Sheldon Forest Bird sanctuary should be recognised and protected. This area is under-threat from redevelopment.</p> <p>Several government departments have interest in this land (RMS, Health and Planning). Hillview is in a rundown state and several trees on the site are unhealthy. The area is not protected from state-led redevelopment.</p> <p>The peer review supporting Hillview was ignored while Council proceeded with its master-planning for Turramurra. Nothing was made public about Council’s liaising with the Heritage Office regarding the state nomination. This nomination is from an ecological and inheritance (natural and built) perspective.</p> <p>RMS road widening is an unnecessary threat to Hillview. Little Village Park should be protected in return for the cumulative impacts of development</p>	<p>is not a mechanism to stop development. Council development approval process and planning proposal processes have mechanisms to recognise and conserve the built and natural environment. This planning proposal recognises the value of several HCAs that have been assessed and the public consulted. Those areas outside the study areas are outside the scope of this planning proposal.</p> <p>Most of the area recommended by SJS was already included within a heritage conservation area. This proposal is just an extension to include the recommended area that was not already in the HCA.</p> <p>The Little Village Park was outside the recommended study area and is not the subject of this report. As context to the current site the CMP for Hillview by Design 7 noted that “the open space and trees along the Pacific Highway contribute to the garden setting of the pace and the garden suburb character of Turramurra and should be retained. No new structures should be constructed in this space.” p. 78. As such it was valued as greenspace not for its historic values.</p> <p>The adaptive reuse of Hillview as a recreation space in the vein of similar sites such as The Grounds in Alexandria would be at the discretion of the owners who are not Council.</p>

No	TRIM	Issue/Concern	Comment
		<p>on the local environment.</p> <p>The proposed conservation area deliberately ignores the Sue Jackson-Stepowski recommendation.</p> <p>Was the heritage value of the Little Village Park considered? Importance of Little Village Park and Sheldon Forest as setting to the HCA.</p> <p>Expressed concerns over: the master-planning process, the decision to reclassify Little Village Park, recent development in Turrumurra, the loss of heritage in Turrumurra, loss of Blue Gum High Forest.</p> <p>Hillview and its setting should be conserved and marketed as a ready-made tourist destination like other significant sites in Sydney like the Coal Loader. Ku-ring-gai is high environmental and biodiversity values.</p>	

**MONA VALE ROAD DRAFT HERITAGE CONSERVATION
AREA (C43)**

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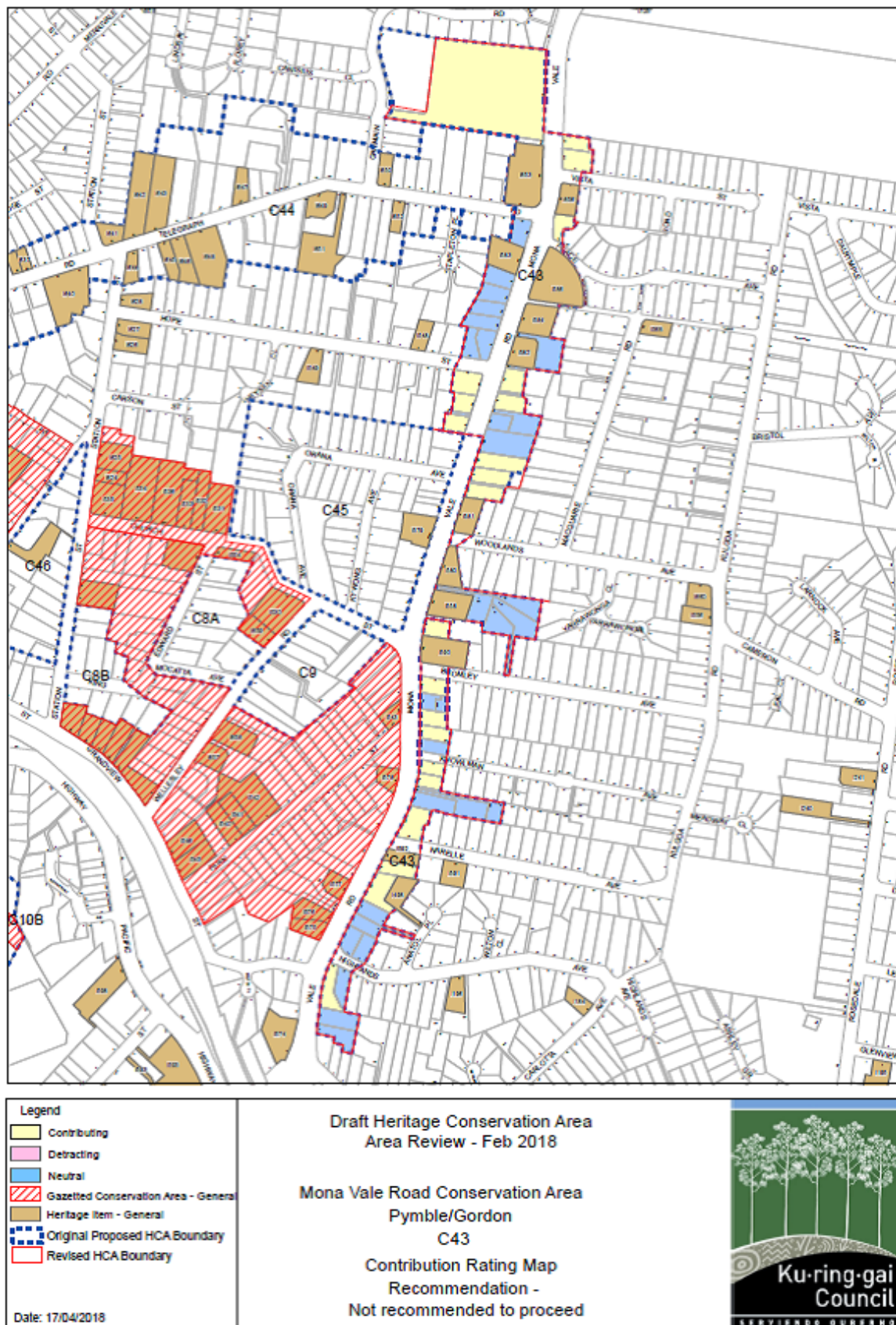
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1.1 Exhibited ratings map for draft Mona Vale Road HCA



1.2 Revised ratings map for draft Mona Vale Road HCA



2. Comment

The proposed Mona Vale Road HCA includes 66 properties mainly located along Mona Vale Road but also capturing a small number of properties located on Highlands Avenue, Anatol Place, Narelle Avenue, Knowlman Avenue, Strathwood Court, Woodlands Avenue, Vista Street and Hope Street, Pymble.

The area was identified for listing as a Heritage Conservation Area by Sue Jackson-Stepowski in 2012. The proposed HCA was initially divided into 2 areas, being Mona Vale Road Highlands Heritage Conservation Area 1 and Mona Vale Road Heritage Conservation Area 2. For the purposes of the recent planning proposal, these areas were combined to create one larger Heritage Conservation Area.

The respective Statements of Significance prepared to support the listings state:

Mona Vale Road Highlands Heritage Conservation Area 1 (HCA1)

The historical layers of European history and development of the area of HCA1 are displayed in the current subdivision which has been dictated in layout by the existing location of Stoney Creek Road (Mona Vale Road) and the boundaries of the earlier orchards and the 1896 Highlands Estate. HCA 1 is located within the area of earlier orchards c1840-70, though the only known evidence of this previous use are the roads such as Knowlman and Narelle that mark the boundaries of the former orchards. The proposed railway from its early stages in 1887 to the completion of the link between St Leonards and Hornsby in 1890 was the impetus for subdivisions and the middle class movement to this area. Glengariffe house, 1903 was built for by the Brown family who were successful retailers and is a record of the development of this land for use by middle class professionals as a retreat from urban areas of inner Sydney.

The later Inter-War subdivision and development of this area is evident in the houses. 35 Mona Vale Road is representative of an Inter-War style house with face brick curved bays and 29 Mona Vale Road is an Inter-War style Californian Bungalow built with sandstone and face brick. The 1970s widening of Mona Vale Road has resulted in retaining walls to 27 Mona Vale Road and C. Bowles Thystlethwayte Reserve. Vegetation including mature trees and rebuilding of fences has reduced the impact to an extent. Where front gardens have been reduced, fences have been replaced with sandstone or low brick fences that are uniform in appearance and do not detract from the housing style.

Mona Vale Road Heritage Conservation Area 2 (HCA2):

The historical layers of European history and development of the area of HCA2 are displayed in the current subdivision which has been determined in layout by the existing location of Stoney Creek Road (Mona Vale Road) and the boundaries of the earlier orchards. This was the location of orchards c1840-70, though there is little evidence of this previous use. The gullies and creek line may reveal some evidence of earlier agricultural use and the sandstone banks could be associated with earlier layers of historical use. The settlement of this area in the late 19th Century is evident in the two workers cottages built by E. Brown at no18-20 Stoney Creek (MV) Rd. These cottages are extant and within HCA2. These are likely to date from the late 19th or early 20th century as the Brown family is associated with the building of Glengariffe in 1903 (located on the east of MV Road). The cottages are rare surviving

buildings in an area that is built predominantly with houses dating from the Inter-War and post war period.

The gully of Stoney Creek has created a precinct that includes the riparian course of mature vegetation and high tree canopy that is visible from Mona Vale Road and built elements such as sandstone retaining walls and bridges in the gully. The vernacular workers cottages and post war subdivision for housing sited in the battleaxes, are a part of this gully precinct. The sub-division of this land in the Inter-War period is recorded by the houses on Mona Vale Road from numbers 24 to 40. Later layers of development and subdivision of larger blocks of land are evident in the battleaxe blocks behind the gully with the building of post war houses. In 1973-74 the Department of Main Roads resumed the Mona Vale Road frontages for widening to 6 lanes resulting in the reduction in size of front gardens and new fences and retaining walls. Mature gardens and trees are predominant along the length of Mona Vale Road and in some areas create a backdrop of dense bushland and tree canopy. The spacing and pattern of subdivision has retained the historical subdivision pattern of the Inter-War period.

As part of the public exhibition process, objections were received from 16 properties (or 24% of all properties). One submission was received in support of the draft Mona Vale Road HCA.

The vast majority of submissions raised concerns about the amenity impacts caused by the changes to Mona Vale Road including widening, the removal of a clearway which used to permit parking at certain off peak periods, increase in the speed limit along the road. Further, in general all roads, especially major connecting routes, have experienced an increase in usage over time as the population of Sydney increases. The consequence of these changes have had impacts on all aspects of the area including both the public and private domain as residents attempt to ameliorate the impacts of an ever growing amount of fast moving traffic.



Image 1: Width of footpath and grass verge along Mona Vale Road

The busyness of a road is not, in itself, a reason to conclude an area lacks sufficient significance to warrant heritage listing. However, the impacts of its change over time have had significant impacted on the heritage values of the area. For example, many property owners have installed high and solid fences to block out noise impacts. The widening of the

road has resulted in the loss of setback and setting to many properties. The overall width of the road visually and physically disconnects one side of Mona Vale Road from the other. Large retaining walls and barriers have been created to protect the road and the amenity of residents.



Image 2: Concrete retaining wall to southern end of Mona Vale Road



Images 3 and 4: Examples of high fencing along Mona Vale Road

It is noted that the street contains many excellent examples of residential development, particularly towards the higher part of the street as it nears its intersection with Telegraph Road. Following the public exhibition process and site visit, the rating of each property within the draft HAC was reconsidered. The assessment of each property is included below. This process identified 31 properties as contributing to heritage values in the area. However, of these properties, 11 or 35% have already been listed as individual Heritage Items. Therefore, these properties are already protected from inappropriate development. Three additional properties have been identified for future investigation being Nos. 84 (also known as A2 Hope Street), 115 (also known as 2 Vista Street), 117 and 102 (Canisius College) Mona Vale Road.

It is noted that the majority of properties specifically referenced in the Statement of Significance for Mona Vale Road Heritage Conservation Area 2 are already contained within an existing Heritage Conservation Area. For example, the text states '*The sub-division of this land in the Inter-War period is recorded by the houses on Mona Vale Road from numbers 24 to 40*' and '*The settlement of this area in the late 19th Century is evident in the two workers cottages built by E. Brown at no18-20 Stoney Creek Rd*' (Stoney Creek Rd is now known as Mona Vale Road). All these properties are already captured within Heritage Conservation Area C9 known as Fernwalk Conservation Area and contained within the KLEP 2015. Therefore, protection already exists for these specific properties.

The area historically comprised orchards located on various estates created through land grants. As the Statement of Significance for the Mona Vale Road Heritage Conservation Area 2 notes '*there is little evidence of this previous use.*' The area does display a range of residential properties of different ages and styles but the impacts of Mona Vale Road have greatly impacted on its legibility and level of intactness. Council officers have carefully considered the original heritage reports, undertaken a re-assessment process for each individual property, and taken into consideration the issues and concerns raised as part of the public exhibition process. On balance, taking all these matters into account, it is not recommended that the draft Mona Vale Road HCA proceed.

Accordingly, it is recommended that Council not proceed with the draft Mona Vale Road HCA. It is further recommended that Council investigate 84 (also known as A2 Hope Street), 115 (also known as 2 Vista Street), 117 and 102 (Canisius College) Mona Vale Road at a time when funding and resources are available.

3. Submissions Table

No.	Issue/Concern	Comment
1.	<p>Object to proposal.</p> <p>Introduction of clearway to Mona Vale Road has impacted area and buildings including crack in walls. Road was widened in the 1970s in order to create a 6 lane highway. High walls and noise attenuation required which may not be possible if a heritage area.</p> <p>The proposal notes beautiful front gardens and the street appeal but no mention is made about the speed limit and the fact that many of the homes are right on the street.</p> <p>If Pymble is the treasure that the Heritage Foundation believe it is shouldn't the speed limit reflect this and be in keeping with other beautiful residential areas?</p> <p>Existing trees pose a safety hazard to visibility on Mona Vale Road.</p> <p>These issues with Mona Vale Road have already reduced property values and this proposal threatens to reduce them even more. Heavy trucks detracting from area and devaluing homes.</p> <p>Many homes in area have been modified or are new.</p> <p>Many of the existing home boundary walls have become insignificant in providing a noise barrier and privacy screen, ourselves included. Considering asking council to consider allowing us to raise our boundary wall height which again would be to protect the ambience of the home and this would again have to go through a Heritage Conservation Committee resulting in further increased costs and anxiety.</p> <p>Recently it has become increasingly difficult to exit and gain access to our own home. We have had to use part of our garden as a turning circle which has resulted in loss of a grassed area and causing it become a sandpit. In order for this to be sustainable we would need to provide some sort permanent</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>It is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating assessment of the area has concluded that less than 50% of the buildings in the area are considered to be Contributory.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>

No.	Issue/Concern	Comment
	<p>driveway, this would be another aspect that would have to be considered by a Heritage Committee. Again delaying process, adding to our anxiety and costing us extra money for hopeful approval.</p> <p>None of the factors mentioned above pertains to single property alone. Many of these above mentioned factors have already significantly devalued our property. Feel that heritage listing them, with future restrictions of addressing some of these factors, will further devalue the homes.</p>	
2.	<p>House (1A Hope Street) has been shaded in on the map and believe an error has been made in including this residence as it is relatively modern (c.25 years old).</p> <p>This is not in keeping in any way of the aims of Heritage Conservation and would request for the planning proposal be amended.</p>	<p>It is likely that 1A Hope Street was included as this lot was once part of 88 Mona Vale Road. This property was not rated as part of the original study, although the reason for this is unclear. As part of the re-rating process, this property has been allocated a Neutral rating.</p> <p>Regardless, on balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
3.	<p>Object to the proposal. Property has been included as neutral for conclusion but was not included in the proposed heritage area in the supporting attached documents and there is little historical references in the document around Highlands Avenue. A lot of study has been discussed and general heritage item has been identified in that area (namely 31 Highlands Avenue) already in the past but current study appears to concentrate on Mona Vale Road.</p> <p>Not certain how property (41 Highlands) was concluded to be neutral and is subjective in this respect. Property is not visual from Mona Vale Road and its front garden footage faces Highlands Avenue.</p> <p>There are inconsistencies in the boundaries drawn along Mona Vale Road. Historical map dated 1940 shows the orchard/mature trees towards Knowlman and Woodlands Ave</p>	<p>Agreed it is unclear as to why these 4 properties on Highlands Avenue have been included but all others excluded. The State Heritage Inventory Form states: <i>In 1896 bought by Wahroonga solicitor Benjamin Frederic Parker, who buys large acreage with frontage to Stoney Creek (MV) Rd. Parker also buys adjoining 11 acres of Thomas Mazlin's land. A total of 20 acres. Parker builds on north side of Highlands Ave a brick cottage villa designed by architects Slatyer & Cosh with entrance gates to Highlands Ave. Highlands House enlarged three times and later 1915 additions by architect John Reid. It is further noted: 1965: Glengarriff still extant and located at 12 Anatol Cl lot1, DP228739, sold to Trans Realities; Highlands House demolished, lands subdivided into 18</i></p>

No.	Issue/Concern	Comment
	<p>adjacent to Mona Vale Road as well as the right side of Highlands (towards Anatol Place) instead property (41 Highlands).</p> <p>The boundary of 41 Highlands Avenue does not fall visually into the proposed heritage area along Mona Vale Road to justify its inclusion in the HCA and even for its “neutral” rating and for it, not be included in the heritage area and the existing setting to be retained.</p>	<p><i>lots and to create Anatol Close. Glengarriff loses its front garden which became C. Bowles Thystlethwayte Reserve.</i></p> <p>‘Highlands House’ is no longer extant and it appears that nothing remains of the gates to Highlands Avenue. The remnant building ‘Glengarriff’ is already a listed Heritage Item in the KLEP 2015. It is agreed that the history of this area is not easily discernible from the remnant structures on the ground.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
4.	<p>Object to the latest restriction proposal.</p> <p>Clearway is bad enough. Can no longer have friends and family visit on weekends due to the lack of parking and now placing more restrictions on what I can or can't do on property.</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
5.	<p>Object to proposal.</p> <p>Feel this proposal places unnecessary restrictions on what we can be done with property and has the potential to decrease property values due to the uncertainty and limitations on renovations and improvements allowed.</p> <p>Don't need a blanket Heritage Conservation Area restriction across large parts of our</p>	<p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that</p>

No.	Issue/Concern	Comment
	<p>suburbs with little regard to what is really deemed heritage. Home owners and rate payers want and need the ability to improve home and property investment values and saleability by not having further onerous rules.</p>	<p>future development is consistent with the key characteristics and development periods for the area.</p> <p>Regardless, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
6.	<p>Object to the proposed inclusion of property (3 Strathwood Court) as there is no justification to include 3 Strathwood Court and no justification to include similar adjacent properties.</p> <p>Both the studies done in 2014 and 2016 did not find Strathwood Court or adjacent properties to be significant or contributory.</p> <p>Property is not visible from Mona Vale Road and does not have access from Mona Vale Road and proposal is extending substantially beyond the recommendations of both heritage consultancy studies.</p> <p>The proposed rating of contributory for the properties (2 and 3 Strathwood Court) is not valid, justified or specifically referenced. Request that these properties maintain the original status of neutral as within the 2015 Perumal Murphy and Alessi assessment.</p>	<p>It is agreed that properties located on Strathwood Court have no visual presence to Mona Vale Road and are clearly part of a new re-subdivision process.</p> <p>As part of the re-rating process, these properties have been allocated a Neutral rated to reflect their visual contribution to Mona Vale Road and also their age of construction.</p> <p>Regardless, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
7.	<p>Object to Council's proposal due to unnecessary restrictions on what we can do with our property, potential decrease in property value of future saleability due to limitations on renovations; property (39 Mona Vale Road) is a battle-axe with limited impact on the streetscape, many houses already have additions or second stories and these modifications have already diminished the heritage significance of the surrounding area.</p> <p>There are other similar properties on Mona Vale Road which have been specifically excluded from the existing Heritage Conservation Area.</p>	<p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>It is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating assessment of the area has concluded that less than 50% of the buildings in the area are considered to</p>

No.	Issue/Concern	Comment
		<p>be Contributory.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
8.	<p>Object to proposal as feel the area no longer deserves it.</p> <p>Have lived in the area since the 1970s.</p> <p>Traffic and road widening have taken a significant toll on the area.</p> <p>Will limit redevelopment options into the future to consider building types which may be more suitable to deal with road noise.</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
9.	<p>Strongly oppose the proposal</p> <p>Many of the properties in this area have no heritage values. Most are just ordinary houses built in 40 or 50 years ago. They are neither unique nor reflect any cultural traditions and their architecture styles can be found anywhere in this region.</p> <p>Many of them are reaching their design lifespan, redevelopment is much needed. But the change to HCA will heavily restrict this to happen.</p> <p>Mona Vale road is a 70km/h highway and it is extraordinary close to the properties on both sides. There are many vision blocking trees between the road and the property boundary and living and driving in the area is a dangerous everyday routine.</p> <p>Street noise is another issue facing the people living this area. Don't want to be restricted when we want to make a change for this.</p>	<p>The area has been identified as demonstrating heritage values through the land's modification over time from orchards to residential development. Some properties do identify key heritage characteristics but the vast majority of these have already been identified and listed as individual Heritage Items.</p> <p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback</p>

No.	Issue/Concern	Comment
	<p>If some houses do have any heritage values let them be listed as individual Heritage Items. Don't make the whole area conserved just for the sake of few houses.</p>	<p>from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
10.	<p>Proposal should not proceed as is does not meet the state planning laws under the Environmental Planning and Assessment Act 1979 or the state heritage listing criteria under the Heritage Act 1977.</p> <p>Area has a nice suburban character but its character possesses insufficient local significant heritage values for a heritage conservation area.</p> <p>The Council's proposal is a step too far in the exercise of Council's delegated powers because it undermines the integrity of the Heritage Act 1977 heritage listing process, as well as the Heritage Act 1977 legislative intent:</p> <ul style="list-style-type: none"> a. that heritage listing proposals will have heritage values which are significant, b. that heritage listing proposals shall: <ul style="list-style-type: none"> i. provide greatest consideration to the concerns of owners of properties that are proposed to be listed, ii. facilitate rigorous assessment of the heritage significance of properties, and iii. provide fairness and rigour in the heritage listing process. <p>Council is required to consider whether heritage listing would render the properties incapable of reasonable or economic use and/or cause undue financial hardship to the owner, mortgagee or lessee of the item or land on which it is situated.</p> <p>The area's presentation to the public domain does not contain sufficient heritage values because, inter alia, a majority of properties:</p>	<p>The heritage assessments underpinning the planning proposal have been prepared by qualified and experience heritage professionals. Their assessments concluded that the area did contain significant heritage values to be listed as a heritage conservation area. The planning proposal process includes a requirement for consultation with affected owners and the wider community. Council is then required to consider and respond to concerns and comments raised as part of the exhibition process. Council then utilises all information available to make a determination on matters. This report is part of the process of making a final determination on this matter and has considered the concerns of residents. The processes undertaken have been assessed by the Department of Planning & Environment and considered suitable for progression to public exhibition via its Gateway Determination process.</p> <p>Accordingly, it is not agreed that the process has not be undertaken in accordance with relevant legislative obligations or is procedurally flawed.</p> <p>It is important to note that many thousands of properties within the Ku-ring-gai local government area are contained within heritage conservation areas and their identification and management is the responsibility of local government, which operates as an instrument of the State Government.</p> <p>Council has considered the original</p>

No.	Issue/Concern	Comment
	<ul style="list-style-type: none"> a. Are too disparate in their characteristics, b. Are built behind high walls which significantly limit public aspect. c. Whilst having a nice suburban character it does not present significant local heritage which is of state heritage significance. d. Are located on a busy clearway state road where the: <ul style="list-style-type: none"> i. ability to appreciate any state heritage significance in relation to historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value is limited, and ii. properties are severely impacted by road widening and traffic. <p>Descriptions of the local heritage significance of the precinct do not demonstrate appropriate levels of importance or association. Undermining the NSW heritage listing system by 'over listing' heritage areas within the Ku-ring-gai Municipality and by setting a low benchmark for local heritage significance not contemplated by the Act and amounting to executive overreach,</p> <ul style="list-style-type: none"> a. Acting as Council's anti-development political strategy that has no place in determining areas of local heritage significance or value under the Act, and b. Inadequately considering heritage reports and heritage inventory listings relied upon by Council to propose C43 as a heritage conservation area. <p>Council's assessment of local heritage significance is procedurally flawed because Council has not placed adequate emphasis on meeting its obligations under the Act. In particular, Council must in meeting its obligations under the Act:</p>	<p>heritage reports, undertaken a re-assessment process for each individual property, and taken into consideration the issues and concerns raised as part of the public exhibition process. On balance, taking all these matters into account, it is not recommended that the draft Mona Vale Road HCA proceed.</p>

No.	Issue/Concern	Comment
	<ul style="list-style-type: none"> a. provide greatest consideration to the concerns of owners of properties that are proposed to be listed, b. facilitate rigorous assessment of the heritage significance of properties, and c. provide fairness and rigour in the heritage listing process. <p>Council's planning proposal unnecessarily imposes financial difficulties on property owners by limiting the development potential by:</p> <ul style="list-style-type: none"> a. Limiting reasonable access to complying development rights, b. Imposing development controls that are onerous, c. Imposing financial burdens of additional costs of compliance with heritage listing requirements associated with future development applications, and d. Reducing property values as a result raising perceptions of future property buyers not being able to do much with the affected properties. <p>The planning proposal to amend KLEP to include list C43 as a heritage conservation area should be withdrawn.</p>	
11.	<p>Concerned about the proposed new heritage Conservation Area in Gordon on Mona Vale Road.</p> <p>Property (43 Highlands Avenue) falls within the limits defined in the photographs & maps.</p> <p>House does not meet any of the 7 criteria for local heritage listing & it differs from nearby properties.</p> <p>Property is a brick veneer house built in 1972 & is only a few feet away from Mona Vale Road so I do not enjoy that "setback from the street..." mentioned on website.</p> <p>Back of property has large trees growing</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p>

No.	Issue/Concern	Comment
	<p>within inches of the boundary fence above the retaining wall along Mona Vale Road. These trees act as a buffer against the traffic noise. In a recent storm one of these trees fell onto Mona Vale Road & it required considerable coordination from the emergency services, the RMS & our insurers to have the mess cleaned up & our fence & garden repaired & restored. At some stage these trees will have to be removed because they are dangerously close to the edge of the retaining wall. We will then be subjected to the noise of the increasingly heavy traffic on Mona Vale Road. The only remedy for noise abatement would be a higher fence or a wall built enclosing my back garden. Would Council permit this under the new rules?</p> <p>Believe we are being asked to park our cars behind the building line & that is not always possible or convenient. When the hedge along the Mona Vale Road side of my property grows higher the cars will not be visible to passing traffic.</p> <p>The proposed HCA does not take into consideration the difficulties & discomforts of living in this area. Hilly terrain, increasing road & pedestrian traffic & many elderly residents make the proposed HCA difficult for residents to comply with & could also diminish property values.</p>	<p>Heritage consultants engaged by Council concluded that the area does contain heritage values to warrant its listing as a heritage conservation area.</p> <p>However, Council has considered the original heritage reports, undertaken a re-assessment process for each individual property, and taken into consideration the issues and concerns raised as part of the public exhibition process. On balance, taking all these matters into account, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
12.	<p>Object to proposal.</p> <p>Submission on behalf of The Trustees of Jesuit Fathers and the Australian Province of the Society of Jesus in the capacity of commercial advisor for Canisius College (102 Mona Vale Road).</p> <p>Strongly object to proposal and disagree with the heritage assessment as detailed within the inventory sheets. Note agreed that the “demonstrate the history and achievements of the Ku-ring-gai area”.</p> <p>Not agreed that the Property demonstrates the required level of connection or</p>	<p>It is agreed that Canisius College is significantly different from the vast majority of residential properties located along Mona Vale Road due to its size and function and that this property requires additional review and consideration.</p> <p>The report is recommending that this property be further investigated in the future. As part of this process, Council can request internal access to the property so that a full and proper understanding of the property can be obtained. Should the property be</p>

No.	Issue/Concern	Comment
	<p>significance with the local area. Our client can provide independent advice from a heritage subject matter expert to support this opinion.</p> <p>Insufficient level of engagement and consultation by Council in drafting the Proposal and inclusion of the Property. The Proposal will impact the Property's ongoing utility, flexibility, development options and potential, and opportunities to integrate complementary uses.</p> <p>Disagree with Council's comments that the impact of a heritage designation is "negligible". The impact of heritage restrictions on value can be significant, and depending on the relative level of restrictiveness, this can be in excess of 75% relative to an unencumbered assessment of market value.</p> <p>Believe that any heritage sensitivities associated with the Property can be sufficiently managed & resolved through future development application processes.</p> <p>Council's heritage advisor has not inspected the interiors of the Property. We have difficulty in accepting that an appropriate and orderly heritage assessment can be made without the benefit of an internal inspection</p> <p>The Property has undergone significant change and has been subject to various alterations and additions. It is considered that the original part of the Property has substantially evolved, and the inventory sheets also state that later additions to the Property do not share the same level of significance. The evolution and additions to the Property detract from any heritage significance that it has.</p>	<p>recommended for heritage listing, the owners involvement will be sought via a consultation process as is required via the current legislation.</p>
13.	<p>Property purchased in July 2009. During repeat inspections there were cars parked outside the property.</p> <p>Mona Vale Road is like a racetrack, motorists often exceed the speed limit. There is a lot of noise generated from the trucks along Mona</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures</p>

No.	Issue/Concern	Comment
	<p>Vale Road as they speed up going towards St Ives. The speed limit along Mona Vale Road is 70km.</p> <p>The heavy trucks along Mona Vale Road are causing cracks to appear in the walls of the dwelling. The trucks also generate ripples in the swimming pool. Many of the heritage homes along Mona Vale Road have disappeared as the road has been</p> <p>The curb side entrances to the drive ways are too narrow to enter and exit into the outer lane of Mona Vale Road.</p> <p>Roads and Maritime Services, the New South Wales Government, in July 2014 inspected the property with plans to sound proof the dwelling.</p>	<p>to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
14.	<p>Property is on a battle-axe block with only a 6 metre wide entrance to Mona Vale Road so property has not impact on Mona Vale Road frontage.</p> <p>Balance of land obscured by house the fronts Mona Vale Road and does not affect the proposal.</p> <p>Request that property be removed from proposal.</p>	<p>This property is a vacant lot of land with an access handle to Mona Vale Road. A re-rating process has allocated a Neutral rating for this site. Regardless, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
15.	<p>Support retaining as much heritage to Mona Vale Road (formerly called Pittwater Road). Have has property reduced both in size, noise and speed since purchased in 1969.</p>	<p>Not provided</p> <p>Support noted.</p>
16.	<p>The HCA proposal has been prepared without consultation with people directly affected.</p> <p>We strongly oppose to any further restriction to be put on what we can do with our property.</p> <p>Many properties in the designated area have already carried out modern modifications and extensions.</p>	<p>The planning proposal has undergone a public exhibition process in order to obtain the views and concerns of all affected residents and the wider community.</p> <p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other</p>

No.	Issue/Concern	Comment
		<p>noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>It is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating assessment of the area has concluded that less than 50% of the buildings in the area are considered to be Contributory.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
17.	<p>There are already sufficient, if not excessive protections for individual buildings without lumping in those with little or no architectural merit or aesthetic value (including un-renovated 1960's eyesores) in with the rest as a 'bulk heritage conversation area'.</p> <p>Also, there needs to be room for common sense and flexibility to allow sympathetic modifications and renovations to historic properties to make them safe, liveable and suitable for today's family needs.</p> <p>Having a blanket restriction to development of heritage items flies in the face of sensible decision making and is an unnecessary impingement of homeowners' rights. Quite simply the homes in these areas are NOT homogenous and it is totally inappropriate to place restrictions on all of them.</p> <p>Some of these proposals such as restricting the height of fences and in relation to garages also impacts on the amenity of residential buildings especially those on busy roads. In other areas State and Federal Governments are INSTALLING sound barriers too protect residents from high levels of noise pollution</p>	<p>Received via Paul Fletcher MP</p> <p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>Buildings do not have to be homogenous to be considered of heritage value. This area does show a process of historical development over time and therefore contains a mix of building types and styles. However, it is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating</p>

No.	Issue/Concern	Comment
	<p>and traffic fumes.</p> <p>Given the number of fuel tankers, tippers from Kimbrick Tip, Australian National Landscapes, Nurseries, works depots, heavy equipment and supermarket lorries this is a major issue which needs attention, not inappropriate restrictions on measures such as fencing and the siting of enclosed garages to protect residents from noise, dust and fumes blown off the roadway into private properties.</p> <p>In the case of Mona Vale Road, the Department of Main Roads demolished existing fences and sandstone walls of heritage value in the 1970's and in many instances replaced them with lesser quality, lower and cheaper alternatives.</p> <p>Homeowner's should have the right to decide what is best and most appropriate for their individual circumstances without clumsy and broad brush planning controls which leads to diminution of rights and unnecessary red tape - which is completely at odds with the concept of 'complying developments' and other common sense approaches to planning which these changes are seeking to overturn.</p>	<p>assessment of the area has concluded that less than 50% of the buildings in the area are considered to be Contributory.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>

4. Property Rating Assessment



Mona Vale Road – Initial SJS assessment; January 2018 reassessment


RATING (revised boundary)	SJS 2012	2018
Contributory	41 (62%)	30 (45%)
Neutral	12 (18%)	36 (55%)
Detracting	4 (6%)	0 (0%)
Not rated	9 (14%)	0 (0%)
TOTAL	66 (including parks, reserves and access handles)	66 (including parks, reserves and access handles)


Rating: N – Neutral, C – Contributory, D – Detracting, Item – Existing Heritage Item



Mona Vale Road - Eastern side

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
3 Mona Vale Rd	N	N	No house present on 1943 aerial. Alts and ads approved 2016 by CDC
5 Mona Vale Rd	N	N	Heavily modified Inter-War
44 Highlands Ave	C	C	Kirkby Park Owned by Council
42 Highlands Ave	C	N	No DAs; 1960s dwelling house


Address	HCA Review Rating SJS	Recommended rating 2018	Comment
			
43 Highlands Ave	N	N	No DAs; 1960s
41 Highlands Ave	Not rated	N	Post war American colonial style  Not from key development period. Rate as Neutral.
6 Anatol Place	Not rated	N	Post-war one part two storey dwelling house, face brick
19 Mona Vale Road (aka 8 Anatol Place)	N	N	Cape cod style, 1970s?
25 Mona Vale Rd	C	C	Bowes Thislewayte Park Owned by Council
12 Anatol Place (excluding access handle to Anatol Place)	C	C	Item No. 498 "Glengarriff", dwelling house
27 Mona Vale Rd/	C	C	Not visible from street. Pre 1943 building.



Address	HCA Review Rating SJS	Recommended rating 2018	Comment
1B Narelle Ave			
29 Mona Vale Rd/ 1A Narelle Ave	C	C	Item No. 592
35 Mona Vale Rd/ 2B Narelle Ave	C	C	Modified 1930s dwelling house, face brick, brick piers and curved facade
37 Mona Vale Rd	N	N	New build
39 Mona Vale Rd	N	N	Not visible from street, battle-axe access via long access handle, real estate photos from 2015, 1950s? modified dwelling house
41 Mona Vale Rd	D	N	<p>New build not visible from street</p>  <p>Modern design but not detracting. Amend rating to Neutral.</p>
43 Mona Vale Rd	C	C	Pre-43, internal alts 1998
1A Knowlman Ave	C	C	Inter-war dwelling house (BA84/02390 Swimming pool) Modified.


Address	HCA Review Rating SJS	Recommended rating 2018	Comment
47 Mona Vale Rd	C	N	<p>Post 43 dwelling</p> <p>2007 BAs-</p> <p>BA 95/00888 Addition of single bedroom with ensuite plus double garage</p>  <p>Amend rating to Neutral.</p>
49 Mona Vale Rd	C	C	<p>Appears between 1951 and 1956. Two storey, some Georgian revival elements. Not from key development period but substantially intact.</p>
51 Mona Vale Rd	C	C	<p>Post war brick dwelling house, open car port to façade, fairly austere design</p> <p>Checked aerial- no dwelling present in 1943</p> <p>BA 82/00426 Additions- (1982)</p>
53 Mona Vale Rd	C	N	<p>Newer build, Post 1943</p>


Address	HCA Review Rating SJS	Recommended rating 2018	Comment
			 <p>Amend to Neutral</p>
53A Mona Vale Rd	D	N	<p>Attached to no. 53 Mona Vale Road</p> <p>Amend to Neutral</p>
55 Mona Vale Rd (aka 1A Bromley Ave)	Not rated	C	Modified inter-war, not highly visible from public domain.
55A Mona Vale Rd	C	C	Item No. 590 Pymble Uniting Church
57 Mona Vale Rd	C	C	<p>Pre 1943, single storey, liver brick Californian bungalow featuring front gable with shingles.</p>  <p>Recommended for further investigation.</p>

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
59 Mona Vale Rd	C	C	Item No. 558 "Strathwood", dwelling house
59A Mona Vale Rd/ 1 Strathwood Court	C	N	Group of houses located behind Mona Vale Rd (1950/60s) – not contributory or visible from public domain Amend rating to Neutral.
2 Strathwood Court/ 61 Mona Vale Rd	C	N	Group of houses located behind Mona Vale Rd (1950/60s) – not contributory or visible from public domain Amend rating to Neutral.
3 Strathwood Court/ 63 Mona Vale Rd	C	N	Group of houses located behind Mona Vale Rd (1950/60s) – not contributory or visible from public domain Amend rating to Neutral.
4 Strathwood Court/ 65 Mona Vale Rd	N	N	Group of houses located behind Mona Vale Rd (1950/60s) – not contributory or visible from public domain Amend rating to Neutral.
67 Mona Vale Rd/ (1B Woodlands Ave)	C	C	Item No. 580 Federation Arts and Crafts
71 Mona Vale Rd	C	C	Item No. 581 Federation Arts and Crafts


Address	HCA Review Rating SJS	Recommended rating 2018	Comment
77 Mona Vale Rd	C	C	Post 1943 Functionalist, two storey, curved painted façade, low brick front fence, cross gabled roof
79 Mona Vale Rd	C	C	Post 1943, 1950s? single storey dwelling house with cross gabled roof and rendered and painted façade, painted and stepped low brick front fence
81 Mona Vale Rd	C	C	Inter-War 2 storey brick with additions, fairly austere design, lovely front sandstone retaining wall/fence
83 Mona Vale Rd	C	N	<p>Extensive change from 1943 aerial</p> <p>Alterations and additions – 2015 (CCPCA0069/15)</p> <p>Alterations and additions- 2014 (DA0241/14)</p>  <p>Amend rating to Neutral.</p>
85 Mona Vale Rd	C	N	Ranch/colonial style dwelling house, post 1943, not from key development period.



Address	HCA Review Rating SJS	Recommended rating 2018	Comment
			 <p>Amend rating to Neutral.</p>
87 Mona Vale Rd	Not rated	N	Battle-axe lot, sold as vacant block of land 2013, still appears vacant
89 Mona Vale Rd	C	C	Post 1943 (43-51?), single storey
91 Mona Vale Rd (access handle only)	N	N	Access handle only of battle-axe lot
93 Mona Vale Rd	N	C	<p>Late Fed bungalow featuring slate roof, sandstone foundations, cross gabled roof featuring prominent front gable featuring timber shingles and metal roofed front verandah. Modified but considered to be Contributory as from key development period.</p>  <p>Amend rating to Contributory</p>



Address	HCA Review Rating SJS	Recommended rating 2018	Comment
95 Mona Vale Rd	Not rated	N	Post-war popular style single storey dwelling house stepping down to rear, modernist style, not visible from public domain
97 Mona Vale Rd	C	C	Item No. 582
99 Mona Vale Rd	Not rated	N	Post 1943. Not visible from public domain
101 Mona Vale Rd	C	C	Item No. 584
105 Mona Vale Rd Pymble Soldiers Memorial Park	C	C	Item No. 586
2A Peace Ave	C	C	Modified Federation cottage
111 Mona Vale Rd/ 1 Vista Street	C	C	Item No. 656
115 Mona Vale Rd/ 2 Vista Street	C	C	<p>Pre-1943 "Tarquinia", single storey face brick dwelling house, footprint substantially intact, lovely stone front fence, inter-war</p>  <p>Further future investigation recommended.</p>



Address	HCA Review Rating SJS	Recommended rating 2018	Comment
117 Mona Vale Road	C	C	<p>Post 1943 late 1940s?, simple blonde brick cottage with hipped roof featuring terracotta tiles, front entrance featuring arched mullion detailing</p>  <p>Further future investigation recommended.</p>


Mona Vale Road – Western side

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
78 Mona Vale Rd	N	C	<p>Federation cottage, slate roof, modified but from key development period. Very high front fence</p> 

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
			Amend rating to Contributory
78A Mona Vale Rd Access handle only	Not rated	N	Access handle only
80 Mona Vale Rd	C	C	Inter-war Georgian revival style two storey dwelling house, face brick with symmetrical façade and recessed front entrance.
84 Mona Vale Rd (aka A2 Hope Street)	C	C	<p>Pre 1943, "Tralee", inter-war Georgian revival, red face brick</p>  <p>On large setting with garden, further future investigation recommended.</p>
A1 Hope Street	Not rated	N	<p>1980s build</p>  <p>Rate as Neutral</p>
88 Mona Vale Rd	C	N	<p>Modified pre 1943</p> <p>BA- BA97/00381- first and second</p>

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
			floor additions and alterations to existing dwelling (1997)
90 Mona Vale Rd	N	N	<p>Post 1960s</p> <p>CC for DA 67/06 and 67/06A Pergola</p> <p>DA (BS 86/02421)</p> <p>Also addition of pool</p>
92 Mona Vale Rd	C	N	<p>1950s/60s, not from key development period</p> 
94 Mona Vale Rd	D	N	<p>Newer build</p>  <p>Amend rating to Neutral</p>

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
6 Mona Vale Rd	D	N	<p>Modified 1950s/60s post-war American Colonial style</p>  <p>Amend rating to Neutral</p>
8 Mona Vale Rd	C	C	<p>Item No. 583</p> <p>Queen Anne / Arts and Crafts style</p>
98A Mona Vale Rd/ 93 Telegraph Rd	N	N	<p>1950s/60s post-war American Colonial style</p> <p>Not from key development period</p> 
100 Mona Vale Rd (aka 88 Telegraph Rd)	C	C	<p>Item No. 100</p> <p>'Juniper Green'</p>
100A Mona Vale Rd	Not rated	N	Access handle only

Address	HCA Review Rating SJS	Recommended rating 2018	Comment
102 Mona Vale Rd	C	C	<p>Canisius College</p>  <p>Future investigation recommended</p>

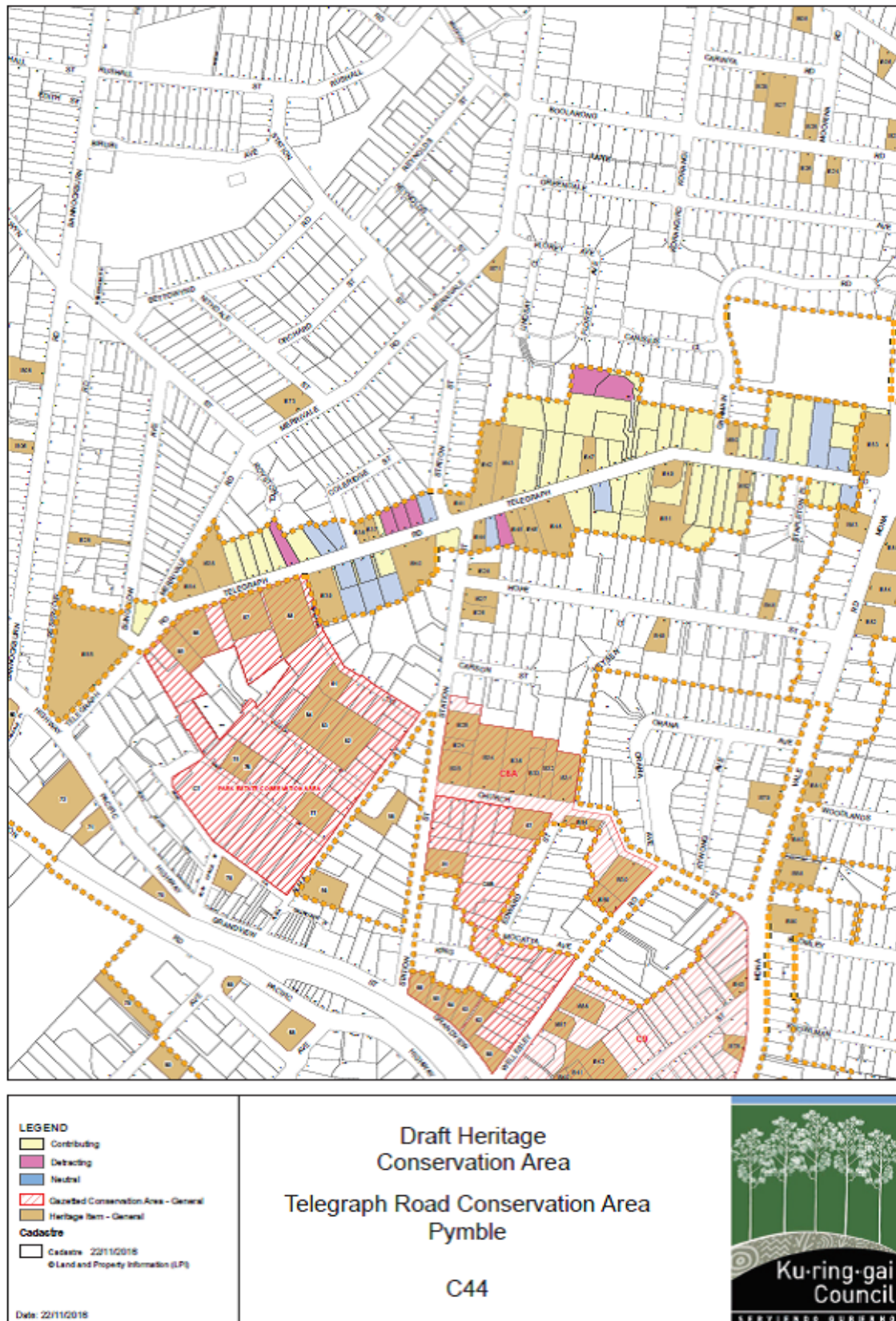
TELEGRAPH ROAD DRAFT HERITAGE CONSERVATION AREA (C44)

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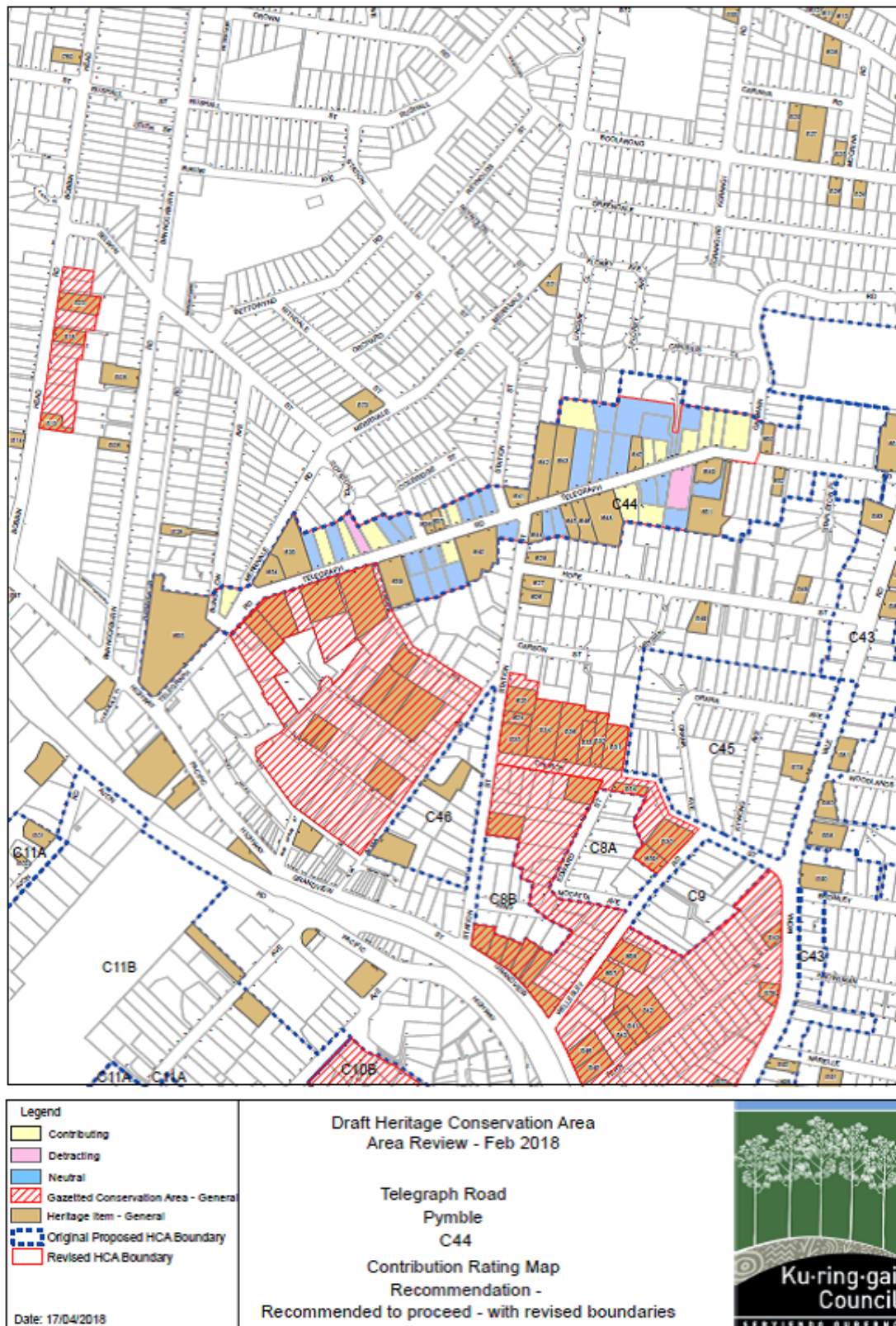
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1. Maps

1.1 Exhibited ratings map for draft Telegraph Road HCA



1.2 Revised ratings map for draft Telegraph Road HCA showing revised boundaries



2. Comment

The exhibited proposed Telegraph Road Heritage Conservation Area (HCA) contains 85 properties. As part of the public exhibition process, objections were received from 18 properties or 21% of properties. Submissions raised concerns with impacts on property values, ability to make further amendments to properties and the level of change which has already occurred within the streetscape. Individual submissions are responded to below.

Following the public exhibition process, the rating of each property within the draft HCA was reconsidered. The re-assessment of each property is included below. It is noted that more recent changes have occurred within Telegraph Road, sometimes to the detriment to heritage values of the road. However, on balance, it is considered that part of Telegraph Road retains enough original buildings from the Victorian, Federation and Inter War period to justify its listing as a Heritage Conservation Area.


It is recommended that the boundaries of the proposed HCA be realigned to remove properties from Nos. 68 to 86 on the northern side of the road and from Nos. 69 to 91 on the southern side be removed from the proposed HCA boundaries as this part of the street has been heavily modified and no longer reflects the heritage values associated with the street. It is further recommended that the following properties be removed from the HCA boundaries due to their location behind already subdivided lots:

- 56A Telegraph Road (Lot 5, DP 222720)
- 56C Telegraph Road (Lot 4, DP 222720)

Several submissions raise objections to their inclusion within the HCA as they are located on battle-axe allotments not visible from the street. Properties within the proposed revised HCA on battle-axe allotments are Nos. 46, 56, 56B, 58A, 67, 65, 61A, 55A, 35, 33A and 31A Telegraph Road and 17 Lindsay Close. In some cases, it has been possible to determine the values of these properties from other sources, for example aerial photographs, Council property files and real estate sales information. The following assessment has been made for the abovementioned properties:

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
31A Telegraph Road	N (access handle C)	N	Not visible from street but not same house as shown on 1943 aerial. 1964 subdivision. Amend access handle rating to Neutral.
33A Telegraph Road	N (access handle C)	N	1964 subdivision. Building appears by 1970

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
35 Telegraph Road	N	N	Appears c. 1970. 1964 subdivision.
55A Telegraph Road	C	C	Sydney regional – 1960s architect John Suttor
61A Telegraph Road	C	N	No structures on 2016 aerial – same ownership as 61 Telegraph Rd – DA approval to construct new dwelling house. Amend rating to Neutral.
65 Telegraph Road	C	N	Battle-axe lot, cannot be seen from street. Appears between 1961 and 1968 on aerials, modified 1989. Due to lack of visibility and modifications amend rating to Neutral.
67 Telegraph Road	C	Item (651)	One of a group of modern houses picked up in a review in 2011. It is a house designed by Dr H Epstein, one of a group of European architects who migrated to Australia just prior to WW2 and brought the modern architectural movement of Australia. This house was his family home from 1952 to 1977.
58A Telegraph Road	C	N	Heavily modified building – post war construction. Appears in 1970 aerial. Not from key development period and not visible from street. Amend rating to Neutral.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			
56B Telegraph Road	C	N	<p>Building is not present on 1943 aerial. Appears around 1972. Not visible from the street and not from a key development period.</p> <p>Amend rating to Neutral.</p>
56 Telegraph Road	C	N	<p>Not possible to determine details about this property. It is not visible from the street. Appears to have had modifications approved and is unlikely to be in original condition.</p> <p>Amend rating of this property to Neutral.</p>
46 Telegraph Road	C	C	<p>Battle-axe with very long access handle, not visible from street. 1930s construction 'Bushlands' which has undergone modification. However, the building is from a key development period and retains some features of its original construction including curved verandah and single storey form.</p>
17 Lindsay Close	C	N	<p>1943 aerial photo shows that this site was once associated with "bushlands" at 46 Telegraph Road. Therefore, it is</p>

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			recommended it be retained within the heritage conservation area but be given a Neutral rating.

Despite the lack of visibility of these properties from the public domain, it is considered they still represent the historical value associated with Telegraph Road of the ongoing process of subdivision and re-subdivision of large allotments into smaller sites. Therefore, it is recommended that they be retained within the HCA boundaries. However, where the age and integrity of a property cannot be determined due to lack of information, a Neutral rating is recommended, including the rating for the access handles which were previously shown as Contributory. Nos. 56A and 56C Telegraph Road have been removed from the boundaries as this 1960s subdivision of remnant land at the rear of already subdivided properties. For this reason, these properties have been removed from the revised HCA boundaries.

Telegraph Road is lined with many grand homes, many two-storey, situated on substantial allotments. Many were designed by known architects including James Orwin (66 Telegraph Road), Geoffrey Douglas Loveridge (42 Telegraph Road), and Dr Henry Epstein (67 Telegraph Road). Typically, the large houses are set back from the street behind high front walls with wide, deep fronted gardens. The deep setback of the houses, front walls, entrance gates and large private gardens creates a sense of spaciousness and affluence.

It also contains a mix of smaller sized allotments which reflect the ongoing process of subdivision and change over time. This is evident by the presence of battle-axe allotments. The quality of the public and private domain contributes to the overall significance of Telegraph Road. Repetitive use of materials such as sandstone and the existence of mature street trees create the sense of a high quality locality. Many of the fences along Telegraph Road are relatively high. However, this reflects the estate like qualities of many of the properties as being buildings of grand proportions set within large established gardens. It is not necessarily a reflection of the busyness of the road, as it is along others for example Mona Vale Road. They seek to create a sense of privacy for the grand homes which were built along Telegraph Road for residents escaping the city for a more serene lifestyle.



Image 1: Example of sandstone fences along Telegraph Road

The established provide shade and pleasant views along Telegraph Road with the nature strip providing a buffer between the road and buildings.

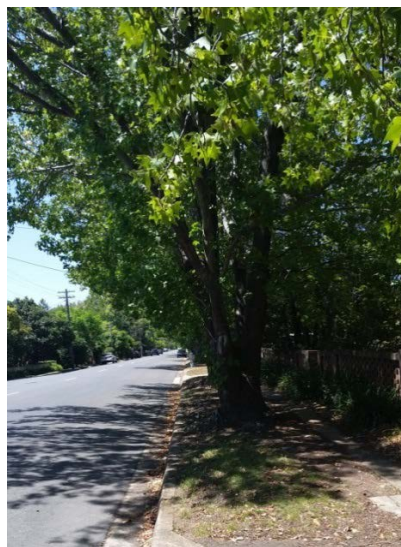


Image 2: Established street trees along Telegraph Road

The combination of the high quality private and public domain demarcate Telegraph Road as a highly desirable residential locality. Telegraph Road's importance as a transport route dates back to the early development of the area as a timber getting location and it remains an important transport link to this day. Telegraph Road retains many significant examples of high quality, architect designed residential development reflecting the historical trend of wealthy Sydney residents seeking refuge from the more crowded inner urban areas. Over time, the size of some of these estates has been reduced as a result of further subdivision. However, many retain their large garden settings and sense of space and exclusivity.

It is considered that Telegraph Road demonstrates historic, aesthetic and historical association heritage values and should be listed as a Heritage Conservation Area following the amended boundaries recommended within this report.

3. Statement of Significance



Telegraph Road has historical significance as an extant and significant early transportation route used as the main timber-getting bullock track towards Stoney Creek Road (now Mona Vale Road). The area was used for timber getting until around 1840. The road retains its role as an important link between Mona Vale Road and the Pacific Highway. Telegraph Road demonstrates the changing nature of land use within the area over time from agricultural to residential. This ongoing process of development and subdivision is evident through the presence of larger original allotments as well as smaller, more recent allotments resultant from continuing subdivision of large allotments over time. As a result, the road contains an interesting mix of grand and more modest dwellings which generally respond well to their individual settings.

Telegraph Road has aesthetic significance as an attractive, high quality residential streetscape encompassing a range of substantial, as well as more modest, Victorian, Federation and Inter-War dwelling houses in garden settings. The road's elevation position, use of high quality materials and finishes, impressive building forms and finishes, garden settings and landscaping all create and reflect its status as a prestigious and desirable residential address.


Telegraph Road has historical association significance through its association with various significant architects from the pre and post war period including James Orwin (66 Telegraph Road), Geoffrey Douglas Loveridge (42 Telegraph Road), and Dr Henry Epstein (67 Telegraph Road).


4. Submissions Table

No	Issue/Concern	Comment
1	<p>Proposed HCA is unnecessary as the property (46 Telegraph Road) cannot be viewed from anywhere on public property, therefore cannot affect the streetscape.</p> <p>It will provide extra red tape for any future proposed renovations and reduce property value.</p>	<p>It is agreed that 46 Telegraph Road cannot be viewed from the street. However, the building is a modified Inter-War dwelling house which demonstrates characteristics from this key development period. It is part of this history of the development of the area and therefore should be retained within the HCA despite being located on a battle-axe property.</p>

No	Issue/Concern	Comment
		 <p data-bbox="831 651 1302 757">It is recommended that the property retain its Contributory rating and be retained within the HCA boundaries.</p> <p data-bbox="831 790 1375 1093">Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p data-bbox="831 1126 1326 1232">See Council report for discussion on impacts of heritage listing on property values.</p>
2	<p data-bbox="260 1288 809 1393">Do not believe property (41 Telegraph Road) should be included as it is not a heritage property.</p> <p data-bbox="260 1420 809 1608">The fencing done not long ago and intend to keep the brick fence to match the street but don't agree with my property being listed under conservation/Heritage.</p> <p data-bbox="260 1630 809 1890">Lot was subdivided with the neighbour behind some time ago and the neighbour behind me is not affected but this property is. Would like further clarification about why it is deemed appropriate that property should be under heritage conservation.</p>	<p data-bbox="831 1288 1375 1590">41 Telegraph Road is located on a corner lot and comprises a modest, modified, single storey 1950/60s dwelling house which primarily addresses Telegraph Road. However, the property has been rendered and painted. Accordingly, it is recommended that property rating be amended to Neutral.</p>  <p data-bbox="831 1906 1353 2011">Noted that an approval for demolition of dwelling house and erection of new dwelling was issued in November 2011</p>

No	Issue/Concern	Comment
		<p>(DA0243/17). Accordingly, the rating for this this site should be amended to Neutral as it is not practical to remove individual sites from within a HCA.</p> <p>The property behind is not included as it does not address Telegraph Road but is located on Station Street.</p>
3	<p>Objection.</p> <p>This is unnecessary restrictions.</p> <p>The restriction brings uncertainty, the property value will decrease, quality of street will dragged down, which is a sad thing for our beloved suburb.</p>	<p>Objection noted.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>
4	<p>Strongly oppose proposal.</p> <p>Council already has rules in place to ensure that, if properly enforced, any redevelopment is carried out in a manner sympathetic to the neighbourhood. The proposal to introduce such this HCA is far too broad, will impose unnecessary restrictions on what we owners can do with our property, to our financial detriment.</p> <p>Many houses on Telegraph Road, where we live, already have additions or second stories, so the character of the</p>	<p>Opposition noted.</p> <p>The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature</p>

No	Issue/Concern	Comment
	<p>neighbourhood has already changed, which we generally see as a positive thing. We would encourage Council to reject this over-reaching HCA proposal, and request that each development proposal continues to be assessed on its respective merits. If Council effectively assesses development applications within the current framework, further regulation should be unnecessary.</p>	<p>are determined by Council.</p> <p>It is noted that some properties on Telegraph Road have undergone modification over time, which is to be expected. However, the area is historically significant as it visually demonstrates the evolution of an area over time, as shown in the variety and age of building stock.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>This property is a single storey inter-war dwelling house, which has been modified including an over scaled front dormer and internal garage to building façade.</p>  <p>It is recommended that the rating of this property be amended to Neutral as a result of these changes.</p>
5	<p>Strongly oppose the proposal to include property (69 Telegraph Road) within the heritage proposal and will seek further legal action if restrictions are imposed on the property.</p> <p>Have lived in the area for 10 years and during this time have observed the extensive development and apartments being built within the council area. These changes have been unattractive, intrusive on the natural landscape and increased the number of residents without the corresponding improvement in services.</p> <p>Against the continued high density</p>	<p>Opposition noted.</p> <p>One of the outcomes of the HCA will be to ensure that any future change within the area is appropriate and does not degrade its existing heritage and streetscape values.</p> <p>Council is not seeking to commandeer privately owned properties but is seeking to retain the area's existing character.</p> <p>69 Telegraph Road was rating as Contributory to the streetscape of the proposed HCA by Jackson-Stepowski in 2012. Aerial photographs indicate that</p>

No	Issue/Concern	Comment
	<p>development stance that has allowed high density apartments and subdivision to permeate Ku-ring-gai but the Council should not adversely impact resident's wealth and wellbeing through this proposal.</p> <p>This reprehensible proposal represents a situation whereby the Council and its Consultant want to take control of hundreds of private dwellings camouflaged behind expressions such as 'heritage conservation.'</p> <p>Shocked by the terrible proposal to apply significant restrictions on what I can do with my property which have a negative longer-term impact on the value of my property and wealth and wellbeing of my family.</p> <p>Object to Council accepting the author of the review as a person whose opinion can be relied on to the extent that it justifies Council 'commandeering' privately owned homes.</p> <p>Property has no heritage contribution whatsoever. It is a plain house with no street appeal and no different to other houses in Pymble that don't and are not captured by this reprehensible proposal.</p> <p>My property clearly does not satisfy any of the seven criteria for heritage listing. House has a small footprint, has been underinvested and is in desperate need of demolition and rebuild to bring the property in line with housing stock in the area.</p> <p>A blanket heritage restriction to Telegraph Road makes no sense whatsoever given the council has approved apartments, over 55 residences, subdivisions and modern houses to be built on Telegraph Road.</p> <p>The council and state already has a</p>	<p>the property was constructed between 1956 and 1961. Recent site inspection has confirmed that the property has been rendered which has significantly reduced its level of integrity.</p>  <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road also contains a number of individually listed heritage items. It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located between Mona Vale Road and 69 Telegraph Road (which includes the property the subject of this objection).</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>Local government is responsible for the identification of local heritage within NSW. The agreement of property owners is not required for Council to heritage list properties. The issue relates to the assessed heritage values of the property.</p> <p>Regarding Telegraph Road, Council is in receipt of two heritage assessment reports which reached different conclusions as to whether the area should be considered a heritage conservation area. The most recent study completed by Susan Jackson-Stepowski and Carste Studio in 2013 concluded that the area does have heritage significance.</p>

No	Issue/Concern	Comment
	<p>mechanism to list individual properties based on their merit. And should be assessing future additions based on the individual merit of each home. There is no point to heritage list some ugly houses that have no historical significance.</p> <p>Need the ability to rebuild and extend my home as required based on the existing rules, which are already extensive. Overlaying an additional set of heritage rules imposes unnecessary restrictions on what I can do with my property which is not imposed on similar properties in the council area.</p> <p>Potential decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed. Significantly more expensive to renovate my property than it is to knock down and rebuild property to the standards of a desirable dwelling. The studies cited make no mention of the continued higher rate of investment and time delays that burden property holders in heritage areas.</p> <p>The previous study by Paul Davies 2010 found no merit for heritage conservation listing.</p> <p>Financial consequences of the decisions to burden owners. Council will make no contribution to any additional cost and will not compensate for the loss of value. The Council does offer an annual heritage fund but the amount offered is insulting given the modern construction costs.</p> <p>The review deals with only a small fraction of Ku-ring-gai. Whether this is intended to be the only area subject to such a review and is implementation is unknown.</p> <p>Council is elected to represent the</p>	<p>The planning proposal containing the proposed Telegraph Road Heritage Conservation Area (HCA) contained 10 other proposed HCAs. The review included the vast majority of Pymble and areas of Gordon, Wahroonga and Turramurra.</p> <p>The purpose of heritage listing is not for Council to acquire properties from private landowners. The aim is to ensure that future growth and change is balanced with retaining significant existing character and streetscapes. Owners consent is not a requirement for heritage listing. It is about retaining significant elements of the past for the enjoyment of future generations.</p> <p>Regardless, it is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>

No	Issue/Concern	Comment
	<p>interests of all Residents, not just a small number of residents. If there is such a strong community demand for conservation, Council could ask all ratepayers to make a voluntary donation and use those funds to acquire those properties that it wishes to conserve for the benefit of everyone. Alternatively, Council could create a conservation fund paid in addition to their normal rates which would then fund.</p> <p>The proposal should only succeed if there was consensus amongst property owners across the proposed area under review. Council must accommodate the changing demographics of Sydney. To do otherwise places at risk the relevance of Council in meeting the changing residential requirements of Sydney.</p>	
6	<p>Strongly object to plan.</p> <p>Area is no different than most other parts of the council area and furthermore house is of no heritage significance.</p> <p>This proposed plan would suggest that the council is giving little regard to what is really deemed heritage.</p>	<p>Objection noted.</p> <p>The 2013 report prepared by Susan Jackson-Stepowski and Carste Studio concluded that the area does have heritage significance. The area is considered significant as part of the subdivision of an early land grant and retains a mix of grand and more modest residential buildings dating from the 1890s.</p> <p>This property has been assessed as having a Contributory building rating and is considered to add value to the heritage conservation area.</p>
7	<p>Oppose proposal as it will decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed; lead to unnecessary restrictions on what can be done with property; particular houses should be selected for heritage listing rather than a blanket ban which</p>	<p>Opposition noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a</p>

No	Issue/Concern	Comment
	<p>imposes limitations and disadvantages those who do not have heritage valued houses.</p> <p>Property is an asset and owners should be allowed to do what they wish and to live comfortably. Put yourself in our shoes.</p> <p>It will also impose limitations on maintenance.</p> <p>60% of buyers say it is a disadvantage to buy in a heritage listed area, as such it will impact house price directly as a consequence due to the councils decision.</p> <p>If house price does fall as a result of this proposal, will initiate legal action against the council and all officers involved in the decision making process. Will seek restitution of my losses directly from council.</p>	<p>number of individually listed heritage items.</p> <p>It is unclear where the statistic regarding buyer sentiments of heritage properties has been derived from. Potential purchaser will consider a range of matters, including heritage, in the decision making process of selecting a property. Some may see it as a disadvantage but others may appreciate the fact that the area is unlikely to undergo major change into the future. It is dependent on the requirements of the individual purchaser.</p> <p>This property is rating as Neutral within the HCA and therefore new purchaser may seek to make changes to the property more in keeping with the overall character of the area.</p>
8	<p>Residents within proposed HCA.</p> <p>Opposed to draft to change the whole street to conservation zone.</p> <p>Think changing it to a conservation area will impose huge restrictions on our property which is not a heritage item.</p>	<p>Opposition noted.</p> <p>The property subject to this submission is rated Neutral within the draft HCA.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>This property has been assessed as having a Contributory building rating and is considered to add value to the heritage conservation area.</p>
9	<p>Resident within proposed HCA and object to Council proposal to extend Heritage Conservative Area to include street.</p>	<p>Objection noted.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the</p>

No	Issue/Concern	Comment
	<p>Proposal will restrict what can be done with property and unnecessarily impose limitations on improvements.</p> <p>Whilst there are houses of undoubted heritage significance in this street, there are also many houses of little significance.</p> <p>Houses of heritage significance could be individually protected, rather than providing a blanket heritage restriction on the whole street.</p> <p>Many beautiful old houses of obvious heritage significance in Ku-ring-gai have been demolished over recent years to make way for ugly developments. It is hypocritical and unfair of Council at this late stage to arbitrarily seek to impose Heritage Conservation Area status upon this entire street.</p>	<p>proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a number of individually listed heritage items.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>
10	<p>Would like to submit my reasons objecting to the listing of Telegraph Road as a Heritage Conservation area.</p> <p>Should Telegraph Road be listed, this will put unnecessary restrictions on what owners can do to their property.</p> <p>Listing the entire road will not make any significant difference as many properties have already been modified beyond their original footprint, or demolished with modern properties having been built.</p> <p>Units and town-houses are already built, or being built, on this particular road.</p> <p>There are already many Heritage Listed properties in Telegraph Road, which helps preserve the heritage of the area.</p> <p>In my personal case, with a modest cottage, re-sale value will be adversely affected. I would like the opportunity, in future, to make any improvements and investment to my property that I see fit.</p> <p>Existing rules already give room for</p>	<p>Objection noted.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a number of individually listed heritage items.</p> <p>It is noted that modifications have occurred within the street over time. This is reflected in the individual rating given to each property within the proposed HCA. These ratings have been revised following the public exhibition of the planning proposal.</p>

No	Issue/Concern	Comment
	renovations without being so restrictive.	The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature are determined by Council.
11	<p>Live in area and have been visiting the area for many years prior to ownership of the house. Have found Telegraph Road a beautiful street to walk along, with foot paths lined by mature trees and the grand character of the houses along it.</p> <p>There are now some modern houses along the road, including a modern 4 - 5 story apartment block being erected. There are also plans for an aged residential care facility to be built.</p> <p>The greatest change that has affected to Telegraph Road over time has been the decision to allow it to become a road traffic thoroughfare - traffic is encouraged between the Pacific Highway and Mona Vale Road. The traffic is now incessant with cars, motorbikes trucks and buses even. Speed control is poor and there have been police speed patrols as indicative of how cars have been speeding through.</p> <p>At the Mona Vale end it is now very noisy, with street noise intruding into the house. There is work traffic during the week and recreational traffic during weekends. Driving out from my driveway is very tricky as the view of on-coming traffic is poor, with cars parking along the road. Vehicles zoom down the road,</p>	<p>It is noted that modifications have occurred within the street over time. This is reflected in the individual ratings given to each property within the proposed HCA.</p> <p>House in question has been rated as Contributory as an intact 1960s blonde brick dwelling house.</p> <p>It is agreed that Mona Vale Road is a very busy road which carries a significant amount of traffic. Telegraph Road is also a heavily trafficked road. However, historically the street was the main timber getting bullock track through earlier land grants to what is now known as Mona Vale Road. Therefore, the road has always been a significant route through the Pymble area, as remains the case today.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>

No	Issue/Concern	Comment
	<p>when coming in from Mona Vale, and if stopped along Telegraph Road on a red light, the accelerating starting noise, especially from non-muffled motorbikes are very loud, penetrating right into house. Cars that stop at the light broadcast thumping heavy bass music.</p> <p>Highlight the above to explain that I feel the heritage ambience of the road has been changed. The quiet charm of the grand houses are not possible to appreciate due to the traffic. Walks are not as enjoyable anymore.</p> <p>House is a 1950's house. It is well built but small with two bedrooms. It has no particular "heritage" character and at the Mona Vale end of Telegraph Road, suffers greatly from the road disturbance. I will have to make changes to the house frontage, to shield off the road disturbance. This might entail thinking of a high wall, a thick solid gate, and even a more solid house facade to absorb the road noises.</p> <p>Afraid being listed Heritage will result in my being unable to improve the house to make it more quiet.</p> <p>Improvements to the ambience of our street can be considered:</p> <ol style="list-style-type: none"> 1. Limiting road traffic through Telegraph Road - by making it a No Through Road 2. Employing methods to control traffic flow, and speed. 3. Greater police patrol presence 4. Limiting road side parking close to the lights, as it is dangerous to come out of our driveway <p>Not in favour of the whole Telegraph Road being Heritage listed, though there are without doubt houses of exceptional character and they could be individually</p>	

No	Issue/Concern	Comment
	listed as Heritage homes instead.	
12	<p>Would like to give the following inputs for Council's consideration:</p> <ol style="list-style-type: none"> 1. Indeed there are several properties on our street of magnificence and significance and should be (and some already are) heritage protected. There are also properties which are arguably of little to no significance, and if redeveloped, can improve their values and contribute to the overall street presence and appeal. Should an HCA be placed on the latter, it may significantly affect their values. 2. KMC already has LEP/DCP which govern development. These instruments should treat heritage and non-heritage warranted properties with due difference and fairness. If need be, modifications can be made to said controls without subjecting a whole street to HCA listing. For example, restriction of medium to high density development (which doesn't seem to be the case in KMC e.g. the heritage property corner of Turrumurra Ave and Nulla Nulla St has become completely surrounded and overshadowed by new high rise. We use this example because the nature of its heritage listing, and the lack of control of surrounding properties dissuaded us from considering it when it was on the market, so arguable it's value was affected. 3. Understand there are DAs in existence (status unknown to us) for multiple dwellings on Telegraph Rd properties nearer the Mona Vale 	<p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a number of individually listed heritage items.</p> <p>The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature are determined by Council.</p> <p>Council does have the ability to zone land for different densities. For example, Nos. 1, 3 & 5-7 Telegraph Road are zoned R4 High Density Residential. No. 9 Telegraph Road is zoned R3 Medium Density Residential.</p> <p>The rating of the subject property is recommended to be amended to Neutral due to modifications which have occurred to the property over time. The property owner may seek to make changes to the property in keeping with the overall character of the area.</p>

No	Issue/Concern	Comment
	<p>Road end of Telegraph Road. One is current a demolition-in-progress site. This is incongruous to the HCA proposal.</p> <p>Overall, feel the proposal to change Telegraph Rd in total (bar 1 property west of Stapleton PI) is unnecessarily restrictive, and maybe unfair to some property owners.</p>	
13	<p>Totally object to the heritage to listing! What a ridiculous idea.</p> <p>Reducing the values of our home when we are already paying huge mortgages as it is. We all work so hard to provide our families with a roof over their head and the comfort of eventually financial security after years of hard work all to be taken away due some ridiculous idea of placing restrictions of what we can and can't do with our own homes. If this was happening in your street your suburb would you want it.....???!?!? These properties belong to the owners not the Ku-Ring-Gai Council.</p> <p>Please reconsider this decision to make the area a heritage list one. It is not necessary. There are plenty of other concerns that the council should be spending our money on.</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p>
14	<p>Object to this proposal as it places unnecessary restrictions on my property and can have a potential decrease in my property value or future attractiveness.</p> <p>There are already many properties with additions and second stories which has already diminished any heritage significance. Do not do it!!!</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>It is noted that some properties on Telegraph Road have undergone modification over time, which is to be expected. However, the area is historically significant as it visually demonstrates the evolution of an area over time, as shown in the variety and</p>

No	Issue/Concern	Comment
		age of building stock.
15	<p>Owner of a property on Telegraph Road (35 Telegraph Road) and oppose the suggested heritage listing plans by Kuring-gai Council.</p> <p>This will most probably reduce the value of my property as buyers are less interested in buying heritage properties because of various associated restrictions.</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The subject property is rated as Neutral within the HCA. Current or future property owners may seek to make changes to the property in keeping with the overall character of the area.</p>
16	<p>Act for proprietors of premises and object to the proposal to include property (76 Telegraph Road) in the HCA for the following reasons:</p> <ol style="list-style-type: none"> 1. Application to redevelop the site for a Seniors Housing Development comprising of 9 dwellings remains unresolved (DA0192/17) 2. Clients have commenced LEC proceedings. 3. Appears more than coincidental that the determination has been unreasonably delayed and remains unresolved requiring commencement of LEC proceedings on the basis of a deemed refusal. 4. Existing house and property have no heritage significance and will no doubt be a consideration in determining the DA. 5. Proposal is more about Council maintaining controls over the whole area and putting barriers in place to allow for efficient management of the approval system. 	<p>Current application DA0415/16 to demolish existing structures and construct 10 town-houses for seniors (SEPP Housing for Seniors or People with a Disability) with basement parking, landscaping and associated works - Integrated Development (NSW Rural Fire Service under the RFS Act 1997) was refused by Council on 23 November 2017.</p> <p>It is proposed to amend the proposed northern boundary of the HCA to include up to 66 Telegraph Road only due to the lower quality of the building stock towards the intersection with Mona Vale Road. Therefore, the property subject to this objection is no longer proposed for inclusion within the HCA.</p>
17	<p>Letter from Council states that our property at 77B Telegraph Road is within the draft Telegraph Road Conservation area (C44) and the map provided shows only our tennis court is within this</p>	<p>Noted that the current proposed HCA boundary map includes a lot (Lot 101 DP 591256) containing a tennis court only.</p> <p>Agreed that this lot should be removed</p>

No	Issue/Concern	Comment
	<p>boundary.</p> <p>Writing to request that lot 101 of our property (the tennis court) be excluded from the conservation area.</p>	<p>from the draft HCA boundaries as it comprises a tennis court aligned with 77B Telegraph Road which is not proposed for inclusion within the HCA.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>
18	<p>Council should put in place restrictions on through traffic or the speed of traffic on Telegraph Rd.</p> <p>Increasing traffic impacts the streetscape, amenity of the area, housing value and is not aligned with the type of housing nor heritage value.</p>	<p>It is agreed that Telegraph Road is a heavily trafficked road. However, historically the street was the main timber getting bullock track through earlier land grants to what is now known as Mona Vale Road. Therefore, the road has always been a significant route through the Pymble area, as remains the case today.</p>
19	<p>Just become aware of the proposal under consideration by your team for the establishment of a new heritage conservation area along Telegraph Road, Pymble, which may include our property.</p> <p>Understand notifications of this matter should have been sent to affected residents in September last year. I did not receive such a notification and do not understand why we have not received notification as we have been owner occupiers throughout the above period.</p> <p>If we had been aware, we would have raised an objection during the public exhibition period, given that the proposed inclusion of our property would have a significant adverse impact on our property, and</p>	<p>Council can confirm that this property was contained within the dataset for the Telegraph Road HCA notification letters with the current owners' names.</p> <p>It is noted that the property is located on a battle-axe allotment. This is also the case with a number of other properties contained within the draft HCA including 46, 56, 56B, 58A, 67, 65, 61A, 35, 33A and 31A Telegraph Road and 17 Lindsay Close. Despite the lack of visibility of these properties from the public domain, it is considered they still represent the historical value associated with Telegraph Road of the ongoing process of subdivision and re-subdivision of large allotments into smaller sites.</p> <p>It is noted that this house was designed by John Bligh Suttor in 1965, a known modernist architect. It is noted that Suttor was also involved in extensive changes to the State listed heritage item 'Coppins'</p>

No	Issue/Concern	Comment
	<p>for the reasons outlined below.</p> <p>1. Our property is a battle-axe property, reached via a 55 metre long concrete driveway from Telegraph Road.</p> <p>2. No part of our house is visible in any way whatsoever from Telegraph Road. The view from Telegraph Road towards our house is completely obscured by the property located at 57 Telegraph Road.</p> <p>3. The study which appears on your website in support of the possible heritage conservation area in Telegraph Road (study by Stephen Booker of carste STUDIO Pty Limited) does not reference our house as having heritage value and none of the conservation area factors identified in the report is relevant to our property:</p> <p><input type="checkbox"/>our property is not of historical significance;</p> <p><input type="checkbox"/>it does not contribute to the streetscape, given that its only presence on Telegraph Road is the visibility of a concrete driveway entrance; and</p> <p><input type="checkbox"/>its built form, materiality and gardens are and will remain invisible from Telegraph road due to the supervening presence of the property at 57 Telegraph Road.</p> <p>4. It is inexplicable that our property, constructed in 1965, and being entirely invisible from Telegraph Road, obscured by the property at 57 Telegraph Road, could be thought to contribute to the heritage value of Telegraph Road.</p>	<p>designed by Walter Burley Griffin and Marion Mahony Griffin in 1935, which is also located on Telegraph Road.</p> <p>For the above-mentioned reasons, the property is recommended to remain with the revised boundaries of the Telegraph Road HCA and retain its exhibited rated as a Contributory building.</p>

4. Rating Assessment


Telegraph Road HCA – Initial 2012 SJS assessment; December 2017 reassessment



RATING (revised boundary)	SJS 2012	2017
Contributory	47 (76%)	34 (55%)
Neutral	10 (16%)	26 (42%)
Detracting	5 (8%)	2 (3%)
TOTAL	62	62



Rating: N – Neutral, C – Contributory, D – Detracting; Item – existing Heritage Item


Telegraph Road – Southern side



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
31 Telegraph Road	C	C Item (639)	“Sandon” Federation Arts and Crafts dwelling house
31A Telegraph Road	N (access handle C)	N	Not visible from street but not same house as shown on 1943 aerial. 1964 subdivision. Amend access handle rating to Neutral.
33 Telegraph Road	N	N	1960/70s post war ranch style dwelling house, intact but not from a key development period
33A Telegraph Road	N (access handle C)	N	1964 subdivision. Building appears by 1970. Amend access handle rating to Neutral.


Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
33B Telegraph Road	N	N	1960/70s brick single storey dwelling house, appears intact but not from a key development period
35 Telegraph Road	N (access handle C)	N	Appears c. 1970. 1964 subdivision.
35A Telegraph Road	C	C	This building appears to be associated with the Heritage Item at 37 Telegraph Road.
37 Telegraph Road	C	C Item (640)	"Carinya" Federation dwelling house
41 Telegraph Road	C	N	1950s check Aerial – constructed btw 1956 and 1961 – approval issued 2017 for demolition of existing structure and erection of new dwelling. 
			Amend rating to Neutral
43 Telegraph Road	C	C Item (644)	Late Federation two storey dwelling house
45 Telegraph Road	N	N	Newer build, two storey
47 Telegraph Road	D	N	Likely heavily modified inter war two storey dwelling. Despite modifications it not considered to be a detracting element to the streetscape.




Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
49 Telegraph Road	N	C Item (645)	Inter war two storey Georgian revival ("Sackville")
51 Telegraph Road	C	C Item (646)	Inter war two storey Georgian revival ("Eastbourne")
53 Telegraph Road	C	C Item (648)	Federation two storey ("Redriff")
55 Telegraph Road	C	C	<p>Building on the 1943 aerial has been demolished. House appears between the 1961 and 1968 aerial. Post War American Colonial style. Dormers to façade.</p> 
55A Telegraph Road	C	C	Sydney regional – 1960s architect John Suttor
57 Telegraph Road	N	N	Current property appearing in 1970 aerial, likely rendered


Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
57A Telegraph Road	C	N	<p>Modified cottage with large garage to façade and dormer.</p>  <p>Amend rating to Neutral.</p>
61 Telegraph Road	C	D	<p>Approval 2015 to demolish existing dwelling and construct new dwelling. Currently under construction. French Chateau style.</p>  <p>Amend rating to Detracting.</p>
61A Telegraph Road	C	N	<p>No structures on 2016 aerial – same ownership as 61 Telegraph Rd – DA approval to construct new dwelling house.</p> <p>Amend rating to Neutral.</p>
63 Telegraph Road	C	C Item (649)	Substantial two storey Inter War
65 Telegraph Road	C	N	Battle-axe lot, cannot be seen from street. Appears between 1961 and 1968 on aerials, modified 1989. Due

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			to lack of visibility and modifications amend rating to Neutral.
67 Telegraph Road	C	C Item (651)	One of a group of modern houses picked up in a review in 2011. It is a house deigned by Dr H Epstein, one of a group of European architects who migrated to Australia just prior to WW2 and brought the modern architectural movement of Australia. This house was his family home from 1952 to 1977.
69 Telegraph Road	C	N	<p>Appears on aerial between 1956 and 1961. Rendered</p>  <p>Amend rating to Neutral.</p> <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>
71 Telegraph Road	C	N	Appears on aerial between 1956 and 1961. New render, new posts and windows. Garage forward of front building alignment.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p> <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>
75 Telegraph Road	C	C	<p>Interwar – has more extensions.</p> <p>Currently under Land & Environment Court appeal for deemed refusal – application for demolition of existing structures and construction of a Seniors Living Development (multi-dwelling housing) containing 10 town houses, basement parking, landscaping and associated works - SEPP (Housing for Seniors or People with a Disability) 2004</p> <p>Some works have commenced on site. However in light of the situation it is recommended that the Contributory rating be retained for the current time.</p> 


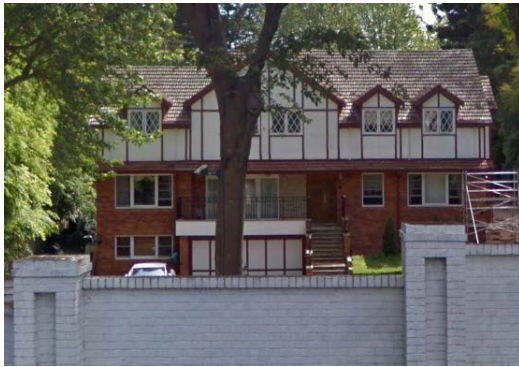

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.
77 Telegraph Road	C	C Item (I652)	Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.
77A Telegraph Road	C	N	<p>Battle-axe lot. Appear between 1943 and 1951 aerial. Not visible from street.</p>  <p>Amend rating to Neutral.</p> <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>
81 Telegraph Road	N	N	<p>Borderline, 1950s Stripped Classical. Appears on aerial between 1956 and 1961.</p> <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>
83 Telegraph Road	C	D	<p>New build. Not in keeping with area.</p> <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Detracting.</p>
87 Telegraph Road	C	C	<p>1950s – 1956 to 1961 aerial; intact.</p>  <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>
89 Telegraph Road	C	C	<p>1960s - 1956 to 1961 aerial. Neat blonde brick with broad chimney; intact</p> <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p> 




Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
91 Telegraph Road	N	N	<p>Appears between 1956 and 1961 aerial</p>  <p>Boundaries of HCA proposed to be realigned on southern side to exclude from nos. 69 to 91 Telegraph Road.</p>


Telegraph Road – Northern side



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
100A Mona Vale Rd	N	N	<p>Tennis court associated with 86 Telegraph Road.</p> <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
86 Telegraph Road	C	N	<p>Battle-axe house; not visible from street; not on 1943 aerial; seems to appear between 1970 & 1972 aerial.</p> <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
84 Telegraph Road	N	N	Heavily modified 1960s? dwelling house


			 <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
80 Telegraph Road	N	N	<p>Application for demolition of existing structures and construct 10 town-houses for seniors (SEPP Housing for Seniors or People with a Disability) with basement parking, landscaping and associated works refused 9 November 2017 – subject to LEC appeal</p>  <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
76 Telegraph Road	C	C	<p>Late 1950s early 1960s</p> <p>Application to demolish existing structures and construct 10 town-houses for seniors (SEPP Housing for Seniors or People with a Disability) with basement parking, landscaping and associated works - Integrated Development (NSW Rural Fire Service under the RFS Act 1997) refused by Council November 2017, currently subject to LEC appeal.</p> 



			Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.
74 Telegraph Road	C	N	<p>Appears between 1961-68</p> <p>Battle-axe property cannot be seen from street. Appears 1961 on aerial – modification approved including sunroom. Has been rendered and painted.</p> <p>Amend rating to Neutral.</p>  <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
72 Telegraph Road	N	N	<p>1970s?</p>  <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
70 Telegraph Road	C	N	<p>Inter-war dwelling visible on 1943 aerial but with large, unsympathetic dormer to front façade.</p> <p>Amend rating to Neutral.</p>

			 <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
68 Telegraph Road	C	N	<p>Not on 1943 aerial – age interminable, garage forward of front building alignment. Amend rating to Neutral.</p>  <p>Boundaries of HCA proposed to be realigned on northern side to exclude from nos. 68 to 100A Telegraph Road.</p>
66 Telegraph Road	C	C Item (I650)	<p>“Ballinlough” dwelling house</p>  <p>Lovely Georgian revival two storey dwelling house. This property is a heritage item within the KLEP 2015.</p> <p>Proposed end of revised HCA northern</p>



			boundary at Mona Vale end.
62 Telegraph Road	C	C	Corner block, large lot, "Hightrees", substantial inter-war dwelling house with modifications.
62A Telegraph Road	C	C	Building present 1943 appears to be a single storey inter-war dwelling house with modifications to rear.
60 Telegraph Road	C	C	Inter war two storey dwelling house, face brick intact
58 Telegraph Road	C	C	Federation house with additions (including dormer with balcony) and garage integrated into original structure dormer however it does not completely dominate the old structure which has retained its face brick and chimney.
58A Telegraph Road	C	N	<p>Heavily modified building – post war construction. Appears in 1970 aerial. Not from key development period and not visible from street.</p>  <p>Amend rating to Neutral.</p>
56A Telegraph Road	D	D	<p>Vacant lot 1943, building appears between 1961 and 1968 but it different to the current building which appears to be approved in the 1990s. Land subdivided in 1960s.</p> <p>Not proposed for inclusion in new proposed HCA boundary.</p>
56C Telegraph Road	D	D	<p>1990s construction. Lot created in the 1960s along with 56A Telegraph Road.</p> <p>Not proposed for inclusion in new proposed HCA boundary.</p>

56B Telegraph Road	C	N	<p>Building is not present on 1943 aerial. Appears around 1972. Not visible from the street and not from a key development period.</p> <p>Amend rating to Neutral.</p>
56 Telegraph Road	C	N	<p>Not possible to determine details about this property. It is not visible from the street. Appears to have had modifications approved and is unlikely to be in original condition.</p> <p>Amend rating of this property to Neutral.</p>
54A Telegraph Road	C	C	Two storey face brick Inter War dwelling house – appears substantially intact
54 Telegraph Road	C	C	Post 1943 Inter War dwelling house – open sided carport to right hand side of dwelling
52 Telegraph Road	C	C Item (I647)	“Eastbourne” dwelling house
50 Telegraph Road	C	N	<p>New build - French provincial chateau style.</p>  <p>Amend rating to Neutral.</p>
48 Telegraph Road	C	N	<p>Single storey inter-war dwelling house with lovely sandstone front fence/retaining wall, unfortunately an over scaled front dormer and internal garage to building façade reducing the rating to Neutral.</p> 

			Amend rating to Neutral.
17 Lindsay Close	C	N	1943 aerial photo shows that this site was once associated with “Bushlands” at 46 Telegraph Road. Therefore, it is recommended it be retained within the heritage conservation area but be given a Neutral rating.
46 Telegraph Road	C	C	Battle-axe with very long access handle, not visible from street. 1930s construction ‘Bushlands’ which has undergone modification. However, the building is from a key development period and retains some features of its original construction including curved verandah and single storey form.
44 Telegraph Road	C	N	<p>C 1988 construction. Not from key development period.</p>  <p>Amend rating to Neutral.</p>
42 Telegraph Road	C	C Item (I643)	“Belle Maison” dwelling house
40 Telegraph Road	C	C Item (I642)	“Claremont” dwelling house
38 Telegraph Road	C	C Item (I641)	Federation arts and crafts dwelling house
36 Telegraph Road	N	N	New build, predominantly seen from Station Street as located on a corner lot.
34 Telegraph Road	D	N	Most likely modest inter-war dwelling which has undergone modification including rendered and painted façade making its age hard to accurately determine.

			 <p>However form is predominantly intact and it is not considered to be a detracting element from the streetscape.</p> <p>Amend rating to Neutral.</p>
32 Telegraph Road	D	N	<p>Different building from that shown on 1943 aerial, most likely a 1960s single storey brick house which has been modified with a rendered and painted façade incorporating smooth sandstone tiles to main external façade.</p>  <p>The form of the building is predominantly intact. It is not considered to be a detracting element within the streetscape.</p> <p>Amend rating to Neutral.</p>

30 Telegraph Road	D	C	<p>Federation cottage with painted façade. Carport has been erected to the left front hand side adjacent to front building alignment. However, it is an open carport and does not completely obscure the building façade. Building is considered contributory to the HCA as it is a reasonable intact Federation cottage which retains its original form and some features including roughcast façade, chimneys and gables roof form.</p> <p>Amend rating to Contributory.</p> 
28 Telegraph Road	C	C	Very modest weatherboard dwelling house with no off street parking. Visible on 1943 Aerial. Minor alterations and additions approved late 2017.
26 Telegraph Road	C	C Item (I637)	Dwelling House
24 Telegraph Road	C	C Item (I636)	Dwelling House
22 Telegraph Road	N	N	New infill faux Victorian two storey house mainly addressing Coleridge Street therefore not overly visible to Telegraph Road
20 Telegraph Road	N	N	C.1970s infill
18 Telegraph Road	C	C	Lovely single storey inter war cottage featuring low brick and timber front fence and central entranceway.
16 Telegraph Road	D	D	Very unsympathetic addition completely and irreversibly obscuring original built form of original liver brick Californian bungalow.

14 Telegraph Road	C	C	On 43 aerial. New garage at the front but does not completely obscure the building façade.
12 Telegraph Road	C	N	<p>Unsympathetic additions including garage forward of front building alignment. Original form of building hard to discern.</p>  <p>Amend rating to Neutral.</p>
10 Telegraph Road	C	C	Cottage visible on 1943 aerial, likely late Federation cottage which has been painted featuring bay windows, gabled façade and prominent chimneys.
8 Telegraph Road	C	N	<p>Between 1961-68 house on 1943 aerial was altered, possibly a new build.</p>  <p>Amend rating to Neutral.</p>
4 Telegraph Road	C	C Item (I635)	"Merrivale" dwelling house
2A Telegraph Road	C	C Item (I654)	St Swithuns Anglican Church
2 Telegraph Road	C	C	Appear on 1943 aerial. No applications evident.
2B & 2C Telegraph Road	C	C Item (I655)	Sydney Water Reservoir - Pymble

**LANOSA ESTATE DRAFT HERITAGE CONSERVATION
AREA (C45)**

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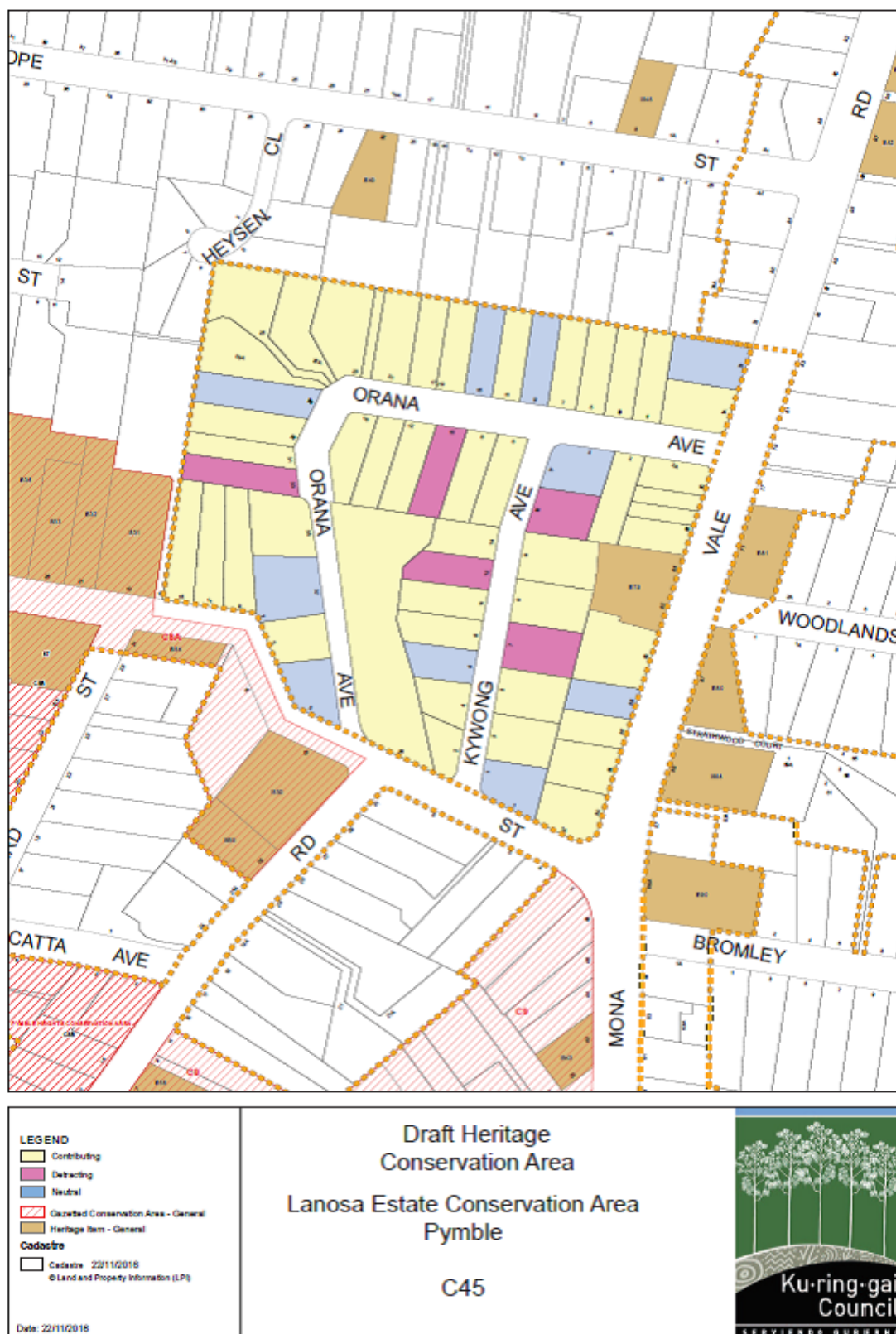
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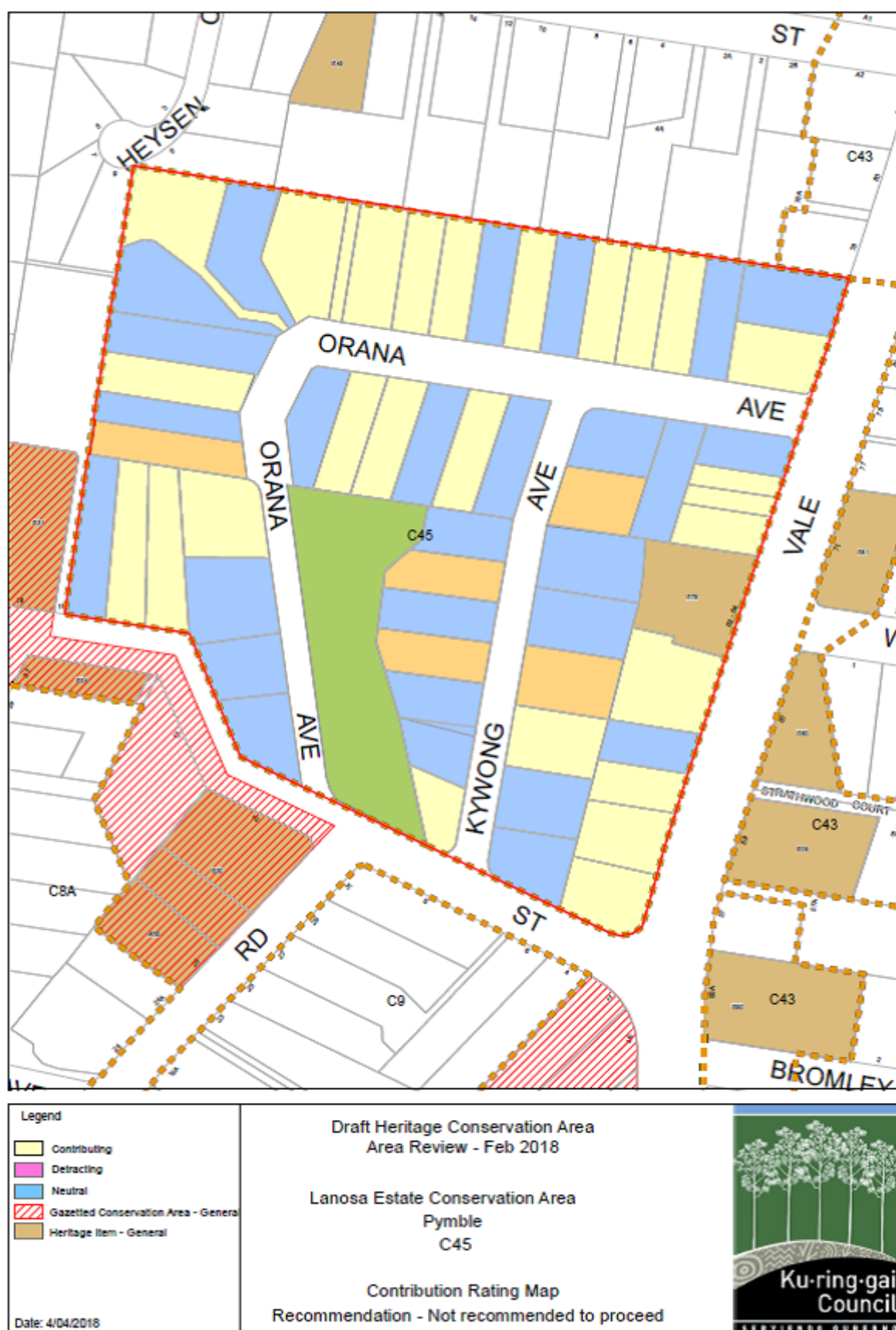
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1. Maps

1.1 Exhibited ratings map for draft Lanosa Estate HCA



1.2 Revised ratings map for draft Lanosa Estate HCA



2. Comment

The proposed Lanosa Estate HCA includes 55 properties (excluding Orana Reserve) located on Orana and Kywong Avenue, Mona Vale Road and Church Street, Pymble.

The area was identified for listing as a Heritage Conservation Area by Sue Jackson-Stepowski in 2012. The statement of significance prepared to support the listing states:

'The historical layers of European history are displayed in the current subdivision which does not follow a designed plan of streets or the geographical contours, but was dictated by the existing location of Stoney Creek Road (Mona Vale Road) and the boundaries of McKeown's orchard and Roseville Estate subdivision'...[the HCA] is built predominantly Inter-War and immediate post war houses which provide consistency of style, scale and materials...'

As part of the public exhibition process, objections were received from 23 properties (or 42% of all properties) and a group submission was received from on behalf of 'Friends of Orana and Kywong' resident action group representing 15 properties in draft HCA (which included properties who also lodged an individual submission). No submissions were received directly in support of the draft Lanosa HCA. This level of opposition is considered to be high and indicate an overall lack of support for the proposal within the affected area.

Submissions raised a number of issues including general disagreement to the assessed heritage values of the area; concerns about future limitation to making changes to properties; the evidence of unsympathetic changes within the area; and potential impacts on property and land values.

Council officers met with objectors on site on 9 January 2018 to inspect the area in further detail. Council was also provided with further detailed of an original objection at this meeting.

Following the public exhibition process and site visit, the rating of each property within the draft HAC was reconsidered. The assessment of each property is included below.

The reassessment process has identified that many properties have undergone significant change over time and no longer present in their original forms or retain their original fabric. Consequently, the rating of these properties has generally been reduced to Neutral. Common examples of alterations include rendering and painting of face brick buildings, introduction of dormers into a building's primary front elevation, and introduction of second storeys to originally single storey dwellings. For example, the impacts of rendering and painting of original face brick facades can be seen in comparing properties located at 9 Kywong Avenue and those at 1 and 2 Orana Avenue as follows:



Image 1: 9 Kywong Avenue retains its original face brick façade and original windows; modifications include replacement balustrades



Image 2: Rendered and painted building facades at 1 and 2 Orana Avenue, respectively.

Brick elements comprised a major design element of inter-war buildings, which were largely devoid of excessive embellishment evident in prior building styles. The loss of this original design component impacts significantly on the ability of these buildings' design styles to be legibly read and understood. As a consequence, it is considered the alterations of these properties in this manner are deemed to reduce their rating to neutral.

Investigations have identified two additional properties for future further research, being Nos. 12 and 23 Orana Avenue.

The streets contained within the draft HCA generally contain a mix of Inter-War and Post War dwellings. The streets slope significantly from a high point at Mona Vale Road. The area is generally well landscaped with mature trees dominating the public and private domain.



Image 3: Looking upwards towards Monavale Road from Orana Avenue

A large reserve of remnant bushland located on Orana Avenue which is under the control and management of Council.



Image 4: Looking north along Orana Avenue opposite Orana Reserve

The streets contain a mix of building styles, forms and building materials. Inter-war building styles dominate but there are also examples of 1950s and 1960s dwellings, as well as more recent project home developments. Whilst there is some commonality in common building materials (ie extensive use of brick, sandstone retaining walls and paths, and terracotta roof tiles) the streets do not retain a cohesive pattern or style. While this is a reflection of the area's historical development over time, is not considered to be sufficiently significant to warrant the imposition of a Heritage Conservation Area in this location.

Cumulatively, the abovementioned attributes create a pleasing visual streetscape. However, as noted previously, many of the buildings have undergone significant and irreversible

changes which have impacted on their heritage values. Whilst some fine examples remain intact (notably 3, 5, 11, 12, 23 Orana Avenue; 9 Kywong; 11 Church Street; 50 Mona Vale Road) the level of change within the area has resulted in a lack of integrity and a HCA cannot be justified for the area.

The image below shows extant structure in 1943. The properties shaded yellow have been either demolished or significantly changed since this date. This image clearly demonstrates the rate of change which has occurred within this area since 1943. Whilst a small group remains along Orana Avenue, the lots which were vacant in 1943 have been developed since this time and the infill buildings are not, in most cases, sympathetic to the values of the original adjoining structures.



Image 6: 1943 aerial of the area of the draft Lanosa HCA, with the properties highlighted yellow either significantly altered or demolished.

Accordingly, it is recommended that Council not proceed with the draft Lanosa Estate HCA. It is further recommended that Council investigate Nos. 12 and 23 Orana Avenue at a time when funding and resources are available.

3. Submissions Table

No.	Issue/Concern	Comment
1.	<p>Strongly object to draft HCA and property's inclusion within draft HCA.</p> <p>Consider this to be unreasonable administrative action.</p> <p>Heritage value is not substantiated, report has omissions and has identified certain properties to validate claims. No credentials of author given.</p> <p>Report is inconsistent as claims the area is well preserved but notes road widening and significant development. Refute notion Mona Vale Road is a unique landscape with heritage values, no streetscape value remains following road widenings in 1970s and impacts of clearway.</p> <p>Many properties have been altered including second storeys, garages and rendering. Rather the streetscape is eclectic and inconsistent. Property (60 Mona Vale Road) rated as contributory but should be neutral due to changes.</p> <p>Will have impacts on property values, legal rights and ability to make changes to home which has not been communicated effectively to residents.</p> <p>Process is a land grabbing exercise by Council. Current planning controls are sufficient.</p> <p>Concerns about the lack focus of the exhibition material on property owners' rights and restrictions.</p> <p>Many of the affected buildings are very old and Council has not undertaken an assessment of their structural integrity.</p>	<p>Objection noted.</p> <p>The study recommending the HCA was prepared by Sue Jackson-Stepowski and Carste Studios. Both are well known and qualified heritage professionals.</p> <p>It is noted that Mona Vale Road has undergone significant widening over time and agreed this has impacted on its amenity and aesthetic values.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The proposal does not propose Council obtain or acquire land within the draft HCA. The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits.</p>

No.	Issue/Concern	Comment
	This submission is made on behalf of 10 properties in the proposed HCA.	The imposition of an HCA will ensure that applications of this nature are determined by Council.
2.	<p>Strongly object to draft HCA and property's inclusion within draft HCA.</p> <p>Member of 'Friends of Orana and Kywong' resident action group and support submission on behalf of group.</p> <p>Property (17-19 Orana Avenue) should not be considered contributory as it has no street presence due to high fence and hedges, has an approved tennis court in front yard which has resulted in loss of original garden and landscaping, neighbouring property rated as detracting which negatively impacts this property, presence of Leyland Cypress hedge length of driveway which is inconsistent with the HCA.</p> <p>Proposal will impact on value of property.</p> <p>Request property be rated detracting.</p>	<p>Objection noted.</p> <p>It is agreed that views of 17-19 Orana Avenue from the public domain are currently obscured by a large hedge. It also contains a tennis court within its front setback. However, the tennis court does not obscure the building from the street and the hedge is not a permanent structure. Regardless, it is not recommended that this draft HCA proceed.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The subject property has been reviewed and it is recommended that the Contributory rating is appropriate. However, on balance, the recommendation is for this draft HCA not to proceed.</p>
03.	<p>Claims about the predominant types of building in area could be said for many other areas also and therefore area has no unique heritage elements of scale or material requiring protection. Disagree that a consistency of style can be identified within area and many properties have been altered.</p> <p>Area presents a mix of buildings representing its ongoing development and change over time which should be allowed to continue into the future rather than halted.</p> <p>Dispute the historical association of property (25 Orana Avenue) with original applicant for the subdivision. Reference to area's former rural use seems meaningless in its current context as a</p>	<p>It is agreed that the area represents a range of building styles. It is also agreed that the area does not express much consistency of style and many of the buildings have been altered. Accordingly, the recommendation is for this draft HCA not to proceed.</p> <p>Council owns and manages the public domain elements of the streets, pathways and verges. It also owns and manages Orana Reserve.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p>

No.	Issue/Concern	Comment
	<p>residential area.</p> <p>HCA will not preserve the landscape setting of the area as much of this is already owned by Council or already protected via Council's tree preservation order.</p> <p>Dispute notion that HCA will not impact negatively on property values and more information on this should be made available.</p>	
4.	<p>Object to HCA.</p> <p>Cannot understand on what basis HCA status can be justified given pretty much every home has been altered in some way or is a relatively new building.</p>	<p>Objection noted.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
5.	<p>Little or no historical or heritage significance in the proposed area or the majority of the homes, with many being of modern appearance and some, including ours having been rendered.</p>	<p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
6.	<p>Strongly object to proposal as house (6 Kywong Avenue) was rebuild for 2nd floor in 1990, many properties in street are new constructions, there are no listed heritage items in the street, and property is described as "neutral".</p>	<p>Objection noted.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>

No.	Issue/Concern	Comment
7.	<p>Object to HCA.</p> <p>There are no heritage listed items on Kywong Avenue.</p> <p>Property (8 Kywong Avenue) is incorrectly rated as "contributory" when the Planning Proposal acknowledges that 8 Kywong is "new" and built in the 1990s</p> <p>Barely 50% of Kywong Avenue can be regarded as "contributory" and many properties on the street have already undergone significant modification and necessary modernisation.</p> <p>In the case of Kywong and Orana Avenues, aesthetic significance has been attributed to the lack of kerbs and guttering which is not unique or historically significant. The "riparian landscape" referred to in the planning proposal is the "nature reserve" between Kywong and Orana Avenues and is owned and maintained by the council.</p> <p>Question literature on impacts on property value and are concerned about the unforeseen risks, costs, restrictions and obligations that would be imposed by a HCA designation.</p>	<p>Agreed there is currently no listed Heritage Items on Kywong Avenue.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p> <p>Council owns and manages the public domain elements of the streets, pathways and verges. It also owns and manages Orana Reserve.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>A re-assessment of each property has been undertaken and a rating of Detracting has been applied to 8 Kywong Avenue.</p>
8.	<p>Members of the "Friends of Orana and Kywong" group and support the submission lodged on behalf of group.</p> <p>Question claimed consistency of area due to the overwhelming majority of the houses on Orana (and Kywong) having undergone significant renovation to the facade and surrounds.</p> <p>We object to the "contributory" label that has been given to property (2 Orana Avenue) due to several renovations including a second level extension, rendering and other external changes. House should be viewed in same way</p>	<p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p> <p>It is agreed that 2 Orana Avenue should not be rated Contributory due to modifications including rendering. The recommended rating for the property has been amended to Neutral.</p>

No.	Issue/Concern	Comment
	<p>as Nos. 4 & 9 Orana Avenue which are rated neutral.</p> <p>Request that Orana and Kywong avenue be removed from the proposed HCA map and request that the classification of property be amended to neutral.</p>	<p>Regardless, it is not recommended that the draft HCA proceed.</p>
9.	<p>Members of the "Friends of Orana and Kywong" group and support the submission lodged on behalf of group.</p> <p>Object to property (16 Orana Avenue) bring rated as contributory as it has been significantly altered and should be neutral, and many other buildings are incorrectly rated.</p> <p>Description of lack of curbing as a riparian landscape is misleading and more a reflection of Council overlooking maintenance.</p>	<p>Objection noted.</p> <p>Agreed that 16 Orana Avenue should not be considered to be Contributory to the area due to extensive modifications. The recommended rating has been amended to Neutral.</p> <p>Regardless, it is not recommended that the draft HCA proceed.</p>
10.	<p>Object to the HCA and especially inclusion of property (23A Orana Avenue) as the house we built ourselves only 40 odd years ago based on a draughtsman's view of what an Australian colonial home may have looked like and constructed with modern bricks bearing no resemblance to the originals and confused this could be considered contributory.</p> <p>House was designed to accommodate an extension on the second story for more bedrooms which could be an issue if the area becomes a HCA.</p> <p>At the very least the residents should be afforded a second opinion. Social impacts of proposal also need to be considered.</p>	<p>Objection noted.</p> <p>Agreed that 23A Orana Avenue should not be considered a Contributory building within the area. The recommended rating for this property has been amended to Neutral.</p> <p>Regardless, it is not recommended that the draft HCA proceed.</p>

No.	Issue/Concern	Comment
11.	<p>Disappointed with the council proposal for the HCA and object. It is unnecessary restrictions on what residents can do with their properties which are going to effect and decrease the value of these properties. Aware what happened when council put unnecessary restriction to others and value of their property falls sharply.</p> <p>If it is required I can give more details. Many houses in Orana Avenue have additions or second storeys. These modifications have diminished the heritage significance of the property and surrounding area.</p> <p>We would appreciate council not to ignore our objection and not wasting taxpayers' money on this matter.</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
12.	<p>Do not believe that this proposal is the solution of this issue and We do not see any benefit of having area changed to HCA.</p> <p>This change will have various negative impacts on our property and the area, particularly, the land value which will need to be compensated by Council.</p> <p>As home owners and rate payers, have, want and need the right and ability to improve our home or property value and saleability, without having those further restrictions and rules.</p> <p>A lot of the houses in the area had been extensively renovated or modified, or are new buildings as identified by Paul Davies Pty Ltd in 2010.</p> <p>There are already 21 HCAs, including three in Pymble so don't see the benefit of declaring another HCA.</p> <p>The reasons provided by the council are not sufficient and object to the HCA proposal in our area.</p>	<p>See main body of Council report for discussion on impacts of heritage listing on property values. Council is not obliged to compensate property owners should property values be affected by heritage listing.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>

No.	Issue/Concern	Comment
13.	<p>Disappointed Council has failed to properly consider objections from 2014. Disagree property values will not be affected.</p> <p>The name "Lanosa Estate" is misleading and means nothing in the development of the area. The houses fronting Mona Vale do not form a natural grouping with the houses in Orana and Kywong Avenues (which are on the floor of a valley) as they are perched on the top of a hill and face away from Orana and Kywong Avenues and should not be included as the original parcel of land was owned by William McKeown, was extensive and covered both side of Mona Vale Road as well as beyond on both sides.</p> <p>A more logical place to locate these properties in Mona Vale Rd would be to include them in the proposed Mona Vale Road Conservation Area C43.</p> <p>The houses fronting Church Street, numbers 3-15, are sited up the hill from Orana Avenue and have nothing geographically to do with Orana Avenue. There is an existing heritage listing for Church Street which starts almost adjacent to 15 Church Street. This is where these houses in Church Street should be heritage listed, if at all.</p> <p>Paul Davies concluded in 2010 that area did not have sufficient merit to justify an HCA. There are already 21 HCAs in the municipality, including 3 in Pymble. Why are building ratings different for different consultants?</p> <p>No evidence provided to the consultant's assertion that the land was originally used for orchards.</p> <p>Orana park should not be considered contributory as it is not a building and is already under the control of Council.</p>	<p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>There is a historical relationship between properties on Mona Vale Road and the Kywong and Orana Avenue area, being the existing location of Mona Vale Road (then known as Stoney Creek Road) and the boundaries of William McKeown's orchard.</p> <p>The purpose of a Heritage Conservation Area is to protect areas expressing heritage significance via a process of assessment. The fact that Church Street is geographically separate from Orana and Kywong Avenue is not, in itself, a reason not to include it. Further, attributes other than buildings can form part of the significance of HCAs including parks, views and vistas, landscaping and public domains elements.</p> <p>A re-rating of all properties within draft HCA has been undertaken. It is recommended that the rating of Contributory for the Orana Reserve be retained. Regardless, it is not recommended that the draft HCA proceed.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>

No.	Issue/Concern	Comment
	<p>Objection to a reason for the HCA being its demonstration of the development of new construction methods that used split levels and suspended slabs as this could apply in any sloping areas.</p> <p>There has been significant development since the Second World War which has changed the character of this area adversely.</p> <p>Additional information provided as part of an on-site visit between Council and objectors on 9 January 2018.</p>	
14.	<p>Object to this proposal.</p> <p>The houses opposite us are not classified as HCA, which means we could potentially have multi-storey developments looking down on us.</p> <p>Will impose unnecessary restrictions on what we can do with the property – especially since our property is classified as “neutral”.</p> <p>Potential decrease in property values due to uncertainty and restrictions on the possible improvements allowed.</p> <p>Supports submission No. 1</p>	<p>Objection noted.</p> <p>The type and size of residential buildings is predominantly determined by land use zoning and building height and floor space ratio controls.</p> <p>Property owners can still seek to modify properties in accordance with Council’s planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p>
15.	Supports submission No. 1	Noted.
16.	Objects to proposal	Objection noted.
17.	<p>Oppose the inclusion of our property in the proposed HCA.</p> <p>There are no heritage listed items on Kywong Avenue.</p> <p>Properties on the street have already undergone significant modification and</p>	<p>Agreed there is currently no listed Heritage Items on Kywong Avenue.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded</p>

No.	Issue/Concern	Comment
	<p>necessary modernisation.</p> <p>It is acknowledged that property (14 Kywong) is "new" and built in the 1988. It has no characteristic of heritage features.</p>	<p>that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
18.	<p>Support submission No. 1</p> <p>Appalled that such a proposition, which has the potential to adversely affect property owners, should even be contemplated.</p> <p>Recent changes to 62 Mona Vale Road result in it bearing no similarity to the original property, either externally or internally.</p> <p>For Council to then place HCA restrictions on surrounding properties, all of which conform to the landscape, is the height of hypocrisy.</p> <p>We would like to think Council will take a more responsible and sympathetic approach in not proceeding with proposed HCA listing.</p>	<p>Noted.</p> <p>Approval was granted in 2014 by the Land and Environment Court for the use of 62-64 Mona Vale Road as a childcare centre and associated works including car parking.</p> <p>The recommendation is not to proceed with the draft HCA.</p>
19.	<p>Support submission No. 1</p>	<p>Noted.</p>
20.	<p>Submission on behalf of 'Friends of Orana and Kywong' resident action group representing 15 properties in draft HCA.</p> <p>Object to the proposal</p> <p>Area has no relationship to "Lanosa" at 62 Mona Vale Road. Orana/Kywong Ave have no relationship to Church Street or Mona Vale Road.</p> <p>Landscape of area is not unique and it already protected by tree preservation orders.</p> <p>Many properties in area have been altered and no longer contribute to the streetscape which is eclectic and inconsistent. Lack of kerb and gutter</p>	<p>Objection noted.</p> <p>There is a historical relationship between properties on Mona Vale Road and the Kywong and Orana Avenue area, being the existing location of Mona Vale Road (then known as Stoney Creek Road) and the boundaries of William McKeown's orchard.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA</p>

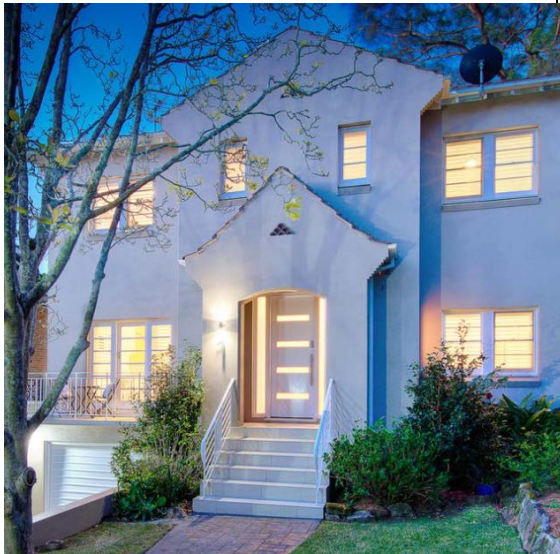
No.	Issue/Concern	Comment
	<p>does not contribute to heritage values.</p> <p>Object to contributory rating for buildings which have undergone change.</p> <p>Refute idea that property values will not be impacted. Concerns over legal rights, ability to make changes to properties and in communication material as part of exhibition.</p> <p>Inconsistency exists between various heritage assessments.</p> <p>Existing planning controls are sufficient. Inspection necessary to adequately determine significance of area.</p>	<p>proceed.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature are determined by Council.</p> <p>A site inspection was held between Council and objectors on 9 January 2018.</p>
21.	Support submission No. 1	Noted.
22.	<p>Reject property (2 Orana) rating as contributing.</p> <p>House has been given a modern makeover in the past 2 years. House is rendered, warm olive green painted on exterior. Dated features are covered by downpipe.</p> <p>All heritage value has been lost since the renovation.</p>	<p>It is agreed that 2 Orana Avenue should not be rated Contributory due to modifications including rendering. The recommended rating for the property has been amended to Neutral. Regardless, it is not recommended that the draft HCA proceed.</p>


4. Rating Table


Kywong Ave and Orana Ave HCA – Initial SJS assessment; December 2017 reassessment



Rating: N – Neutral, C – Contributory, D – Detracting, Item – Existing Heritage Item


RATING (revised boundary)	SJS 2012	2018
Contributory	40 (73%)	25 (45.5%)
Neutral	10 (18%)	25 (45.5%)
Detracting	5 (9%)	5 (9%)
TOTAL	55 (excluding Orana Reserve)	55 (excluding Orana Reserve)



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
1 Orana Ave	C	N	<p>Rendered façade, unlikely to be reversed, extended to rear. Due to render and painting this building has lost much of its original integrity.</p> 



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			Amend rating to Neutral.
2 Orana Ave	C	N	<p>Rendered façade, not on 43 aerial but in existence by 1951 aerial. Due to render and painting this building has lost much of its original integrity.</p>  <p>Amend rating to Neutral.</p>
3 Orana Ave	C	C	Interesting inter war two storey dwelling house – appears to have had few modifications over time; appears between 1943 and 1951; original stepped sandstone front and side retaining wall
4 Orana Ave	N	N	Modified inter war single storey dwelling, oversized dormers to façade; built between 1943 and 1951.
5 Orana Ave	C	C	Open carport forward of front building alignment; original front stepped sandstone retaining wall and sandstone garden edging. Retains original form and carport is open so does not completely obscure façade.
6 Orana Ave	C	N	New roof (and dormers) since 1943



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			<p>aerial</p> <p>Six new dormers (including 3 to façade) but retains an interesting and prominent protruding original sunroom. However too modified to be contributory.</p>  <p>Amend rating to Neutral.</p>
7 Orana Ave	C	C	Inter war single storey; pre 1943; online real estate photos showing interesting sandstone features to rear garden as well as driveway and front garden; original front stepped sandstone retaining wall. Enclosed from verandah but reversible.
8 Orana Ave	C	C	Pre 1943 intact inter war 2 storey dwelling house, seems predominantly intact.
9 Orana Ave	N	N	Newer build, maybe 1970s/80s
10 Orana Ave	D	N	Oversized dormer to façade and carport forward of front building alignment



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
11 Orana Ave	C	C	Intact inter war two storey dwelling house; pre 1943; lovely curved front sandstone retaining wall; generous front setback
12 Orana Ave	C	C	<p>Interesting inter war (Mediterranean?) single storey dwelling house “La Dauphine” located on 2 lots – on a relatively old DP</p> 
15 Orana Ave	N	N	1970s/1980s construction?
16 Orana Ave	C	N	Very heavily modified inter war dwelling house – large, highly visible second storey addition has changed the character of this house. 2003 additions



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
17-19 Orana Ave	C	C	Not highly visible from street due to foliage but if this were removed it would be able to be seen – tennis court in front of building – despite this the building façade seems intact and therefore still considered to contribute to the streetscape; interesting front sandstone retaining wall to street.
21 Orana Ave	C	C	Inter war dwelling house, façade appears largely intact, rear modifications, generous front setback, stepped sandstone front retaining wall
23 Orana Ave	C	C	Lovely inter war dwelling house in garden setting, stepped sandstone front retaining wall.


Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			
23A Orana Ave	C	N	<p>Newer building, possibly 1980s</p>  <p>Amend rating to Neutral.</p>
25 Orana Ave	C	C	Extant on 1943 aerial but only accessible via a very long driveway – not visible from public domain. Cannot verify property on site.
25A Orana Ave	C	N	c.1962. Rendered and painted.



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
27 Orana Ave	N	N	Property not visible from street. Maybe modified property evident on 1943 aerial.
29 Orana Ave	C	C	Evident on 1943 aerial, no significant modifications on file.
31 Orana Ave	C	N	<p>Heavily modified 1920s? cottage, painted façade, large dormer to façade and garage incorporated into building façade.</p>  <p>Amend rating to Neutral.</p>


Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
33 Orana Ave	D	D	 <p>Likely a heavily modified inter-war house with domineering addition.</p>
35 Orana Ave	C	C	On 1943 aerial, modified. Minor alterations to rear approved 1999.
37 Orana Ave	N	N	Not visible from street (aka 7 Church Street). Modifications approved 2007.
5 Church St	C	N	<p>Not on 1943 aerial; boundary between 5 and 3 Church Street appears to have realigned over time.</p> <p>Rendered façade, too altered to be considered Contributory.</p>  <p>Amend rating to Neutral.</p>
3 Church St	N	N	New building, not same as on 1943

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			aerial.
1 Kywong St	N	N	Modified, appears between 1943 and 1951.
2 Kywong St	C	C	50s/60s, intact
3 Kywong St	C	N	<p>Rendered functionalist inter-war, two storey, not original windows</p>  <p>Amend rating to Neutral.</p>
4 Kywong St	C	N	<p>C1950s/60s single storey brick, now rendered. Therefore, recommend amending rating to Neutral.</p> 

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
5 Kywong St	C	C	 <p>Interesting house, amended originally single storey.</p>
6 Kywong St	N	N	Amended inter-war house with mansard roof addition and dormers
7 Kywong St	D	D	Likely newer build
8 Kywong St	C	D	<p>New (BA 89/01947) – construct early 90s</p>  <p>Dominant front garage</p>
9 Kywong St	C	C	Interwar two storey dwelling house, face brick intact, likely original windows. Later

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			balustrades and addition above garage.
10 Kywong St	C	N	<p>Second storey addition. Single storey in 43 aerial.</p> <p>BA 82/02179 – Alterations (around 1983)</p> <p>BA 84/00978A</p> <p>“Garden Studio” 1984</p> 
11 Kywong St	C	C	Interwar dwelling house on high side of street, face brick intact, curved bay window to front façade, likely original built in garage
12 Kywong St	D	D	Newer build, very prominent garage
14 Kywong St	C	N	New double garage at front, new second storey, new windows and openings. Amend rating to Neutral.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			
15 Kywong St	D	D	Heavily modified either interwar or immediate post war dwelling house
15 Church St	C	N	New 2 storey dwelling plus garage BS97/0422 
11 Church St	C	C	Inter war dwelling house, face brick
9 Church St	C	C	Inter war dwelling house
50 Mona Vale Rd (aka 1A Church	C	C	Inter war Tudor style two storey dwelling house, intact textured? face brick.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
Street			
54 Mona Vale Rd	C	C	Inter war dwelling house, intact face brick.
56 Mona Vale Rd	C	C	1950? Single storey blonde brick, symmetrical façade with rounded columns to central front entrance.
58 Mona Vale Rd	N	N	Post 1943 two storey dwelling house, painted brick façade, modified.
60 Mona Vale Rd	C	C	Red face brick dwelling house on large parcel of land, sloping site, 2 storeys at rear
62-64 Mona Vale Rd	C HI	C Item (I579)	"Lanosa"
66 Mona Vale Rd	C	C	Inter-war dwelling house, interesting roof form
70 Mona Vale Rd (aka 2A Orana Avenue)	C	N	Two storey inter-war dwelling house now painted. Amend rating to Neutral. 
			Amend rating to Neutral.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
1A Orana Ave	C	C	Pre 1943 altered
76 Mona Vale Ave	N	N	Post 1943 build
Orana Reserve	C	Not rated	Council owned remnant bushland

Athol Conservation Area Pymble (C46)

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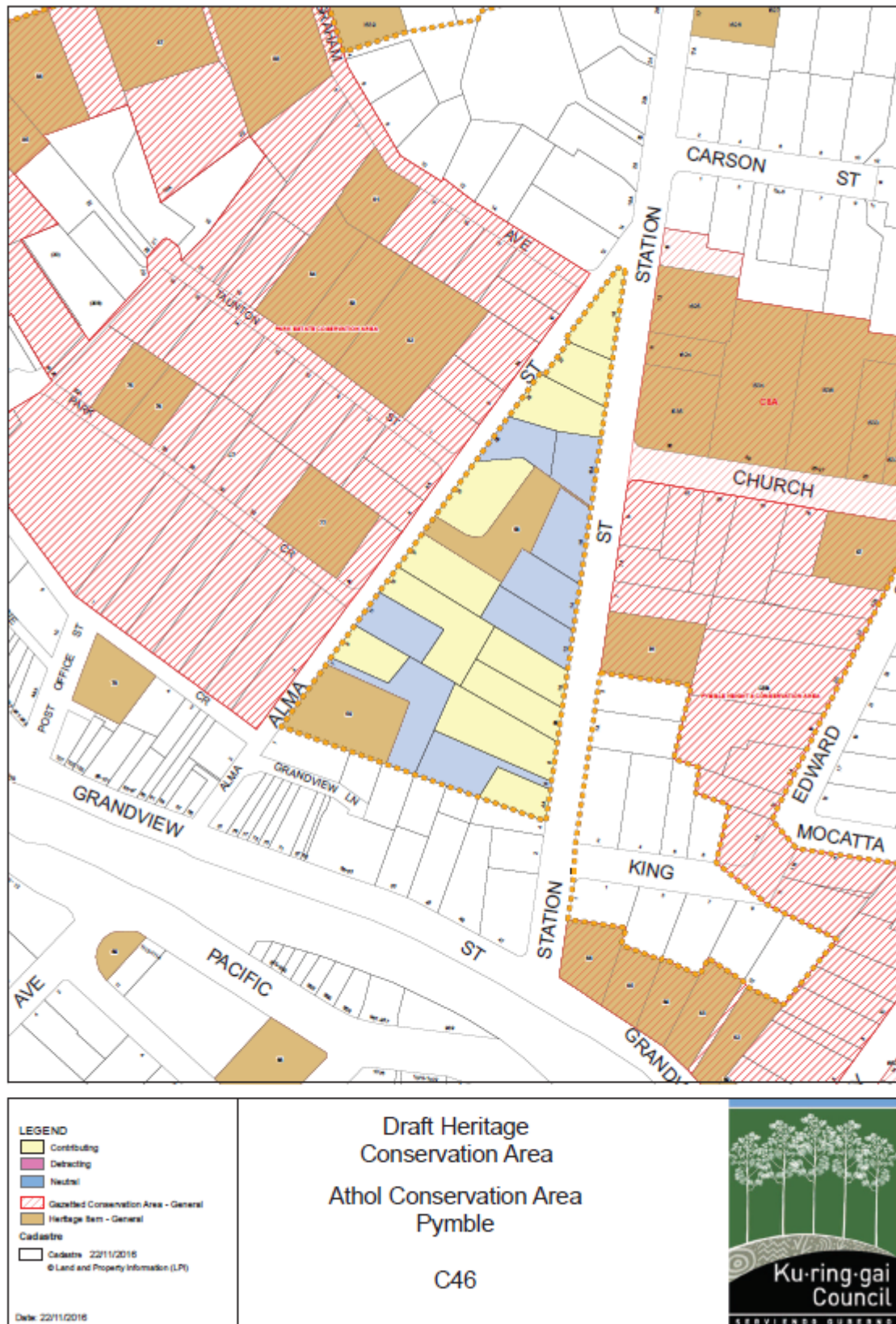
Comments 4

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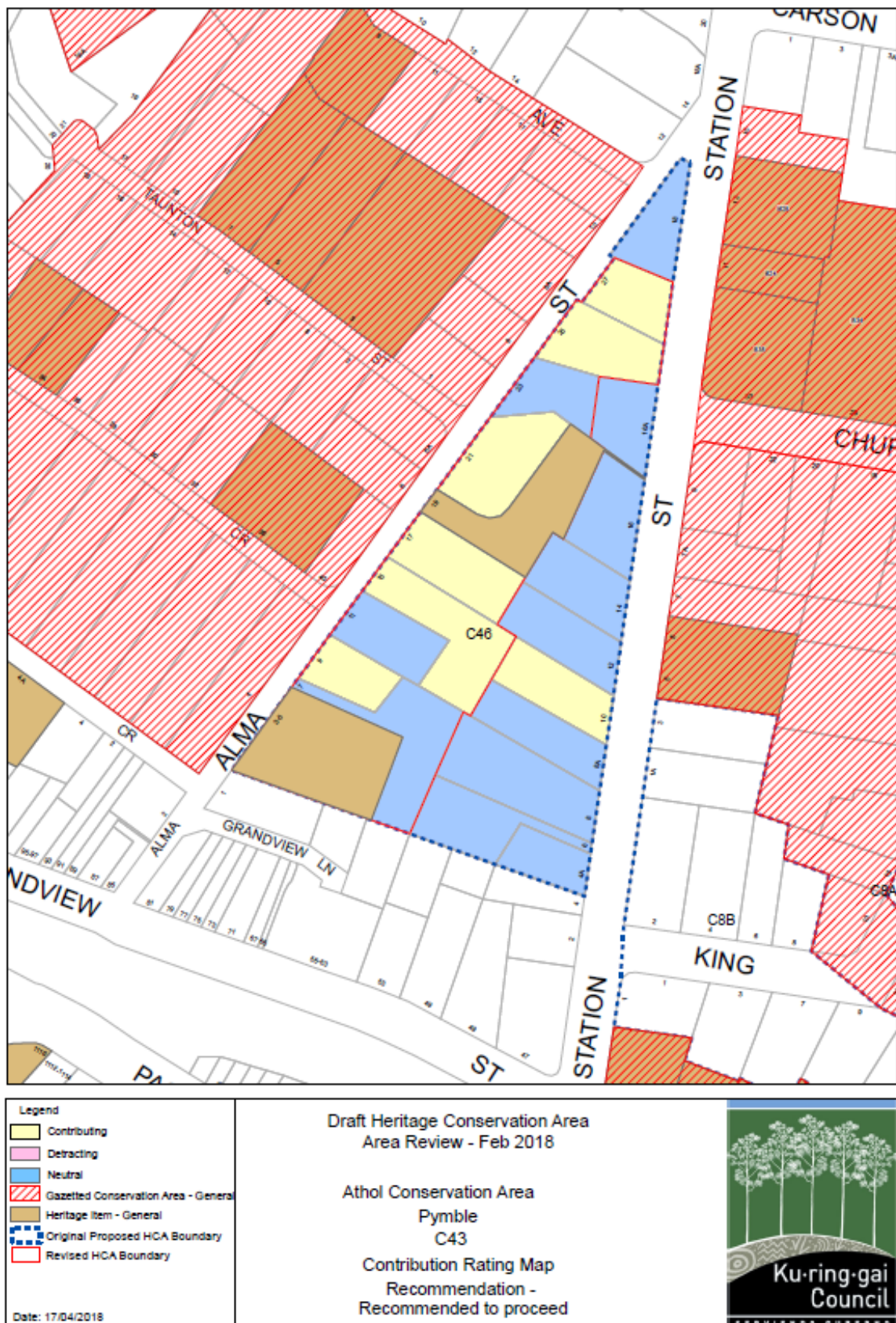
Rating review 7

Maps

1. Exhibited rating map



2. Revised rating map



Comments

The area reviewed is the draft Athol Conservation Area (C46) that includes 21 properties located on Alma Street and Station Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble East Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble East study area is of local historic and aesthetic significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war and Post War periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and subdivisions north of what is now the Pacific Highway and railway corridor.

The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.

As a result of the statutory public exhibition process, 5 objections were received and 1 submission in support.

Issues raised in the submissions included the lack of heritage significance, increased development restrictions and reduced property value. These issues are addressed in the main report.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers.

The Athol Conservation Area is recommended to proceed as an amended and reduced conservation area. Based upon submissions and review of Council held information the rating of four properties in this draft HCA were changed to neutral. The western side of the HCA is recommended to proceed. The houses on this side include the heritage items Athol (19 Athol Street) and Claverton (3-5 Alma Street). The houses date from the 1890s through to the 1950s. The inclusion of the Athol Conservation Area will contribute to the heritage values and the setting of existing Park estate Conservation Area.

The revised statement of significance for the Athol Conservation Area is:

The Athol Conservation Area is of local historic and aesthetic significance retaining streetscapes of quality and mostly intact, representative examples of single detached house from the 1890s through to the 1950s. Residential construction in this area followed the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivisions significantly reflect the early boundary lines of land grants and estate subdivisions. The land is associated with the original land grant owner Robert Pymble and later owner, orchardist, Robert McIntosh. The heritage listed Athol (formerly known as Marlboon) was built in c.1899 for Benjamin Richards. The subdivision of the Athol residence and grounds in 1941 is reflected in much of the current pattern of subdivision. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.

Submission summary table – Athol Conservation Area Pymble (C46)

No	Issue/Concern	Comment
35	Opposed to HCA	Opposition noted.
83	<p>Strongly opposed to HCA.</p> <p>Opposed on following grounds:</p> <ul style="list-style-type: none"> House isn't a typical "heritage" home and it is not visible from street. Decrease home value and slow down future home sale. Street has been run down by Council from lack of maintenance. Mix of house styles in the street, with few worthy of heritage. Have the right to improve my home for liveability, investment and saleability without restriction. 	<p>The house at 16a Station street was assessed as neutral and it is agreed it does not have heritage value. On house sales please see comments in the main body of the report.</p> <p>With regards to maintenance concerns and requests please contact Council's Operations Directorate.</p> <p>The block does contain a mix of housing styles from the Federation through to recent. It is misnomer that a heritage conservation area requires a homogenous housing style from one era. Many of the HCAs in Ku-ring-gai have historical significance for the original subdivision and later re-subdivisions to accommodate housing overtime from the Victorian period through to the Inter-war.</p> <p>Every house in Ku-ring-gai is required to comply with Council's</p>

No	Issue/Concern	Comment
		<p>Local Environmental Plan. No development is unimpeded by rules whose aim is often to ensure environmental and amenity concerns are given due to consideration and are protected. In a HCA a house can still be updated and changed however it is required to undertake change in a way that respects the heritage significance of an area.</p>
<p>112</p> <p>185</p> <p>Duplicate submission</p>	<p>Opposed to HCA.</p> <p>This will certainly change the streetscape of our suburb in an undesirable way.</p> <p>Opposed because of restrictions on property (future development and potential intangible values), sees no need, want the ability to improve their property values, and modifications have diminished the heritage significance of the property and surrounding area.</p> <p>No regard for what is really heritage.</p>	<p>A conservation area is about maintaining the heritage significance, often the appearance of original houses.</p> <p>The impact of a conservation area on intangible value is considered negligible, intangible value being the present value of excess earning power of an entity over the normal rate of return. The development standards for this property have not changed regardless of the HCA. The FSR, building height and zoning remain the same. The property retains its development potential based on these quantifiable controls. How a property is redeveloped and the ability of a designer or architect to maximise the potential of the site within the heritage parameters will depend on the experience and talent of these professionals. Given the interface of this block with existing HCAs on two sides its potential for upzoning is also unlikely.</p> <p>The heritage assessment takes great consideration for what is heritage. What needs to be determined is, are there enough heritage values for this block to</p>

No	Issue/Concern	Comment
		warrant its inclusion as a HCA? On Alma Street the majority of houses are contributory. This is not the case on Station Street. As such it is recommended Alma Street proceed but not Station Street.
120	<p>Opposed to HCA.</p> <p>There is little heritage houses left in our street, most house have added second stories or have been rebuilt. It will greatly affect the price and saleability of our property plus more importantly the ability to improve our house.</p>	See comments to submission 112 above.
178	<p>Opposed to HCA.</p> <p>Property (14 Station Street) built in late 1980s. believe we will be unfairly affected with unnecessary restrictions. These restrictions would make it less attractive to future purchasers.</p>	<p>This house was rated as neutral recognising it as a more recent development not being from a significant heritage development period.</p> <p>See comments in the main body of the report on house sales.</p>
115	<p>Supportive of HCA.</p> <p>Agree with decision and process to determine this. See the proposal as a way to slow issues such as overdevelopment.</p>	Support noted.


Rating review



Rating: N – Neutral, C – Contributory, D – Detracting



	PMA	2018
Contributory	7 (54%)	3 (23%)



Neutral	4 (31%)	10 (77%)
Detracting	2 (15%)	0
Total	13	13



Address	HCA Review Rating	Recommended rating	Comment
2 Station St	C	C	Late inter-war
4 Station St	C	C	1950s
4A Station St	C	C	St Ives Style
6 Station St	C	N	New on battleaxe. PCDC0509/14 – Demolish existing and construct dwelling, garage and swimming pool – Nov 2014
8 Station St	C	C	Inter-war bungalow
8A Station St	C	N	Apartment building late 1960s.



Address	HCA Review Rating	Recommended rating	Comment
			
10 Station St	C	C	<p>Present in 1943 aerial – carport addition</p> <p>DA 4977/96 -RENOVATE A RES FLAT BUILD & BUILD NEW CARPORT (1996)</p>
12 Station St	C	N	<p>On 1943 aerial. Has alterations and additions, rendered and an integrated garage added to the front elevation.</p> <p>BA Alt & Add – 97/00932A (Oct 1997)</p>

Address	HCA Review Rating	Recommended rating	Comment
			
14 Station St	C	N	<p>Appeared between 1943 and 1951 aerial but has been altered with a substantial second wing added to the north on the front elevation.</p> 
16 Station St	D	D	Unchanged
16A Station St	N	N	Unchanged
18 Station St	C	N	<p>1943 aerial- No house at this location</p> <p>Built 1950</p> <p>BA - 88/01050</p> <p>House has been rendered and altered.</p>

Address	HCA Review Rating	Recommended rating	Comment
			
3-5 Alma St	item	C	Item on a double lot. Tennis court is present on the 1943 aerial.
7 Alma St	N	N	On the 1943 aerial. Exists in substantially the same form with an extension to the side. What can be seen is rendered. Recommended to remain neutral.
9 Alma St	C	C	<p>On the 1943 aerial photograph. Intact in form and materials but face-brick has been painted.</p> 

Address	HCA Review Rating	Recommended rating	Comment
11 Alma St	N	N	
15 Alma St	C	C	<p>Dutch colonial style in face-brick. Appears between 1943 and 1951 aerial photograph.</p> 
17 Alma St	C	C	<p>Appears between 1956 and 1961 aerial photograph layers. Rendered Functionalist style and is contributory to the HCA.</p>
19 Alma St	Item	Item	Item
21 Alma St	C	C	<p>Appears between 1943 and 1951 aerial photograph. Striking architecture. Contributory to the HCA.</p>

Address	HCA Review Rating	Recommended rating	Comment
			
23 Alma St	N	N	
25 Alma St	N	C	<p>3 Town houses</p> <p>Same house present on 1943 aerial- some alts & adds</p>

Address	HCA Review Rating	Recommended rating	Comment
			
27 Alma St	C	C	<p>1950s – retains original form and materials.</p> 

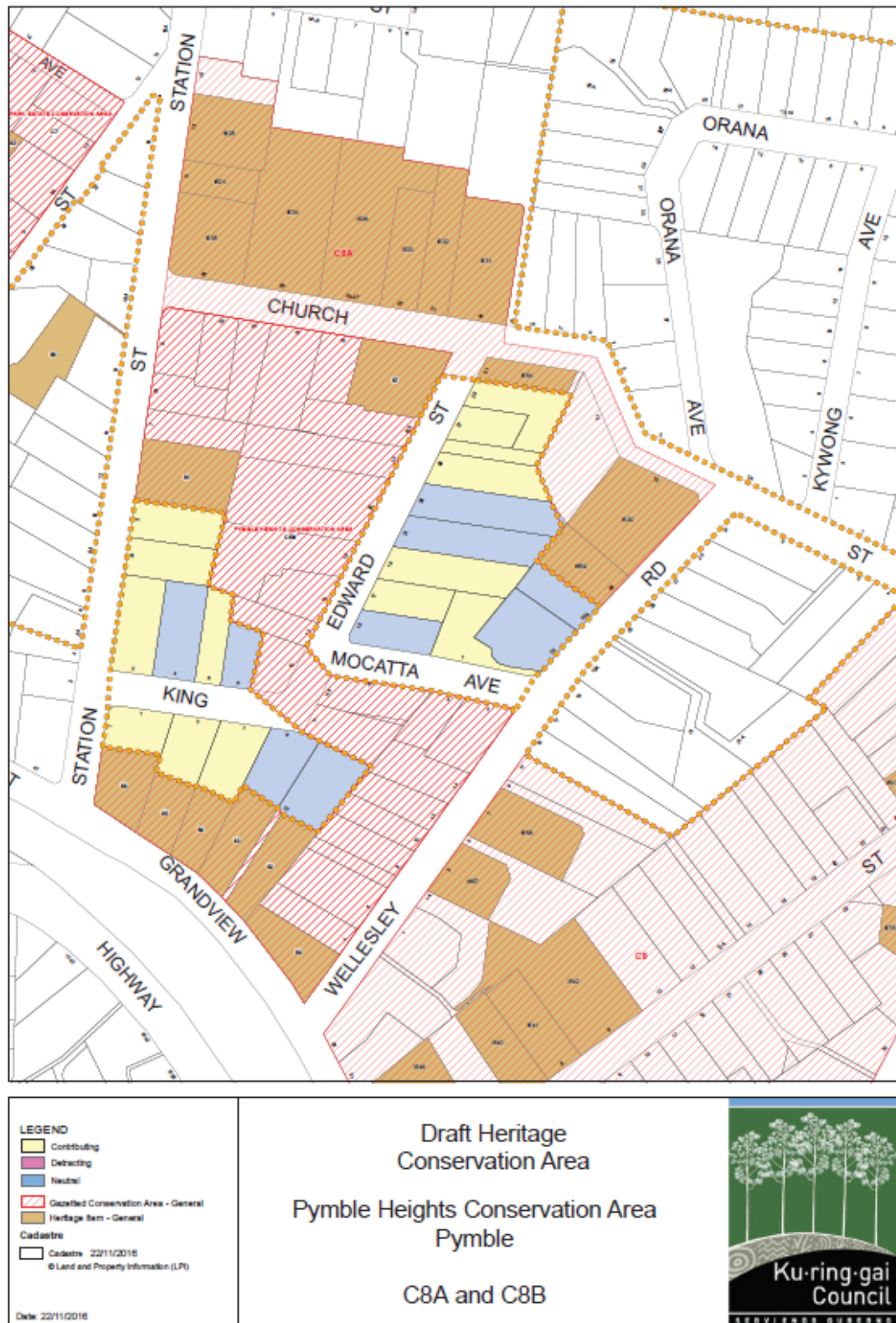
Pymble Heights Conservation Area (C8A & C8B)

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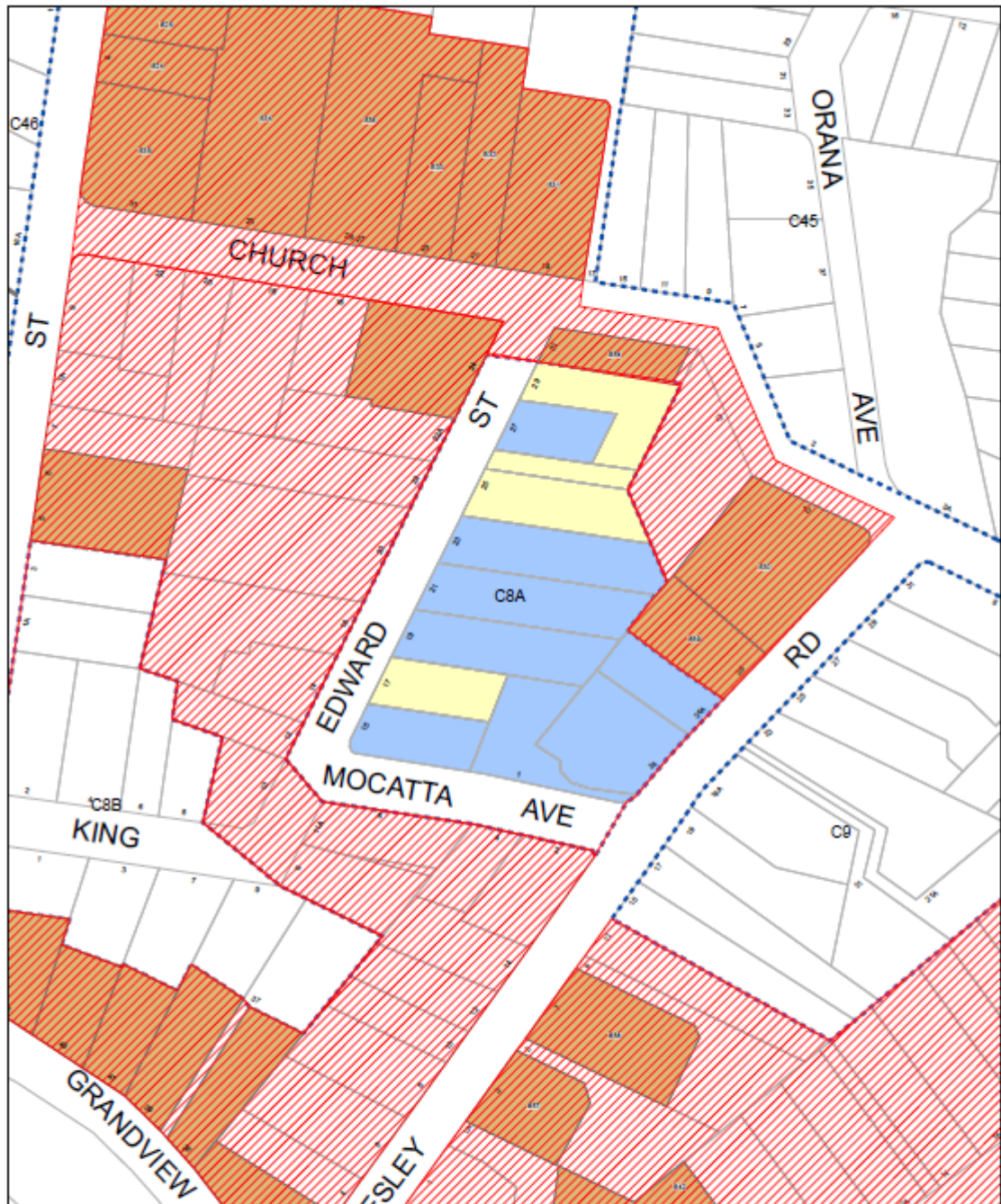
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Maps

1. Exhibited rating map



2. Revised rating maps



Legend	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Revised HCA Boundary

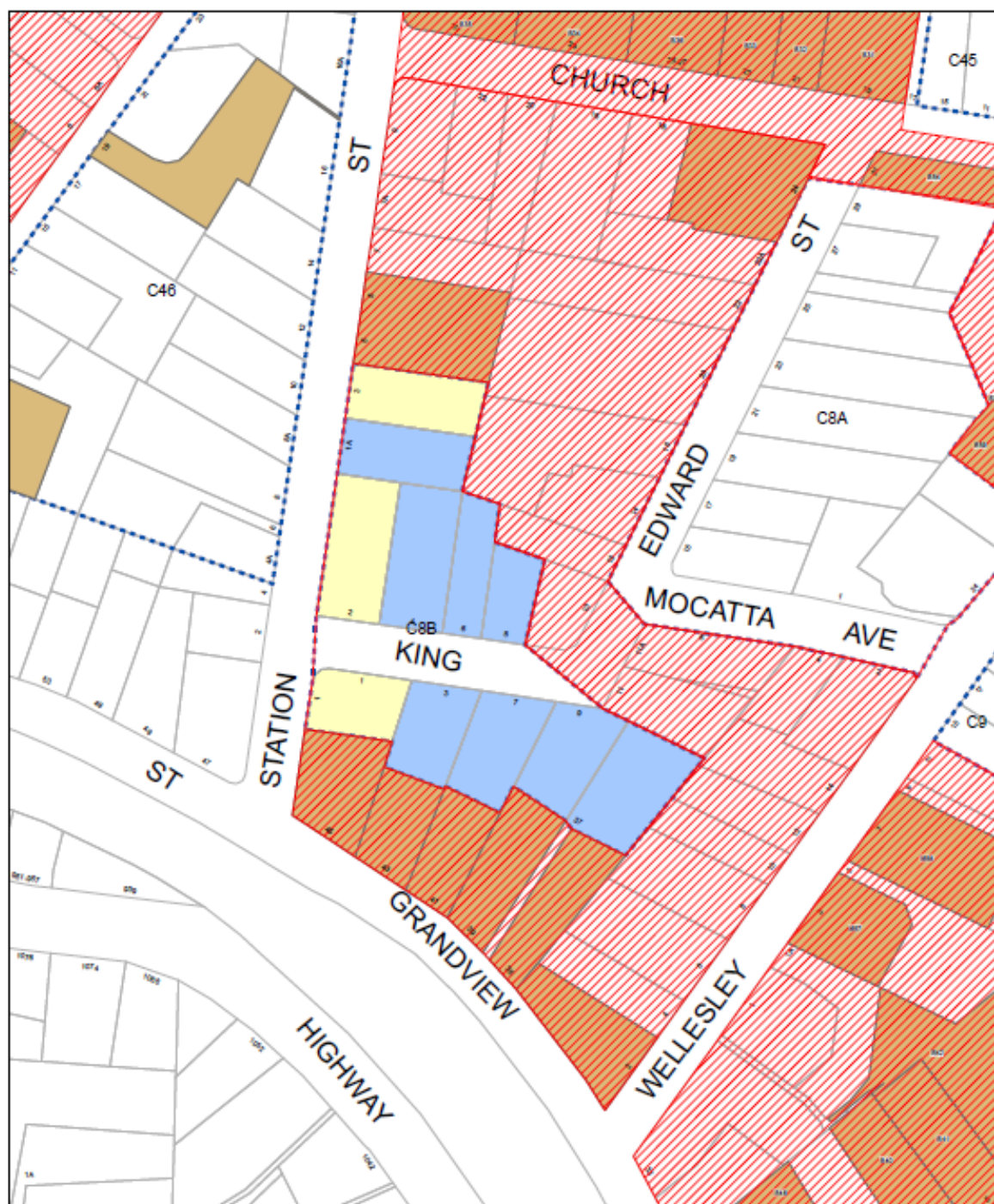
Date: 17/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Heights Conservation Area
Pymble
C8A

Contribution Rating Map
Recommendation -
Not recommended to proceed





Legend

	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Revised HCA Boundary

Date: 17/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Heights Conservation Area
Pymble
C8B

Contribution Rating Map
Recommendation -
Not recommended to proceed



Comments

The area reviewed is the draft Pymble Heights Conservation Area (C8A and C8B) that includes 22 properties located on Station Street, King Edward Street, Mocatta Avenue and Wellesley Road Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble East Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble East study area is of local historic and aesthetic significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war and Post War periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and subdivisions north of what is now the Pacific Highway and railway corridor.

The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.


As a result of the statutory public exhibition process, 3 submissions were received and all were objections. It should be noted that 3 submissions were received in support of all the heritage conservation areas considered in the peer review.

Issues raised in the submissions included the lack of heritage significance as buildings are not from the key development periods or have undergone unsympathetic change. These issues are addressed in the submission summary table below.

In light of the community submissions the area was reviewed again which included several site visits and historical research by Council officers.

The extension to the Pymble Heights Conservation Area is not recommended to proceed. Based upon submissions and review of Council held information the rating of seven previously contributory properties in this draft HCA were changed to neutral. These changes were made due to unsympathetic additions including second storeys and demolition rebuilds. Given the small size of these potential extensions to the Pymble Heights Conservation Area these few changes had a large impact on the significance of these streetscapes. The area does have character in terms of the gardens and the streetscape but does not read as an intact heritage area. The inclusion of these properties will have no additional benefit to the existing heritage conservation area.

Submission summary table - Pymble Heights Conservation Area (C8A & C8B)


No	Issue/Concern	Comment
39	<p>Opposed to HCA.</p> <p>Many dwellings in the HCA constructed post 1940 and others are more recent or have recent renovations, as such do not represent the key development periods.</p> <p>The streetscape is not cohesive give then stylistic and historical differences of buildings across the draft HCA.</p> <p>The few buildings that are of heritage values are not dependent on the others to retain their cultural significance. Individual listing would protect their value.</p>	<p>An assessment of the 1943 aerial has shown that of those properties on the 1943 aerial many have been altered. Several ratings have been changed to neutral to reflect this. The 1943 aerial is only indicative of development periods from the Inter-war and earlier. There may be significant buildings constructed in the post-war period of development that could be significant i.e. 1950s or 1960s. Please refer to the revised rating map above. It is not recommended that this HCA proceed.</p>
220	<p>Opposed to HCA.</p> <p>Our house is only ordinary. There is no heritage significance.</p>	<p>24 Wellesley Road</p> <p>The house is rated as a neutral</p> 
106	<p>Opposed to HCA.</p> <p>Dislikes rating and wants it reconsidered to neutral. Notes how surrounding properties have been replaced and are rated as neutral.</p> <p>Has previously provided comment to Council on dwelling changes and rating.</p>	<p>6 King Edward Street Pymble</p> <p>Opposition noted.</p> <p>It is agreed that the house has changed, and no longer resembles the single storey inter-war bungalow it once was. The house is no longer intact to such an extent it should be considered contributory and should be rated as neutral.</p>



		
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Rating review

Rating: N – Neutral, C – Contributory, D – Detracting


	PMA	2018
Contributory	13 (59%)	6 (27%)
Neutral	9 (41%)	16 (73%)
Detracting	0	0
Total	22	22

Address	HCA Review Rating	Recommended rating	Comment
1 Mocatta Ave	C	N	<p>The house was a modest 1960 bungalow but construction of approved DA0248/17 has commenced and it has alterations and addition, now 2 storeys.</p> 
15 King Edward Street	N	N	Unchanged

Address	HCA Review Rating	Recommended rating	Comment
17 King Edward Street	C	C	Unchanged: 1950s bungalow
19 King Edward Street	C	N	<p>Building has been altered. Appears as faux Federation.</p> 
21 King Edward Street	N	N	Unchanged
23 King Edward street	N	N	Unchanged
25 King Edward Street	C	C to BL	<p>This house has been altered but a much of the original detailing is evident and what is original and what is new is discernible. The type of form of additions would not be permissible if the house were in original condition however the early date of the house would make an important historical contribution to an HCA.</p> 
27 King Edward Street	C	N	The house is not in original form and has several unsympathetic additions. The significant historic layer is no longer discernible.

Address	HCA Review Rating	Recommended rating	Comment
			
29 King Edward Street	C	C	<p>The southern wing has doubled in size and two dormers added. The house was originally two storeys and the change is discernible and not considered unsympathetic to the scale of the building.</p> 
1 King Edward Street	C	C	<p>Unchanged</p> 
3 King Edward Street	C	N	<p>House has been altered. Single storey on 1961 aerial photograph. Addition is not a significant layer and not a sympathetic addition.</p>

Address	HCA Review Rating	Recommended rating	Comment
			
7 King Edward Street	C	N	<p>New build.</p> 
9 King Edward Street	N	N	Unchanged
37 Grandview Street	N	N	Unchanged
2 King Edward Street	C	C	Unchanged
4 King Edward Street	N	N	Unchanged
6 King Edward Street	C	N	The house has changed, and no longer resembles the single storey inter-war bungalow it once was. The house is no longer intact to such an extent it should be considered contributory and should be rated as neutral.

Address	HCA Review Rating	Recommended rating	Comment
			
8 King Edward Street	N	N	Unchanged
1A Station Street	C	N	The house cannot be viewed from the street. The roofline has been altered since the house first appears on the 1961 aerial with additions to the side, a separate building forward of the front building line and a pool in the front yard.
3 Station Street	C	C	Unchanged

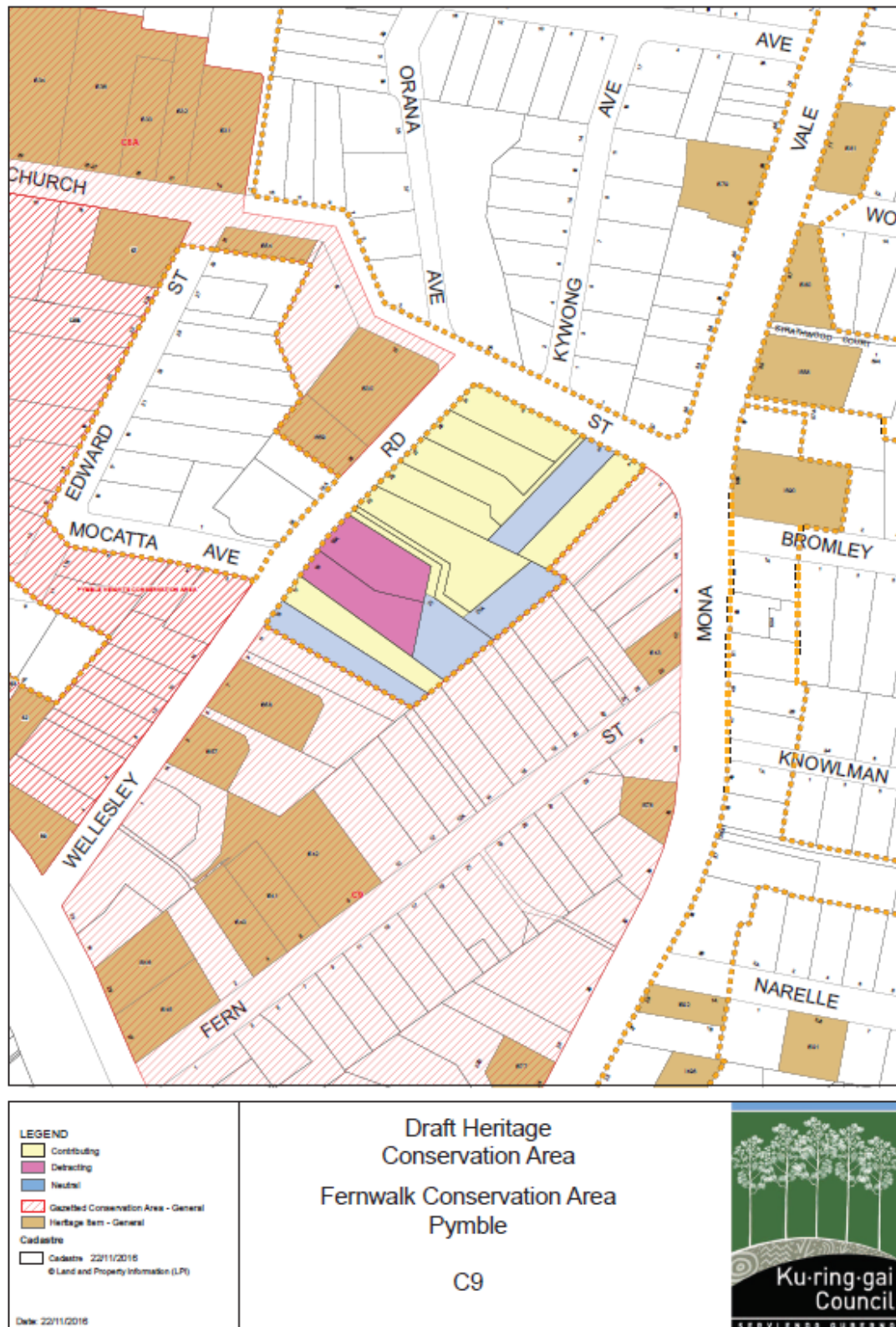
Extension to Fernwalk Conservation Area Pymble (C9)

Contents

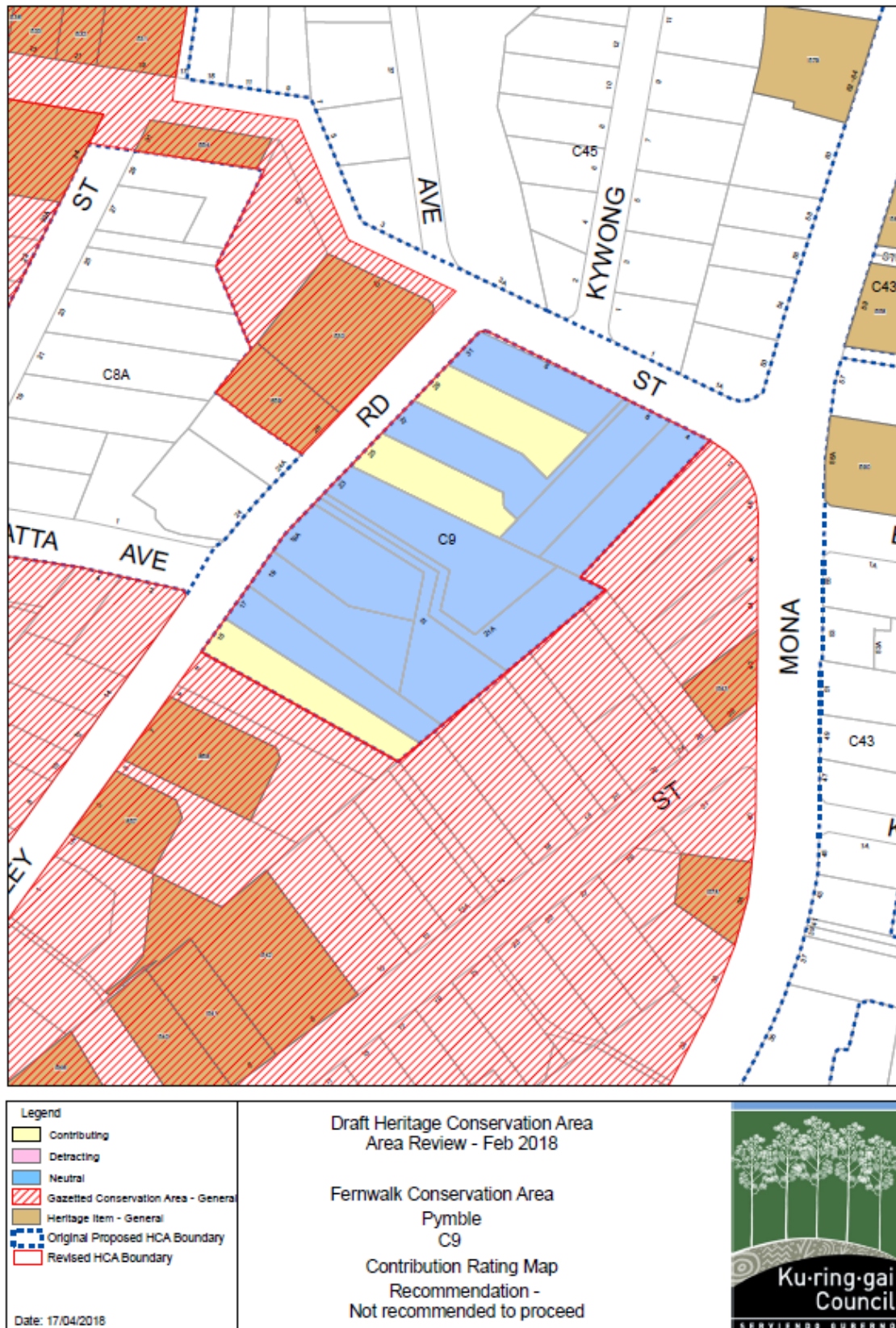
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Maps

1. Exhibited rating map



2. Revised rating map



Comments

The area reviewed was a proposed extension to the Fernwalk HCA (C9) that included 13 properties located on Wellesley Road and Church Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble East Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble East study area is of local historic and aesthetic significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war and Post War periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and subdivisions north of what is now the Pacific Highway and railway corridor.

The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.



As a result of the statutory public exhibition process, 7 objections were received all against the proposal. No submissions were received directly in support of the draft Fernwalk HCA extension however three submissions were received in support of all the proposed conservation areas considered by the peer review.

Issues raised in the submissions included the lack of heritage significance, increased development restrictions and reduced property value. These issues are addressed in the main report.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers.

The ranking of each property within the draft conservation area is included below. In this relatively small extension the ratings on five houses changed from contributory to neutral the main reason being unsympathetic additions and loss of design integrity. Based upon the reassessment the extension to the Fernwalk Conservation Area is not recommended to proceed.

Submission summary table

No	Issue/Concern	Comment
5	<p>Opposed to HCA.</p> <p>Opposed because of further restrictions to property.</p> <p>The area you are currently proposing has houses that do not justify this rezoning. The block of houses you are proposing to enforce stricter controls have no reasonable justification for doing so.</p>	<p>Please see main body of the report on restrictions. It is not recommended that this HCA extension proceed.</p> <p>Image is of the side.</p>  <p>Front – from street view</p> 
9	<p>Opposed to HCA.</p> <p>Opposed due to E4 Environmental Living zoning. More restrictions would be too much for home owners to manage.</p> <p>House sale concern, would like a property impact sales report to be done.</p>	<p>Opposition noted</p> <p>The lot is zoned E4 which is a reflection of the high environmental values on the site. A heritage conservation area recognises the heritage values on the site. Development in the form of alterations and additions can still occur but must give consideration to conserving the recognised environmental and heritage values. For more information on developing this specific site please contact Council's duty planner service.</p> <p>There have been numerous studies on the impact of listing on house prices.</p>


No	Issue/Concern	Comment
		Please see the main body of the reports for comments.
29	<p>Opposed to HCA.</p> <p>Other than few gum trees and the Storm Water Creek nothing would be of historical value. Therefore I think my property should not be included. Concerns about No. 15 & 17 Wellesley Road being unfairly included. Higher cost for applications with additional restrictions leading the house price to drop and sometimes difficult to sell.</p>	<p>Opposition noted.</p> <p>The creek and the trees do provide a valuable setting to the proposed HCA. The consultant has identified the Inter-war houses as another significant layer. Your house at number 15 was rated as neutral and does not contribute to the key historical layer. Number 17 was rated as contributory as it is an extant example of interwar bungalow that is considered to have retained its design integrity and adds to the Inter-war historical layer of the HCA.</p>
108	<p>Opposed to HCA.</p> <p>Opposed because there are no heritage items of significance on this property, No native/gum trees on the property for preservation, No consistency with neighbouring properties that have been modified, it will impact the saleability and desirability of the house.</p>	<p>Opposition noted.</p> <p>Your property has been assessed as neutral not as contributing to the historical development layer of this proposed HCA. The “blanket” approach as referred to in your submission is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean your property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall</p>



No	Issue/Concern	Comment
		significance of your blanket heritage area aka heritage conservation area.
179	<p>Opposed to HCA.</p> <p>Council allowed the demolition of historically significant 19 Wellesley Road Pymble, my neighbour, and approved 2 project homes. My house (17 Wellesley) has had been changed and like the street is a mish-mash of styles and materials.</p>	<p>Opposition noted.</p> <p>19 Wellesley at the time of the approved demolition was not statutorily listed and Council could not refuse the application.</p> <p>It is not recommended that this HCA extension proceed.</p>
209	<p>Opposed to HCA.</p> <p>Opposed due to alterations and disadvantages when selling or renovating.</p>	<p>Opposition noted. Please see comments on housing demand in the body of the report.</p>
233	<p>Opposed to HCA.</p> <p>Opposed due to previous rebuilds and renovations on street and loss of this right. Property value decrease concern.</p>	<p>Opposition noted.</p> <p>See main body of the report on property rights.</p>




Rating review

Rating: N – Neutral, C – Contributory, D – Detracting

	PMA	2018
Contributory	7 (54%)	3 (23%)
Neutral	4 (31%)	10 (77%)
Detracting	2 (15%)	0
Total	13	13

Address	HCA Review Rating	Recommended rating	Comment
15 Wellesley	N	C	<p>Painted and filled in verandah</p> <p>On 1943 aerial. Verandah infill is reversible.</p> <p>DA0466/00- Additions plus new carport – revised plans</p> 
17 Wellesley	C	N	<p>Rendered. Has lost an important attribute of the design integrity when the brick was rendered.</p>

Address	HCA Review Rating	Recommended rating	Comment
			
19 Wellesley	D	N	While new the scale form and setback do not detract from the area. The change in rating from D to N does not impact on the outcome of the HCAs exclusion
19A Wellesley	D	N	While new the scale form and setback do not detract from the area. The change in rating from D to N does not impact on the outcome of the HCAs exclusion
21 Wellesley	N	N	No change. Battleaxe.
21A Wellesley	N	N	No change. Battleaxe.
23 Wellesley	C	N	<p>The house appears between the 1951 and 1956 aerial photograph. From the street it appears modified and BA95/1642 is for a major alteration and addition to the existing dwelling. The inventory sheet identifies the 1890s to the 1940s as the key periods of development.</p> 
25 Wellesley	C	C	Unchanged

Address	HCA Review Rating	Recommended rating	Comment
27 Wellesley	C	BL - N	<p>This house cannot be easily viewed from the street. This house has substantial additions BA89/2005.</p> 
29 Wellesley	C	C	Unchanged
31 Wellesley	C	N	<p>BA96/0437 alterations and additions.</p> 
4 Church Street	C	N	<p>House has an unsympathetic second storey addition.</p> 

Address	HCA Review Rating	Recommended rating	Comment
6 Church Street	N	N	Unchanged

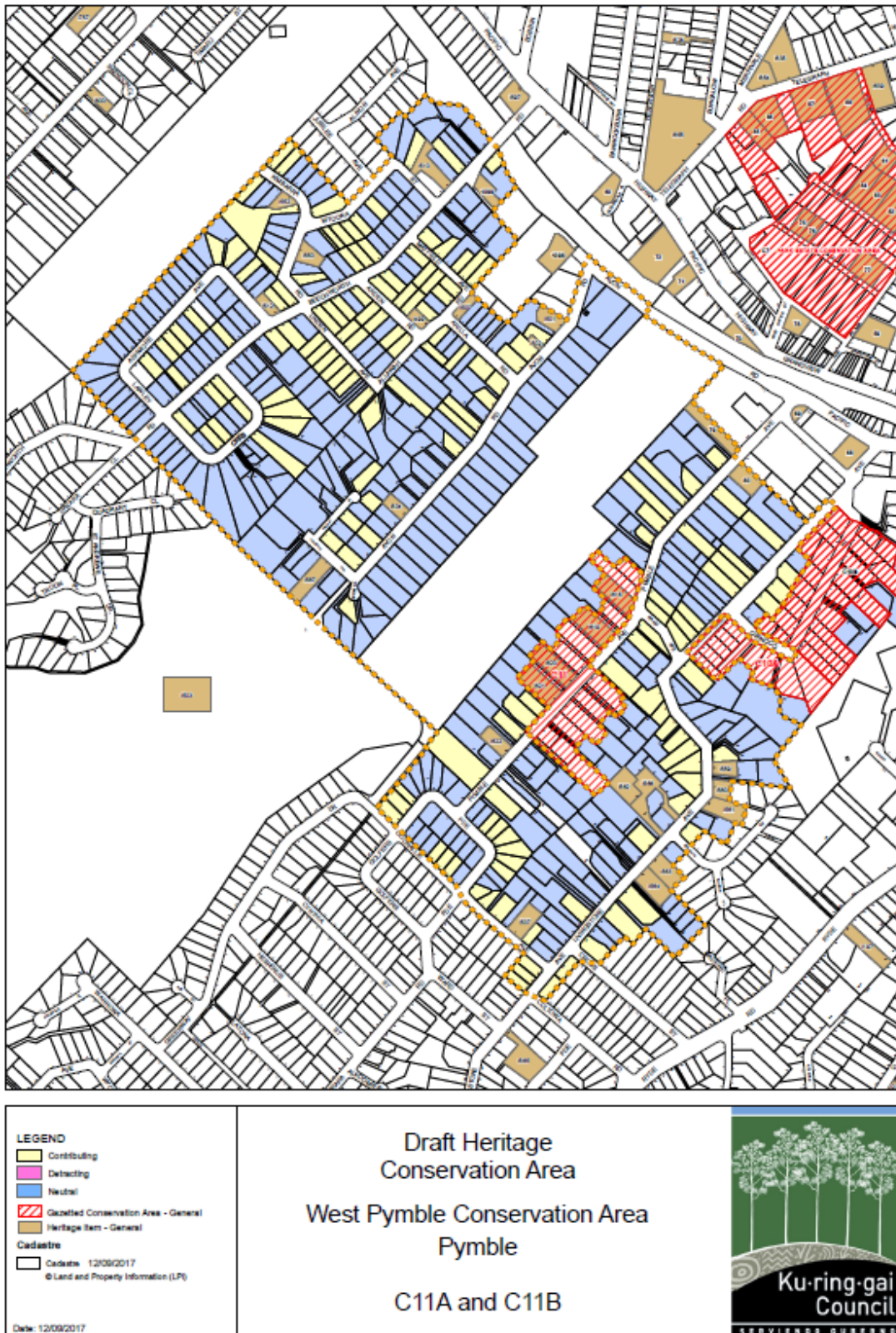
Draft West Pymble Conservation Area (C11A & C11B)

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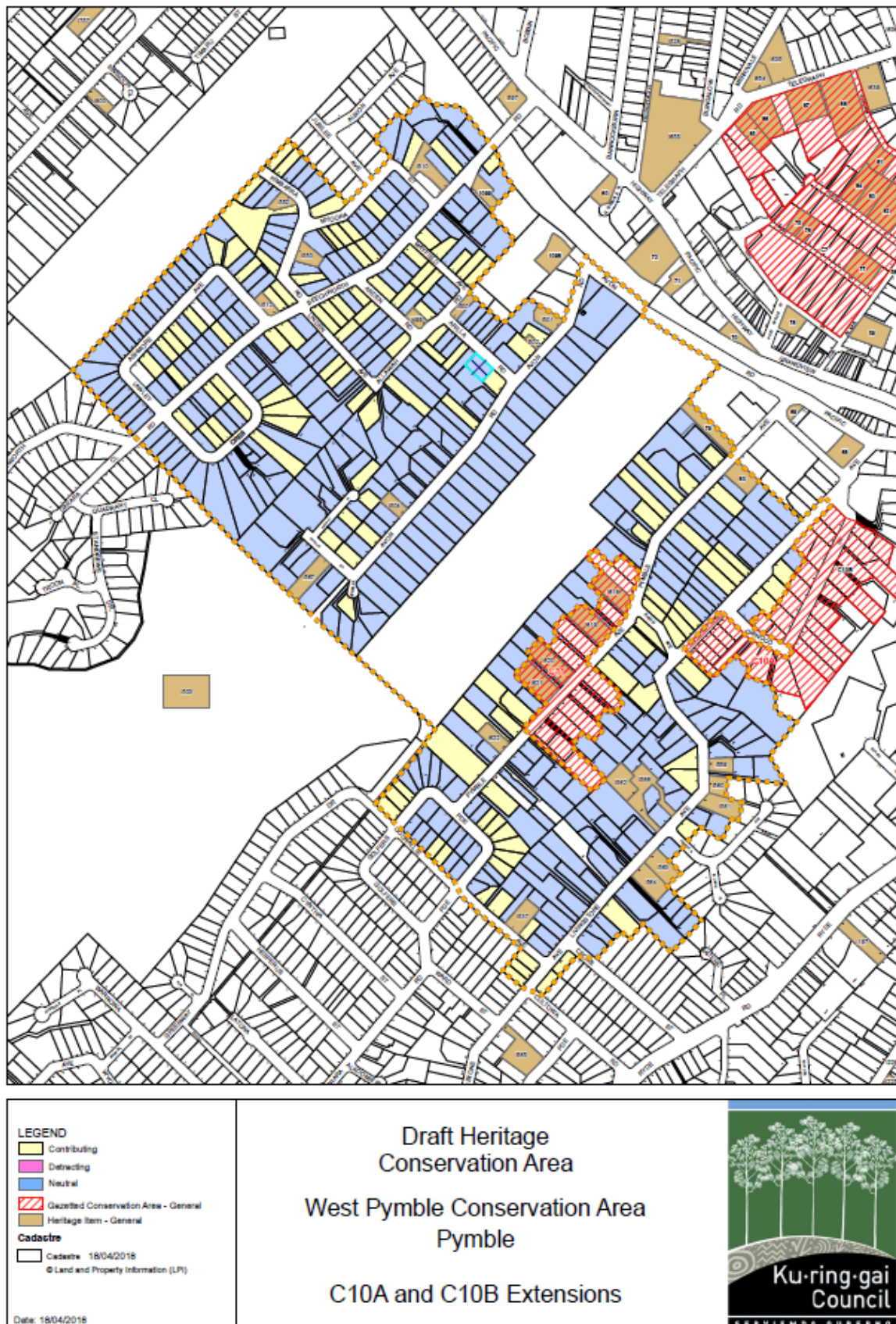
Maps

1. Exhibited rating map

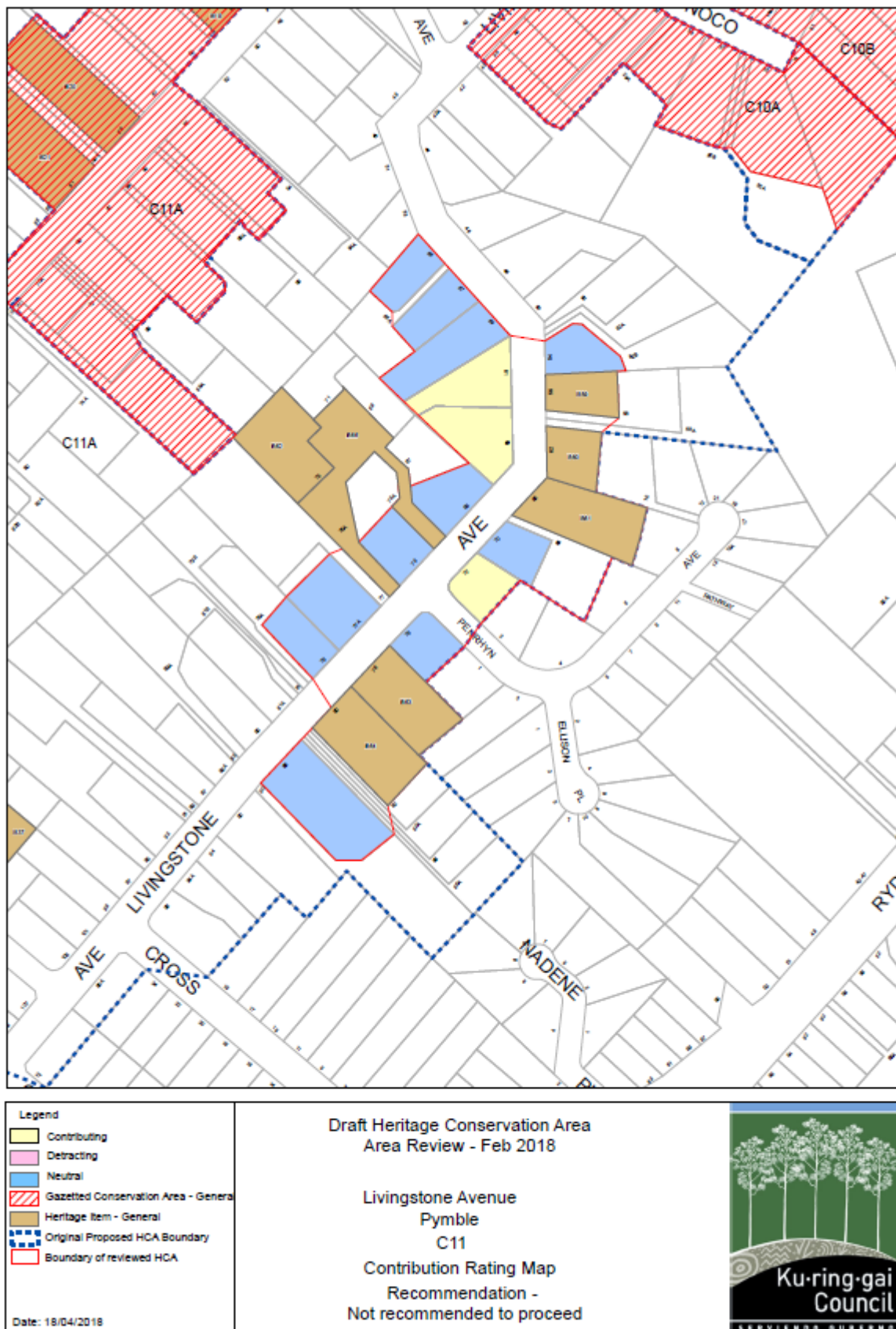


2. Revised rating maps

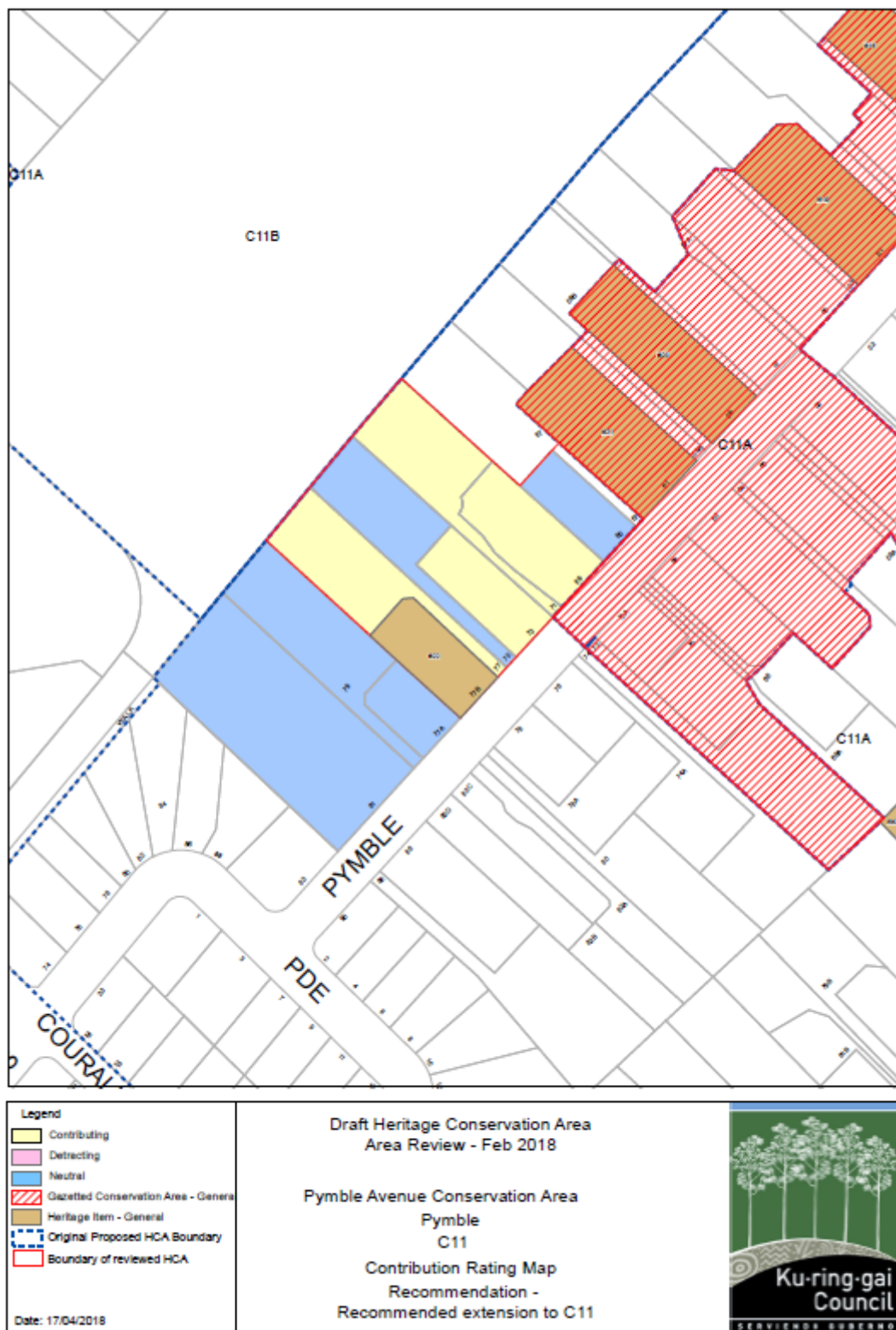
2.1 Draft West Pymble HCA



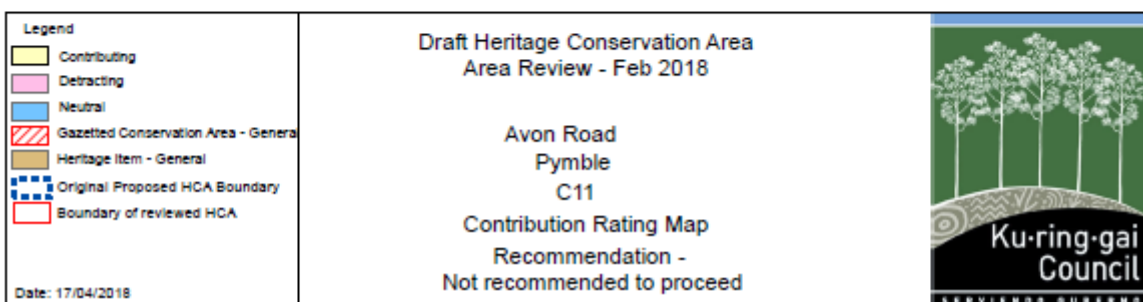
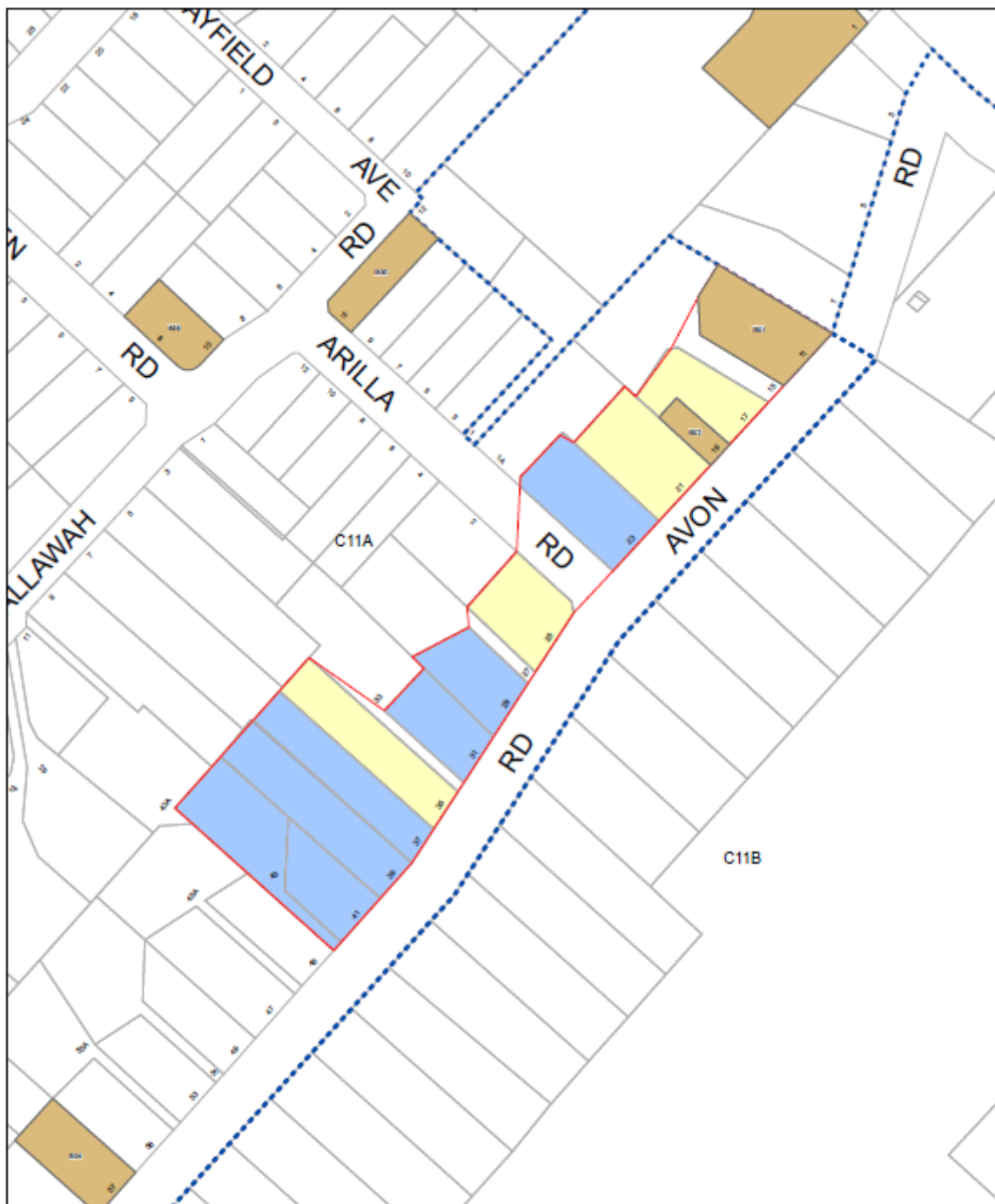
2.2 Draft Livingstone Avenue, Pymble HCA



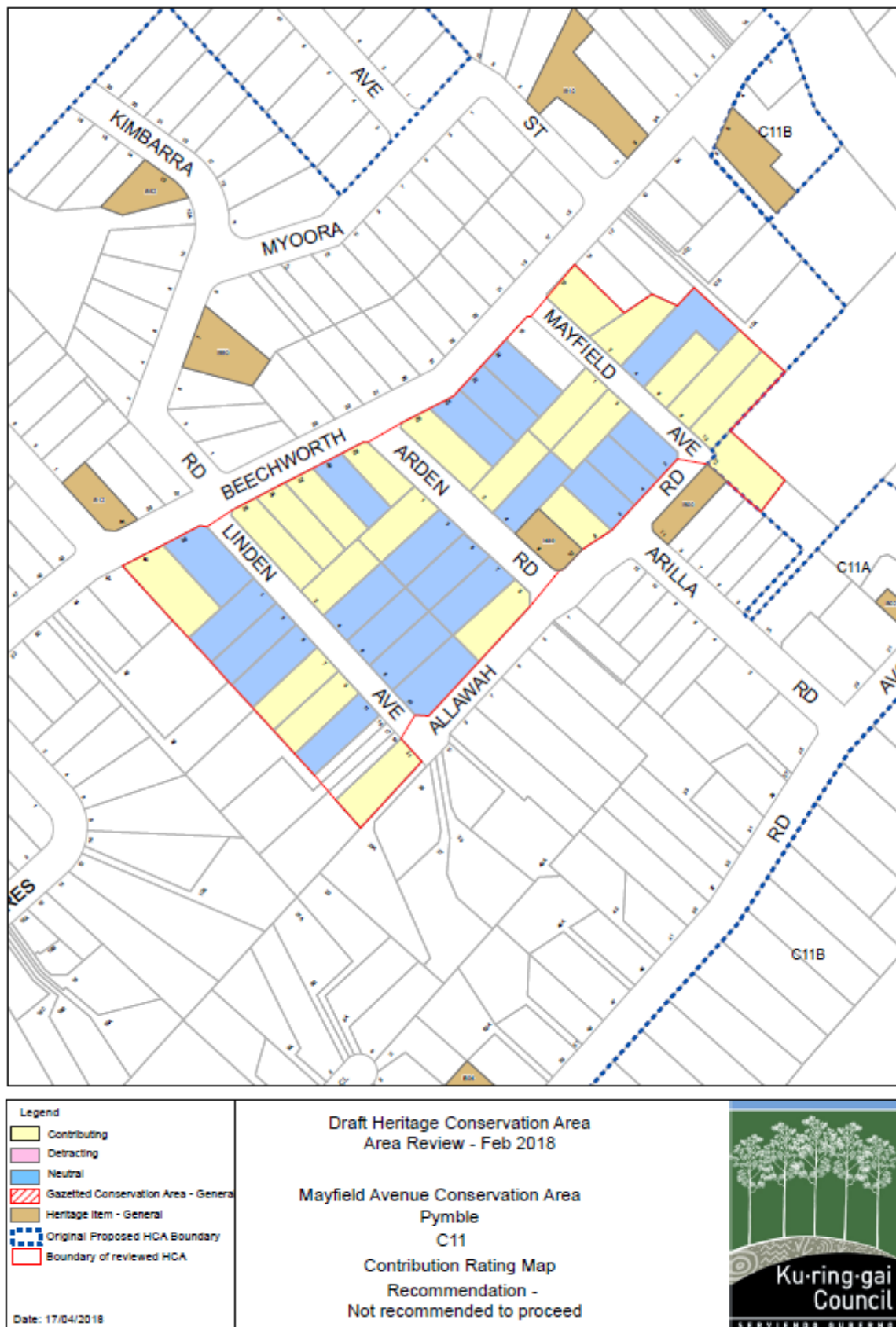
2.3 Draft Pymble Avenue, Pymble HCA



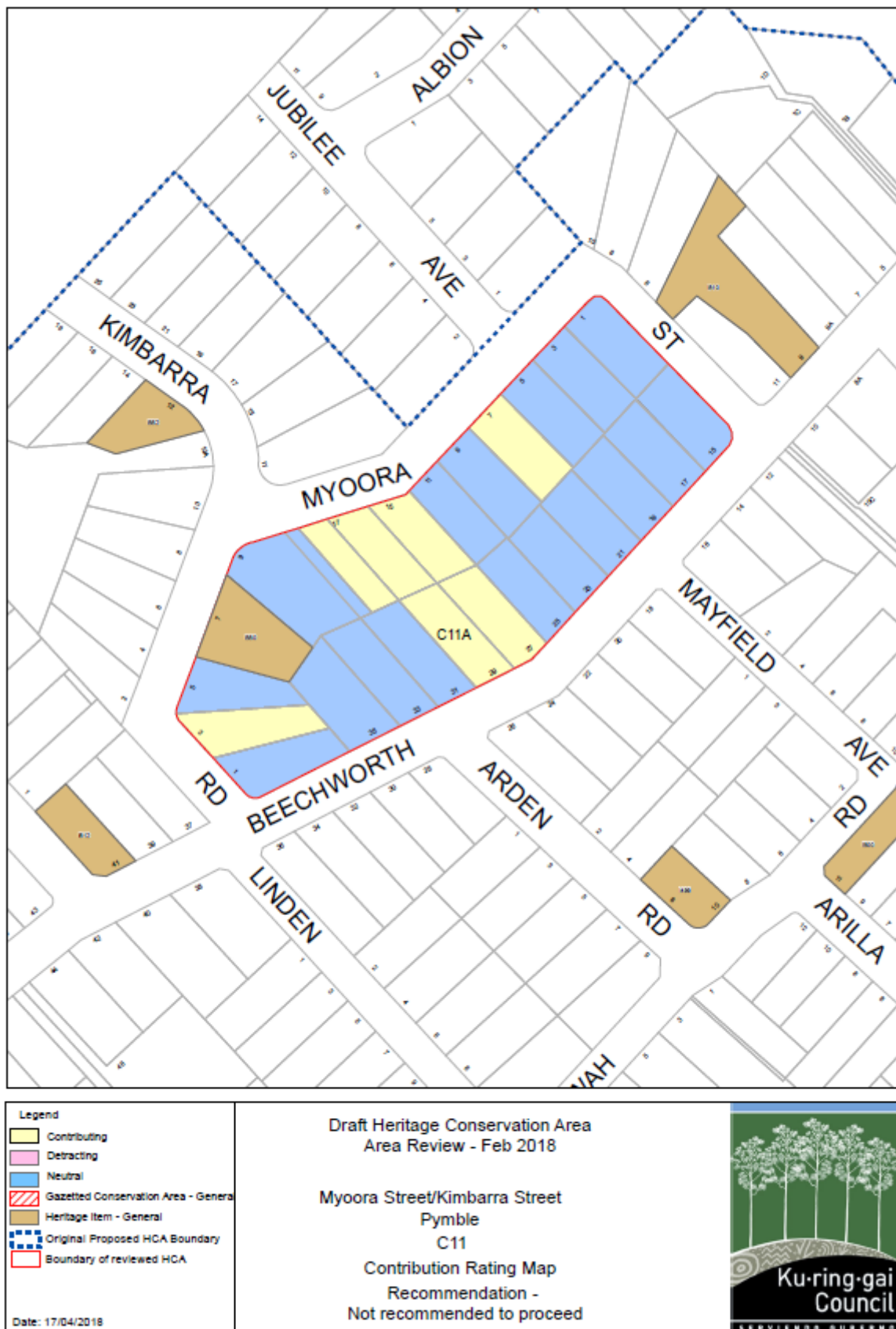
2.4 Draft Avon Road, Pymble HCA



2.5 Draft Mayfield Avenue, Pymble HCA



2.6 Draft Myoora Street/Kimbarra Street Pymble HCA



Comments

The area reviewed is the draft C11A and C11B that includes 512 properties located in Pymble on the west side of North Shore Railway Line (see exhibited rating map above).

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, ** objections were received and ** submissions in support.

Issues raised in the submissions included the unfairness of blanket restrictions, support for what was previously recognised as an urban conservation area, restrictions on development and reduced house prices. These issues are addressed in the main report and the submission summary table below.

In light of the public submissions the area was reviewed again which included several site visits and historical research by Council officers. The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”. Instead several

potential small HCAs were reviewed and reassessed more closely. These areas can be seen in maps above (maps 2.2 – 2.6) and were:

- Livingstone Avenue, Pymble

On Livingstone Avenue (Nos. 55-79 and 54-88) 21 properties were reviewed. Following the review the ratings of six properties were changed from contributory to neutral. The reasons for the change of rating included misidentification (a more recent building with faux features identified as an earlier build), render of original facebrick and unsympathetic additions (including garages forward of the front building line). Many of the neutral properties were on the edges of the reviewed area which when removed reduced the size of any potential proceeding HCA. In addition, 62 Livingstone Avenue which is listed as a heritage item is being removed from the heritage list as it is a recent build constructed on land subdivided from a heritage item. It is not recommended this portion of Livingstone Avenue proceed to inclusion as a heritage conservation area.

- Pymble Avenue, Pymble

The area reviewed on Pymble Avenue (nos. 65-81) includes 10 properties. On review two properties ratings were changed from contributory to neutral as the houses were more recently built examples of Australian Nostalgia and had been mistaken for buildings from an earlier period. Two properties on battle-axe sites were changed from neutral to contributory. Both of these properties were good examples of Post-war architecture and a significant period of development for Pymble Avenue. The extension is recommended to proceed as good representative examples of houses from the 1930s through to the 1960s and a positive addition to the existing heritage conservation area.

- Avon Road, Pymble

On Avon Road (Nos 11-41) Pymble 14 properties were reviewed for inclusion within an HCA. This area was of interest due to the number of extant buildings as identified on the 1943 aerial photograph running along Avon Road. On closer inspection the ratings of 4 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick, unsympathetic additions and a misidentification of more recent building (faux Federation) for one from a much earlier period. There is a small group of contributory buildings from 11-21 Avon Road that includes two heritage items, however, this small group if included would be alone and not be an extension of an existing HCA and as such is not recommended to proceed.

- Mayfield Avenue, Pymble (including Arden Road, Linden Avenue, Beechworth Avenue and Allawah Road)

The area reviewed includes Linden Avenue, Arden Road and Mayfield Avenue and is bounded to the north by Beechworth Road and to the south by Allawah Road. It was evident on the 1943 aerial photograph that a high number of houses had already been built. As opposed to other areas in the draft West Pymble HCA that were undeveloped. On reviewing the ratings 11 properties changed from contributory to neutral. The main reason for the change in ratings was rendering of original facebrick and unsympathetic additions including integrated garages forward of the original front building line of the house and second storey additions. As a result of the rating changes the area is predominantly neutral buildings. This area is not recommended to proceed.

- Myoora Street/Kimbarra Road Pymble

The area reviewed included 27-31 Beechworth Road, 1-17 Myoora Street and 1-9 Kimbarra Road for inclusion within an HCA. These streets were of interest due to the presence of representative examples of 1950s and 1960s houses. On closer inspection the ratings of 2 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick and unsympathetic additions. The change in ratings resulted in a very small proposed area interspersed with clusters of neutral buildings. This area is not recommended to proceed.

Overall recommendation:

As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots during the post-war period. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack it is recommended this be investigated for individual listing.

Properties recommended for further investigation to understand their cultural significance include:

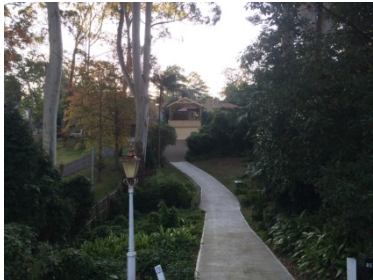
- 4 Avon Close Pymble (architect Harry Seidler)
- 8 Barclay Close Pymble (architecturally designed Post-war housing)
- 77 Pymble Avenue Pymble (architect Russell Jack)

The revised statement of significance for the extended Pymble Avenue Conservation Area is:



Pymble Avenue Heritage Conservation Area is historically significant as a portion of Richard's Wall's 1824 land grant which became the Pymble Station Estate subdivision of 47 one-acre residential lots on either side of Pymble Avenue, advertised for sale between 1893 and 1910, developed in the Federation to inter-war period, with substantial one and two storey houses, often architect-designed. Post-war subdivision of these lots resulted in many battle-axe sites which provided opportunities for architects of this time including Russell Jack. The area is of aesthetic significance for its group of fine, Federation to post-war period houses in generous garden settings within a spectacular mature blue gum high forest streetscape.

Submission summary table


No	Issue/Concern	Comment
1	New and approved development in the area. Does not see the sense in heritage listing new places. Should exclude the block containing Beechworth Road and Mayfield Avenue and list only the places of heritage significance.	<p>Please see comments on area listings in main body of the report.</p> <p>It is not recommended to proceed with most of Beechworth Avenue, the exception being numbers 16, and 18. Please see recommendations on the Mayfield HCA in the main body of the report.</p>
3	Concerns of the impact on proposed DA for a new house. The house was built in the 1980s. Already paid for the new design which was designed without giving consideration to heritage and a redesign would cost considerable expense.	<p>94A Livingstone Avenue Pymble: DA0540/17 submitted Nov 5.</p> <p>The DA for the property has been submitted and is being considered by Development Assessment. As the existing house is a recent build then a new house can be considered onsite assuming the design is contextual and responsive to the values of the draft heritage area. Further guidance will be given by the Development Assessment team when they assess the DA.</p>
4 28	Property at 17 Livingstone Avenue when combined with the neighbours at number 15 is a significant development opportunity due to its size and proximity to rail and the Pacific Highway. 15 and 17 should be turned into R4 to accommodate more people living in the area near significant employment lands like St Leonards. Sacrificing a bit of Pymble's environment will protect untouched forests further out.	<p>Any proposal to proceed with the HCA should consider an interface between zonings such as R4 (high residential density) and R2 (low residential density). In this case the zoning is R4 against E4 (Environmental Living). The E4 zoning reflects the high environmental value of these sites, not in isolation but as a group. This includes the riparian zone of the creek. In response to these environmentally sensitive sites and the E4 zoning the maximum height of buildings on the adjoining R4 site has been limited to 11.5m.</p> <p>In determining appropriate zoning Council is required to consider the impact on affectations such as heritage and the environment. This study is with</p>

No	Issue/Concern	Comment
		regards to the heritage values of the site. The built heritage value of this property is limited and the rating should remain as neutral. It is not recommended these houses be included within an HCA.
7	<p>Does not support the proposal.</p> <p>Property (55 Pymble Avenue) is not heritage it is Inter-war in age, a housing style prevalent throughout Sydney. There will be impact on the property owner's collateral worth as a result of the listing. Council should compensate on the loss of value based upon independent valuation.</p>	The house is within an existing HCA and is not part of this review.
12	<p>Does not support the proposal.</p> <p>On their block in Lawley Crescent there are many new builds and in other areas old shabby houses that need to be upgraded. These affect the character of the area.</p>	It is agreed that the majority of Lawley Crescent is not contributory or worthy of inclusion in the HCA. Please refer to the reviewed HCA boundary in the main body of the report.
20	Against the proposal.	Opposite Orinoco HCA.
21	<p>Property at 19 Livingstone Avenue is not contributory due to the unsympathetic addition of a garage and pergola forward of the front building line, constructed in 2001. The heritage requirements for further development are onerous. How will the changes affect my development potential and future zoning changes as the site is highly suitable for upzoning due to its size and proximity to Pymble Station.</p>	 <p>The house is present on the 1943 aerial. There is an unsympathetic covered patio over a garage. DA for garage construction was 1989. The pergola was added later.</p> <p>The site is E4 (environmental living). This zoning reflects the high environmental values of the site and</p>

No	Issue/Concern	Comment
		<p>immediate area and has been assessed as not appropriate for upzoning.</p> <p>The constraints on this site are not just heritage. Future development would require a merit based development assessment that considers all factors affecting the site.</p>
22	Objects to the proposal.	Noted
27	<p>Strongly supports the conservation areas.</p> <p>We value the aesthetic quality of the early to mid 20th century houses and the historical subdivision patterns and original natural topography that are evident. We value the streetscapes of the area with the houses set in substantial gardens and set back from the street; and overlaid with large canopy native trees.</p> <p>The CA approved by Council covers the wider area recommended by Perumal Murphy Alessi. This is correct in our view. First, it corresponds with the original National Trust proposed CA 18. Secondly, the key heritage concept now reflected in the CA is the over-arching local environmental context of the garden suburbs movement. Smaller, fragmented CAs would miss the point. The wider CA now approved is the right way to go.</p> <p>Unlike the southern suburbs of Ku-ring-gai, Pymble and areas north have received little or no heritage recognition. However it is clear from the Jackson-Stepowski and Perumal Murphy Alessi studies that this area of Pymble west of the highway warrants heritage recognition.</p>	<p>The support is noted. The area does have a unique mature canopy with bush outlooks and a character of large houses set in substantial gardens. At issue is what of this is heritage. A conservation area has many elements and layers not just buildings but also the setting and the landscape. West Pymble certainly has a unique landscape which is highly valued by the community. The overwhelming outcome of this public consultation, and is reflected in the contribution rating mapping, is that many of the houses are not contributory and the community do not understand why there should be additional development controls on house design when in many streets the architecture is not valued. If tree preservation is the issue than there are other mechanisms for protecting these trees. The National Trust Urban Conservation Area was based on the review by Robertson and Hindmarsh in their study Housing Between the Wars.</p>

No	Issue/Concern	Comment
40	<p>Objects to the proposal.</p> <p>House (15 Courallie Avenue, Pymble) should be neutral because the house is small and only a few windows to the street; the financial disadvantage through loss of value; and there are many new houses in the street.</p>	 <p>The substantial garage forward of the front building line is detracting. From historic aerials it is not original and it is recommended the house be rated as neutral.</p>
48	<p>Objects to the proposal.</p> <p>Want to demolish the building to build a more accessible home.</p>	<p>Objection noted.</p>  <p>House (66 Beechworth Road, Pymble) is 1960s Georgian Revival constructed before 1968. While the house is considered contributory as representative example of the 1960s development layer this part of the HCA is not recommended to proceed.</p>
52	<p>Opposes the proposal.</p> <p>House zoned E4 (Environmental Living) immediately adjoining R4. Not consistent with Council's interface policy.</p> <p>Believes there should be a more balanced approach to conservation that allows developmental growth along the rail corridor. A balanced approach between development and the environment would encourage owners to grow trees rather than protect the trees that are there. The population issues and the need to house the growing community should take</p>	<p>15 Livingstone</p> <p>Please see comments in submission 4 above regarding interface.</p> <p>The other comments take issue with the zoning of the site and not with heritage and that is not the subject of this report. Please contact Council's customer service if you wish to further discuss zoning issues.</p>

No	Issue/Concern	Comment
	precedence over protection of species.	
54	<p>Against the proposal.</p> <p>The recommendations do not have sufficient evidence to back them up.</p> <p>How do you justify a blanket listing that doesn't fit the Heritage Council's definition of heritage listing. Why make homes comply to restrictions for a listing that has nothing to do with them. This review smacks of laziness.</p> <p>Majority of the homes are either new or rebuilds. How is there one rule for homeowners and one rule for developers, the developers being allowed to demolish heritage homes and build high-rises. The eclectic mix of homes from the post-war to now are not significant to the people of NSW.</p> <p>Furthermore, I am concerned that one of the Principals of PMA Heritage who were commissioned to put the report together has now been questioned on his integrity for council decisions made in the Canterbury Bankstown Council in 2016.</p> <p>Prefer individual listings over places that truly deserve to blanket listing.</p>	<p>The Heritage Council provide advice and recommendations to the government on State heritage matters. With the exception of certain interim heritage orders, local heritage falls under the legislative jurisdiction of the Environmental Planning and Assessment Act.</p> <p>Please see comments on blanket listing in the main body of the report.</p> <p>Review of the ICAC website could not find any past or current investigations with regards to these comments on integrity associated with PMA, and with the little information given by the submitter no further comment can be made in response.</p> <p>The preference for individual listing is noted.</p>
60	<p>Against the proposal.</p> <p>Houses at 82, 82A, 86, 86A Livingstone Avenue were only built ten years ago and should not be included. These are unnecessary restrictions that will devalue the properties.</p>	<p>New seniors living on rear lots not facing street.</p> <p>It is agreed that recent developments on these battle-axe sites should not be included within any future HCA.</p>
61	<p>Need to be able to build garages and carports front of the building line to make the house more marketable.</p> <p>Preserve the area by monitoring</p>	<p>A carport in front of the building line may be permissible with development approval. The trees are protected by Council's LEP but trees permitted to be removed under a complying</p>


No	Issue/Concern	Comment
	number of trees being cut down.	development do not fall under the jurisdiction of Council.
65	<p>Strongly against the proposal.</p> <p>Do not want further restrictions that could impede future development. Against blanket listings. Are they going to be required to revert the house to the original and not allowed to park on their own driveway.</p>	<p>22 Golfers Parade. Building is a 1950s house (appeared after 1951 aerial photograph) that appears to be rendered and modified with garages added forward of the front building at a later date.</p> <p>For information on development controls for properties in a HCA please refer to the Ku-ring-gai Development Control Plan which is available on Council's webpage.</p> <p>Recommend changing from contributory to neutral.</p> 
66	<p>Strongly object to the proposal.</p> <p>Against extra restrictions, it's a disincentive to improve the property.</p>	<p>Objection noted.</p> <p>There are many properties in HCAs in Ku-ring-gai in prestige areas that are highly sought after and extremely well maintained homes.</p>
67	<p>Strongly opposes the proposal. The communicated information was misleading and lacked transparency. The map sent with the letters did not indicate the rating.</p> <p>There are many more neutral houses in the area than contributory. A few isolated houses does not constitute a heritage zone.</p> <p>If Council care about character it should have given more thought to the development permitted along the rail</p>	<p>The map that was sent was to notify that a proposal was on exhibition and those within the boundary were urged to look at the exhibition material available online, in Wahroonga and Gordon libraries, and at Council's customer service centre. The letters and maps were sent to several thousand residents. The A4 size did not allow for clear presentation of detail which is why it was a location map only and the exhibition paper maps which included the rating were sized A3. The use of the A4 map was logistical to</p>


No	Issue/Concern	Comment
	<p>corridor and the Pacific highway.</p> <p>Concerned Council is responding to pressure from a small group and not listening to the concerns of the wider community.</p> <p>Better to spend money on infrastructure and services than this flawed study.</p> <p>Council should be providing housing choice on these large sites rather than heritage listing them.</p> <p>Our house (56 Beechworth) is in extensive need of renovation and the most cost effective method would be knock down and rebuild. With the restrictions I will be unable to make the changes needed and that I want.</p> <p>I will suffer financial loss, as houses that are neutral and able to be knocked will be more appealing to prospective buyers.</p> <p>No redeeming features make the house contributory.</p> <p>It is discriminatory to impose the maintenance of the whole block on a minority of owners.</p>	<p>allow Council's folding machines to prepare the mailout.</p> <p>It is agreed the area is under represented by contributory buildings. Please see the amended boundary maps above.</p> <p>The budget is determined by the elected Councillors and senior management to best meet community expectations and Council obligations. The recognition and management of heritage is an obligation of Council supported by many in the Ku-ring-gai community.</p> <p>The house is a simple 1950s single storey house. The facebrick has been painted; there have been changes to several openings including doors and windows on the facade. The house is contributory but it is not in a setting of similar vernacular buildings and therefore not recommended for inclusion in the HCA.</p> <p>For other comments please see the main body of the report.</p>
68	<p>Protests against the proposal. Did not receive the information leaflet.</p> <p>A contribution rating map should have been included with the letter to provide transparency and make owners fully aware of the impact of the proposal.</p> <p>Council's correspondence on the matter is duplicitous, unethical, a disgrace, a contravention of Schedule 6A – Code of Conduct (s. 440 Local Government act 1993), by conducting:</p> <p>Conduct that is detrimental to the</p>	<p>On contribution rating map see comments in response to submission 67.</p> <p>It is unfortunate that the information leaflet was not in the envelope. However, in addition to the in-letter leaflet, a digital version was also made available on the website, and a printed version in the paper exhibition folders which were available at Turrumurra and Gordon libraries and Council's customer service.</p> <p>The exhibition material including the</p>



No	Issue/Concern	Comment
	<p>pursuit of the charter of the Council</p> <p>Improper or unethical conduct</p> <p>Abuse of power and other misconduct</p> <p>Action causing, comprising or involving any of the following...(c) prejudice in the provision of the service to the community</p> <p>Our house was built on spec in post-war primarily with lime mortar due to the shortage of cement. Broad brush heritage restraints are prejudicial to redevelopment. Our property's rating should be changed to neutral.</p>	<p>letter, leaflet, and map and the overall community consultation were prepared consistent with the requirements of the NSW Department of Planning and Environment's document "A guide to preparing local environmental plans" and the requirements of the Gateway Determination. Most specific to your claims is the requirement to "indicate the land affected by the planning proposal" which was achieved with the map included in the letter.</p> <p>House (42 Beechworth Road) first appears on the 1951 aerial photograph. It is a simple brick bungalow featuring a gable with weather board cladding. It is not recommended to change the rating.</p>
73	<p>Vehemently objects to the proposal.</p> <p>Recently purchased and there was no indication of the proposal. How can Council blanket list areas with no forewarning. The listing places unnecessary restriction on the property.</p> <p>The property has been previously changed and many of the houses around Lawley Crescent are altered. The character of the area being the trees and its bushy outlook can be retained with current development controls. If the proposal goes ahead Council should compensate owners for the loss.</p>	<p>32 Lawley Crescent</p> <p>Council did undertake consultation with the home owners prior to the statutory exhibition. The previous owner's choice in not disclosing this information is a private issue. Council also placed notification on its website that Council had resolved to pursue the Planning Proposal.</p> <p>Rendered single storey bungalow, extensive interior renovations and changes to the rear. Property is neutral. It is not intended to pursue a HCA in this area.</p>
74	<p>Objects to the proposal.</p> <p>Unnecessary restriction and will devalue the property.</p>	<p>Noted.</p> <p>Please see comments in the main body of the report.</p>
77	<p>Does not agree with the planning proposal.</p>	<p>Noted.</p>



No	Issue/Concern	Comment
78	Does not agree with the planning proposal.	Noted.
81	<p>Against the process.</p> <p>Places unnecessary restrictions, will devalue the property and limit opportunity for improvements. Against blanket listing. Already many unsympathetic high rise apartment developments.</p>	<p>Objected noted.</p> <p>Please see main body of report for response to comments.</p>
84	<p>Concerned about ability to undertake future development and the impact on value given their significant investment.</p> <p>Draconian heritage restriction would have prevented post-war homes being built 60- years ago. The process of renewal and change of the built environment needs to be allowed to continue.</p> <p>There are two conflicting reports being the Paul Davies Pty Ltd and Perumal Murphy Alessi. Why has Council gone with the report with wider heritage restrictions?</p> <p>Many of the houses are neutral. The blanket restriction is unfair and unwarranted.</p> <p>Council should consult with owners as the first step not the last.</p>	<p>See comments in main body of report on house values and development.</p> <p>Heritage conservation is not preservation. Managed change can still occur when the identified cultural significance is retained. Many homes in heritage conservation areas have undertaken renovation works to alter the houses for modern living. New builds may also be permissible with approval where the new building can be shown not to have a degrading effect upon the HCA.</p> <p>The Perumal Murphy Alessi Report is the most recent report and it is the one on exhibition. This does not ignore or negate the assessments of either the Paul Davies Pty Ltd or the Sue Jackson-Stepowski heritage reviews. These are being reviewed along with the community's submissions to assist in determining the final HCA boundaries.</p> <p>It is agreed that many of the houses are neutral and the current boundary needs to be reassessed.</p> <p>Council did undertake non-statutory consultation with the community twice before this statutory exhibition.</p>




No	Issue/Concern	Comment
86	<p>Opposed to the proposal.</p> <p>Creates greater restrictions and reduce the property value.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments n restrictions and property values.</p>
87 89 131	<p>Object to the proposal.</p> <p>Less competition means lower price.</p> <p>It will affect all properties because lower quality properties will drive down the price of already renovated properties.</p> <p>Much of the area is neutral and many houses have additions diminishing the heritage significance.</p> <p>Many of those who supported this plan in the past were worried about high rise development but this is no longer of concern due to a change in government and law.</p> <p>The Development Control Plan for HCAs is too strict and will increase the cost and length of approvals.</p>	<p>It has not been the experience in Ku-ring-gai that conservation areas result in house price reductions. Other factors like the strong desire to live near schools and the train line tend to drive real estate prices. Also inclusion in a heritage area does not equate to zero alterations or additions. Properties continue to be renovated and maintained. Many of Ku-ring-gai's highest real estate prices for single dwellings have been for houses in conservation areas.</p> <p>It is agreed that the high number of neutral properties will require the boundary of the HCA to be amended.</p> <p>This report is dealing with current submissions not historic zonings.</p> <p>DAs for HCAs will require a comment or report on the heritage impact depending on the type of development, this will</p>
93	<p>Opposed to the proposal.</p> <p>It will devalue the property and impose restrictions on future changes which is unfair.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments.</p>
94	<p>Purchased the house with the intent of demolition. Feel that Council has misled them as there was nothing in the 149 certificate and they have received no other notifications of Council's intention to heritage list the property.</p> <p>Cannot see that there house is heritage</p>	<p>As per schedule 4 of the Environmental Planning and Assessment Regulations, the specified content of the 149 certificate is to include only those planning proposals that have been exhibited as per the requirements of the Environmental Planning and Assessment Act 1979. The previous</p>

No	Issue/Concern	Comment
	<p>as it was built during a period with a shortage of materials which has led to poor quality. Against the broad-brush approach to heritage. Instead should focus of individual places of value.</p> <p>Heritage listing will decrease the appeal of the area, which will fall into disrepair, decreasing the value.</p>	<p>exhibitions of the Heritage Reports were non statutory exhibitions. Council has provided a link on the heritage conservation area page to the <i>Local Plan Making Tracking Page</i> of the Department of Planning and Environment. This page identifies if a Gateway Determination has been requested i.e. once Council has resolved to pursue a heritage conservation area but before the statutory exhibition.</p> <p>The property (29 Beechworth Road) is a representative example of an Inter-war house and is contributory. However, many of the houses in this area are not contributory and it is not recommended that this property be included in the HCA.</p>
96	<p>The houses in this area are not old enough for heritage. The house has a variety of styles and not a consistent architectural character. The restriction will reduce the house price. The development controls are onerous and expensive, increasing the cost of change.</p>	<p>Age is not the only indicator of heritage significance. The properties in this area are of varying ages from around 1900 to now. This property (53 Livingstone Avenue) has been altered with a second storey extension over the northern wing and a carport added to the front attached to the building. It is recommended to change threatening from contributory to neutral.</p> 
97	<p>Object to the proposal.</p> <p>More than 50% of the draft area has undergone change with new builds and extensive renovation.</p> <p>The burden of maintaining the</p>	<p>It is agreed that in pockets the area has undergone extensive change.</p> <p>Within a conservation area all properties, new or old, are required to give consideration to the development controls for heritage conservation</p>


No	Issue/Concern	Comment
	<p>character is borne by a disproportionate minority. The constraints of conservation and the cost of renovation rather than rebuild would cause financial disadvantage.</p> <p>Listed houses could find themselves in the shadow of large new houses not burdened by the conservation constraints.</p> <p>The criterion for allocating ratings on specific houses lacks transparency and appears arbitrary.</p> <p>Our property at 24 Ashmore Avenue has undergone extensive change and none of the original exterior walls remaining. The rating should be changed to neutral.</p> <p>22 Ashmore Avenue has not undergone maintenance over the years and was in a state of disrepair before we purchased it in 2012. It is not in a state to be rented or retained.</p> <p>We have always maintained the character of the street by improving planting, avoiding building fences and maintaining setbacks. We support Council in protecting the character but in a way that requires all residents to contribute equitably.</p>	<p>areas. The HCA Development Control Plan objectives are to conserve the heritage values and permit development that enhances these values. Over scaled development that dwarfs existing dwellings would be discouraged and generally not approved.</p> <p>Please see the original report for definitions or the frequently asked questions. Generally, a contributory building is from a key development period, in this instance from the Federation to the Post-war period, and its front facade is generally intact, and any new development does not degrade or mask this significance.</p> <p>22 Ashmore would be assessed as contributory to the Post-war development period but this section of the HCA is not recommended to proceed.</p> 
99	<p>Objects to the proposal.</p> <p>Existing restrictions on development are already cumbersome. Additional restrictions will add additional costs to development.</p> <p>Many houses have changed. Mine at 19 Linden Avenue Pymble has had walls removed, rooms added and roof replaced. There is unsympathetic new build next door. The streetscape is</p>	<p>19 Linden Avenue Pymble is not rated as contributory, it is rated as neutral. The building next door is also rated neutral.</p> <p>The trees are recognised on the Biodiversity map of KLEP 2015 and are protected.</p>


No	Issue/Concern	Comment
	<p>impacted by the potholes in the street. Trees are already protected by the TPO.</p> <p>Street trees have been hacked to protect powerlines. The trees should be removed and replaced with shrubs to complement the gardens.</p>	
105	<p>Objects to the proposal.</p> <p>Area is no longer heritage due to the number or rebuilds and redevelopment.</p> <p>Proposal will place unnecessary restrictions and reduce vale.</p> <p>House is 40 years old and needs renewing. The cost of home improvements may have increased by 50%.</p>	<p>Objection noted.</p> <p>This area is not recommended to proceed. The house at 8 Barclay Close Pymble however is an interesting example of architecturally designed Post-war housing and should be further investigated.</p>   <p>Council does offer Heritage Home Grants to assist owners with conservation works of heritage places.</p>
107	<p>Against the proposal.</p> <p>Against blanket preservation as there are many new builds with new buildings and landscaping.</p> <p>Difficult to protect the streetscape and preserve the visual and topographical aspects of the area.</p>	<p>79 Pymble Avenue</p> <p>House on the site in the 1943 aerial photograph but the roof form has been altered. The property is correctly rated as neutral.</p> <p>Please see main report on property prices and blanket listing. This lot is</p>

No	Issue/Concern	Comment
	<p>Battle-axe sites with no assessment should not be included.</p> <p>Any property with external renovations should be excluded.</p> <p>Increased approval times will decrease demand to live in the area and reduce property values.</p>	<p>recommended to not be in the HCA.</p> 
113	<p>Strongly against the proposal.</p> <p>Concerned our property was included without proper consultation or due process.</p> <p>Our building at 72 Livingstone Avenue is of no heritage significance as in a state of disrepair. Constructed in the 1950s it has not been maintained and has issues with tree roots, termites and mould. The mould is endangering my family's health.</p> <p>We have a CDC for demolition that was issued in October 2017.</p> <p>We want to be removed from the HCA.</p>	<p>Objection noted.</p> <p>Has a non-complying CDC, certifier based it upon an out of date 149 certificate. The house was already in a draft HCA when the CDC for demolition was issued and should be invalidated.</p> <p>The house is a modest mostly intact 1950s bungalow. It is representative of an important key development period for the draft HCA.</p> 
114	<p>Strongly object to the proposal.</p> <p>It interferes with the use and maintenance of an owner's private property. Area has significantly changed with demolitions, rebuilds and renovations. What heritage is there?</p> <p>The timing of the exhibition after the Council election prevented it from being an election issue. In the past Council has spent millions of dollars unsupported by ratepayers trying to stop high rise development. I suspect this proposal has the same motivation.</p>	<p>27 Livingstone</p> <p>Heritage listing does not change the zoning it remains R2 low density residential. Many people in Ku-ring-gai live in heritage homes and have undertaken contemporary renovations to meet the demands of modern life.</p> <p>The timing of the exhibition was due to conflicting work demands of Council staff and other exhibitions.</p>

No	Issue/Concern	Comment
		
117	Do not agree with the proposal.	90 Livingstone Noted.
118	Totally opposes the proposal. It has no common sense. It will decrease the value of knock-down rebuild sites like my small modest house which has been labelled contributory and is absolute nonsense.	31 Beechworth Road Small rendered bungalow. Yard is heavily treed. On 1943 aerial, hipped roof with a projecting bay. Rating should be amended to neutral. This are is not recommended to proceed.
121	Objects to the proposal. Unnecessary restrictions that will decrease value of their house. Have invested a lot of money in the house and do not want to lose it. The house has a second storey extension and is not heritage.	7 Arilla Road Pymble  This is a heavily altered house and the rating was neutral so not considered to contribute to the heritage layer. This are is not recommended to proceed.
130	Property should not be in a HCA as: There is no architectural consistency Applying HCA rules will discourage upkeep No heritage significance House is less than 20 years old. Boundary of HCA should stop at the	84 Golfers Parade This house and both neighbours are new two storey builds  It is agreed that the boundary should be


No	Issue/Concern	Comment
	bottom of Pymble Avenue. Individual houses with significance can be listed as items.	altered and this property not included. Potential individual items should be recommended for further assessment.
132	Against the proposal. It will devalue the property and impact on their ability to downsize. Council's current rules are sufficient.	93 Livingstone Avenue See comments in the main body of the report on property value and regulations..
142	Opposed to the proposal. Opposed to the extension of the Heritage Conservation Area to include Golfers Parade Pymble. The proposed Conservation Area is unnecessarily large. The inclusion of Golfers Parade adds no material heritage benefit with many of the houses being built or modified within the last 20 years. Those not modified are no different to others in the area. Proposed restrictions are onerous. House already modified. It will devalue the house due to a reduced number of buyers.	The history of Golfers Parade is that it was part of a residential subdivision that was undertaken by Avondale Golf Course after WW2 in the 1950s. This is interesting in the course of development of the area but the fact that many of the houses are altered with new buildings and unsympathetic renovations has led to more neutral rather than contributory builds. It is recommended that this portion of the HCA not proceed. Please also see comments in the main body of the report.
153	Objects to the proposal. Own house is less than 20 years old.	Objection noted.
154	Object to the proposal. House has been extensively altered, lost historical roots. Nearly every building in Myoora Street has been substantially changed.	10 Myoora Street The house has been altered. It is not contributory. Listed as neutral on the map. Myoora Street is not recommended to proceed as an HCA.
167	Strong objection to the proposal. Concerned about the loss of property value and increased maintenance costs. Doesn't meet criteria for listing. House has been altered and changed. House	1 Courallie Avenue Pymble


No	Issue/Concern	Comment
	<p>has maintenance, structural, tree and pest issues.</p> <p>We will lose our rights to extend the house providing for housing choice.</p>	 <p>Please see the main body of the report regarding house value, renovation potential and housing choice.</p> <p>House is a modest 1950s bungalow. Does have a more recent garage built behind the front building line. The building is considered to be contributory to a 1950s development layer but this street is not recommended for inclusion in the HCA.</p> <p>Please also see comments in the main body of the report.</p>
169	<p>Against the proposal.</p> <p>Impact house value and ability to extend. While they do value the leafy streetscape Council should find a better way to protect the character of the area like preventing inappropriate development like the high rise apartments.</p>	<p>Objection noted.</p> <p>Please see comments in the main body of the report on property value and development.</p>
173	<p>Object to the proposal. Residents not adequately notified about the restrictions. Many houses already have additions or second stories. These modifications have diminished the heritage significance of the properties and the surrounding area.</p>	<p>The supporting material directed readers to view Council's development Control Plan and the Exempt and Complying SEPP. Both outline the requirements for development of heritage properties.</p>
174	<p>Strongly oppose.</p> <p>Existing regulations already control what can be done on private properties and are sufficient. It is important that development is controlled in this great</p>	<p>Opposition noted.</p> <p>The aim of heritage controls is to conserve heritage values, it is not regulation for regulations sake. Council's DCP allows development with</p>

No	Issue/Concern	Comment
	area but not over-controlled.	approval in conservation areas that facilitates the modernisation of family while conserving the cultural values of an area.
175	<p>Strongly object to the proposal.</p> <p>Having lived in an area where the average age was over 100 years I find it hard to accept the house at 39 Livingstone Avenue can be heritage. Plans to change the zoning should have been included in the 2015 149 certificate. It wasn't fair not include this on the certificate.</p> <p>It is the natural environment that is worth conserving. We own the house and not Council and there should not be further restrictions to the existing restrictions being riparian and E4.</p> <p>We have chosen to not pay a property at a higher price than it sold because of the heritage restrictions.</p> <p>The proposal does not balance my rights as a property owner.</p>	<p>39 Livingstone Avenue Pymble</p>  <p>Please see the main body of the report on "what is heritage". See comments in submission 84 above re 149 certificates.</p> <p>There are development controls on all properties, some fall under the SEPP, other Council's DCP. Properties that are assessed as having heritage values can still be renovated; the additional development controls require new addition so alterations conserve those heritage values.</p>
187	<p>Against the proposal.</p> <p>Limit ability to change house and garden as we move into retirement. Changes such as the high rise development are not appropriate but these can be prevented without further onerous protections.</p> <p>Strongly request Council retain the current planning rules.</p>	<p>52 Pymble Avenue.</p> <p>The house was constructed in the 1950s, and has limited aesthetic contribution to the key development layer and is considered borderline.</p>
188	<p>Object to the proposal.</p> <p>No new restriction, existing rules allow sympathetic redevelopment.</p>	<p>Objection noted.</p> <p>See main body of the report on restrictions.</p>

No	Issue/Concern	Comment
193	<p>Object to the proposal.</p> <p>Unnecessary restrictions with little regard to what is heritage.</p> <p>2 out of the 3 heritage experts who have undertaken assessment do not support the heritage listing.</p> <p>Those properties that have heritage value have already been identified. Many new owners have bought unaware of the potential listing. HCA will reduce future property values and improvements.</p> <p>Current rules allow sympathetic redevelopment.</p>	<p>33 Avon Road.</p> <p>See main body of the report on restrictions, redevelopment and notification.</p> <p>The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
205	<p>Object to the proposal</p> <p>Area is already changed with addition and second storeys on many houses.</p> <p>Allowing further changes like subdivision will benefit the community.</p> <p>Council should concentrate on footpaths.</p>	<p>It is agreed that many houses are changed. The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
206	<p>Request proposal does not proceed.</p> <p>Pymble is a highly sought after area with a variety of housing. Planning the future of the area can be achieved without broad-brush restrictions. Being unable to subdivide and make changes will make the area less desirable for families. Our own house is battle-axe and it is difficult to understand the heritage value given the recent changes and housing diversity.</p>	<p>See comments in main report on listing and restrictions.</p>
211	<p>Object to the proposal.</p> <p>Own an existing item. Support preservation and sympathetic</p>	<p>Objection noted.</p> <p>Please see comments under submission 205.</p>

No	Issue/Concern	Comment
	<p>renovation of genuine heritage places that are pre WWII. Including unworthy houses in a blanket listing makes a mockery of those places worth listing like several in the Orinoco HCA.</p> <p>Council application of the rules is inconsistent will only be worse with more places and cost more to ratepayers.</p>	
216	<p>Objects to the proposal.</p> <p>Majority of the houses in the area do not contribute to heritage.</p> <p>A local real estate agent told me it would limit the number of buyers and therefore the price. I should be able to determine how to redevelop my home within the existing rules to make it an attractive and sellable asset.</p> <p>Support preserving the Blue Gum High Forest. However the listing based upon subjective interpretations of taste, age and history is restrictive. Will the high rise towers be listed next?</p>	<p>Objection noted.</p> <p>See comments in submission 205 above and in the main report on house sales and redevelopment.</p> <p>See submission 99 on trees.</p>
219	<p>Strongly object to the proposal.</p> <p>Insufficient communication just putting ads in the paper and having a notice on the Council website. Council wasted money having someone randomly allocate different categories to houses. Council should notify residents of the restriction not the sanitised online version. While bureaucrats and are only interested in the list possible notice we hope Councillors will ensure each resident is fully notified.</p> <p>Previous submission was inadequate and misleading so it has been attached again. Understand Councillors only received a summary; they should take</p>	<p>In addition to the website and local paper advertisements, every homeowner was sent a letter which included a map and an explanatory brochure.</p> <p>The online exhibition included a link to the Development Control Plan which are the actual restrictions that would be applied to any Development Application.</p> <p>The summary of submissions is provided to the Councillors as well as a full copy of all submissions i.e. the submitted letters. This and the previous submission will be made available to</p>

No	Issue/Concern	Comment
	<p>the time to read the letters themselves.</p> <p>The assertion there is no property value loss is untrue. With 40 years' experience as a solicitor I know prospective buyers are put off if a property is in a conservation area.</p> <p>Question the consultant's qualifications. Nothing in her public information about her qualifications. Inconsistent nomination of ratings. Recent house has been categorised as contributory, pre 1950 is not. There is nothing heritage about our house to make it contributory. No external wall is original.</p> <p>Consider the full consequences of the proposal from Council's clerks and consider the consequences on home owners.</p>	<p>the Councillors.</p> <p>Please see the main body of the report with regards to property values.</p> <p>Council has confirmed Luisa Alessi's qualifications as an architect and her experience in several firms working as a heritage architect.</p> <p>While the house is representative of a certain 1960s aesthetic, this area is not recommended to proceed as a HCA.</p>
223	<p>Object to the proposal.</p> <p>Don't need blanket listing and unnecessary restrictions. Vast majority of houses don't have heritage value.</p> <p>Our rated contributory property will decrease our property value. It will lead to uncertainty. Development restrictions should remain the same.</p>	<p>2 Arilla is not contributory. Substantially modified with extended ridge line and dominant oversized dormers.</p>  <p>Area not recommended to proceed into the HCA.</p>
235	<p>Our 1950s house is built on clay and has many cracks. Many houses have been demolished and others of superior design in their place. Placing restrictions will lead to the building suffering further damage.</p>	<p>6 Myoora</p> <p>Classic red brick 1950s bungalow with cladded gable. It is contributory but this area not recommended to proceed to the HCA.</p>

No	Issue/Concern	Comment
		
10	<p>Support the proposal.</p> <p>It is a wonderful idea to protect our heritage.</p>	Support noted.
11	<p>Strongly support the conservation area.</p> <p>Values the area mid 20th century aesthetic, the historical subdivision patterns, natural topography and large canopy native trees.</p> <p>Agree with the larger HCA area as it corresponds with the original National Trust Urban Conservation Area 18. Includes the environmental context of the garden suburbs movement, smaller fragmented HCAs less effective at protecting these values.</p> <p>Compared to southern Ku-ring-gai the north area has little heritage and what we have should be recognised and protected.</p>	<p>23 Kimbarra</p> <p>Support noted. See the main report on the values of the area and the recommended boundary changes.</p>
13	<p>Strongly support the proposal.</p> <p>As a resident I value the streetscapes with houses set in large gardens, back from the street; the aesthetic qualities of the houses themselves, with a diversity of styles and built forms; the history present even today in the historical subdivision patterns; the beautiful remnant natural topography; and the wonderful native canopy trees, in great number and size in Sheldon Forest and along the Council's roadside</p>	<p>35 Avon</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>

No	Issue/Concern	Comment
	<p>reserves</p> <p>The area corresponds with original National Trust Urban Conservation Area.</p> <p>Pymble deserves to receive heritage recognition.</p>	
15	<p>Supports the HCA.</p> <p>In the traditional garden suburbs of Kuring-gai, we treasure the traditional streetscapes and neighbourhood character with low-rise dwellings and tree-lined suburban streets. Our built and natural environment are being lost or damaged at an unprecedented rate through inappropriate development under existing planning laws and policies.</p> <p>Support the HCA to ensure that changes to properties respect heritage values and streetscapes</p>	<p>10 Arilla</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>
16	<p>Support the proposal.</p> <p>Attracted to the area by the historic character being the early to mid 20th century houses set in large gardens and the large native trees.</p> <p>Support listing of eastern side. Heritage in Pymble needs to be recognised.</p>	<p>53 Beechworth</p> <p>Support noted.,</p>
19	<p>Strongly support the proposal.</p> <p>Values the historic aesthetic quality of the area. Supports the listing of eastern side. The west area corresponds with original National Trust Urban Conservation Area. Heritage in Pymble needs to be recognised.</p>	<p>2 Allawah</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>

No	Issue/Concern	Comment
25	<p>Strongly supports the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well.</p>	<p>43 Ashmore</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>
139	<p>Local heritage character should be protected for future generations. The buildings styles and layout have their foundation in the earlier 20th century garden suburbs movement. Modifications in the area are in the main sympathetic. Recognised independent professional consultants acknowledge the heritage value of the area.</p> <p>Creating a HCA will conserve the heritage setting for already designated heritage items. The streets have a visual rhythm of modest single residences and generous gardens integrated with stands of remnant forest. The character is enhanced by the undulating topography, bush views and vistas. The distinctiveness and character create a sense of place, informing us about what was important for previous residents.</p> <p>The area wears its layers of history well because new buildings and renovations have been in keeping with the existing scale and character.</p> <p>Maintaining distinctive historic neighbourhoods like ours, alongside the Victorian terraces of Paddington and Federation bungalows of Haberfield, contributes to the quality and life of a liveable city.</p> <p>We received a letter from a group in the</p>	<p>Support noted.</p> <p>Please see comments in the main body of the report on UCA and see comments to submission 11 above.</p>

No	Issue/Concern	Comment
	area urging opposition to protect property rights and house values. This is a selfish attitude that fails to acknowledge and recognise the aesthetic and amenity of our area that has evolved over many years, achieved by undertaking development of harmonious scale and character that respects the past. It is important that our neighbourhood have protection under Heritage Conservation Area designation.	
145	<p>Strongly supports the proposal.</p> <p>Supports the other conservation areas proposed for Pymble.</p> <p>As President of the Pymble Action group for the Environment Inc I have previously expressed to the Council and the HRC my views and support for the HCA. My views closely align with the Perumal Murphy Alessi report.</p>	Support noted.
162	<p>Strongly supports the proposal.</p> <p>As a former resident who grew up in Pymble I strongly support the conservation area. I enjoyed the garden feel and bushland environment of Pymble and hope to move back the area one day and enjoy it once more as I did before.</p>	Support noted.
170	<p>Supports the proposal.</p> <p>Must protect what makes this area desirable. Most new builds either multi storey or incongruent with the area.</p>	Support noted.
182	<p>Strong supports for the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the</p>	<p>Support noted.</p> <p>Support noted. Please see comments in the main body of the report on UCA and See comments to submission 11</p>

No	Issue/Concern	Comment
	<p>National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well. The consultant studies make it clear the area warrants heritage protection.</p>	<p>above.</p>
213	<p>Support the proposal as it facilitates the protection of BGHF and STIF which are important unique vegetation communities of World Heritage class.</p> <p>Support protecting heritage streetscapes of Inter-war architecture.</p> <p>Disappointed the former AGL site on Suakin Street has not been included as it has historic and archaeological value.</p> <p>Concerned about the canopy height of mature BGHF trees not being appropriate in a residential context. Perhaps these could be substituted for a local species with a lower centre of gravity.</p>	<p>29a Orinoco</p> <p>BGHF and STIF are recognised on the Biodiversity map of KLEP 2015 and are protected</p> <p>The former AGL site should be investigated for historic and archaeological values as part of any future strategic heritage reviews.</p> <p>Concern over the trees is noted but is beyond the scope of this report which is assessing the heritage planning proposal. Concerns over the suitability of tree species should be taken up with Council's Operations team who have responsibility for street trees.</p>
215	<p>Supports the proposal.</p> <p>The garden, architecture and bushland setting are representative of the history, evolution of infrastructure and changing settlement patterns of the area. There are no detracting items as new architecture is designed to fit in the area.</p>	<p>Support noted.</p> <p>The area is strongly dominated by the heavily treed landscape and the bush outlooks. This camouflages what would be traditionally considered unsympathetic development e.g. the introduction of two storey rendered project homes in a street that traditionally had single storey facebrick houses. An area that has substantially been changed and the key period of development is now heavily in the minority are no longer substantially intact. While the new architecture in some instances is sympathetic, sympathetic new builds are not heritage places. For these reasons the boundary has been reviewed to include areas where the landscape is supported by contributory buildings from the key</p>

No	Issue/Concern	Comment
		development periods.
218	Supports the proposal in both east and west Pymble.	Support noted.
227	Supports the proposal. From the residents of Euralba Estate. The proposal will improve and enhance the living environment for residents of Ku-ring-gai.	Support noted.
34	Support the proposal but want it extended. Would like the area to include the immediate boundaries of Sheldon Forest being Dhakkra Close, Quadrant Close and lower part of Beechworth Road, Albion and Jubilee Avenues. Area has natural and architectural heritage value. The Council planners must explain the logical reasons for excluding these areas. They are at risk from development that will denude the landscape like 1 Avon. Houses we recommend for heritage inclusion are: 5 or 6 in Albion Avenue or No 7 or 10 Dhakkara Close or 94 or 98 of Beechworth Road.	Support noted. Areas not assessed or exhibited cannot be included in this planning proposal. This area could be assessed as part of future strategic heritage reviews.
234	Support the proposal but not for their house. House is different from those in the immediate vicinity including the brick colour, window style, gable design and absence of architectural embellishments. The house is austere and would not suit a modern family without major modifications. We believe the HCA would be a severe	3 Mayfield Avenue This house is clearly present on the 1961 aerial photograph. It is a modest single storey family house with little or no change and is contributory.

No	Issue/Concern	Comment
	impediment to any sale process.	
	<p>Concerned over the aircraft noise and the potential impact on the conservation area.</p> <p>The whole Ku-ring-gai area is seriously impacted by the aircraft noise. This is due to the southern wind forcing the airplanes taking the route in north shore area.</p> <p>Is there anything that can be done to share this aircraft noise load, which will be beneficial to our heritage conservation area? Especially when I read the Long Term Operating Plan (LTOP) stats, it is noted the aircraft target of 17% for North is well beaten by the actual of 34%.</p> <p>Something needs to be done through our council.</p>	<p>Aircraft pathways are out of the jurisdiction of local government. This link to Airservices Australia mentioned in your submission explains the aircraft noise sharing plan for Sydney: http://www.airservicesaustralia.com/wp-content/uploads/FINAL_Key-facts-about-noise-sharing.pdf</p> <p>In a representation to Council when questioned on aircraft noise over the Pymble the response from Airservices Australia was “whenever it is possible to do so, noise sharing will be implemented and other runway modes will be used. However sometimes the wind makes this impossible.”</p>


Rating review



Rating: N – Neutral, C – Contributory, D – Detracting



	PMA (2015)	2018 review
Contributory	162 (32%)	132 (26%)
Neutral	350 (68%)	380 (74%)
Detracting	0	0
Total	512	510


Potential HCAs reviewed

Ratings review Livingstone Avenue (midway) – not recommended to proceed


Address	HCA Review Rating	Recommended rating	Comment
54 Livingstone Ave	C	N	<p>Large double garage forward of the front building line. The main building has been rendered.</p> 
56 Livingstone Ave	C	C	Heritage Item (Victorian)
62 Livingstone Ave	N	N	House incorrectly listed. Recommended for removal from KLEP 2015.
66 Livingstone Ave	C	C	Heritage item (Federation)
70 Livingstone Ave	N	N	Unchanged
72 Livingstone Ave	C	C	1950s
76 Livingstone Ave	D	N	New
78 Livingstone Ave	C	C	Heritage item (Federation)
80 Livingstone Ave	C	C	Heritage item (Federation)



Address	HCA Review Rating	Recommended rating	Comment
88 Livingstone Ave	C	N	<p>The house has been changed including infill on the ground floor.</p> 
77A Livingstone Ave	C	N	<p>Substantial 2 storey extension to the side of the building</p> 
77 Livingstone Ave	N	N	Unchanged
75 Livingstone Ave	C	Item	Heritage item
73 Livingstone Ave	N	N	<p>Unchanged</p> <p>DA4958/96 New 2 storey dwelling, front fence and outbuilding.</p>


Address	HCA Review Rating	Recommended rating	Comment
65 Livingstone Ave	C	N	<p>The building is reasonably recent and has faux detailing sympathetically blend with the heritage item at 75 Livingstone Avenue.</p> <p>DA96/1183: New single storey dwelling with double garage</p> 
63 Livingstone Ave	C	C	Unchanged
61 Livingstone Ave	C	C	1950s
59 Livingstone Ave	C	N	<p>Building has been rendered. Has lost the fine detail of the face-brickwork.</p> 

Address	HCA Review Rating	Recommended rating	Comment
57 Livingstone Ave	C	N	<p>New render (appears online in last sale with facebrick). No house at location on 1943 aerial</p> 


Ratings review extension Pymble Avenue HCA – recommended to proceed



Address	HCA Review Rating	Recommended rating	Comment
67 Pymble Avenue	N	N	Battle-axe
65 Pymble Avenue	C	N	 <p>1988 Build – Australian Nostalgia</p>
69 Pymble Avenue	C	C	Same
71 Pymble Avenue	N	C	Interesting 1960s - had a minor extension



Address	HCA Review Rating	Recommended rating	Comment
			
73 Pymble Avenue	C	C	Same
75 Pymble Avenue	N	N	Battle-axe
77 Pymble Avenue	N	C	<p>Battle-axe</p> <p>Architecturally designed (Russell Jack) intact and representative example of post-war architecture</p> <p>Recommended for further investigation to understand cultural significance</p> 
77B Pymble Avenue	Heritage item	Heritage item	Same
77A Pymble Avenue	N	N	Same
79 Pymble Avenue	N	N	Battle-axe - same




Address	HCA Review Rating	Recommended rating	Comment
81 Pymble Avenue	C	N	<p>Building application BA95/0506 – house, tennis court and garage</p> <p>Another variant of Australian Nostalgia</p> 



Ratings review Avon Road HCA – not recommended to proceed



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
11 Avon Road		Heritage item	Heritage item	same
15 Avon Road				Battle-axe handle
17 Avon Road		C	C	<p>1960s brick bungalow, single storey, substantially intact</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
19 Avon Road		Heritage item	Heritage item	Same 
21 Avon Road		C	C	Not easily photographed from the street due to vegetation. Extant building on the 1943 aerial photograph. From the street the house is single storey, rendered with Georgian revival characteristics including timber shutters. 
23 Avon Road		C	N	The house has been rendered, the verandas, windows and other openings altered. What was probably a terracotta roof tile has been replaced with black tiles. The form of the original house is extant as seen in the 1943 aerial photograph but the loss of the detailed brickwork and general characteristics of bungalows from this period has downgraded the contributory value of this building as representing the key

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				development period. 
25 Avon Road	C	C	C	Same 
27 Avon Road	N	N	N	Same Battle-axe
29 Avon Road	C	C	N	This was a lovely intact bungalow and many of the features are still present and discernible but the two dormers prominent on the front elevation are not sympathetic additions and have a detracting impact on the building.



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				 
31 Avon Road	C	N	N	<p>Present on the 1943 aerial, the roof form is substantially the same. The building has been rendered.</p> 
35 Avon Road	C	C	C	<p>Painted (reversible). Appears between the 1943 and 1951 aerial photograph in substantially the same form.</p>




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
37 Avon Road	N	C	N	<p>Dwelling present on 1943 aerial, however substantially changed. What was a transverse gable is now a hipped roof with a substantial projecting gable on the front elevation. Building best described as two storey faux federation.</p> <p>DA- 2012/89 Additions to create a dwelling in excess of 7 metres in hgt (1989)</p> <p>BA- 89/00220 (alts&adds)</p> <p>BA- 82/01710 (Garage)1982</p> <p>BA94/00027-Major additions and alterations</p> 


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
39 Avon Road	N	N	N	<p>Same</p> <p>Interesting 1960s building. Possibly architecturally designed. For this small area cannot be considered representative of a key development period.</p> 
41 Avon Road	N	C	N	<p>Facebrick has been painted (reversible). 1960s building that has been altered.</p> 




Ratings review Mayfield HCA – not recommended to proceed




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Mayfield Avenue	C	C	C	IW




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
3 Mayfield Avenue	N	C	C	IW 
2 Mayfield Avenue	C	C	C	Same 
4 Mayfield Avenue	N	N	N	Same 
6 Mayfield Avenue	C	C	C	Same




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Mayfield Avenue	C	C	C	Same 
10 Mayfield Avenue	C	C	C	Same 
12 Mayfield Avenue	N	C	N	Has been rendered




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
2 Arden Road	C	C	C	Same 
4 Arden Road	C	C	N	Unsympathetic dormer on front elevation. DA-1179/04/DB (ADDITIONS AND ALTERATIONS-2005) DA- 372/05/DB ADDITION TO REAR OF DWELLING-2005




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
6 Arden Road	N	ITEM	Item Not from key development period	Being considered for delisting 1950s modest single storey house. Early and not representative example of the work of Sydney Ancher. 
1 Arden Road	N	C	C	1950s 


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
3 Arden Road	N	C	N	<p>Building has been rendered and integrated extension to the side.</p> 
5 Arden Road	N	N	N	<p>Same</p> 
7 Arden Road	N	C	N	<p>Building has been rendered and built masonry structure (not fence) forward of the front building line.</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
9 Arden Road	C	C	C	Same 
2 Linden Avenue	C	C	C	Same 
4 Linden Avenue	N	C	N	Rendered 
6 Linden Avenue	C	N	N	Altered


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Linden Avenue	N	N	N	<p>Same</p> 
10 Linden Avenue	N	N	N	<p>Same</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Linden Avenue	N	C	N	Extension forward of the front building line 
3 Linden Avenue	C	C	N	Rendered 
5 Linden Avenue	N	C	N	Altered and not representative 
7 Linden	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
Avenue				
9 Linden Avenue	C	C	C	<p>Same</p> 
11 Linden Avenue	C	C	N	<p>DA0153/15 -Alterations and additions 2016 to create a second storey. No longer representative of the key development period.</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
15 Linden Avenue	N	N	N	Same Battle-axe cannot be viewed from the street
17 Linden Avenue	C	N	N	Battle-axe
19 Linden Avenue	C	N	N	Same
21 Linden Avenue	C	N	C	C 
40 Beechworth Road	C	C	C	LATE INTERWAR BA -86/01021 (alts &adds 1986) BA -87/01758 (additions 1987) BA-86/01021A(alts& adds 1988) Potentially sits within the recommended HCA
38 Beechworth Road	N	N	N	Same
36 Beechworth Road	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
34 Beechworth Road	C	C	C	Same
32 Beechworth Road	C	C	C	Same
30 Beechworth Road	N	N	N	Same
28 Beechworth Road	C	C	C	Same
26 Beechworth Road	C	C	C	Same
24 Beechworth Road	N	C	N	N
22 Beechworth Road	N	N	N	Same
20 Beechworth Road	N	N	N	Same
18 Beechworth Road	C	C	BL	Review
2 Allawah Road	N	C	N	Rendered

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
4 Allawah Road	N	C	C	On 1951 aerial
6 Allawah Road	N	N		Same
8 Allawah Road	C	C	C	Same
11 Allawah Road	N	N	N	Same
9A Allawah Road	N	-	-	Can't access BATTLE AXE

Ratings review Myoora Street/Kimbarra Road HCA – not recommended to proceed

1 Kimbarra Road	N	N	Same
3 Kimbarra Road	C	C	Same
5 Kimbarra Road	N	N	Same
7 Kimbarra Road	C	C	Same
9 Kimbarra Road	N	N	Same
1 Myoora Street	C	C	Same

3 Myoora Street	C	C	Same
5 Myoora Street	N	N	Same
7 Myoora Street	C	C	Same
9 Myoora Street	N	N	Same
11 Myoora Street	C	N	 <p>Rendered – originally red coloured biscuit-brick</p>
15 Myoora Street	C	C	Same
17 Myoora Street	C	C	Same
31 Beechworth Road	C	N	<p>Rendered – front of the house has been altered with roof changes – difficult to photograph because of the trees</p> 

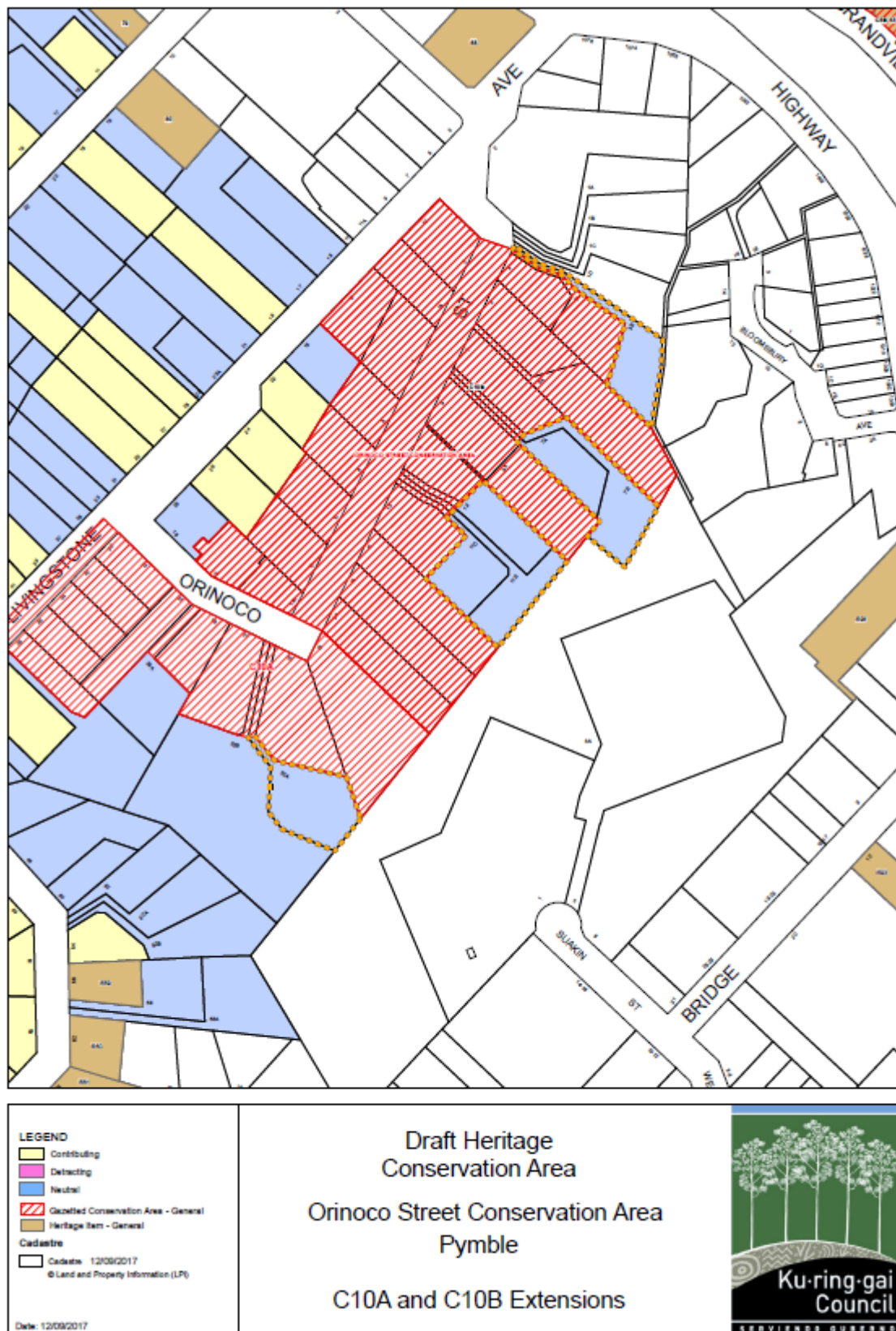
Draft Orinoco Conservation Area (C10A & C10B)

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Maps

1. Exhibited rating map



Comments

The area reviewed is the draft C11A and C11B that includes 7 properties located on battle-axe sites on Orinoco Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 1 objection was received.

Issues raised in the submissions included the unfairness of the listing as the houses do not address the street. The submissions are addressed in the submission summary table below.

In light of the public exhibition submission the area was reviewed again which included several site visits and historical research by Council officers. None of the ratings for this area changed as they were previously neutral and remain neutral. This area is not recommended to proceed as the inclusion of these neutral properties does not add to the significance of the existing heritage conservation area and there is no perceived benefit from their inclusion.

Rating review

There are no rating changes for the assessed extension to the Orinoco Conservation Area. In the exhibited map all the properties were neutral and remain neutral.

Submission summary table

No	TRIM	Issue/Concern	Comment
33	2017/282542	<p>Objects to the proposal.</p> <p>My house does not address the street, any building changes on my property would not impact on the Orinoco streetscape. This HCA only potentially disadvantages me. Why have these 7 properties been singled out?</p>	<p>The properties on the battle-axe sites were identified for inclusion as they are a new and important layer of the subdivision (of the larger West Pymble HCA not just Orinoco).</p> <p>Larger sites were re-subdivided to create these battle-axe blocks, many being downhill from Orinoco Street. The location on the hill created opportunities for architects to respond to the site with many houses having heavily treed bush outlooks. Many of these houses were designed in significant recognisable Post-war architectural styles such as those by Harry Seidler (perched above the site) and those by Russell Jack (nestled into the site). Specific to the Orinoco battle-axe sites is are the houses off Orinoco good examples of his type. These properties have been assessed as neutral and therefore the extension to the Orinoco HCA (to include the battle-axe sites) is not recommended to proceed.</p>

Submission summary table West Pymble and Orinoco Conservation Areas (C11A, C11B, C10A and C10B)

No	Issue/Concern	Comment
32, 37, 44, 47, 49, 51, 56, 80, 85, 92, 102, 143, 149, 158, 159, 204, 222, 225	<p>Supportive of both</p> <p>Values the early- to mid-20th century houses; subdivision patterns; gardens; vegetation; and streetscape. The recommendations in the Perumal Murphy Alessi and Jackson Stepowski reports are recognition of the heritage values that should be conserved and corresponds with National Trust UCAs. Supports wider Pymble HCA and supports Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see discussion on UCAs in the main report and the assessment of the draft West Pymble HCA and the Orinoco HCA in the attachments.</p> <p>The recommendation to not proceed with these areas is a reflection of the lack of representation of buildings from key historic development periods. The area is still rich in character and biodiversity, and the R2 (low residential density) zoning and protections in place for the environment will conserve this suburban character for years to come.</p>
102	<p>Supportive of both</p> <p>Same comments as submission above however also mentions Councils responsibility to protect heritage, but also to fully understand the rights and responsibilities of all citizens and human rights and how “such changes as suggested may be perceived by ordinary people as intruding upon their everyday life”</p>	<p>Support is noted.</p> <p>Please see comments above.</p> <p>The majority of submissions received were against the proposal citing loss of property rights and financial loss. These issues have been further elaborated upon in the main body of the report to further explain the costs and benefits of heritage listing.</p>
159	<p>Supportive of both</p> <p>Same comments as submission 32 however, also raises concern with high rise development and need for HCA to protect. Supports wider Pymble HCA and Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see comments for submission 32 above.</p> <p>It is agreed that Ku-ring-gai’s valued heritage should be protected, however, there is a need for robust assessment to ensure that these areas are intact and representative of Ku-ring-gai’s heritage, and as such are defensible when challenged.</p>

No	Issue/Concern	Comment
6	<p>Opposed</p> <p>Objects to the inclusion of Golfers Parade and Courallie Avenue. The area is neutral and the houses late 20th century or newer. Streetscape is not in the same league as houses along Pymble Avenue.</p>	<p>Opposition is noted.</p> <p>It is agreed that this area is mostly neutral and it is not recommended to proceed.</p>
8	<p>Opposed</p> <p>Lawley Crescent, Pymble does not show the integrity of a war period development, many houses are modern. The area should be removed.</p>	<p>Opposition is noted.</p> <p>Agreed. Lawley Crescent area is not recommended for inclusion within a heritage conservation area.</p>
24	<p>Opposed</p> <p>Puzzled by some of the classification – do you honestly think 56 Beechworth Road is worth keeping. A lovely renovated home would be better than what is there now.</p>	<p>Opposition is noted.</p> <p>56 Beechworth is not on an area recommended to proceed as a HCA and as such will not have the requirements of conservation.</p>
100	<p>Opposed</p> <p>Council allowed redevelopment near the Pacific Highway in Pymble. It would be a double standard to prevent change down the hill.</p> <p>No financial compensation for the loss of what is a huge investment.</p> <p>DAS will have time and monetary blowouts. Blanket listing will diminish the value. Existing codes and regulations are enough. Council should do everything in its power to prevent further medium and high density development in the area.</p>	<p>Opposition is noted.</p> <p>The high density zoning referred to in the submission was undertaken by the State Government. For comments on reduced house values and development restrictions please see the main body of the report. Most of this HCA is not recommended to proceed. As the submission did not provide an address this report cannot respond to the impact or not on the specific property. This report does not deal with rezoning.</p>
36	<p>Concerned about road safety.</p>	<p>Is not relevant to the current report. Submission has been forwarded to the relevant staff in Roads and Traffic.</p>

Submission summary table: All HCAs

No	Issue/Concern	Comment
164	<p>Supports new HCAs.</p> <p>Submission from Friends of Pymble.</p> <p>Wants to protect vulnerable heritage streetscapes and neighbourhood character in Pymble from being lost or damaged by inappropriate planning and development outcomes.</p>	<p>Support is noted.</p> <p>The review and assessment has given consideration to the conservation of heritage areas.</p>
172	<p>Supports new HCAs.</p> <p>Notes how unacceptable development threats to heritage have been recognised by Australian Council of National Trusts Endangered Places Listing. The planning proposal supports the protection of local cultural heritage.</p> <p>Online 'Submit a comment direct to Council' form at the top right of the website did not work as expected.</p>	<p>Support is noted.</p> <p>Ku-ring-gai Council has listed to the requests to further protect Ku-ring-gai's Council and this review again assesses those places with potential heritage value for inclusion as conservation areas on Council's Local Environmental Plan.</p> <p>I'm sorry that for you the "submit a comment online" did not work. If you have trouble in future please contact Council's customer service as they would be happy to help.</p>
203	<p>Supports new HCAs.</p> <p>Feels it is too little too late as a lot has already been lost, but supports the last ditch effort.</p>	<p>Support is noted.</p>

Submission summary table – Not Specified

No	Issue/Concern	Comment
55	<p>Opposed to HCA/</p> <p>The above proposal imposes unnecessary restrictions on what I can do with my property, therefore I do not agree to any extension of Heritage Conservation Area.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
122	<p>Opposed to HCA.</p> <p>Very few houses in the area proposed have anything of heritage or architectural value due to the amount of renovations, extensions and additions to the properties. These modifications have diminished their heritage significance of the area.</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p>
127	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on the owners with what they can do with their properties & living.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
128	<p>Opposed to HCA.</p> <p>It will decrease the property value and will attract less long term & stable resident due to council restrictions. No need of this proposal</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values.</p>
129	<p>Opposed to HCA.</p> <p>This proposal should come from the resident of the area who are living in it, not from people outside the area. This will restrict us as individual owner of the property, while the council has in past allowed big</p>	<p>Opposition noted.</p> <p>The request for the HCAs did come from the residents of the area. Please see the background in the report to Council GB. 15 on 6 December 2016.</p>

No	Issue/Concern	Comment
	builders to change the whole landscape of the area despite of our petitions not to do it.	
150	<p>Opposed to HCA.</p> <p>Many houses already have additions or 2nd stories which have already diminished the heritage significance of the property & surrounding area. The proposal will place unnecessary restrictions on what I can do with my property as well as potentially decrease the property value.</p>	<p>Opposition noted.</p> <p>It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
152	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Potential decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed. Many houses already have additions stories, which has diminished the heritage significance.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>
186	<p>Opposed to HCA.</p> <p>Many houses in the newly proposed HCA area already have additions, second stories, or modified with modern garages or carports and gardens. These modifications have greatly diminished the significance of the properties and surrounding area.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>

No	Issue/Concern	Comment
190	<p>Opposed to HCA.</p> <p>Concerned with decrease in property value, a lack of contributory buildings, previous modifications and additions, and a lengthy, costly and complicated Development Application process.</p> <p>Also mentions the West Pymble HCA extension is far away from Pymble train station and unlikely to attract developers. Also, Pymble residents supported the original HCA proposal; it was in the aim to prevent the approval for the major development application at 1 Avon Road Pymble.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above. Inclusion in a heritage conservation area does require a heritage impact statement for DAs which can increase length and cost. The restriction on exempt and complying development in a HCA is intended to conserve the recognised heritage values from unsympathetic change.</p> <p>There are many examples of knock-down rebuilds in the West Pymble area. The street is desired for its proximity to schools as well as the station.</p>
70	<p>Opposed to HCA.</p> <p>This restriction is absolutely unnecessary due to the following reasons: 1) Some of the houses in this area are moderated (extended or rebuilt); 2) Potential impacts on our property values and 3) It will add a lot of unnecessary works to extend my property.</p>	<p>Opposition noted.</p> <p>Please see comments to submissions 150 and 190 above.</p>
71	<p>Opposed to HCA.</p> <p>Many of the houses included in the heritage area would definitely not be classified as "heritage" properties. This proposal will limit people's ability to improve their homes for their own well being and will affect the value of their</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of</p>

No	Issue/Concern	Comment
	property.	significance.
75	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Limitations on renovations and improvement allowed will decrease in property value.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
98	<p>Opposed to HCA.</p> <p>I object to this proposal and seek further community consultation which addresses the impact on property values and appeal for prospective purchasers buying into in the area. Further, the already built new developments (high density and single dwellings) has already diminished heritage significance.</p>	<p>Opposition noted.</p> <p>This proposal has undergone community consultation through both statutory and non-statutory processes. Nearly all statistical analysis to the impacts of heritage listing on properties points to the impact being negligible. Upzoning would have a significant impact on property values however at this point in time and given the environmental constraints of some of these areas upzoning is not being considered.</p>

Attachment: Brief literature review of the effect of designation on area on house prices

International results for hedonic analysis

Numerous studies have been undertaken globally to ascertain the impact of heritage listing (designation) on property values (see Table 1). Ford (1989), Asabere and Huffman (1994a), Leichenko et al (2001), Coulson and Leichenko (2001), Deodhar (2004), Coulson and Lahr (2005), Narwold et al (2008), and Noonan (2007) all found that designated houses typically sold for a premium when compared to similar properties that were not designated. Others such as Asabere, Hachey and Grubaugh (1989), Schaffer and Millerick (1991), and Asabere and Huffman (1994b) deduced that designation typically led to a discount in the value or had mixed results including no significant price effect. Summaries of these conclusions can be found in Table 1.

The Australian Government Productivity Commission (2006) investigated the effect heritage listing had on the value of residential single dwelling properties in Ku-ring-gai and Parramatta. The analysis found no significant effect on house prices in either area.

An Australian study by William Jeffries in 2012 reviewed the effect of heritage listing on house prices in Mosman. The review challenged the assumptions and methods of previous Australian studies including Deodhar (2004) and the Australian Productivity Commission (2006). The study hypothesized that the previous studies which employed a hedonic price methodology failed to give consideration to:

1. A variance effect – heritage listing increases the price of some properties while reducing the price of others, giving an overall outcome which is erroneous as the two outcomes:
 - a) offset each other to a neutral outcome;
 - b) result in false positive; or
 - c) result in a false negative.
2. Doesn't measure the effect on the prices of neighbouring properties.

Jeffries applied three models to the data:

- When using the hedonic price model the results were closely aligned to the findings of Deodhar and the Productivity Commission for Ku-ring-gai with an estimated increase to house prices of 17.9%. Jeffries postulated this positive outcome was the result of the types of houses which had been listed which may have been of higher quality (design, materials, setting) before listing and therefore regardless of designation, this subset may have had a higher house price compared to the overall sample.
- The difference-in-differences model estimated the average treatment effect i.e. the model assessed before and after listing prices. The results of this modelling were statistically insignificant and therefore it could not be concluded that the higher prices for heritage properties pre-existed the designation.
- The fixed effects model utilised in the calculation only those properties which had sales in both the before and after designation time periods. This analysis eliminates time-invariant observables and unobservables leaving only time-variant observables i.e. changes that occurred as a result of the changing condition (heritage listing) not the environment of the changing time (e.g. past and present macro and micro economic climates). Again, there was no statistically significant result.

Finally Jeffries tested the hypothesis that heritage listing increases the prices of some houses while decreasing the prices of others, with the overall effect being to cancel each other out to no effect. Jeffries applied the Breusch-Pagan heteroskedasticity test to the Mosman data to determine if this variance existed. Jeffries found that designation did not have a varying effect on the price of the houses that were listed or the neighbouring houses.

Results for historic precincts (hedonic modelling and repeat sales analysis)

Ford (1989), Asabere and Huffman (1994a), Coulson and Lahr (2005), and Thompson, Rosenbaum and Schmitz (2010) all used hedonic analysis to ascertain the impact of heritage listing on historic precincts or neighbourhoods and found a positive effect on houses prices.

Australian examples of the impact on property valuations and sale price from being included in a statutorily recognised heritage conservation area (heritage precincts) has tended to review the effect of listing on houses prices in country and mining towns.

Countrywide Valuers and Trevor Budge and Associates in their 1992 study of the Victorian mining town of Maldon found no adverse effect on property valuations from the heritage and planning and controls set in place as a result of heritage listing. The study concluded the planning controls had conserved the heritage character of Maldon and attracted visitors and property buyers to the town. Property values in Maldon were comparable or higher than neighbouring towns which were not included in the heritage overlay.

Penfold (1994) reviewed the impact of heritage controls on prices for four conservation areas in four Sydney local government areas: Ashfield, Burwood, North Sydney and Waverly. The study found that the statutory recognition of the conservation areas had favourable impacts on Ashfield and Burwood but made little difference to the prices in North Sydney and Waverly.

Cotteril (2007) stated in the Sinclair Knight Merz report of the impact of heritage overlays on house prices in Ballarat that “well maintained and marketed heritage listed residential properties are likely to sell at a premium...” and “....generally residential house prices are more likely to be affected by external economic factors such as interest rates and property location”.

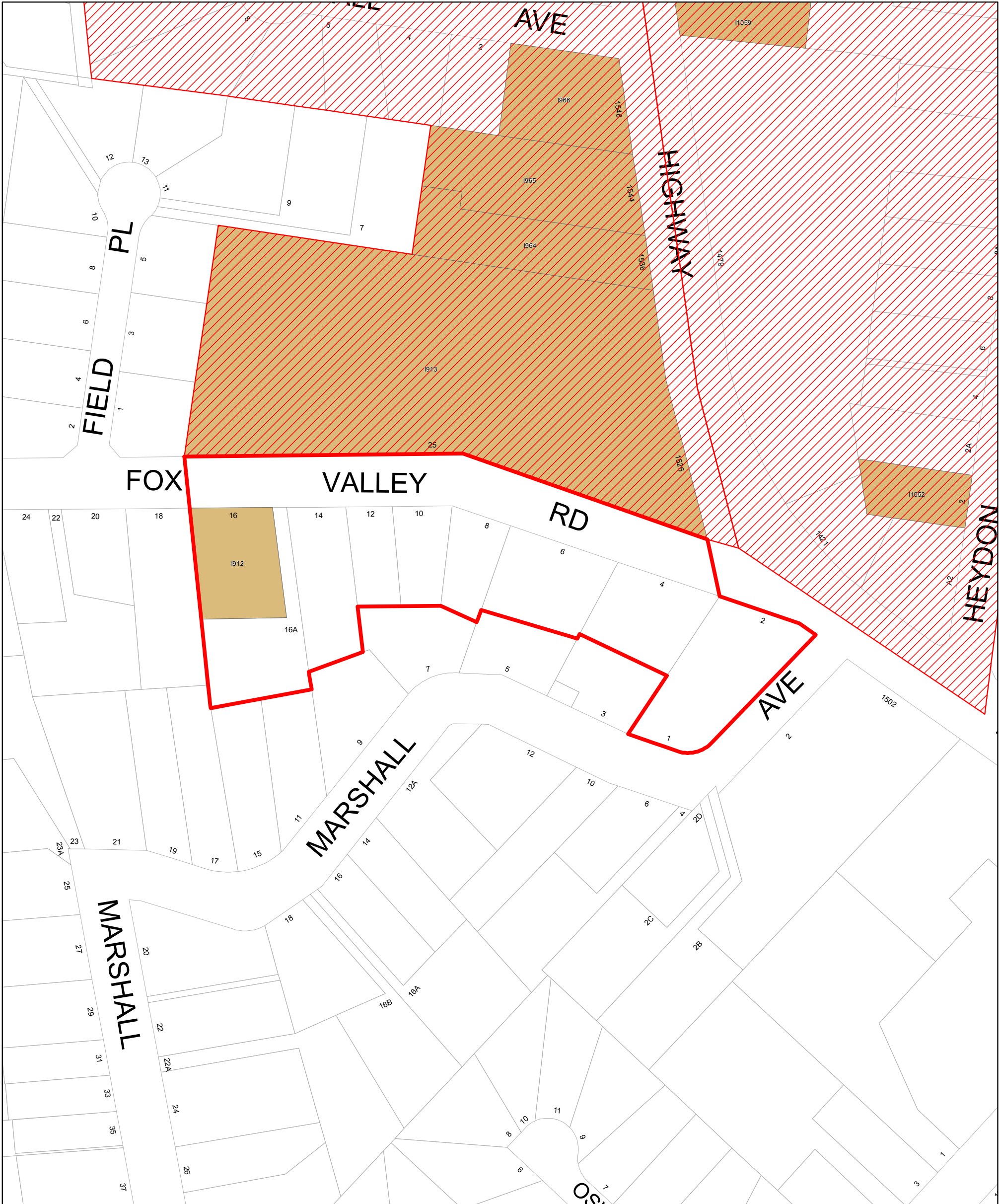
Armitage and Irons (2005) reviewed seven Australian and international studies on the effect of heritage listing on property prices. They surmised that the impact of heritage listing on property prices is marginal and generally tends to be positive, particularly in the case of placing heritage controls on entire precincts. They also note that individual cases, or outliers, do show significant upside or downside value movements. They attributed the positive effects in heritage precincts to the increased consistency and greater certainty of character in an area protected by conservation controls.

Table 1: Overview of studies**(Adapted from Lazrak, Nijkamp, Rietveld and Rouwendal (2009) and Jeffries (2012))**

Author(s)	Study	Study area	Key findings
Jeffries (2012)	Does heritage listing have an effect on property prices in Australia? Evidence from Mosman Sydney	Mosman, NSW	Cannot be concluded that heritage listing impacts house prices. A test for heteroskedacity yielded statistically insignificant results.
Zahirovic-Herbert and Chatterjee (2012)	Historic Preservation and residential property values: evidence from quantile regression	Baton Rouge, Louisiana	Results for historic districts. Buyers pay an average of approximately 6.5% for houses located in the nationally designated historic districts. Near Historic District, is a positive and indicates a 3.8% price premium for houses sold within walking distance from historic districts' boundaries'.
Moro, Mayor, Lyons and Tol (2011)	Does the housing market reflect cultural heritage? A case study of greater Dublin	Greater Dublin, Ireland	Results show that some types of cultural heritage sites, such as historic buildings, memorials, and Martello towers, provide positive spillovers to property prices while archaeological sites seem to be a negative amenity.
Thompson, Rosenbaum and Schmitz (2010)	Property values on the plains: the impact of historic designation	Nebraska, USA	Sale prices of houses in designated precincts rose \$5000 a year in comparison to houses in non-designated precincts in the years after designation.
Narwold, Sandy and Tu (2008)	The effect of historically designated houses on sale price	San Diego, USA	Historic designation of single-family residences creates a 16 percent increase in housing value which is higher than the capitalization of the property tax savings due to designation.
Noonan (2007)	The effect of landmarks and districts on sale price	Chicago, USA	Designated property has a positive effect on both itself and neighbouring properties.
Australian Government Productivity Commission (2006)	Effect of heritage listing: a hedonic study of two local government areas (on property value).	Parramatta and Ku-ring-gai, Australia	Heritage listing had no significant effect on the value of residential single dwelling properties.

Author(s)	Study	Study area	Key findings
Ruijgrok (2006)	The effect of 'authenticity', 'ensemble' and landmark designation on house prices	Tiel, Netherlands	Authenticity and façade elements accounts for 15 percent of sale prices in the Hanseatic city of Tiel.
Coulson and Lahr (2005)	The effect of district designation on appreciation rate	Memphis, Tennessee, USA	Appreciation rate were 14-23% higher when properties were in neighbourhoods which were zoned historical. Local designation is more important than national designation.
Deodhar (2004)	The effect of heritage listing on sale prices	Sydney, Australia	On average heritage listed houses commanded a 12 percent premium over non heritage listed houses. This premium is a combined value of heritage character, their architectural style elements, and their statutory listing status.
Coulson and Leichenko (2001)	The effect of designation on tax appraisal value	Abilane, Texas, USA	Local historic designation raises value 17.6 percent of designated property.
Leichenko, Coulson and Listokin (2001)	The effect of historic designation on house prices	nine different Texas cities, USA	Historical designated properties in Texas enjoy 5-20% higher appraised prices than other property.
Asabere and Huffman (1994a)	The effect of federal historic district on sales prices	Philadelphia, USA	Owner-occupied property located in national historic districts in Philadelphia sell at a premium of 26 percent.
Asabere and Huffman (1994b)	The effect of historic façade easements on sale prices	Philadelphia, USA	Condominiums with historic easements sell for about 30 percent less than comparable properties.
Asabere et al. (1994)	The sales effects of local preservation	Philadelphia, USA	Small historic apartment buildings experience a 24 percent reduction in price compared to non-locally certified properties.
Moorhouse and Smith (1994)	The effect of architecture on original purchase price	Boston, USA	Architecture design was valued with a premium.

Author(s)	Study	Study area	Key findings
Schaeffer and Millerick (1991)	The impact of historic district on sale prices	Chicago, USA	Properties with national historic designation have a premium and local historic designation have a discount over non designated properties. Properties near a historic district may enjoy positive externalities.
Asabere, Hachey and Grubaugh (1989)	The effect of architecture and historic district on home value	Newburyport, Massachusetts, USA	Historical architectural styles have positive premiums. The historic district of Newburyport does not have positive external effects.
Ford (1989)	The price effects of local historic districts	Baltimore, Maryland, USA	Historic districts do have higher prices than non-historical districts.
Vandell and Lane (1989)	The effect of design quality on rent and vacancy behaviour on the office market	Boston and Cambridge, USA	Design quality has a positive premium of 22 percent on rents but there is a weak relationship between vacancy behaviour and design quality.
Hough and Kratz (1983)	The effect of architectural quality on office rents	Chicago, USA	Tenants are willing to pay a premium to be in new architecturally significant office building, but apparently see no benefits associated with old office



Legend

Gazetted Conservation Area - General

Heritage Item - General

Revised HCA Boundary

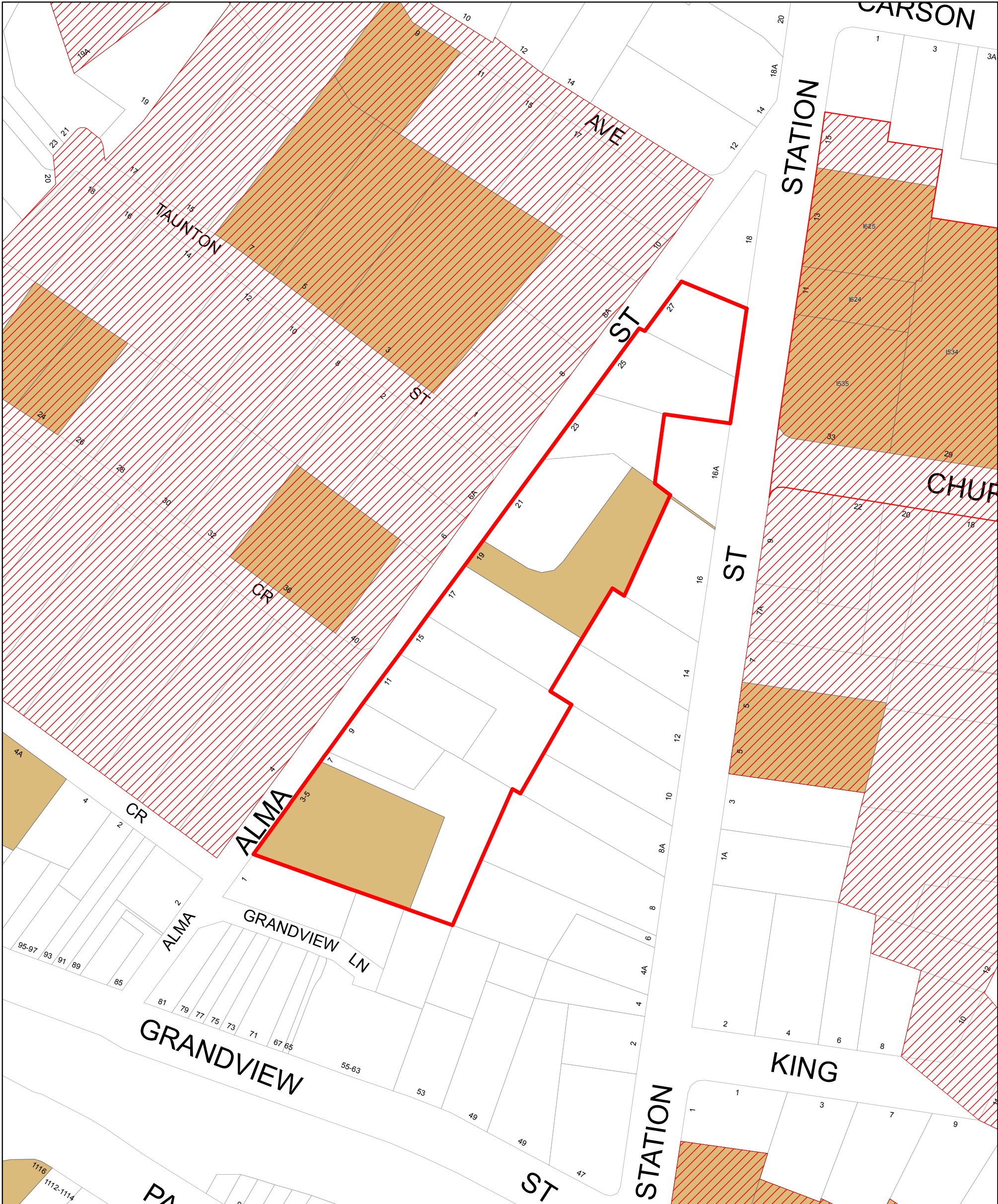
Date: 19/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018




Mahratta Conservation Area
Wahroonga
C4

Recommended to proceed





Legend

-  Gazetted Conservation Area - General
-  Heritage Item - General
-  Revised HCA Boundary

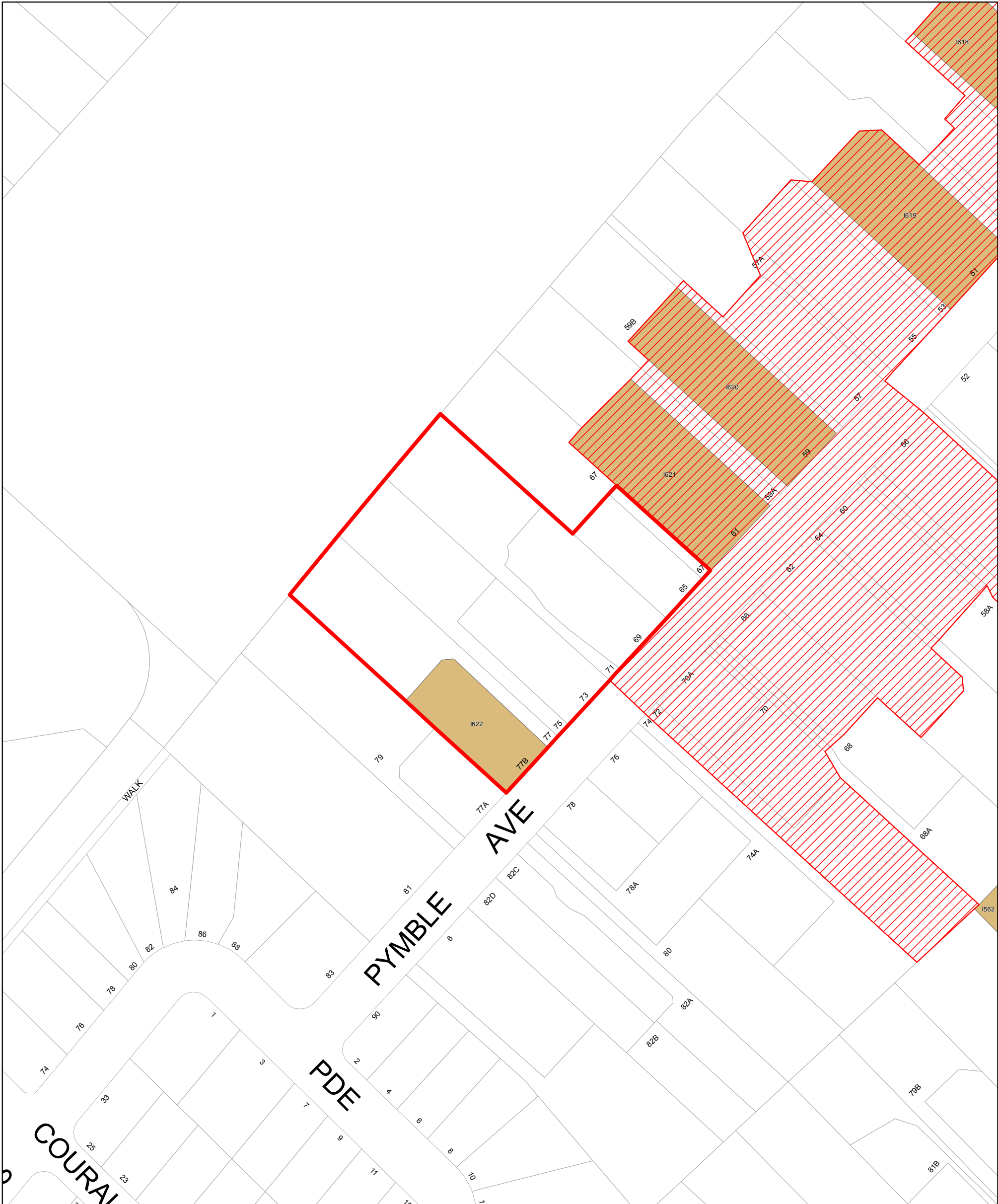
Date: 19/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018




Athol Conservation Area
Pymble
C43

Recommended to proceed





Legend

-  Gazetted Conservation Area - General
-  Heritage Item - General
-  Revised HCA Boundary

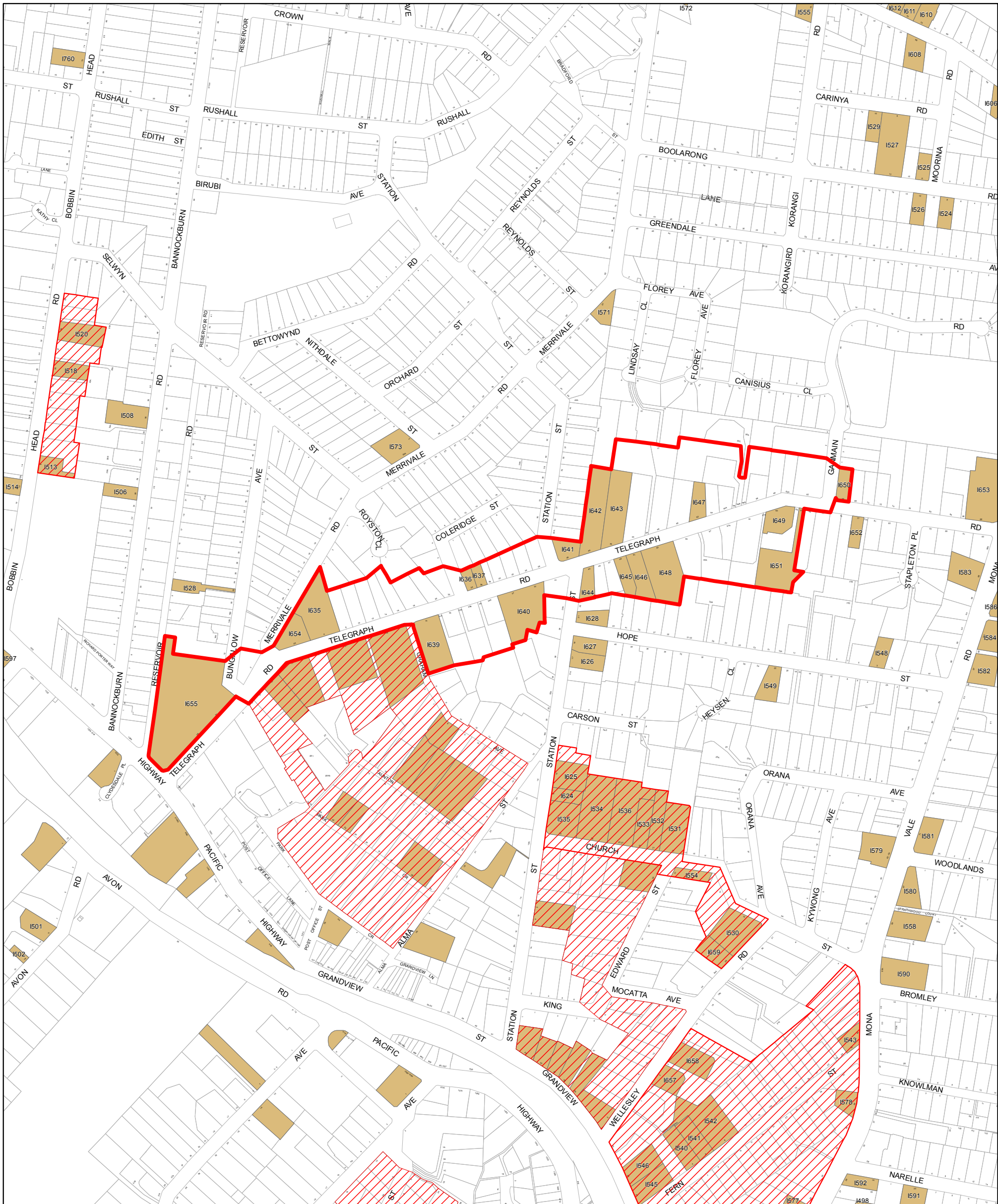
Date: 19/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018




Pymble Avenue Conservation Area
Pymble
C11

Recommended extension to C11





Legend

-  Gazetted Conservation Area - General
-  Heritage Item - General
-  Revised HCA Boundary

Date: 19/04/2018

**Draft Heritage Conservation Area
Area Review - Feb 2018**

**Telegraph Road
Pymble
C44**

Recommended to proceed - reviewed boundary



CONSIDERATION OF SUBMISSIONS ON THE DRAFT HERITAGE CONSERVATION AREAS: TELEGRAPH ROAD, GILROY ROAD, MAHRATTA AND HILLVIEW

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Telegraph Road Conservation Area, Gilroy Road Conservation Area, Mahratta Conservation Area and Hillview Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND:

A Planning Proposal was prepared to include several heritage conservation areas for KLEP 2015 and the KLEP LC 2012.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. This report provides an overview of the outcomes of the public exhibition.

COMMENTS:

A total of 39 submissions were received on these draft conservation areas during the public exhibition of the planning proposal. The submissions have been reviewed and the planning proposal has been revised.

RECOMMENDATION:

That Council proceeds with a heritage listing for the Gilroy Road Conservation Area, Mahratta Conservation Area and Telegraph Road Conservation Area. The Hillview Conservation Area is not recommended to proceed.

PURPOSE OF REPORT

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Telegraph Road Conservation Area, Gilroy Road Conservation Area, Mahratta Conservation Area and Hillview Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 26 November 2013 Council resolved to place 14 potential heritage conservation areas on non-statutory exhibition. This was a peer review of the areas reviewed by Paul Davies Pty Ltd in 2010. These reviewed HCAs were exhibited from 7 March 2014 to 7 April 2014. This work was undertaken by Heritage Consultants Sue Jackson-Stepowski Pty Ltd, Carste Studios and John Oultram.

On 26 November 2013, members from the Pymble community addressed Council regarding the heritage significance of Pymble. Council resolved to seek quotations from a heritage consultant to undertake a further heritage review of Pymble.

Perumal Murphy Alessi Pty Ltd Heritage Consultants were engaged to undertake this review. On 26 May 2015 Council resolved to place this review of the Pymble East and West HCAs on non-statutory exhibition.

These were exhibited for a non-statutory period from 5 June 2015 to 3 July 2015.

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012.

The Department issued a Gateway Determination to allow exhibition on 2 May 2017.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Owners were notified by a letter that included a map of the affected area and Heritage Conservation areas brochure briefly explaining the proposal, the process and the community's opportunity to make comment.

A report on the submissions was presented at the Ordinary Council meeting of 8 May 2018. Following representations from members of the community the Council resolved to defer the report to three subsequent meetings to provide more time for Councillors to consider the recommendations and undertake their own assessments.

This report provides an overview of the outcomes of the public exhibition for the following conservation areas:

- Mahratta Conservation Area (extension to an existing HCA);
- Gilroy Road Conservation Area (new HCA);
- Hillview Conservation Area and (extension to an existing HCA);
- Telegraph Road Conservation Area (new HCA).

COMMENTS

Heritage conservation areas conserve the heritage values of an area, rather than a particular item. These are areas in which the historic origins and relationships between various elements create a cohesive sense of place that is worth keeping. These elements can include the buildings, gardens, landscape, views and vistas.

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing which heritage conservation areas should be included in the Ku-ring-gai Principal Local Environmental Plan include:

- **Cultural significance** – as assessed by the heritage consultant Architectural Projects Pty Ltd. This assessment reviewed the intactness of heritage conservation areas that were previously recommended by the 2006 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh and/ or the Godden Mackay Logan Urban Conservation Area studies (2001-2005).
- **Submissions** – issues raised in the submissions are addressed in **Attachments A1 to A5**. The public submissions covered a variety of topics including support or objecting against the findings of the HCA review, factual corrections, concerns regarding incorrect assessment of contributory values and the financial impacts of inclusion in a heritage conservation area.
- **Proximity to gazetted Heritage Conservation Areas** – where the proposed HCA is adjacent to an existing HCA the extension completes and/or further conserves those conservation areas already gazetted.
- **Other planning considerations** under the Ku-ring-gai Local Environmental Plans and associated Development Control Plans, including issues such as the management of fire prone areas and interaction with interface zones of areas with medium or high residential density.

Assessments of heritage conservation areas ascribe contribution values to the buildings within the conservation area. The methodology applied in the assessment process of potential heritage conservation areas includes reviewing previous studies and historical data, undertaking additional new historical research, engaging in detailed fieldwork including walking the study areas and assessing the properties as contributory, neutral or uncharacteristic. This methodology was developed by the City of Sydney to review and determine the integrity of several of its heritage conservation areas and is considered best practise.

The description for each ranking is:

- | | |
|---------------------|---|
| 1. Contributory - - | Key historical period layer, highly or substantially intact
Key historical period layer, altered, yet recognisable and reversible |
| 2. Neutral - - | Key historical period layer, altered in form, unlikely to be reversed;
New sympathetic layer or representative of a new layer |
| 3. Detracting - - | Not from a key historical period layer
Uncharacteristic (in either scale or materials/details)
New uncharacteristic development
Other uncharacteristic development |

Common themes from the community submissions

Council received 39 community submissions for the heritage conservation area peer review for the HCAs being considered by this report, several of these were duplicates sent by mail and electronically: In addition 3 submissions were received that were in support of all the HCAs that were exhibited as part of the peer review.

36 submissions were against the proposal and 6 submissions were for the proposal. A summary of the submissions for each heritage conservation area can be found in **Attachments A1 to A4**, and submissions that were made for all HCAs (i.e. not a specific area) can be found in **Attachment A5**.

Common themes from the submissions were:

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval.

New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation.

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were

Item GB.7

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originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh.

Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to recognise and protect Ku-ring-gai's unique garden suburbs. The up-zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development.

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A6**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The "blanket" approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona Vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed, is the Robertson and Hindmarsh study did not undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and the history of change to include those areas that best represent the history and heritage of Ku-ring-gai.

Review of the maps and proposed HCAs

Following the exhibition period Council staff reviewed the submissions and then once again reviewed the proposed heritage conservation areas taking into consideration the information gleaned from the submissions, changes on the ground (demolitions and/or new developments including alterations and additions) and Council held records (such as historical photographs, Council reports, property files and development applications).

Below is a summary of the Council officer's recommendation for each heritage conservation area. Further information for each of the heritage conservation areas can be found in **Attachments A1 – A4** which includes comments, summary of submissions, revised ratings and revised mapping.

Summary of heritage conservation area recommendations

Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
Extension	Mahratta Conservation Area	C4	KLEP	John Oultram	Proceed Extension to existing Mahratta Conservation Area [C4]
New	Gilroy Road Conservation Area	C42	LCLEP	SJS and John Oultram	Proceed amended
Extension	Hillview Conservation Area	C40	LCLEP	SJS	Not proceed
New	Telegraph Road Conservation Area	C44	LCLEP	SJS	Proceed amended Telegraph Road Conservation Area [C44]

Maps of the heritage conservation areas recommended to proceed can be found at **Attachment A7**.

Mahratta Conservation Area - Wahroonga (C4 extension) (see Attachment A1)

The Mahratta Conservation area extension is recommended to proceed unamended. The contribution ratings for the buildings in the proposed extension of Mahratta did not change as a result of the submissions. The majority of submissions were objections. The issues raised included the lack of heritage significance, the impact of change and the effect on house prices. The extension to the Mahratta HCA is recommended to proceed. The historic houses contribute to the understanding of Federation and Inter-war development of Fox Valley Road and provide important context to Mahratta.

Gilroy Road Conservation Area – Turramurra (C42) (see Attachment A2)

The Gilroy Road Conservation Area [C42] is recommended to proceed with changes. The key development period is as an early Inter-War, 'garden estate' aesthetic demonstrated by smaller buildings on allotments with sizeable backyards and space for cars to park adjoining dwellings. Regular shaped and sized allotments containing single storey cottage style dwelling houses either

in Federation style or Inter-War/bungalows predominate. Modifications have occurred over time including painting of brickwork and side carports; however the overall original building form and style remain legible. It is considered that the identified areas of Gilroy Road and Eastern Road demonstrate historic and aesthetic heritage values and should be listed as a Heritage Conservation Area with amended boundaries as detailed in this report.

Hillview Conservation Area – Turramurra (C40 extension) (see Attachment A3)

The Hillview Conservation Area extension is not recommended to proceed. The peer review recommended an extension of the existing Hillview Heritage Conservation Area. The two contributory properties to be added are from the Federation period, 2 Kissing Point Road being a single storey Queen Anne style Federation house and 1362 Pacific Highway being a two storey house in the Federation style. Both houses are being adaptively reused for businesses. While both buildings have contributory values in their forms, scale and setbacks, both buildings have some change.

The land on which they are located is zoned B2 Local Centre. The DCP reviewed these sites and set development controls for new development that responds to the context of the heritage items on Pacific Highway while making a positive contribution to future development on the master-planned Town Centre sites (see Activate Turramurra). Objecting submissions expressed the opinion that heritage listing would contravene the objectives of the B2 zoning and by extension the Sydney District Plan and s.117 Ministerial Directions. The front of several buildings from 1356-1362 Pacific Highway have been zoned SP2 Classified Road. Given the opportunity the site presents to the Turramurra local centre, and the future potential compromise of the SP2 zoning, it is recommended the extension not proceed.

Telegraph Road Conservation Area - Pymble (C44) (see Attachment A4)

Telegraph Road Conservation Area Pymble (C44) is recommended to proceed with changes. Telegraph Road's importance as a transport route dates back to the area's early development as a timber getting location and it remains an important transport link to this day. Telegraph Road retains many significant examples of high quality, architect designed residential development reflecting the historical trend of wealthy Sydney residents seeking refuge from the more crowded inner urban areas. It is considered that Telegraph Road demonstrates historic, aesthetic and historical association heritage values and should be listed as a Heritage Conservation Area with amended boundaries detailed in this report.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

This report addresses issues of heritage protection in line with Council's recently gazetted LEPs. The process for the preparation and implementation of the Planning Proposal to implement the new Heritage Conservation Area is governed by the provisions contained in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

Council was issued with plan-making delegation under Section 2.4 (previous s23) of the EP&A Act 1979 to finalise the Planning Proposal

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee. There were no objections raised to the recommendation. One member did request Council revisit Fox Valley Road Wahroonga (area outside the exhibited HCA) for consideration as a heritage conservation area and expressed their support for the inclusion of the extension to the Hillview HCA.

A member of the HRC has raised concerns about the extent of Gilroy Road and Eastern Road proposed for inclusion within the HCA and has recommended that the boundaries be extended to include additional properties. The exhibited HCA boundaries were approved for progression under the Gateway Determination issued by the Department of Planning & Environment. Therefore, this report cannot include matters outside of these areas. This matter can be further reviewed and referred back to the Heritage Reference Committee.

INTERNAL CONSULTATION

A briefing was held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018 and a further Councillor briefing session was scheduled prior to this report to the Council meeting of 12 June 2018.

This report has been referred to the relevant sections of Council and the Council's Heritage Reference Committee for comment.

SUMMARY

This report considers the community submissions to a planning proposal to list four additional heritage conservation areas being Mahratta, Hillview, Gilroy Road and Telegraph Road Conservation Areas. Based on the assessment of the submissions and further detailed heritage assessments three conservation areas are recommended to proceed.

RECOMMENDATION:








- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation areas Telegraph Road Conservation Area, Gilroy Road Conservation Area and Mahratta Conservation Area as identified in **Attachment A7** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- C. That those who made a submission be notified of Council's resolution.

Andreana Kennedy
Heritage Specialist Planner

Maxine Bayley
Strategic Planner Heritage

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1 	Assessment - Extension to Mahratta HCA (C4)	2018/145100
	A2 	Assessment - Gilroy Road Heritage Conservation Area (C42)	2018/152638
	A3 	Assessment - extension to Hillview Conservation Area (C40)	2018/105690
	A4 	Assessment - Telegraph Road Heritage Conservation Area (C44)	2018/152711
	A5 	Submission summary table - all HCAs	2017/334722
	A6 	Brief literature review of the effect of designation on area on house prices	2018/109311
	A7 	Recommended boundaries April 2018	2018/115925

Extension to Mahratta Conservation Area (C4)

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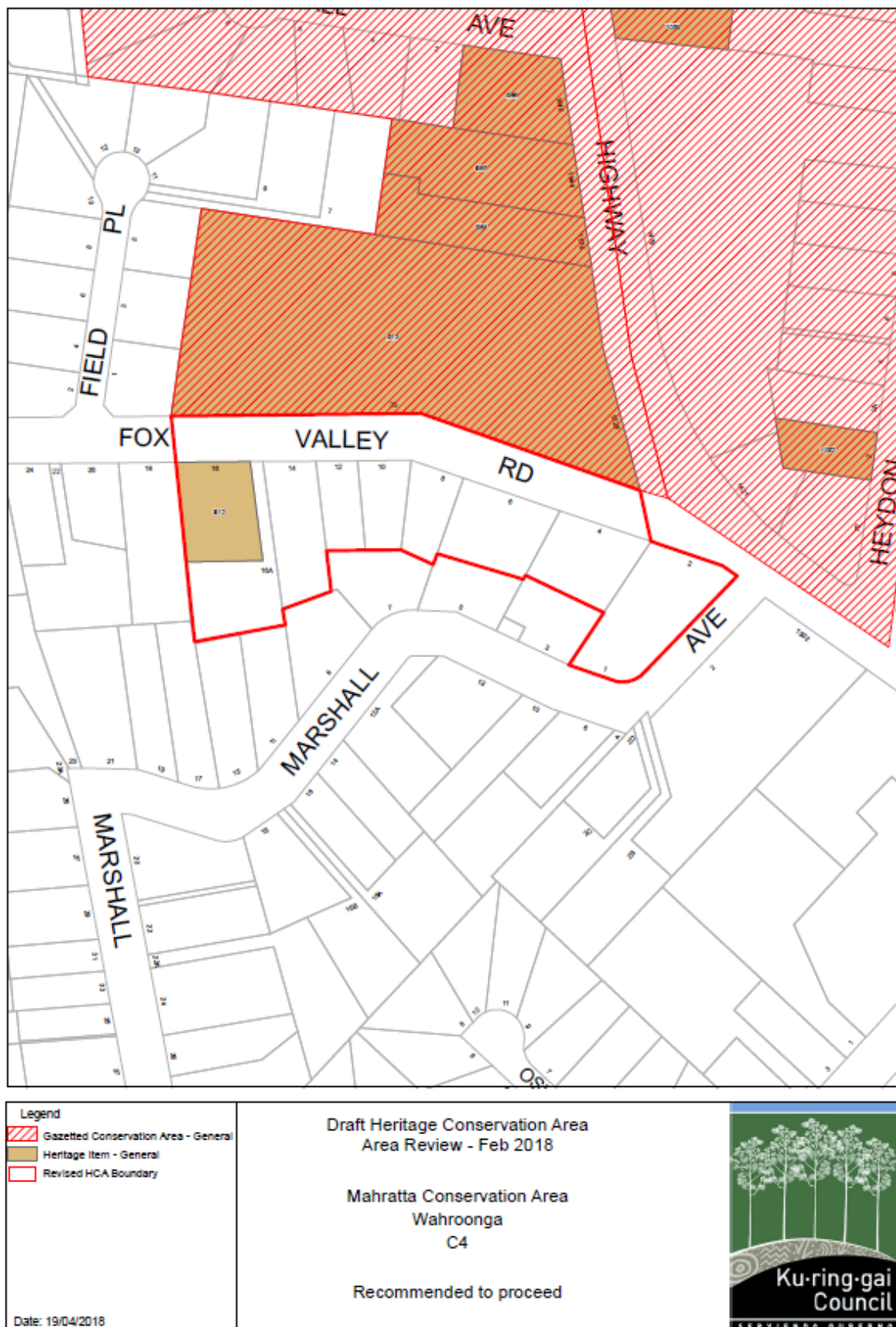
Comments 5

The revised statement of significance for the extended Pymble Avenue Conservation
Area is: 7

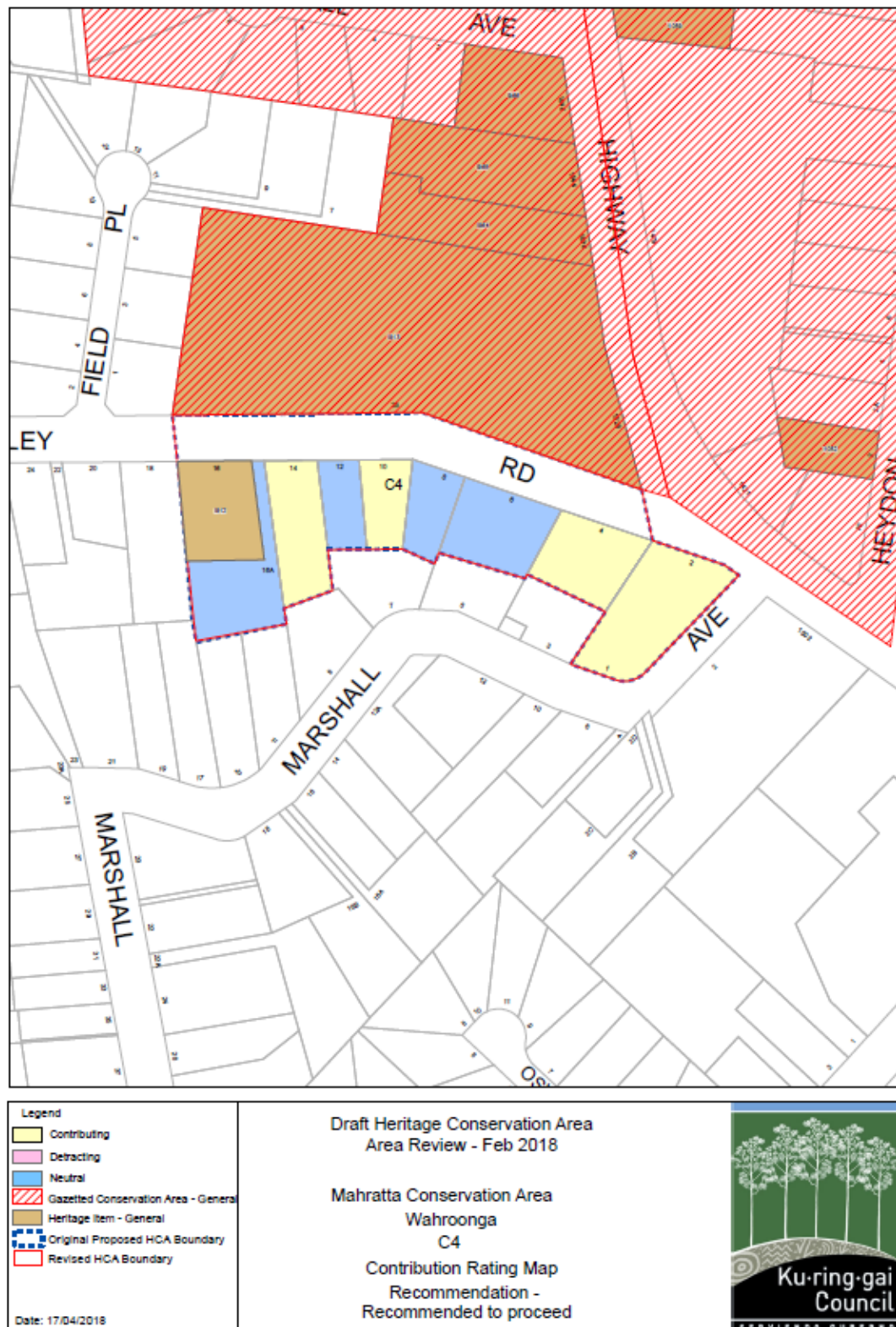
Submission summary table: Mahratta Conservation Area (C4) 7

Maps

1. Area recommended to proceed



3. Revised rating map



Comments

The area reviewed was a proposed extension to the Mahratta HCA (C4) that included 9 properties located on Fox valley Road, Wahroonga.

The area was identified for listing as a Heritage Conservation Area by John Oultram in 2013. The statement of significance prepared to support the listing states:

The Mahratta Heritage Conservation Area is of historical and aesthetic significance for its largely intact fabric (houses, gardens, street layout) dating from the 1890s through to the inter war period into the 1940s. The area is of aesthetic significance as it encompasses the State Heritage Listed Mahratta built 1941 on the corner of the Pacific Highway and Fox Valley Road with its substantial gardens designed by Paul Sorenson; the 1924 subdivision of Myall Avenue as a rare early cul-de-sac design, distinctive for its Inter war period housing and circular planting bed; the 1912 subdivision of the eastern end of Gilda Avenue, with its collection of Federation period to inter-war period housing.

The area is of historical significance as one of the earliest areas of housing development on the western side of the Pacific Highway at Wahroonga, encompassing the 1896 Brown's Estate that covered a large portion of the area, the 1912 Warrawee View Estate (eastern end of Gilda Avenue) and the Myall Avenue (a subdivision of part of Toohey's Estate). The 1943 aerial photo of the area shows the eastern end of Gilda Avenue with unified formal street tree plantings (likely brush box), indicating the influence of the Wahroonga Progress Association in the early 20th century.

The area has associations with John Brown who owned and cleared a large portion of land to the north and south of Fox Valley Road and whose descendants subdivided and developed the land from 1896 onwards. The area also has associations with Thomas Hyndes who was granted a large parcel of land at Wahroonga in 1838 that he used for timber getting.

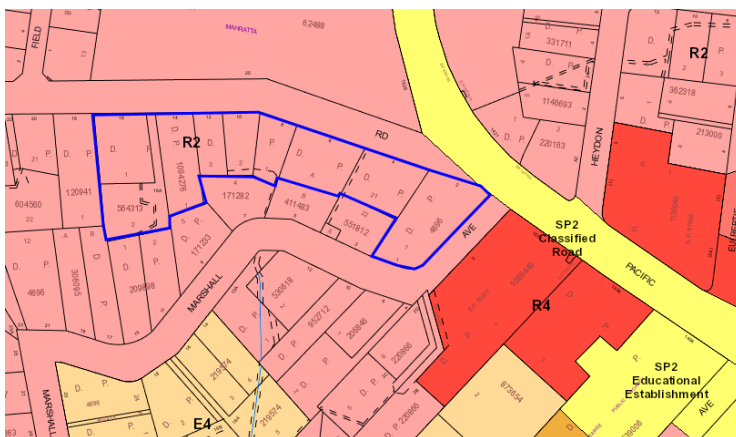
As a result of the statutory public exhibition process, 5 objections were received against the proposal and 1 submission was received directly in support of the draft Mahratta HCA extension during the exhibition period.

Issues raised in the submissions included the lack of heritage significance, increased development restrictions and financial burden. These issues are addressed in the main report and in the summary submission table below. One submission did raise the inconsistency of the inclusion of the south side of Fox Valley Road within the conservation area as it was not part of the land developed by John Brown. This land was originally part of the Thomas Hyndes six acre land grant, granted in 1836. This land was sold to John Brown in 1854, and the land which became Marshall Estate sold to Reginald Edmund Finlay, purchased from the Estate of John Brown in January 1892.

The subsequent subdivisions and estates within the HCA include Brown's Estate (post 1892), Marshall Estate (1905), Warrawee View Estate (1912) and a portion of Toohey's Estate.

Several submissions raised concern at the inconsistency of a heritage conservation area abutting a high density residential (R4) zoning. Image 1 below shows the zoning is across Marshall Avenue. This does have an impact on the amenity of 2 Fox Valley Road but does not impact on the aesthetic significance of the proposed heritage conservation area extension as the area is heavily treed and the neighbouring properties on the Fox Valley Road frontage provide context and historical setting to 2 Fox Valley Road. This is then not a question of heritage value. Several submissions inferred that these buildings should be upzoned and not included in a conservation area. A consideration for any future proposal to upzone these houses would be the impact on the heritage items, particularly the State Heritage Items being Purulia and Mahratta and as such from a heritage perspective increased residential density is unlikely to be supported.

Image 1: zoning surrounding the proposed Mahratta Conservation Area extension (extension outlined in blue).



In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers.

The ranking of each property within the draft conservation area is included below. No rankings were changed. Based upon the reassessment the extension to the Mahratta Conservation Area is recommended to proceed.

It is recommended the rest of the Marshall Estate should be investigated for historical significance and 2 Fox Valley Road be further investigated for its cultural significance.

The revised statement of significance for the extended Pymble Avenue Conservation Area is:

The Mahratta Heritage Conservation Area is of historical and aesthetic significance for its largely intact fabric (houses, gardens, street layout) dating from the 1890s through to the inter war period into the 1940s. The area is of aesthetic significance as it encompasses the State Heritage Listed Mahratta built 1941 on the corner of the Pacific Highway and Fox Valley Road with its substantial gardens designed by Paul Sorenson; the State Heritage Listed Purulia house and garden designed by renowned architect William Hardy Wilson and built 1912-1913; the 1924 subdivision of Myall Avenue as a rare early cul-de-sac design, distinctive for its Inter war period housing and circular planting bed; the 1912 subdivision of the eastern end of Gilda Avenue, with its collection of Federation period to inter-war period housing.



The area is of historical significance as one of the earliest areas of housing development on the western side of the Pacific Highway at Wahroonga, encompassing the 1896 Brown's Estate that covered a large portion of the area, the 1905 Marshall Estate (southern side of Fox Valley Road, the 1912 Warrawee View Estate (eastern end of Gilda Avenue) and the Myall Avenue (a subdivision of part of Toohey's Estate). The 1943 aerial photo of the area shows the eastern end of Gilda Avenue with unified formal street tree plantings (likely brush box), indicating the influence of the Wahroonga Progress Association in the early 20th century.

The area has associations with John Brown who owned and cleared a large portion of land to the north and south of Fox Valley Road and whose descendants subdivided and developed the land from 1896 onwards. The area also has associations with Thomas Hyndes who was granted a large parcel of land at Wahroonga in 1838 that he used for timber getting.

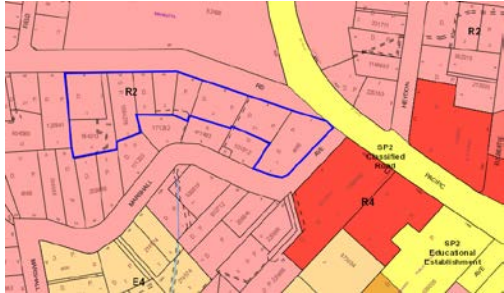
Submission summary table: Mahratta Conservation Area (C4)

No	TRIM	Issue/Concern	Comment
18	2017/269728	Opposed to HCA. Previous proposal for their property to be heritage listed was refused. They were not privy to why. Is Council	Opposition noted. The issue of listing was discussed at Council's meeting on 22 March 2016 and the report outlined why some properties did not proceed. This was a public report. For your property at 10 Fox Valley Road this was:

No	TRIM	Issue/Concern	Comment
		trying to prevent rezoning prioritised by the State Government?	<p>"The house would be considered contributory within a heritage conservation area but is not recommended to proceed due to the unsympathetic and extensive additions including a bricked in front verandah."</p> <p>The listing is recognition of the heritage significance of the Mahratta Heritage Conservation Area not an attempt to pervert a State Government rezoning plan. Council has applied to be a priority Council with the State Government.</p>
38	2017/284369	<p>Opposed to HCA.</p> <p>Property has already been extensively modified and is no longer intact or original. We have already successfully argued against heritage listing for our property in the past. The proposal offers no genuine protection and is a financial burden on owners.</p>	<p>Opposition noted.</p> <p>2 Fox Valley Road while modified is considered to be significantly intact and a representative example of transitional Federation bungalow.</p> <p>This is not an individual heritage listing, it is listing as a contributory building within a HCA. The threshold for inclusion is lower than that for an item. Potentially as an item, the alterations and additions on your place negatively impacted on the interpretation of the design intent. This could exclude a place from being listed.</p> <p>For a HCA a house is assessed based upon its contribution to key development periods (in this case Federation and Inter-war). The house has substantial characteristics and intact fabric which identify it as an important building from this period. It is one of the only intact lots from the 1906 subdivision of this area (Deposited Plan 4696). Recommended the rating remains contributory and the lot is included in the HCA.</p>

No	TRIM	Issue/Concern	Comment
			
166	2017/296519	<p>Opposed to HCA.</p> <p>Dwelling not historically significant and has been altered. The Aug 2013 HCA Review report this was recognised, noting the lack of historical significance or aesthetic significance of the households in general. Also concerned with loss of property rights and wants consideration of broader zoning considerations.</p>	<p>4 Fox Valley Road</p> <p>The house at 4 Fox Valley Road is a modified Inter-war Arts and Craft style house. The house has an extension to the side but it is not out of scale and the design is considered sympathetic. The various solar water heating devices on the roof are unsympathetic but are not considered irreversible.</p> <p>The reference in the report to a lack of significance referred to the wider area being considered. The final recommendation included a cluster of contributory places and heritage items.</p>  <p>Please see the main body of the report regarding house prices and response to submission 176 on rezoning and.</p>
176	2017/296593	<p>Opposed to HCA.</p> <p>Three points of</p>	<p>Opposition noted.</p> <p>The actual quote from the John Oultram</p>

No	TRIM	Issue/Concern	Comment
		<p>opposition:</p> <p>Heritage report (2013) by John Oultram Heritage and Design does not recommend this proposal. It is only the existing Mahratta HCA.</p> <p>The report focuses on land developed by John Brown but the subject land was developed by others.</p> <p>The assessment finds these buildings unremarkable and with various uncharacteristic features.</p> <p>Issues with zoning and surrounding development.</p> <p>Proposal would impose long-term hardship on property owners.</p>	<p>report is "Council should consider including the cluster of heritage, contributory and neutral items at the eastern end of Fox Valley Road (2-16 Fox Valley Road) in the existing Mahratta Conservation Area in the Draft Ku-ring-gai Local Environmental Plan 2013"p. 34 i.e. extend the Mahratta HCA to include the properties from 2-16 Fox Valley Road. That is what this planning proposal does.</p> <p>The land on which these additional houses are located was part of The Marshall Estate (bordered by Fox Valley Road and Roland Avenue, and including both sides of Marshall Avenue). This land was originally part of the Thomas Hyndes six acre land grant, granted in 1836. This land was sold to John Brown in 1854, and the land which became Marshall Estate sold to Reginald Edmund Finlay, purchased from the Estate of John Brown in January 1892. When the mortgage on this land was defaulted, the mortgagee exercising power of sale transferred the land to James Marshall in July 1905. The subject land and the land on which Mahratta is situated was all part of the land owned by John Brown but it was sold as several estates including Brown's Estate and Marshall's Estate. For further reference please see The Historian 35.1, p66 (publication of The Ku-ring-gai Historical Society held at Gordon library). Marshall's Estate is historically significant to the development of the area as an early residential subdivision. It is recommended the rest of the Marshall Estate should be investigated for historical significance.</p> <p>It is unlikely that any house has</p>


No	TRIM	Issue/Concern	Comment
			<p>undergone no change. In assessing the contributory values the question asked is does the degree of change prevent the historic significance from being understood or does it degrade the aesthetic significance to the point it no longer reaches the threshold for inclusion. John Oultram's comments were upfront about the degree of change and recommended ratings of contributory on 2, 4, 10, 12, 14 and 16. Your property at 8 and 6 and 16A are neutral. Please see comments on heritage items in response to submission 18 above.</p> <p>There is no R4 (High Residential Density) zoning immediately adjacent the proposed HCA. There is R4 across Marshall Avenue and opposite 2 Fox Valley Road. In the LEP the height of building for all properties around the proposed HCA is 9.5, even on the opposite R4 site. The existing buildings on the Minister's site at 2 Marshall Avenue are 6 storeys.</p> <p>Map of the zoning: HCA outlined in blue, pink is low density residential, red is high density residential</p>  <p>Aerial photograph: HCA is highlighted in blue.</p>

No	TRIM	Issue/Concern	Comment
			<div data-bbox="858 275 1377 589" data-label="Image"> </div> <p data-bbox="858 622 1377 734">Photograph from across the street with interface of rear of 2 Fox Valley Road and 2 Fox Valley Road (brick fence).</p> <div data-bbox="858 763 1396 1160" data-label="Image"> </div> <p data-bbox="858 1193 1396 1384">Photograph taken from corner of Fox Valley Road and Pacific Highway looking at 2 Fox Valley Road with the apartments visible through the canopy on the left side.</p> <div data-bbox="858 1413 1402 1814" data-label="Image"> </div> <p data-bbox="858 1910 1396 2018">Having R4 zoning immediately adjacent an HCA does present issues in terms of lost amenity and visual impacts on</p>

No	TRIM	Issue/Concern	Comment
			<p>curtilage and setting. This development is however across a road, the site at 2 Fox Valley is heavily treed, as is Marshall Avenue.</p> <p>In line with the North District Plan Council will in the future be preparing a Housing Strategy to respond to the need for housing diversity in Ku-ring-gai. This will be balanced with our legislative and community responsibility to protect the Ku-ring-gai environment: built and natural. The impacts upon existing residents Issues such as traffic stress and loss of amenity are given due consideration by Council in these studies and in Development Applications. Council endeavours to provide compatible zoning at the interface of HCAs to ensure the long term viability of these valued heritage places.</p> <p>Please see the main body of the report on house values.</p>
229	2017/302666	<p>Opposed to HCA</p> <p>Dwellings in the C4 extension represent a mixture of times. Concerned with property values dropping. Their dwelling (14 Fox Valley) has been altered and recently assessed as non-heritage.</p>	<p>The contributory houses in this area are representative of transitional Federation and Inter-war buildings consistent with the larger HCA. Inter-war housing is known for its diversity of styles.</p> <p>Please see the main body of the report on house values.</p> <p>The issue of listing was discussed at Council's meeting on 22 March 2016 and the report outlined why some properties did not proceed. For your property at 14 Fox Valley Road this was:</p> <p>"In 2006 a DA was approved for a small second storey to be added on to 14 Fox Valley Road. The resulting addition has altered the roofline by adding a new gablet at the pinnacle of the roofline and new roof ridge which has the effect of reducing the visual prominence of the</p>

No	TRIM	Issue/Concern	Comment
			chimneys. The integrity of the original roof form has been compromised. Other features like the original face brick, rough cast render, gable detailing and windows are still present and <i>the house would still be contributory within a heritage conservation area.</i>
2	2017/259164	Supportive of HCA. I am completely in favour of the proposed Mahratta Conservation Area.	Support noted.

Address	HCA Review Rating John Oultram	Recommended rating	Comment
2 Fox Valley Road	C	C	Same Further assessment recommended.
4 Fox Valley Road	C	C	Same
6 Fox Valley Road	N	N	Same

8 Fox Valley Road	N	N	<p>Front of house visible on 1943 aerial- extension to the rear and carport added but the main roof line remains the same. The house cannot be easily photographed from the street due to the heavy vegetation but it can has been rendered.</p> 
10 Fox Valley Road	Item	C	Was a draft item but considered threshold not worthy individual listing but should be recognised as contributory
12 Fox Valley Road	D	N	BA91/0712 new two storey residence.
14 Fox Valley Road	Item	C	Was a draft item but considered threshold not worthy individual listing but should be recognised as contributory
16 Fox Valley Road	Item	C	item
16A Fox Valley Road	N	N	(battle axe)
25 Fox Valley Road	Item	C	item

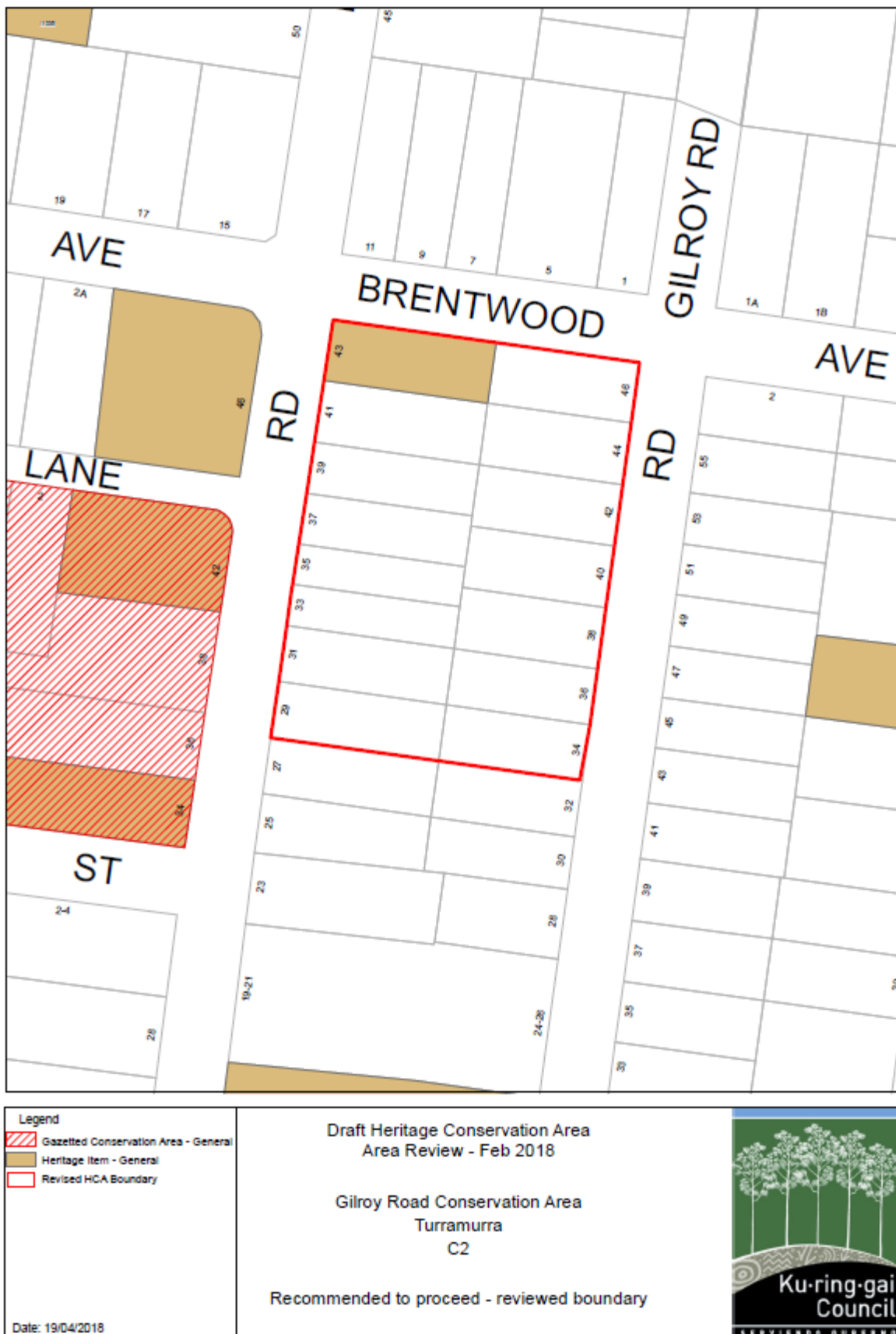
GILROY ROAD DRAFT HERITAGE CONSERVATION AREA C42

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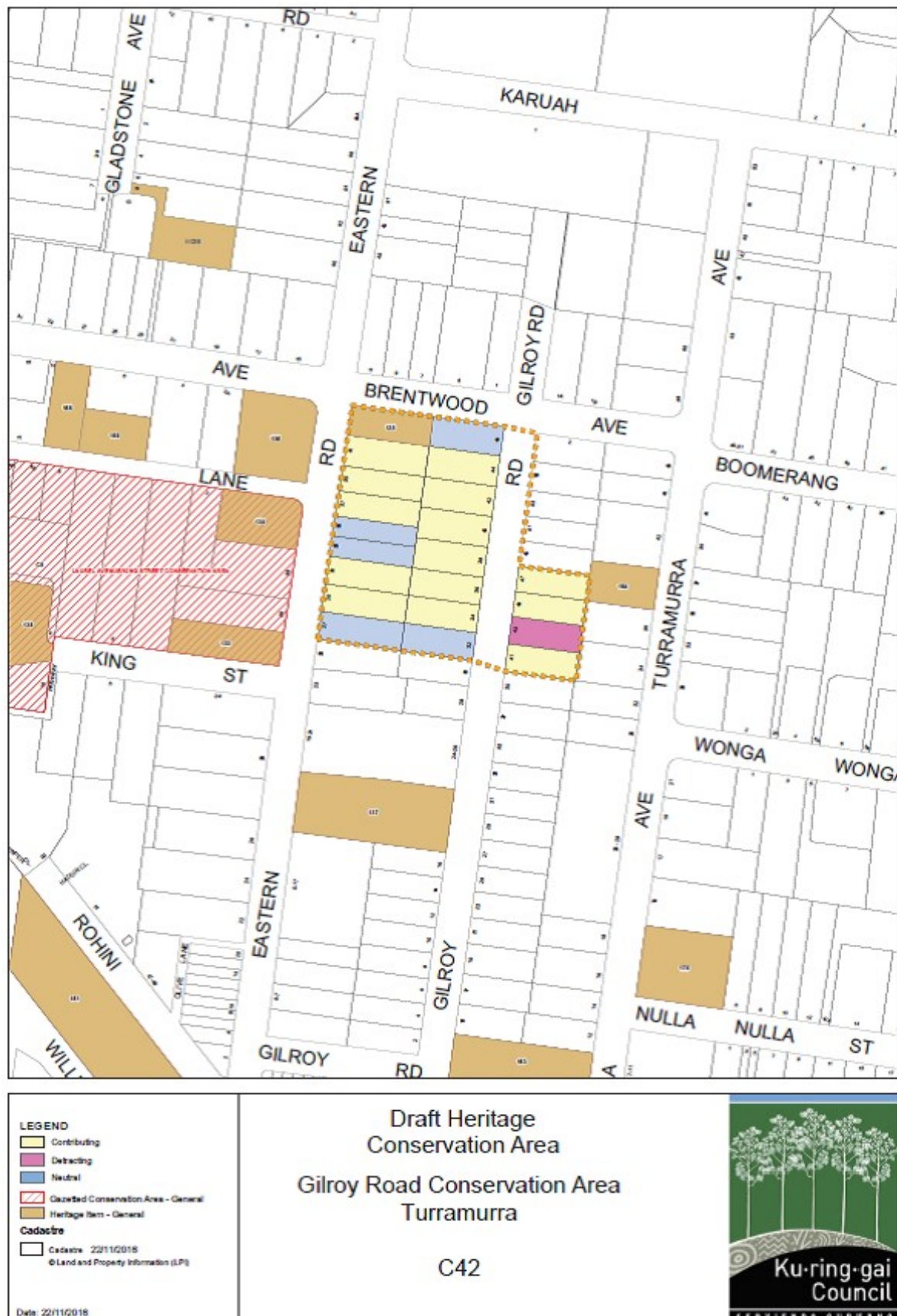
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1. Maps

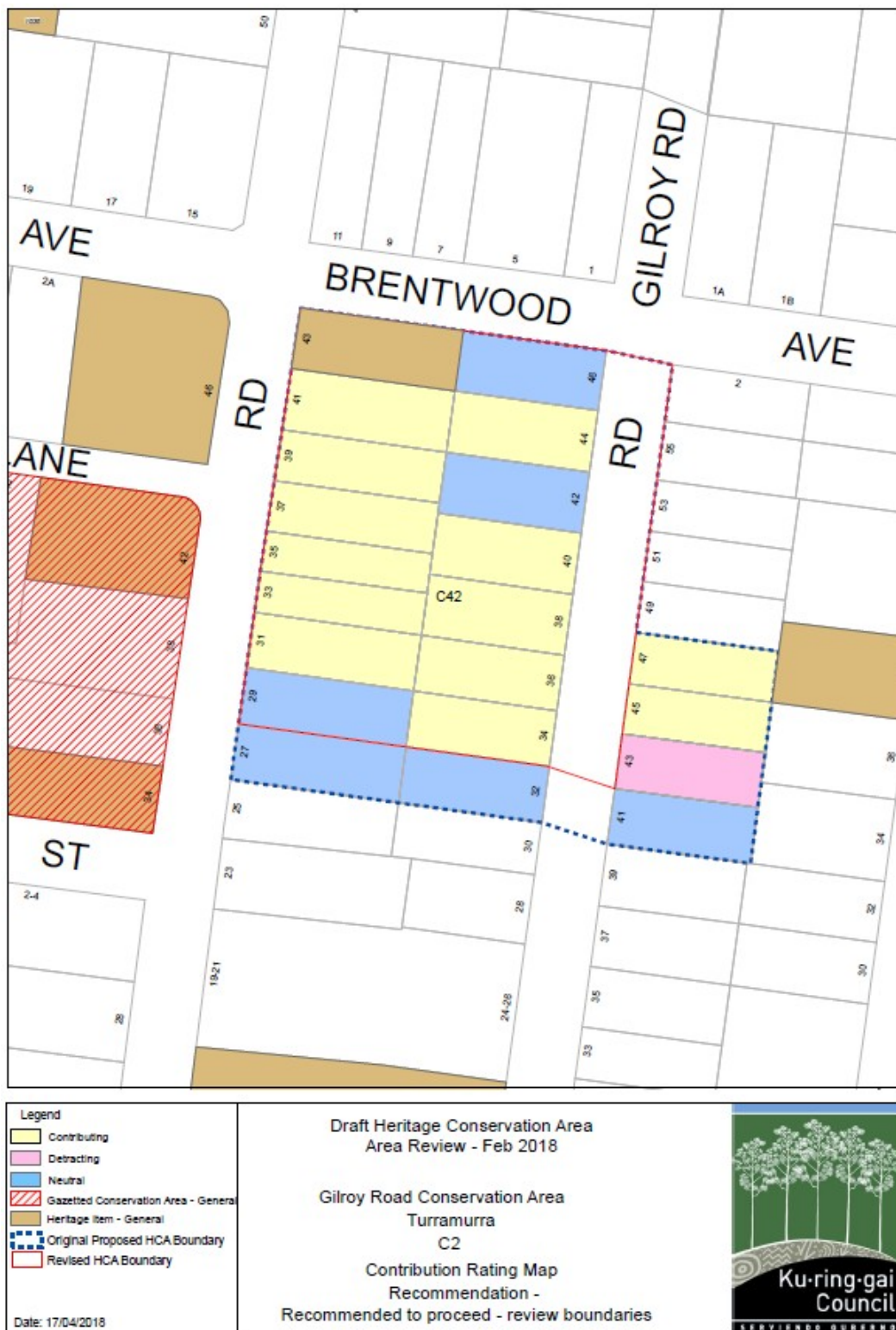
1.1 Area recommended to proceed



1.2 Exhibited ratings map for draft Gilroy Road HCA



1.3 Revised ratings map for draft Gilroy Road HCA



2. Comment

The exhibited proposed Gilroy Road Heritage Conservation Area (HCA) contains 21 properties. As part of the public exhibition process, objections were received from 11 properties or 52% of properties. This includes a group submission prepared by City Plan Services on behalf of 11 properties. A further submission by Architectural Projects was received on behalf of the owners of 32 Gilroy Road. Submissions raised concerns with impacts on the potential of the area to be rezoned and redeveloped for high density residential housing in the future as has occurred closer to Turrumurra railway station. Concerns were also raised over the potential for the proposal to impact on Council's ability to meet its housing obligations set by the NSW State Government. Submissions also noted that buildings have been altered and modified and should no longer be considered heritage. Individual submissions are responded to further in this document.

Following the public exhibition process, the rating of each property within the draft HCA was reconsidered. The re-assessment of each property is included below. Overall, the proportion of buildings considered to be rated Contributory is in the majority following re- assessment. It is noted that changes have occurred within the precinct, including painting of brick facades and the introduction of carports. However, it is considered that the heritage values of the area has been retained and are still legible from the public domain. The commonality and repetitiveness of building form and materials are highly visible and makes for a pleasing streetscape as seen in images 1 and 2.

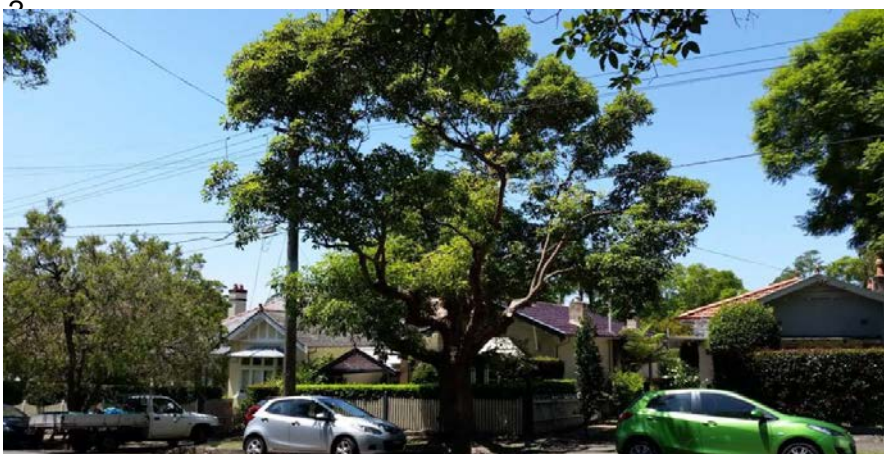


Image 1: Eastern Road streetscape



Image 2: Gilroy Road streetscape

It is evident that Eastern Road and the southern side of Gilroy Road were developed as part of the same subdivision (being the Gilroy Estate) which was originally advertised for sale in 1901 but re-subdivided and re-advertised for sale in 1912 as Deposited Plan 6494. The majority of allotments within the HCA retain this original Deposited Plan dating from 1912.

In order to increase the legibility and integrity of the HCA, it is recommended that the 2 Neutral buildings at the southern edge of the exhibited draft HCA (being nos. 27 Eastern Road and 32 Gilroy Road) be removed from the HCA boundaries. These building have been assessed as not expressing the values of the heritage conservation area and their inclusion is not supported.

The exhibited draft HCA boundaries also included a smaller group of 4 building located on the eastern side of Gilroy Road (nos. 41-47). These properties are located in the middle of Gilroy Road and properties to the north and south of the road have been excluded. These properties were part of land eventually subdivided as the Fifeshire Estate in 1918. Only 2 the 4 properties on this side of Gilroy Road contained within the exhibited HCA can be considered to be Contributory buildings. See images 3 to 6 for details. As a consequence, it is recommended that the boundary of the HCA be amended to remove 41-47 Gilroy Road.

Heritage significance is embodied in an area's fabric, setting and historical development. The area's high degree of intactness, remnant original fabric and documentation around its historical development all add to the heritage significance of this area. It remains obvious that the vast majority of the buildings were constructed around the same period and retain many of the same original features and stylistic attributes. It is noted that the southern areas of Gilroy Road and Eastern Road have been rezoned for increased residential densities and have, consequently, undergone significant change. Therefore, they have been excluded for assessment as part of this current process. Despite this, it evident that the area contained within the revised HCA boundaries of Gilroy and Eastern Roads has heritage significance for the Ku-ring-gai local government area and should be retained and protected into the future.



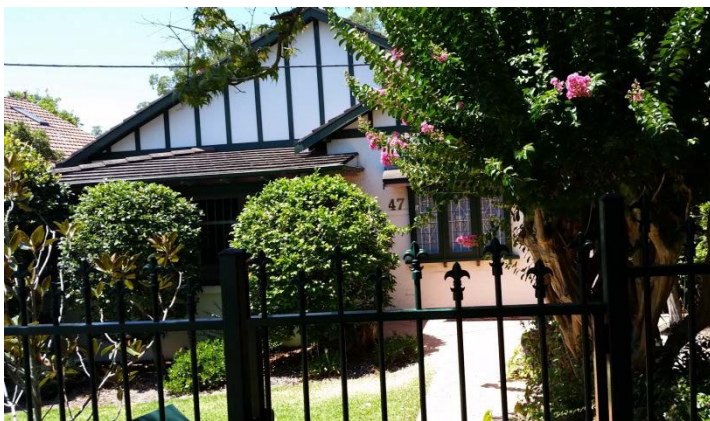
**Image 3: 41 Gilroy Road –
Rated as Neutral (2018)**



**Image 4: 43 Gilroy Road –
Rated as Detracting (2018)**



**Image 5: 45 Gilroy Road –
Rated as Contributory (2018)**



**Image 6: 47 Gilroy Road –
Rated as Contributory (2018)**

3. Statement of Significance

The Gilroy Road HCA has historical representative significance as a remnant example of the ‘Garden Suburb’ philosophy of the early 20th century; being a residential subdivision featuring regular sized allotments with consistent front and side setbacks containing single storey houses sited on their lots to enable ‘natural light’ and ‘fresh air’. Some properties also show evidence of early provision for the motor car with drive way wheel strips and ‘motor homes’ behind the footprint of the house. It is representative of an early example of a more modest subdivision deliberately designed to cater for the evolving upwardly middle class at the beginning of the 20th century.

The Gilroy Road HCA has aesthetic significance as a demonstration of the application of the 'Garden Suburb' philosophy and also architectural pattern books made accessible by major department stores for use by both small builders and home owners. The majority of the buildings are low scale, single storey cottages dating from the late Federation and Inter-War eras. There remains a consistency of materiality and finishes including dark face brickwork and gables roofs featuring decorative embellishments such as battened sheet finishes, vent grilles and terracotta ridge capping. The HCA retains a relatively high degree of intactness and integrity in building detail and materials, allotments, street plantings, character and form.

4. Submissions Table

No	Issue/Concern	Comment
191	<p>Opposed to HCA</p> <ul style="list-style-type: none"> • Submit that the planning proposal should not proceed in its present form as far as the Gilroy Road HCA is concerned, and in any event not until Council has prepared a proper housing strategy that is endorsed by the Greater Sydney Commission as being consistent with the regional plan. • The heritage studies are inconsistent and incomplete, they lack a single complete heritage inventory form and there is no evidence that they consider the degree of change to the individual properties. • The heritage studies have not properly and rationally considered the most appropriate conservation and management strategies given their context, which includes their broader strategic value as a logical location for future urban renewal consistent with the regional and draft district plans; and • There is no evidence that the planning proposal has properly considered the regional plan. • The planning proposal indicates that in November 2013 Council resolved to place this, and 13 other proposed and extended HCAs on non-statutory public exhibition and that the exhibition took place from 7 March 2014 until 7 April 2014. Advised none of the owners recall receiving notification of the proposal or an invitation to comment and owners are concerned that they have been denied procedural fairness. Owners request confirmation from Council of how they were notified of the 	<p>City Plan Services</p> <p>On behalf of the owners of 31, 33 and 39 Eastern Road and 32, 34, 36 42, 46, 41, 43 and 47 Gilroy Road</p> <p>Opposition noted</p> <p>A single Heritage Inventory Form for the Gilroy Road proposed HCA was exhibited between 15 September and 23 October 2017. This form has been updated to reflect the amended boundaries and is included as an attachment to the report.</p> <p>An individual building rating has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>The aim of the heritage studies was to peer review proposed HCAs, not to proposed ongoing management strategies for these areas. The heritage assessment process requires assessment against criteria gazetted by the NSW Heritage Council, using its guidelines. There is no requirement for heritage assessment to consider conservation management strategies within the context of the site and, therefore, does not negate the findings of the assessment process.</p>

No	Issue/Concern	Comment
	<p>proposal in 2014.</p> <ul style="list-style-type: none"> The proposal to create the Gilroy Road HCA is informed by two heritage documents: <ul style="list-style-type: none"> "Gilroy Road, Turramurra, Proposed Heritage Conservation Area Heritage Inventory Form" prepared by Stephen Booker and Sue Jackson Stepowski and dated 3 June 2013 (the Gilroy Road Study); and "Eastern Road Turramurra Proposed Heritage Conservation Area Summary Report and Heritage Inventory Form" prepared by John Oultram Heritage & Design and dated August 2013 (the Eastern Road Study). The Gilroy Road Study apparently considers the entire length of Gilroy Road, and recommends that <i>"the Inter War housing in the Gilroy Estate as defined in the attached Figure 5, deserves recognition as a Potential Heritage Conservation Area."</i> We note, however, that within the Gilroy Road Study placed on public exhibition with the planning proposal, there is no plan of the recommended Potential Heritage Conservation Area in Figure 5. It is therefore not clear what area the Gilroy Road Study was recommending and whether indeed it is consistent with the small subset of properties on Gilroy Road now proposed for inclusion in the HCA. We also note that of the 12 properties comprising that subset, there is only one property which features in the Figures contained within the Study. None of the other nine properties that are represented in the Figures are 	<p>It is not agreed that the planning proposal has not properly considered relevant regional strategies. It is a requirement of all planning proposals to adequately consider all relevant strategies and this is covered in Part 3(b) of the planning proposal. It is important to note that the Gateway determination issued by the Department of Planning & Environment in May 2017 raised no issues with this content of the planning proposal.</p> <p>Council has confirmed that residents of Gilroy Road and Eastern Road received letters regarding the non-statutory public exhibition held between 7 March and 7 April 2014. Council received several submissions from property owners also the subject of this objection at the time as contained within Appendix N of Council's planning proposal dated March 2017.</p> <p>It is agreed that Figure 5 appears to be missing from the SHI form publicly exhibited. However, the planning proposal includes several maps of the proposed HCA boundary which clearly demonstrate the extent of the area. The draft HCA boundary is not the same as that proposed by the consultants. At its meeting of 6 December 2016, Council considered a report on this matter following the non-statutory exhibition and resolved:</p> <p><i>Gilroy Road, Turramurra</i> <i>There were several submissions against the Gilroy Road HCA proceeding. Many noted the impact of the new residential flat buildings on the dwelling houses and the subsequent loss in value if parts of the street were to be downzoned from R2 to R4. It is</i></p>

No	Issue/Concern	Comment
	<p>proposed for inclusion in the HCA. Finally, we note that there is no discussion regarding the level of management required and how the preferred conservation and management strategies can be implemented</p> <ul style="list-style-type: none"> • Common to both studies is that they do not consider the extent of change that has occurred to the properties contained within the proposed HCA. We are advised that most of properties have experienced substantial alterations and additions. • Because of the limitations of the heritage studies underpinning the planning proposal, and the incompleteness of these studies, we do not consider that they provide a sound or a sufficient basis for making the proposed HCA. • When preparing a planning proposal, Section 75A1 of the <i>Environmental Planning and Assessment Act, 1979</i> (the Act) requires the relevant planning authority to give effect to any district plan applying to the local government area, or if there is no district plan, to any regional plan applying to the region of which the local government area forms a part. • The relevant district plan applying to the Greater Sydney Region is <i>A Plan for Growing Sydney</i> (December 2014). In November 2016 the Greater Sydney Commission published a draft update to A Plan for Growing Sydney, known as <i>Towards Our Greater Sydney 2056</i> • Submit that the planning proposal does not properly consider the regional plan and in particular Goal 2, against which the planning proposal states that the proposal will have no impact on Ku-ring-gai's ability to meet 	<p><i>not recommended to include those areas zoned currently as R4. Instead the boundary will reflect the current zoning and provide a buffer between the R4 zoning and the proposed HCA. The proposed HCA is much reduced in size.</i></p> <p>It is noted that the regional strategy in place at the time of the issuing of the Gateway determination was <i>A Plan for Growing Sydney</i> (December 2014) and <i>Towards Our Greater Sydney 2056</i>; and the <i>Draft North District Plan</i>" (November 2016). The planning proposal responded to all relevant considerations within these documents. It is also important to note that these documents also contain provisions for the protection of heritage assets including <i>Liveability Priority 7: Conserve heritage and unique local characteristics</i>, which requires relevant planning authorities to protect "aboriginal, cultural and natural heritage and places, spaces and qualities valued by the local community".</p> <p>There is no suggestion that Council cannot meet its housing targets as well as identifying and protecting its heritage assets. Indeed, the relevant strategic documents contain objectives and actions relating to both matters. Therefore, Councils are obliged to ensure that it can achieve both outcomes. The current planning proposal contains 21 properties. It is not considered that the creation of an HCA over these properties will impede Council's ability to provide additional housing into the future.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy</p>

No	Issue/Concern	Comment
	<p>the housing and employment targets.</p> <ul style="list-style-type: none"> Also do not consider that the proposal should proceed until there has been a proper consideration of the most appropriate conservation and management strategy given the "moderate" level of heritage significance area the broader regional strategic importance of the land; and certainly not until Council has prepared a long-term housing strategy for the local government area in accordance with the regional and district plans. 	<p>Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
191.1	Duplicate of above	See above response
31	<p>Opposed to HCA.</p> <p>We believe Council is rushing to create the conservation area to prevent further 5 storey multi-level apartments being constructed in Gilroy and Eastern Roads.</p> <p>Alterations and additions done to dwelling that make it out of character.</p> <p>Should Council proceed with this conservation area and include our house, we will strenuously fight this in the courts to have our house removed as it is "out of character" based on the Heritage Checklist which follows plus it is even acknowledged as "out of character"</p>	<p>Opposition noted.</p> <p>This process has been ongoing since 2013. The zoning contained within the area was adopted under the Local Centres LEP from 2012. The area proposed for the HCA is zoned R2 and multi-level apartment buildings are not permissible on this land.</p> <p>An individual building rating has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the</p>

No	Issue/Concern	Comment
		limited contribution they make to the HCA.
72	<p>Opposed to HCA.</p> <p>Opposed because renovations have taken place, inconsistent and lack of credibility in identification processes, and restrictions that will arise.</p> <p>In the Minutes of the Ordinary Meeting of the Council on December 6, 2016 (Appendix L of the draft HCA), it mentioned that the draft Gilroy HCA was intended to “reflect the current zoning and provide a buffer between the R4 zoning and the proposed HCA”, suggesting that the spirit of the draft HCA is to ensure no further high density zoning is granted on the remaining parts of the street.</p>	<p>Opposition noted.</p> <p>An individual building rating has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>The amended boundaries of the HCA reflect the current zoning of the land. It is agreed that high density zoning is not suitable for land identified as having heritage significance.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
110	<p>Opposed to HCA.</p> <p>Property modified significantly through approved works. Of the eight properties proposed to be listed in the HCA on the Eastern Road frontage, six (6) have been modified significantly or rebuilt over the years.</p> <p>The HCA strategy is to quarantine these areas from future development and the creep of higher density housing.</p> <p>Issues surrounding Due Process and</p>	<p>Opposition noted.</p> <p>An individual building ratings has been allocated to each property within the draft HCAs. Accordingly, each building has been visually inspected and allocated a rating. Highly visible alterations and additions are identified at this time. Further, following the public exhibition staff have re-surveyed all properties within each proposed HCA and amended ratings as required. This process has also involved review of</p>

No	Issue/Concern	Comment
	<p>Notification of Residents for 2013/14 proposal.</p> <p><i>Can you advise what public consultation was sought in 2013 and what notification was provided to residents to provide feedback and comment prior to submission to the Dept. of Planning.</i></p>	<p>Council property files where required. It is not agreed that changes within properties have not been considered.</p> <p>The amended boundaries of the HCA reflect the current zoning of the land. It is agreed that high density zoning is not suitable for land identified as having heritage significance.</p> <p>As discussed, all residents were notified of the non-statutory exhibition and submissions were received from properties within the current proposed HCA boundaries. Appendix N of the planning proposal includes submissions and responses as part of the non-statutory exhibition process.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
133	<p>Opposed to HCA.</p> <p>Houses are not heritage significant. Zoning and development housing demand concern.</p>	<p>Opposition noted.</p> <p>Professional heritage studies have concluded that the area does have heritage significance and should be protected.</p> <p>Providing additional housing at the expense of heritage properties is not a good or reasonable response to strategic planning.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>

No	Issue/Concern	Comment
208	<p>Opposed to HCA.</p> <p>Strongly, we feel the inclusion of the properties 41-47 Gilroy is a pure land grab by council to stop the natural extension of high density living that local and Sydney resident desperately require in this prime located area with proximity to the station (>400m). These properties with their isolation to the other properties in the DHCA by the road and lack of heritage significance should not be included. Noting that the property is on the edge of the DHCA area map and lacks heritage significance.</p>	<p>Opposition noted.</p> <p>Providing additional housing at the expense of heritage properties is not a good or reasonable response to strategic planning.</p> <p>Professional heritage studies have concluded that the area does have heritage significance and should be protected.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
212	<p>32 page detailed report prepared by Architectural Projects with specific reference to 32 Gilroy Road, Turramurra. The report includes the following contents:</p> <ol style="list-style-type: none"> 1. Introduction 2. History of reports regarding Gilroy Road Turramurra Area significance 3. History of Gilroy Road 4. Significance of Gilroy Road 5. Methodology for defining Conservation Area boundaries 6. Historical Research <ol style="list-style-type: none"> 6.1. National Trust Inter-War Study, Godden Mackay Logan studies historical research 6.2. Additional research 7. Review of fieldwork 8. Background to assessing contributory properties within a HCA <ol style="list-style-type: none"> 8.1. Land & Environment Court Precedents 9. Methodology 10. Background to listing 11. Recommendations 	<p>The submission discusses the Gilroy Road HCA proposal with specific reference to 32 Gilroy Road, Turramurra. The submissions states that <i>'an independent assessment by Architectural Projects indicates that many of the buildings identified as contributing components of the original Gilroy Road, Turramurra Conservation Area in 2013 have large detracting additions in the style of the original, which transform the building from contributing to detracting.'</i> However, this independent assessment is not included within the report. It is also important to note that the 2013 version of the HCA was not what was publicly exhibited. In 2016, Council resolved to adopt smaller boundaries for the draft HCA to remove land zoned R4. It was these boundaries which were placed on public exhibition in 2017.</p> <p>Council's 2018 reassessment of the publicly exhibited HCA boundaries concludes that 14 out of 21 properties (or 67%) are considered as contributory</p>

No	Issue/Concern	Comment
	<p>The preliminary subdivision mapping indicates that Gilroy Road, Turramurra Heritage Conservation Area as originally proposed reflects the history of the subdivision of the Interwar as the Gilroy Estate. In its reduced form, its ability to present these aspects of its history is limited. An independent assessment by Architectural Projects indicates that many of the buildings identified as contributing components of the original Gilroy Road, Turramurra Conservation Area in 2013 have large detracting additions in the style of the original, which transform the building from contributing to detracting. On the basis of this mapping we have identified a lower percentage of contributing buildings within the streetscape and therefore are not on the opinion that the streetscape of the original Gilroy Road, Turramurra Conservation Area in 2013 reaches the threshold for listing.</p> <p>The total number of contributory buildings has to be at least greater than 50% for the area to be considered for inclusion in a Heritage Conservation Areas due to building alterations, demolitions and new development. The original study area does not meet this threshold.</p> <p>The lack of a rigorous review of borderline examples has inflated the number of contributory and neutral components and provided a false impression of the integrity of the area.</p> <p>Recent material on Council's website suggests a proposal to list smaller groups of buildings within the conservation area. The listing of a smaller group is usually based on a higher level of integrity than buildings within a conservation area.</p>	<p>buildings. Therefore, it is not agreed that the reduced area has limited ability to demonstrate the history of the subdivision of the Gilroy Estate. The majority of buildings within the proposed HCA retain values and features associated with their era of development and have been rated accordingly.</p> <p>The 2013 Jackson-Stepowski & Carste assessed an areas containing Nos. 15-55 Gilroy Road, 2 Brentwood Avenue & 2-46 Gilroy Road. This area contains 42 properties and 28 (or 67%) were identified as Contributory. There is no requirement that HCAs must contain at least 50% contributory properties to be gazetted. A HCA is more than a collection of individual properties. Rather it is an area which contains enough original elements and material to tell a story of how the area came to be. This can include other streetscape elements such as subdivision pattern, building materials, garden setting and plantings.</p> <p>The original study area is not what was publicly exhibited but a much smaller area. All properties within this revised area have been reassessed and ratings amended accordingly.</p> <p>This would be true were Council to seek listing of the properties as a group of Heritage Items. However, this is not the case and the proposal is still to list the area as a HCA.</p> <p>In relation to HCAs, Council's DCP states: <i>The demolition of Heritage Items and contributory properties within HCAs is not supported.</i> It is the practice to retain building considered Contributory but for those considered Neutral or</p>

No	Issue/Concern	Comment
	<p>Despite the DCP noting that contributing components can be demolished the practice is to retain buildings identified as contributory, those from the key period of significance.</p>	<p>Detracting owners may seek to apply for a suitable replacement.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>
230	<p>Opposed to HCA.</p> <p>The dwelling is of no heritage significance. It is a plain house with no special features and contributes nothing to the HCA.</p> <p>Houses of similarly plain appearances in the vicinity of our house have already been rightfully excluded from consideration of a heritage conservation area.</p>	<p>Opposition noted</p> <p>Agreed that the house at 46 Gilroy Avenue is not from the key development period and is therefore rated Neutral.</p> <p>The site is part of the original subdivision and is adjoining a heritage item so it is recommended it be retained within the HCA. However, the owner may seek to replace the building with a more suitable structure.</p> <p>It is recommended that the boundaries of the HCA be amended to remove properties 27 Eastern Road, 32 Gilroy Road and 41-47 Gilroy Road due to the limited contribution they make to the HCA.</p>

Extension to Hillview Conservation Area Turramurra (C40)

Contents

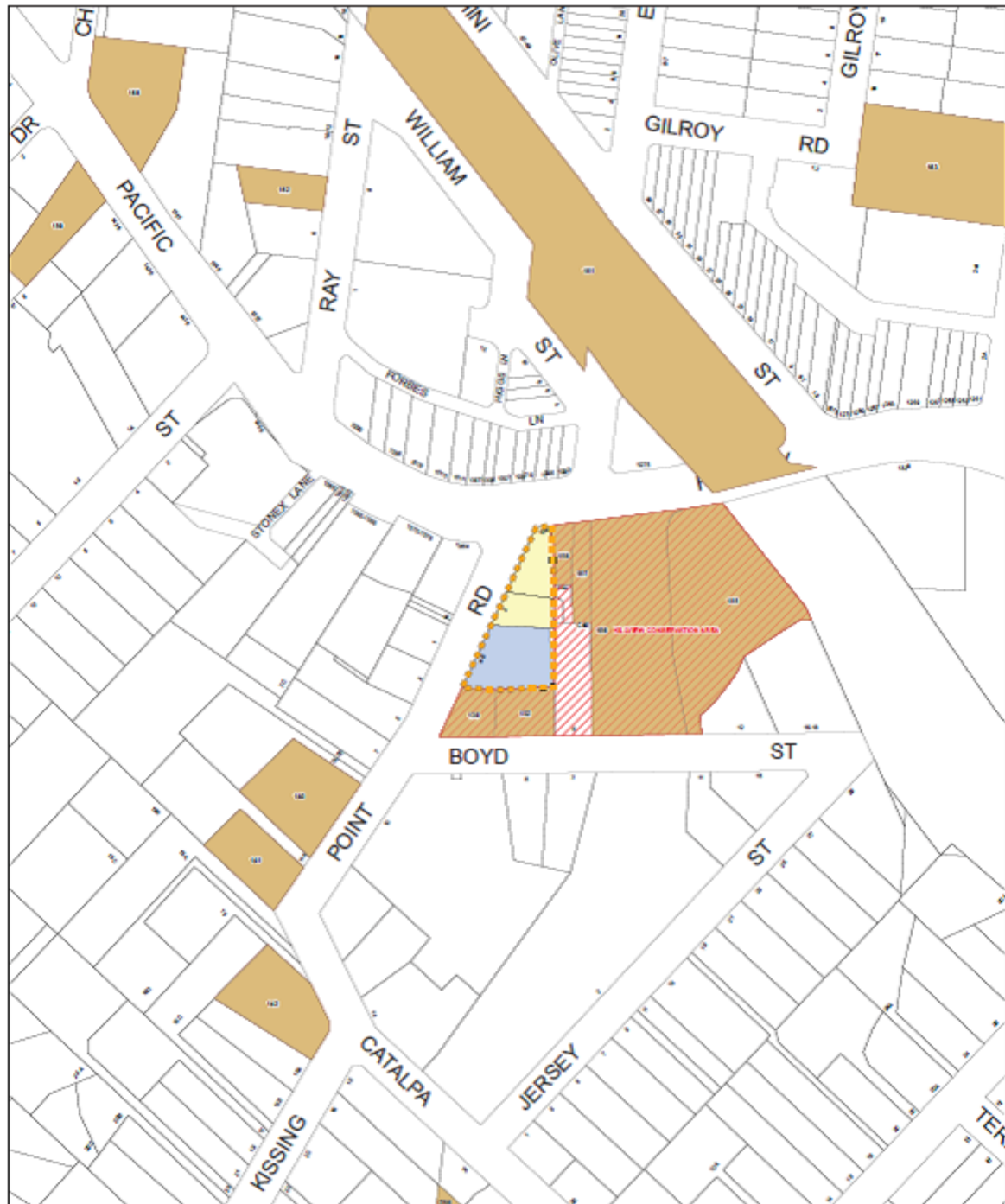
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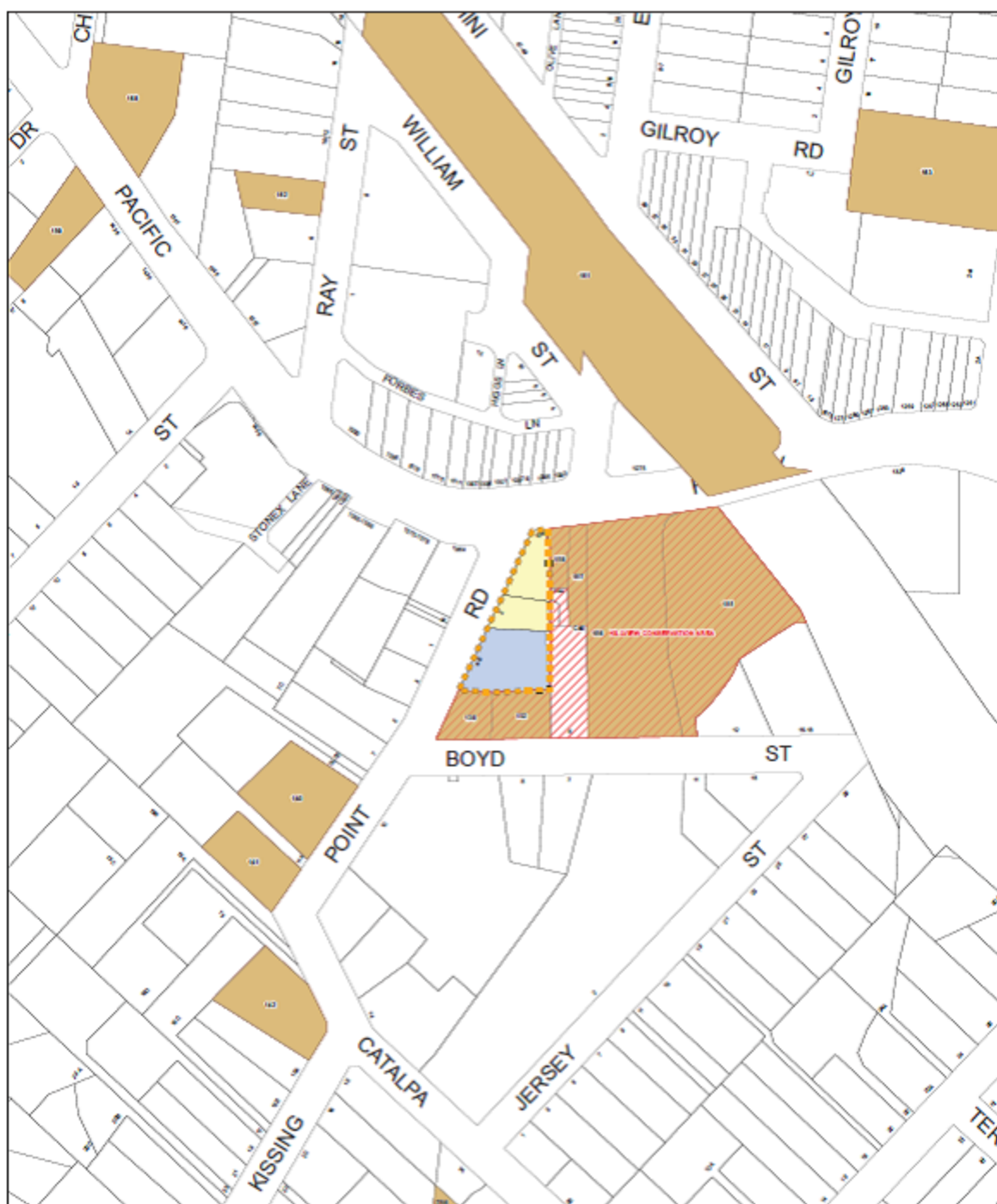
Maps

1. Exhibited rating map



<p>LEGEND</p> <ul style="list-style-type: none"> Contributing Detracting Neutral Gazetted Conservation Area - General Heritage Item - General <p>Cadastral</p> <ul style="list-style-type: none"> Cadastral: 22/11/2018 © Land and Property Information (LPI) <p>Date: 22/11/2018</p>	<p>Draft Heritage Conservation Area</p> <p>Hillview Conservation Area Turramurra</p> <p>C40</p>	
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2. Revised rating map



LEGEND
 Contributing
 Detracting
 Neutral
 Gazetted Conservation Area - General
 Heritage Item - General
Cadastral
 Cadastre: 22/11/2018
 © Land and Property Information (LPI)

Date: 22/11/2018

**Draft Heritage
 Conservation Area**
**Hillview Conservation Area
 Turramurra**

C40



Comments

The area reviewed was a proposed extension to the Hillview HCA (C40) that included 3 properties located on Pacific Highway and Kissing Point Road, Turramurra.

The area was identified for listing as a Heritage Conservation Area by Sue Jackson-Stepowski in 2012. The statement of significance prepared to support the listing states:

The Hillview Heritage Conservation Area displays a layering of history of the North Shore. The precinct is an historical record of the growth of the North Shore, its attractiveness as a retreat from the inner city of Sydney and the building of the Railway which encouraged this growth. The whole records the subdivision of land (Section 3) and the speculative investment by the Port Jackson Land and Investment Company (c1885) in land originally used for farming and orchard use as part of the grant to Thomas Boyd in 1832. The current subdivision pattern of Hillview and surrounding properties display the continued investment by smaller business owners and wealthy businessmen. These latter included Ivan AuPrince and Edmund Sheffield Willoughby Paul who purchased Hillview and surrounding land. Hillview operated prior to and during AuPrince's time as a Health Resort and was developed by Paul with a new grand Guest House.

Other parts of the subdivision included smaller lots than Hillview and fronted the Pacific Highway, Kissing Point Road and Boyd Street. The shopfronts and former Commonwealth Bank on the Pacific Highway record the development of the Pacific Highway (formerly called Lane Cove Road) as a main thoroughfare and the commercial centre of Turramurra that grew around the Railway Station. Kissing Point Road records the residential development with the building of both cottages and larger houses. The building of the "Paisley" flats has diminished this earlier historical record, though it represents the later development of flats in the commercial centres of the North Shore. Boyd Street provides a frontage for Hillview and also records the earlier subdivision of this land into smaller lots. Similarly this has been altered with a later flat development that has diminished the significance. Boyd Street is assessed as retaining adequate significance to represent the historical layers of the development.

The whole of the Hillview Conservation Area is significant within Ku-ring-gai as a precinct that displays values such as a mature landscape setting, varied topography that creates vistas and distant views framed by trees and a predominant built form that contributes in scale and form to the streetscape.

The buildings within Hillview are significant examples of Federation style architecture from the earlier Queen Anne Federation style with elaborate and

decorative details to the simpler garage building. The dominant siting of Hillview for display and to experience panoramic views enhance the architectural significance of these buildings. The mature trees and garden setting that is partially retained today also contributes to the setting and aesthetic significance of the Hillview complex.

The Commonwealth Bank is a rare example of an intact Art Deco style bank building.

The shopfront on 1360 Pacific Highway is a rare example of an intact shopfront with leadlight windows. is a representative example of a late Victorian and early Federation residence and later Guest House complex. The conservation of a part of the grounds and curtilage of Hillview has conserved its significant setting and siting with views towards Sydney contributing to its representative qualities as a place of retreat.

Hillview is used by the community as a health service, its grounds are accessible to the public and it is valued by the local community of Ku-ring-gai.

As a result of the statutory public exhibition process, 5 submissions were received, 4 were objections were received all against the proposal and 1 in support.

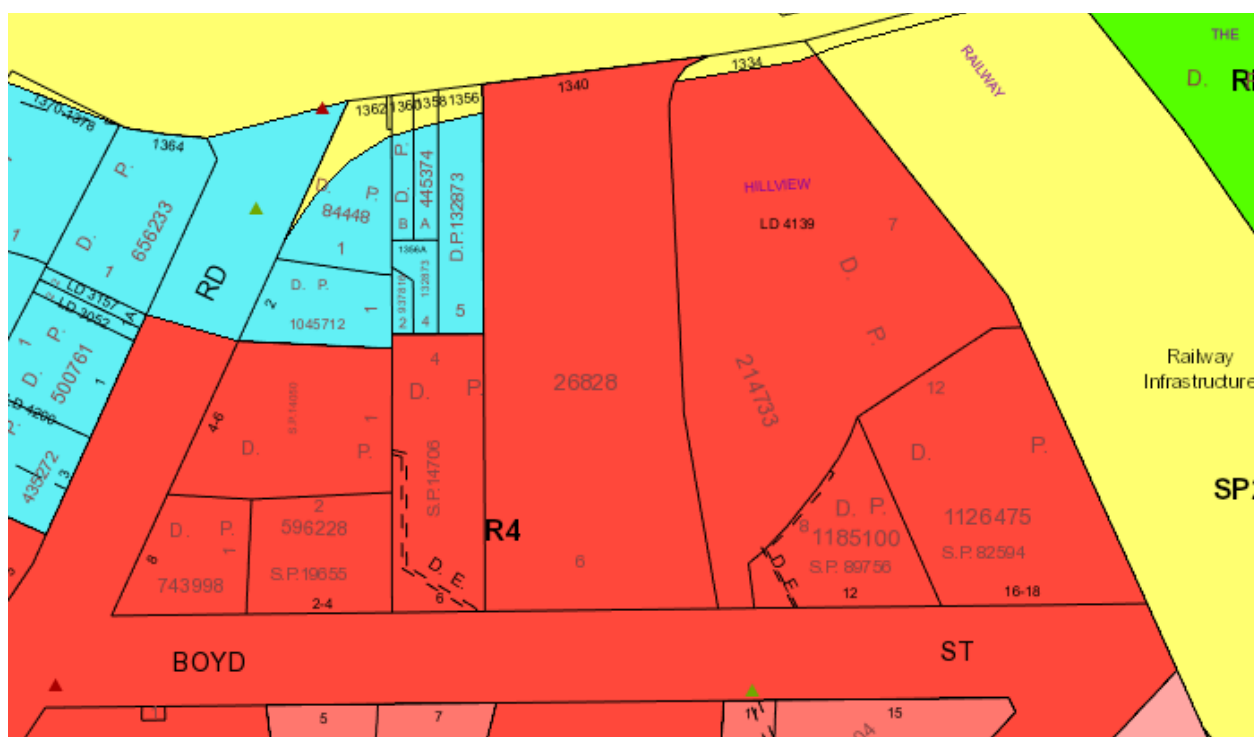
Issues raised in the objecting submissions included the SP2 Classified Road zoning, the B2 zoning and associated development standards, and the changes to the contributory properties which would reduce their contribution ratings to neutral. The one submission in support asked who had recommended opportunities for development on the Hillview site, why the state listing of the entire HCA was scuttled and gave support for the listing. These issues are addressed in the response to submissions below.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers. None of the contribution ranking were changed as a result of the reassessment and the submissions, however, the Hillview Conservation Area extension is not recommended to proceed. The two contributory properties to be added are from the Federation period, 2 Kissing Point Road being a single storey Queen Anne style Federation house and 1362 Pacific Highway being a two storey house in the Federation style. Both houses are being adaptively reused for businesses. While both buildings have contributory values in their forms, scale and setbacks, both buildings have some change.

The land on which they are located is zoned B2. The DCP reviewed these sites and set development controls for new development that responds to the context of the heritage items on Pacific Highway while making a positive contribution to future development on the master-planned Town Centre sites (see Activate Turramurra). Objecting submissions expressed the opinion that heritage listing would contravene


the objectives of the B2 zoning and by extension the Sydney District Plan and s.117 Ministerial Directions. The front of several buildings from 1356-1362 Pacific Highway have been zoned SP2 Classified Road (see Figure 1 below). Given the opportunity the site presents to the Turrumurra Local Centre, and the future potential compromise of the SP2 zoning, it is recommended the extension not proceed.

Figure 1: current zoning of the Hillview Conservation Area (red: R4 (High Density Residential), blue: B2 (Business Zone – Local Centre) and yellow SP2 (special uses – Classified Road))



Submission summary table

No	TRIM	Issue/Concern	Comment
50	2017/289449	<p>Opposed to HCA.</p> <p>Rezoning the front of the property to SP2 as part of the Local Centres LEP was unadvertised and may be unlawful.</p> <p>According to the Gateway Determination for PP_2016_KURIN_003_00</p>	<p>The zoning to SP2 was at the request of the roads and Maritime Services. This LEP is made (gazetted) and is legal.</p> <p>This is not a change to the development standards or a rezoning (the Gateway made reference to rezoning (land use) not reclassification (community vs</p>

No	TRIM	Issue/Concern	Comment
		<p>Council does not have the right to impose development standards or reclassify SP2 land.</p> <p>By changing the zoning to SP2 Council has shown clear intent not to protect these properties, extension to the rezoned area would be pointless.</p> <p>Summary: Finds the road reservation to be unlawful and proof of intent for Council to not want to protect the property.</p> <p>The inclusion of the property in the HCA is contrary to the DCP.</p> <p>For the above reasons reduce the HCA to only include 4-6 Kissing Point Road.</p>	<p>operational land)).</p> <p>Council has previously acknowledged the value of these properties by their individual listing and the Hillview Conservation Area. The RMS rezoning expresses an intent for the future which may or may not be realised in its current form. In the event these 'necessary' road works do not proceed the area has been protected. If the roadworks do proceed greater consideration should be given to the recognised heritage values of this area as expressed by community values and Council's support for heritage at Hillview.</p> <p>The LEP has primacy and informs the DCP. If the LEP changes, the DCP will be changed to reflect the DCP.</p>
138	2017/295360	<p>Opposed to HCA.</p> <p>Request the proposed extension be removed.</p> <ul style="list-style-type: none"> the property (and its adjacent neighbours) is not worthy of inclusion in the HCA; the proposal is contrary to (and challenges) the objectives of the B2 Local Centres zoning and the provisions of the Ku ring gai Local Centres LEP 2012 (LEP); it goes against the State government's approach to 	<p>Dentist 2 Kissing Point Road</p>  <p>The property is described as:</p> <p>The house is a Federation Queen Anne style building with a projecting gable and tall brick chimney. The building has been altered with painted brickwork, new tiled roof, enclosed verandah and hard paved carparking to entire street</p>

No	TRIM	Issue/Concern	Comment
		<p>business centres near railway stations;</p> <ul style="list-style-type: none"> the property (and the adjacent property to the north) should not be included in the proposed HCA, because the listing goes against Council's non-conservation position in the established, applicable development control plan (DCP). the proposal does not support Council's broader strategic planning framework for the Turrumurra Local Centre; the recommended removal of the enclosed front verandah and hard paved car parking area is unacceptable, and not practical in terms of the ongoing operation of the dental practice. It is also unlikely to be legally enforceable by Council; and In the context of the property and its locality, the proposal is contrary to object "(ii) promotion and coordination of the orderly and economic use and development of land" of the NSW Environmental Planning and Assessment Act 1979. 	<p>frontage.</p> <p>The house is being considered for its contributory value to the HCA not on its individual merits as an intact Queen Anne house. The house is not being considered for individual listing.</p> <p>It is agreed the property works well as a dental surgery servicing the Turrumurra community and through adaptive re-use its continued use as such is encouraged. It is not isolated as an example of a Federation house being adaptive re-used for health or professional services.</p> <p>While this building is altered:</p> <p>"altered with painted brickwork, new tiled roof, enclosed verandah and hard paved carparking to entire street frontage"</p> <p>The scale, form, materials and details of this building do contribute to an understanding of its development layer in the Federation period.</p> <p>The Environmental Planning and Assessment Bill was enacted on 1 March 2018 and includes the new object:</p> <p>"to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)".</p> <p>This object does not work in isolation but works with other objects such as "to promote the orderly and economic use and development of land". While</p>

No	TRIM	Issue/Concern	Comment
			<p>heritage conservation does not have primacy it also cannot be ignored. Priority N6 of the North District Plan is:</p> <p>“Creating and renewing great places and local centres, and respecting the District’s heritage”.</p> <p>The existing conservation area and the heritage listed items are valued and recognised heritage places. In some ways the zoning to B2 of this site and adjacent sites failed to give consideration to Ministerial Directive 2.3 Heritage Conservation to conserve places of environmental heritage significance. Regardless, the current proposal could be considered to contravene the intentions of Ministerial Directive 1.1 Business and Industrial Zones by reducing “the total potential floor space area for employment uses and related public services in business zones”.</p> <p>Heritage listing does not change the zoning and consequently the permissible uses remain the same. Any future development would be assessed on its merits against the LEP and the DCP.</p> <p>The issue then becomes one of planning and not heritage. Are the wider needs of the current and future community better met by the inclusion of two additional contributory buildings in the HCA or could there be a better outcome for the conservation of the heritage places and the</p>

No	TRIM	Issue/Concern	Comment
			<p>Turramurra Village if more space was made available for a more sympathetic and responsive design?</p> <p>Given the known SP2 zoning and the intention to use this space as classified road, and the corresponding future loss of the front of the buildings in this zone it is recommended that the HCA extension not proceed.</p>
	2017/296604	<p>Strongly opposed to HCA.</p> <p>Opposed on limits for enhancement of dental practice, lack of topographical relation to Hillview (no views and vistas) and conflict with objectives of current zoning and DCP.</p>	<p>Dentist 2 Kissing Point Road</p> <p>Objection noted.</p> <p>The house at 2 Kissing Point Road is being adaptively reused as a dental practice. As a Federation Queen Anne style building it is representative of the key development layer for the Hillview HCA. It does not have to be visually connected to the Hillview heritage item to have historical significance in the context of a HCA i.e. it has value in and of itself as a contributing element to the HCA, and makes a contribution to the understanding of the periods of development and redevelopment.</p> <p>Please see comments in submission 138 on zoning and the 117 directions.</p>
197	2017/296776	<p>Opposed to HCA.</p> <p>Submission prepared by Beatty Legal and City Plan Services.</p> <p>4-6 Kissing Point Road should not be included in</p>	<p>Please see comments in submission 138 on Plan for Growing Sydney and the main body of the report on housing targets.</p> <p>It is standard practice that neutral properties are included in</p>

No	TRIM	Issue/Concern	Comment
		<p>the Hillview Conservation Area for the following reasons:</p> <ul style="list-style-type: none"> ▪ Inclusion of the site, which has no heritage significance, within the Heritage Conservation Area serves no purpose; ▪ The planning proposal has not properly considered A Plan for Growing Sydney and the capacity of the site to contribute to meeting the housing targets in the regional plan. 	<p>HCA's where they are bordered by contributory buildings and heritage items. They are not excised as an isolated lot. This is to encourage sympathetic development that contributes to the values of the HCA rather than development that does not respond to the context. For example, there is little or no consideration of heritage values in the requirements for complying development under the SEPP.</p>
221	2017/298044	<p>Who put forward the indicative map on pg 22 of the inventory sheet?</p> <p>It is important we prioritise the protection of biodiversity and protect Turramurra's identity and inheritance.</p> <p>Personally forwarded a nomination for Hillview HCA to the NSW Heritage Office. Turramurra meaning "big hill" is unique in Sydney for its topography and vegetation. As an early subdivision it represents the earliest built history of the area. The rare and endangered remnant BHMF and STIF elevate the significance of this area to state and national significance.</p> <p>Why was the state listing</p>	<p>The map was prepared by Design 5 Architects in 1997 as part of a conservation management plan for the Hillview site. It was chosen by the consultant's carste STUDIO who worked with Sue Jackson-Stepowski on the peer review to demonstrate views to be retained and in the opinion of Design 5 Architects opportunities for future development.</p> <p>Council was asked by the Heritage Office if we had a formal position on the state listing, at this time Council did not have a formal position (i.e. one endorsed by the elected Councillors). We did tell them that we were placing the expanded HCA on a statutory exhibition.</p> <p>Heritage listing is to conserve those places from the past that are valued by the community; it</p>

No	TRIM	Issue/Concern	Comment
		<p>scuttled? Following local government consultation the issues were “obfuscated sufficiently to cause confusion, and thus rejection”.</p> <p>Hillview HCA, Little Village Park and Sheldon Forest Bird sanctuary should be recognised and protected. This area is under-threat from redevelopment.</p> <p>Several government departments have interest in this land (RMS, Health and Planning). Hillview is in a rundown state and several trees on the site are unhealthy. The area is not protected from state-led redevelopment.</p> <p>The peer review supporting Hillview was ignored while Council proceeded with its master-planning for Turramurra. Nothing was made public about Council’s liaising with the Heritage Office regarding the state nomination. This nomination is from an ecological and inheritance (natural and built) perspective.</p> <p>RMS road widening is an unnecessary threat to Hillview. Little Village Park should be protected in return for the cumulative impacts of development</p>	<p>is not a mechanism to stop development. Council development approval process and planning proposal processes have mechanisms to recognise and conserve the built and natural environment. This planning proposal recognises the value of several HCAs that have been assessed and the public consulted. Those areas outside the study areas are outside the scope of this planning proposal.</p> <p>Most of the area recommended by SJS was already included within a heritage conservation area. This proposal is just an extension to include the recommended area that was not already in the HCA.</p> <p>The Little Village Park was outside the recommended study area and is not the subject of this report. As context to the current site the CMP for Hillview by Design 7 noted that “the open space and trees along the Pacific Highway contribute to the garden setting of the pace and the garden suburb character of Turramurra and should be retained. No new structures should be constructed in this space.” p. 78. As such it was valued as greenspace not for its historic values.</p> <p>The adaptive reuse of Hillview as a recreation space in the vein of similar sites such as The Grounds in Alexandria would be at the discretion of the owners who are not Council.</p>

No	TRIM	Issue/Concern	Comment
		<p>on the local environment.</p> <p>The proposed conservation area deliberately ignores the Sue Jackson-Stepowski recommendation.</p> <p>Was the heritage value of the Little Village Park considered? Importance of Little Village Park and Sheldon Forest as setting to the HCA.</p> <p>Expressed concerns over: the master-planning process, the decision to reclassify Little Village Park, recent development in Turrumurra, the loss of heritage in Turrumurra, loss of Blue Gum High Forest.</p> <p>Hillview and its setting should be conserved and marketed as a ready-made tourist destination like other significant sites in Sydney like the Coal Loader. Ku-ring-gai is high environmental and biodiversity values.</p>	

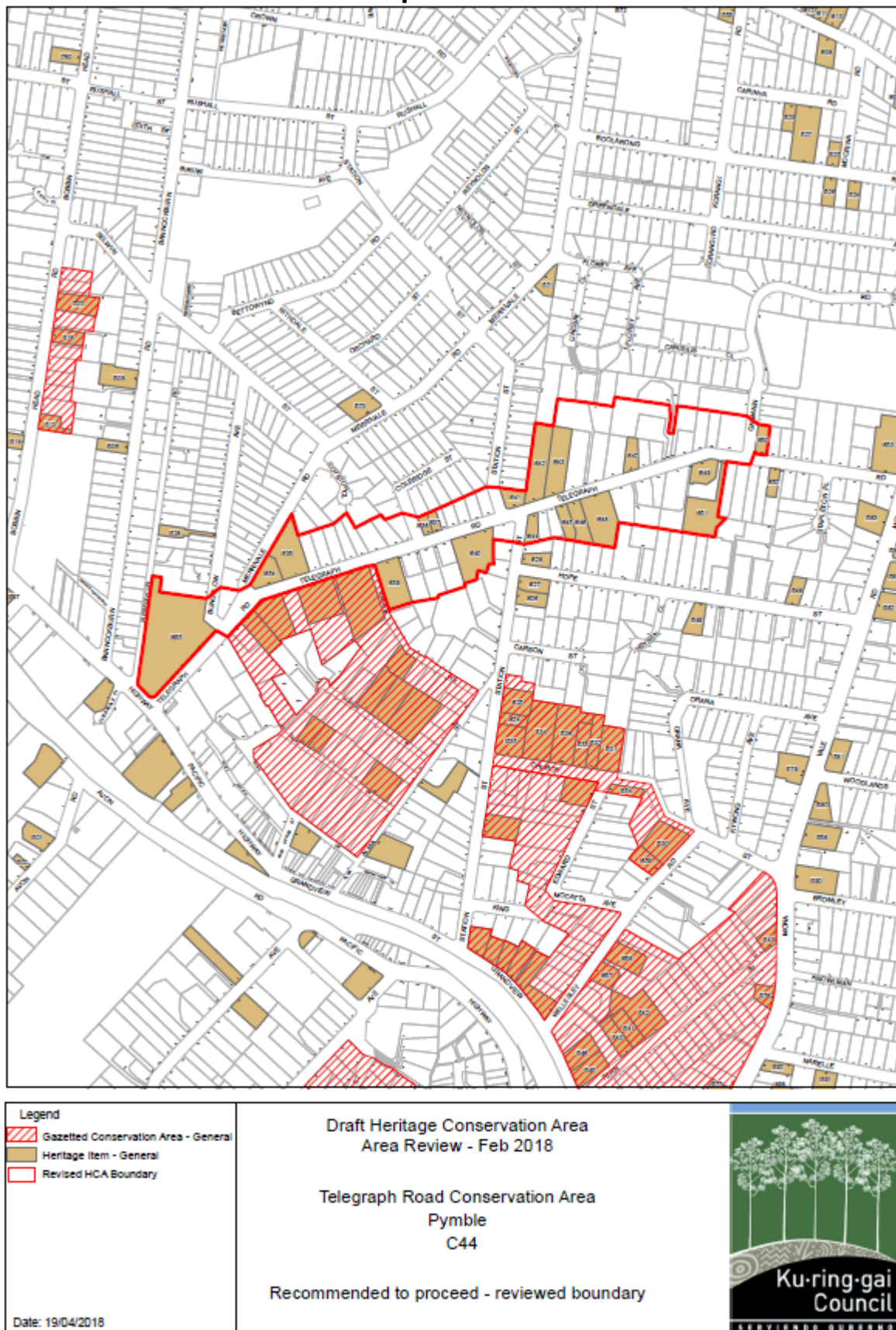
TELEGRAPH ROAD
DRAFT HERITAGE CONSERVATION AREA
(C44)

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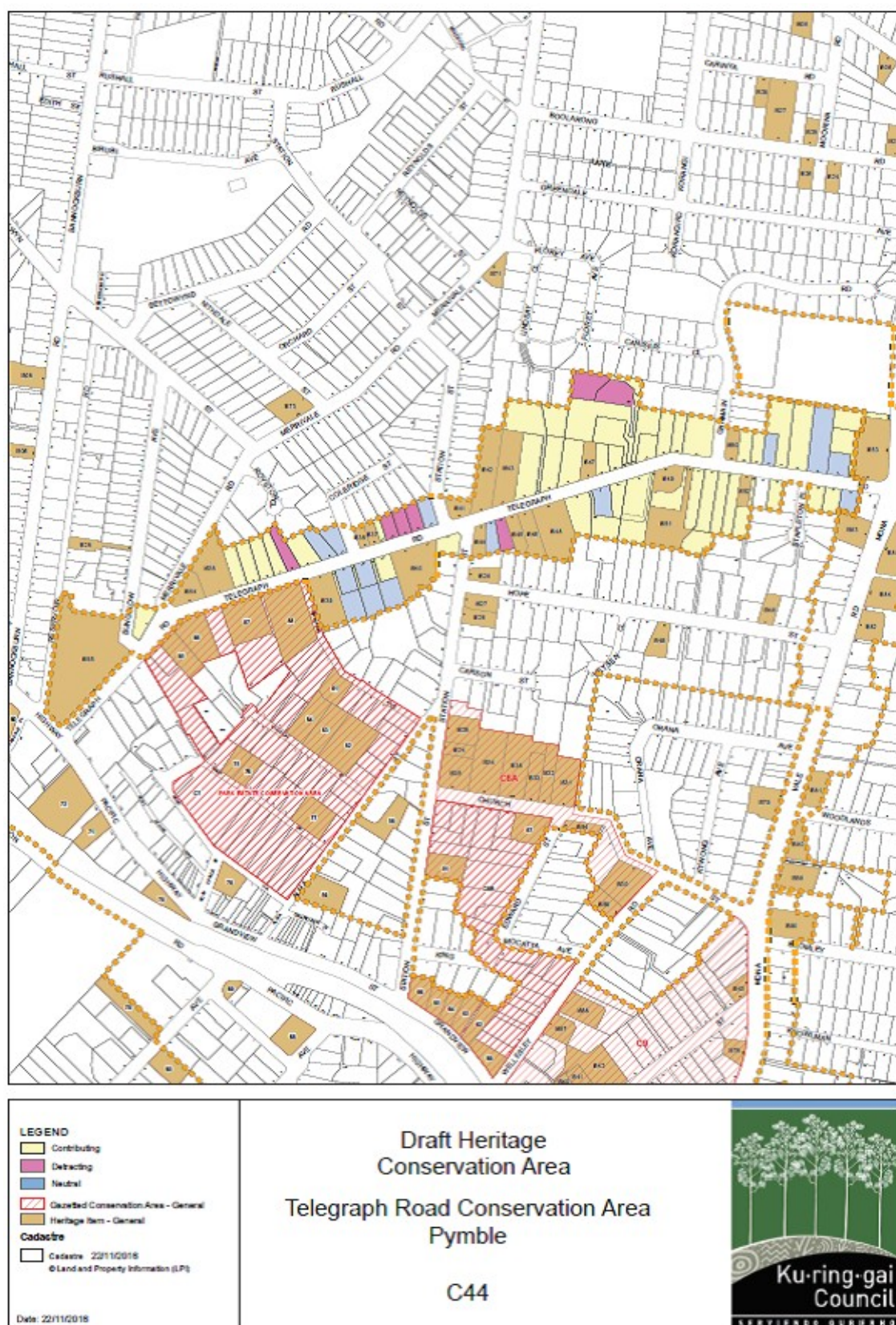
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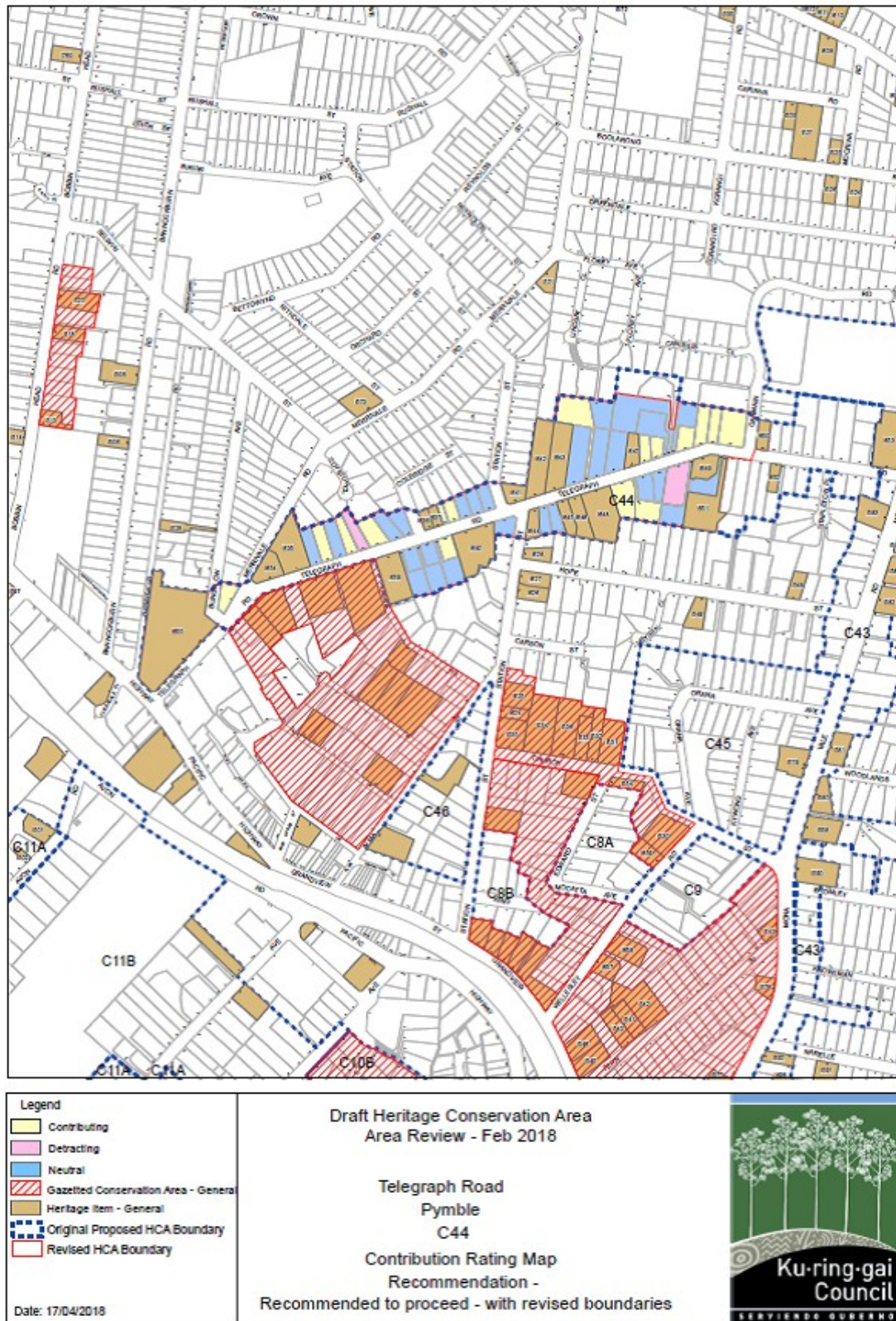
1.1 Area recommended to proceed



1.2 Exhibited ratings map for draft Telegraph Road HCA



1.3 Revised ratings map for draft Telegraph Road HCA showing revised boundaries



2. Comment

The exhibited proposed Telegraph Road Heritage Conservation Area (HCA) contains 85 properties. As part of the public exhibition process, objections were received from 18 properties or 21% of properties. Submissions raised concerns with impacts on property values, ability to make further amendments to properties and the level of change which has already occurred within the streetscape. Individual submissions are responded to below.

Following the public exhibition process, the rating of each property within the draft HCA was reconsidered. The re-assessment of each property is included below. It is noted that more recent changes have occurred within Telegraph Road, sometimes to the detriment to heritage values of the road. However, on balance, it is considered that part of Telegraph Road retains enough original buildings from the Victorian, Federation and Inter War period to justify its listing as a Heritage Conservation Area.


It is recommended that the boundaries of the proposed HCA be realigned to remove properties from Nos. 68 to 86 on the northern side of the road and from Nos. 69 to 91 on the southern side be removed from the proposed HCA boundaries as this part of the street has been heavily modified and no longer reflects the heritage values associated with the street. It is further recommended that the following properties be removed from the HCA boundaries due to their location behind already subdivided lots:

- 56A Telegraph Road (Lot 5, DP 222720)
- 56C Telegraph Road (Lot 4, DP 222720)

Several submissions raise objections to their inclusion within the HCA as they are located on battle-axe allotments not visible from the street. Properties within the proposed revised HCA on battle-axe allotments are Nos. 46, 56, 56B, 58A, 67, 65, 61A, 55A, 35, 33A and 31A Telegraph Road and 17 Lindsay Close. In some cases, it has been possible to determine the values of these properties from other sources, for example aerial photographs, Council property files and real estate sales information. The following assessment has been made for the abovementioned properties:

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
31A Telegraph Road	N (access handle C)	N	Not visible from street but not same house as shown on 1943 aerial. 1964 subdivision. Amend access handle rating to Neutral.
33A Telegraph Road	N (access handle C)	N	1964 subdivision. Building appears by 1970

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
35 Telegraph Road	N	N	Appears c. 1970. 1964 subdivision.
55A Telegraph Road	C	C	Sydney regional – 1960s architect John Suttor
61A Telegraph Road	C	N	No structures on 2016 aerial – same ownership as 61 Telegraph Rd – DA approval to construct new dwelling house. Amend rating to Neutral.
65 Telegraph Road	C	N	Battle-axe lot, cannot be seen from street. Appears between 1961 and 1968 on aerials, modified 1989. Due to lack of visibility and modifications amend rating to Neutral.
67 Telegraph Road	C	Item (651)	One of a group of modern houses picked up in a review in 2011. It is a house designed by Dr H Epstein, one of a group of European architects who migrated to Australia just prior to WW2 and brought the modern architectural movement of Australia. This house was his family home from 1952 to 1977.
58A Telegraph Road	C	N	Heavily modified building – post war construction. Appears in 1970 aerial. Not from key development period and not visible from street. Amend rating to Neutral.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			
56B Telegraph Road	C	N	<p>Building is not present on 1943 aerial. Appears around 1972. Not visible from the street and not from a key development period.</p> <p>Amend rating to Neutral.</p>
56 Telegraph Road	C	N	<p>Not possible to determine details about this property. It is not visible from the street. Appears to have had modifications approved and is unlikely to be in original condition.</p> <p>Amend rating of this property to Neutral.</p>
46 Telegraph Road	C	C	<p>Battle-axe with very long access handle, not visible from street. 1930s construction 'Bushlands' which has undergone modification. However, the building is from a key development period and retains some features of its original construction including curved verandah and single storey form.</p>
17 Lindsay Close	C	N	<p>1943 aerial photo shows that this site was once associated with "bushlands" at 46 Telegraph Road. Therefore, it is</p>

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			recommended it be retained within the heritage conservation area but be given a Neutral rating.

Despite the lack of visibility of these properties from the public domain, it is considered they still represent the historical value associated with Telegraph Road of the ongoing process of subdivision and re-subdivision of large allotments into smaller sites. Therefore, it is recommended that they be retained within the HCA boundaries. However, where the age and integrity of a property cannot be determined due to lack of information, a Neutral rating is recommended, including the rating for the access handles which were previously shown as Contributory. Nos. 56A and 56C Telegraph Road have been removed from the boundaries as this 1960s subdivision of remnant land at the rear of already subdivided properties. For this reason, these properties have been removed from the revised HCA boundaries.

Telegraph Road is lined with many grand homes, many two-storey, situated on substantial allotments. Many were designed by known architects including James Orwin (66 Telegraph Road), Geoffrey Douglas Loveridge (42 Telegraph Road), and Dr Henry Epstein (67 Telegraph Road). Typically, the large houses are set back from the street behind high front walls with wide, deep fronted gardens. The deep setback of the houses, front walls, entrance gates and large private gardens creates a sense of spaciousness and affluence.

It also contains a mix of smaller sized allotments which reflect the ongoing process of subdivision and change over time. This is evident by the presence of battle-axe allotments. The quality of the public and private domain contributes to the overall significance of Telegraph Road. Repetitive use of materials such as sandstone and the existence of mature street trees create the sense of a high quality locality. Many of the fences along Telegraph Road are relatively high. However, this reflects the estate like qualities of many of the properties as being buildings of grand proportions set within large established gardens. It is not necessarily a reflection of the busyness of the road, as it is along others for example Mona Vale Road. They seek to create a sense of privacy for the grand homes which were built along Telegraph Road for residents escaping the city for a more serene lifestyle.



Image 1: Example of sandstone fences along Telegraph Road

The established provide shade and pleasant views along Telegraph Road with the nature strip providing a buffer between the road and buildings.

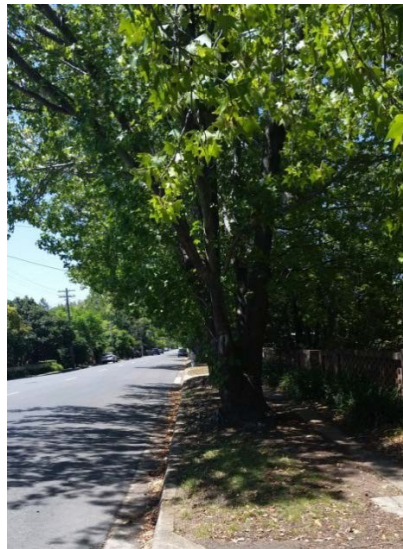


Image 2: Established street trees along Telegraph Road

The combination of the high quality private and public domain demarcate Telegraph Road as a highly desirable residential locality. Telegraph Road's importance as a transport route dates back to the early development of the area as a timber getting location and it remains an important transport link to this day. Telegraph Road retains many significant examples of high quality, architect designed residential development reflecting the historical trend of wealthy Sydney residents seeking refuge from the more crowded inner urban areas. Over time, the size of some of these estates has been reduced as a result of further subdivision. However, many retain their large garden settings and sense of space and exclusivity.

It is considered that Telegraph Road demonstrates historic, aesthetic and historical association heritage values and should be listed as a Heritage Conservation Area following the amended boundaries recommended within this report.

3. Statement of Significance

Telegraph Road has historical significance as an extant and significant early transportation route used as the main timber-getting bullock track towards Stoney Creek Road (now Mona Vale Road). The area was used for timber getting until around 1840. The road retains its role as an important link between Mona Vale Road and the Pacific Highway. Telegraph Road demonstrates the changing nature of land use within the area over time from agricultural to residential. This ongoing process of development and subdivision is evident through the presence of larger original allotments as well as smaller, more recent allotments resultant from continuing subdivision of large allotments over time. As a result, the road contains an interesting mix of grand and more modest dwellings which generally respond well to their individual settings.

Telegraph Road has aesthetic significance as an attractive, high quality residential streetscape encompassing a range of substantial, as well as more modest, Victorian, Federation and Inter-War dwelling houses in garden settings. The road's elevation position, use of high quality materials and finishes, impressive building forms and finishes, garden settings and landscaping all create and reflect its status as a prestigious and desirable residential address.


Telegraph Road has historical association significance through its association with various significant architects from the pre and post war period including James Orwin (66 Telegraph Road), Geoffrey Douglas Loveridge (42 Telegraph Road), and Dr Henry Epstein (67 Telegraph Road).

4. Submissions Table

No	Issue/Concern	Comment
1	<p>Proposed HCA is unnecessary as the property (46 Telegraph Road) cannot be viewed from anywhere on public property, therefore cannot affect the streetscape.</p> <p>It will provide extra red tape for any future proposed renovations and reduce property value.</p>	<p>It is agreed that 46 Telegraph Road cannot be viewed from the street. However, the building is a modified Inter-War dwelling house which demonstrates characteristics from this key development period. It is part of this history of the development of the area and therefore should be retained within the HCA despite being located on a battle-axe property.</p>

No	Issue/Concern	Comment
		 <p data-bbox="831 645 1305 757">It is recommended that the property retain its Contributory rating and be retained within the HCA boundaries.</p> <p data-bbox="831 790 1375 1093">Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p data-bbox="831 1126 1326 1238">See Council report for discussion on impacts of heritage listing on property values.</p>
2	<p data-bbox="260 1283 807 1395">Do not believe property (41 Telegraph Road) should be included as it is not a heritage property.</p> <p data-bbox="260 1417 807 1608">The fencing done not long ago and intend to keep the brick fence to match the street but don't agree with my property being listed under conservation/Heritage.</p> <p data-bbox="260 1630 807 1888">Lot was subdivided with the neighbour behind some time ago and the neighbour behind me is not affected but this property is. Would like further clarification about why it is deemed appropriate that property should be under heritage conservation.</p>	<p data-bbox="831 1283 1375 1585">41 Telegraph Road is located on a corner lot and comprises a modest, modified, single storey 1950/60s dwelling house which primarily addresses Telegraph Road. However, the property has been rendered and painted. Accordingly, it is recommended that property rating be amended to Neutral.</p>  <p data-bbox="831 1906 1353 2018">Noted that an approval for demolition of dwelling house and erection of new dwelling was issued in November 2011</p>

No	Issue/Concern	Comment
		<p>(DA0243/17). Accordingly, the rating for this site should be amended to Neutral as it is not practical to remove individual sites from within a HCA.</p> <p>The property behind is not included as it does not address Telegraph Road but is located on Station Street.</p>
3	<p>Objection.</p> <p>This is unnecessary restrictions.</p> <p>The restriction brings uncertainty, the property value will decrease, quality of street will dragged down, which is a sad thing for our beloved suburb.</p>	<p>Objection noted.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>
4	<p>Strongly oppose proposal.</p> <p>Council already has rules in place to ensure that, if properly enforced, any redevelopment is carried out in a manner sympathetic to the neighbourhood. The proposal to introduce such this HCA is far too broad, will impose unnecessary restrictions on what we owners can do with our property, to our financial detriment.</p> <p>Many houses on Telegraph Road, where we live, already have additions or second stories, so the character of the</p>	<p>Opposition noted.</p> <p>The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature</p>

No	Issue/Concern	Comment
	<p>neighbourhood has already changed, which we generally see as a positive thing. We would encourage Council to reject this over-reaching HCA proposal, and request that each development proposal continues to be assessed on its respective merits. If Council effectively assesses development applications within the current framework, further regulation should be unnecessary.</p>	<p>are determined by Council.</p> <p>It is noted that some properties on Telegraph Road have undergone modification over time, which is to be expected. However, the area is historically significant as it visually demonstrates the evolution of an area over time, as shown in the variety and age of building stock.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>This property is a single storey inter-war dwelling house, which has been modified including an over scaled front dormer and internal garage to building façade.</p>  <p>It is recommended that the rating of this property be amended to Neutral as a result of these changes.</p>
5	<p>Strongly oppose the proposal to include property (69 Telegraph Road) within the heritage proposal and will seek further legal action if restrictions are imposed on the property.</p> <p>Have lived in the area for 10 years and during this time have observed the extensive development and apartments being built within the council area. These changes have been unattractive, intrusive on the natural landscape and increased the number of residents without the corresponding improvement in services.</p> <p>Against the continued high density</p>	<p>Opposition noted.</p> <p>One of the outcomes of the HCA will be to ensure that any future change within the area is appropriate and does not degrade its existing heritage and streetscape values.</p> <p>Council is not seeking to commandeer privately owned properties but is seeking to retain the area's existing character.</p> <p>69 Telegraph Road was rating as Contributory to the streetscape of the proposed HCA by Jackson-Stepowski in 2012. Aerial photographs indicate that</p>

No	Issue/Concern	Comment
	<p>development stance that has allowed high density apartments and subdivision to permeate Ku-ring-gai but the Council should not adversely impact resident's wealth and wellbeing through this proposal.</p> <p>This reprehensible proposal represents a situation whereby the Council and its Consultant want to take control of hundreds of private dwellings camouflaged behind expressions such as 'heritage conservation.'</p> <p>Shocked by the terrible proposal to apply significant restrictions on what I can do with my property which have a negative longer-term impact on the value of my property and wealth and wellbeing of my family.</p> <p>Object to Council accepting the author of the review as a person whose opinion can be relied on to the extent that it justifies Council 'commandeering' privately owned homes.</p> <p>Property has no heritage contribution whatsoever. It is a plain house with no street appeal and no different to other houses in Pymble that don't and are not captured by this reprehensible proposal.</p> <p>My property clearly does not satisfy any of the seven criteria for heritage listing. House has a small footprint, has been underinvested and is in desperate need of demolition and rebuild to bring the property in line with housing stock in the area.</p> <p>A blanket heritage restriction to Telegraph Road makes no sense whatsoever given the council has approved apartments, over 55 residences, subdivisions and modern houses to be built on Telegraph Road.</p> <p>The council and state already has a</p>	<p>the property was constructed between 1956 and 1961. Recent site inspection has confirmed that the property has been rendered which has significantly reduced its level of integrity.</p>  <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road also contains a number of individually listed heritage items. It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located between Mona Vale Road and 69 Telegraph Road (which includes the property the subject of this objection).</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>Local government is responsible for the identification of local heritage within NSW. The agreement of property owners is not required for Council to heritage list properties. The issue relates to the assessed heritage values of the property.</p> <p>Regarding Telegraph Road, Council is in receipt of two heritage assessment reports which reached different conclusions as to whether the area should be considered a heritage conservation area. The most recent study completed by Susan Jackson-Stepowski and Carste Studio in 2013 concluded that the area does have heritage significance.</p>

No	Issue/Concern	Comment
	<p>mechanism to list individual properties based on their merit. And should be assessing future additions based on the individual merit of each home. There is no point to heritage list some ugly houses that have no historical significance.</p> <p>Need the ability to rebuild and extend my home as required based on the existing rules, which are already extensive. Overlaying an additional set of heritage rules imposes unnecessary restrictions on what I can do with my property which is not imposed on similar properties in the council area.</p> <p>Potential decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed. Significantly more expensive to renovate my property than it is to knock down and rebuild property to the standards of a desirable dwelling. The studies cited make no mention of the continued higher rate of investment and time delays that burden property holders in heritage areas.</p> <p>The previous study by Paul Davies 2010 found no merit for heritage conservation listing.</p> <p>Financial consequences of the decisions to burden owners. Council will make no contribution to any additional cost and will not compensate for the loss of value. The Council does offer an annual heritage fund but the amount offered is insulting given the modern construction costs.</p> <p>The review deals with only a small fraction of Ku-ring-gai. Whether this is intended to be the only area subject to such a review and its implementation is unknown.</p> <p>Council is elected to represent the</p>	<p>The planning proposal containing the proposed Telegraph Road Heritage Conservation Area (HCA) contained 10 other proposed HCAs. The review included the vast majority of Pymble and areas of Gordon, Wahroonga and Turramurra.</p> <p>The purpose of heritage listing is not for Council to acquire properties from private landowners. The aim is to ensure that future growth and change is balanced with retaining significant existing character and streetscapes. Owners consent is not a requirement for heritage listing. It is about retaining significant elements of the past for the enjoyment of future generations.</p> <p>Regardless, it is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>

No	Issue/Concern	Comment
	<p>interests of all Residents, not just a small number of residents. If there is such a strong community demand for conservation, Council could ask all ratepayers to make a voluntary donation and use those funds to acquire those properties that it wishes to conserve for the benefit of everyone. Alternatively, Council could create a conservation fund paid in addition to their normal rates which would then fund.</p> <p>The proposal should only succeed if there was consensus amongst property owners across the proposed area under review. Council must accommodate the changing demographics of Sydney. To do otherwise places at risk the relevance of Council in meeting the changing residential requirements of Sydney.</p>	
6	<p>Strongly object to plan.</p> <p>Area is no different than most other parts of the council area and furthermore house is of no heritage significance.</p> <p>This proposed plan would suggest that the council is giving little regard to what is really deemed heritage.</p>	<p>Objection noted.</p> <p>The 2013 report prepared by Susan Jackson-Stepowski and Carste Studio concluded that the area does have heritage significance. The area is considered significant as part of the subdivision of an early land grant and retains a mix of grand and more modest residential buildings dating from the 1890s.</p> <p>This property has been assessed as having a Contributory building rating and is considered to add value to the heritage conservation area.</p>
7	<p>Oppose proposal as it will decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed; lead to unnecessary restrictions on what can be done with property; particular houses should be selected for heritage listing rather than a blanket ban which</p>	<p>Opposition noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a</p>

No	Issue/Concern	Comment
	<p>imposes limitations and disadvantages those who do not have heritage valued houses.</p> <p>Property is an asset and owners should be allowed to do what they wish and to live comfortably. Put yourself in our shoes.</p> <p>It will also impose limitations on maintenance.</p> <p>60% of buyers say it is a disadvantage to buy in a heritage listed area, as such it will impact house price directly as a consequence due to the councils decision.</p> <p>If house price does fall as a result of this proposal, will initiate legal action against the council and all officers involved in the decision making process. Will seek restitution of my losses directly from council.</p>	<p>number of individually listed heritage items.</p> <p>It is unclear where the statistic regarding buyer sentiments of heritage properties has been derived from. Potential purchaser will consider a range of matters, including heritage, in the decision making process of selecting a property. Some may see it as a disadvantage but others may appreciate the fact that the area is unlikely to undergo major change into the future. It is dependent on the requirements of the individual purchaser.</p> <p>This property is rating as Neutral within the HCA and therefore new purchaser may seek to make changes to the property more in keeping with the overall character of the area.</p>
8	<p>Residents within proposed HCA.</p> <p>Opposed to draft to change the whole street to conservation zone.</p> <p>Think changing it to a conservation area will impose huge restrictions on our property which is not a heritage item.</p>	<p>Opposition noted.</p> <p>The property subject to this submission is rated Neutral within the draft HCA.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>This property has been assessed as having a Contributory building rating and is considered to add value to the heritage conservation area.</p>
9	<p>Resident within proposed HCA and object to Council proposal to extend Heritage Conservative Area to include street.</p>	<p>Objection noted.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the</p>

No	Issue/Concern	Comment
	<p>Proposal will restrict what can be done with property and unnecessarily impose limitations on improvements.</p> <p>Whilst there are houses of undoubted heritage significance in this street, there are also many houses of little significance.</p> <p>Houses of heritage significance could be individually protected, rather than providing a blanket heritage restriction on the whole street.</p> <p>Many beautiful old houses of obvious heritage significance in Ku-ring-gai have been demolished over recent years to make way for ugly developments. It is hypocritical and unfair of Council at this late stage to arbitrarily seek to impose Heritage Conservation Area status upon this entire street.</p>	<p>proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a number of individually listed heritage items.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>
10	<p>Would like to submit my reasons objecting to the listing of Telegraph Road as a Heritage Conservation area.</p> <p>Should Telegraph Road be listed, this will put unnecessary restrictions on what owners can do to their property.</p> <p>Listing the entire road will not make any significant difference as many properties have already been modified beyond their original footprint, or demolished with modern properties having been built.</p> <p>Units and town-houses are already built, or being built, on this particular road.</p> <p>There are already many Heritage Listed properties in Telegraph Road, which helps preserve the heritage of the area.</p> <p>In my personal case, with a modest cottage, re-sale value will be adversely affected. I would like the opportunity, in future, to make any improvements and investment to my property that I see fit.</p> <p>Existing rules already give room for</p>	<p>Objection noted.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a number of individually listed heritage items.</p> <p>It is noted that modifications have occurred within the street over time. This is reflected in the individual rating given to each property within the proposed HCA. These ratings have been revised following the public exhibition of the planning proposal.</p>

No	Issue/Concern	Comment
	renovations without being so restrictive.	The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature are determined by Council.
11	<p>Live in area and have been visiting the area for many years prior to ownership of the house. Have found Telegraph Road a beautiful street to walk along, with foot paths lined by mature trees and the grand character of the houses along it.</p> <p>There are now some modern houses along the road, including a modern 4 - 5 story apartment block being erected. There are also plans for an aged residential care facility to be built.</p> <p>The greatest change that has affected to Telegraph Road over time has been the decision to allow it to become a road traffic thoroughfare - traffic is encouraged between the Pacific Highway and Mona Vale Road. The traffic is now incessant with cars, motorbikes trucks and buses even. Speed control is poor and there have been police speed patrols as indicative of how cars have been speeding through.</p> <p>At the Mona Vale end it is now very noisy, with street noise intruding into the house. There is work traffic during the week and recreational traffic during weekends. Driving out from my driveway is very tricky as the view of on-coming traffic is poor, with cars parking along the road. Vehicles zoom down the road,</p>	<p>It is noted that modifications have occurred within the street over time. This is reflected in the individual ratings given to each property within the proposed HCA.</p> <p>House in question has been rated as Contributory as an intact 1960s blonde brick dwelling house.</p> <p>It is agreed that Mona Vale Road is a very busy road which carries a significant amount of traffic. Telegraph Road is also a heavily trafficked road. However, historically the street was the main timber getting bullock track through earlier land grants to what is now known as Mona Vale Road. Therefore, the road has always been a significant route through the Pymble area, as remains the case today.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>

No	Issue/Concern	Comment
	<p>when coming in from Mona Vale, and if stopped along Telegraph Road on a red light, the accelerating starting noise, especially from non-muffled motorbikes are very loud, penetrating right into house. Cars that stop at the light broadcast thumping heavy bass music.</p> <p>Highlight the above to explain that I feel the heritage ambience of the road has been changed. The quiet charm of the grand houses are not possible to appreciate due to the traffic. Walks are not as enjoyable anymore.</p> <p>House is a 1950's house. It is well built but small with two bedrooms. It has no particular "heritage" character and at the Mona Vale end of Telegraph Road, suffers greatly from the road disturbance. I will have to make changes to the house frontage, to shield off the road disturbance. This might entail thinking of a high wall, a thick solid gate, and even a more solid house facade to absorb the road noises.</p> <p>Afraid being listed Heritage will result in my being unable to improve the house to make it more quiet.</p> <p>Improvements to the ambience of our street can be considered:</p> <ol style="list-style-type: none"> 1. Limiting road traffic through Telegraph Road - by making it a No Through Road 2. Employing methods to control traffic flow, and speed. 3. Greater police patrol presence 4. Limiting road side parking close to the lights, as it is dangerous to come out of our driveway <p>Not in favour of the whole Telegraph Road being Heritage listed, though there are without doubt houses of exceptional character and they could be individually</p>	

No	Issue/Concern	Comment
	listed as Heritage homes instead.	
12	<p>Would like to give the following inputs for Council's consideration:</p> <ol style="list-style-type: none"> 1. Indeed there are several properties on our street of magnificence and significance and should be (and some already are) heritage protected. There are also properties which are arguably of little to no significance, and if redeveloped, can improve their values and contribute to the overall street presence and appeal. Should an HCA be placed on the latter, it may significantly affect their values. 2. KMC already has LEP/DCP which govern development. These instruments should treat heritage and non-heritage warranted properties with due difference and fairness. If need be, modifications can be made to said controls without subjecting a whole street to HCA listing. For example, restriction of medium to high density development (which doesn't seem to be the case in KMC e.g. the heritage property corner of Turramurra Ave and Nulla Nulla St has become completely surrounded and overshadowed by new high rise. We use this example because the nature of its heritage listing, and the lack of control of surrounding properties dissuaded us from considering it when it was on the market, so arguable it's value was affected. 3. Understand there are DAs in existence (status unknown to us) for multiple dwellings on Telegraph Rd properties nearer the Mona Vale 	<p>Heritage conservation areas are different to individually listed heritage items. Telegraph Road already contains a number of individually listed heritage items.</p> <p>The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature are determined by Council.</p> <p>Council does have the ability to zone land for different densities. For example, Nos. 1, 3 & 5-7 Telegraph Road are zoned R4 High Density Residential. No. 9 Telegraph Road is zoned R3 Medium Density Residential.</p> <p>The rating of the subject property is recommended to be amended to Neutral due to modifications which have occurred to the property over time. The property owner may seek to make changes to the property in keeping with the overall character of the area.</p>

No	Issue/Concern	Comment
	<p>Road end of Telegraph Road. One is current a demolition-in-progress site. This is incongruous to the HCA proposal.</p> <p>Overall, feel the proposal to change Telegraph Rd in total (bar 1 property west of Stapleton PI) is unnecessarily restrictive, and maybe unfair to some property owners.</p>	
13	<p>Totally object to the heritage to listing! What a ridiculous idea.</p> <p>Reducing the values of our home when we are already paying huge mortgages as it is. We all work so hard to provide our families with a roof over their head and the comfort of eventually financial security after years of hard work all to be taken away due some ridiculous idea of placing restrictions of what we can and can't do with our own homes. If this was happening in your street your suburb would you want it.....???!?!? These properties belong to the owners not the Ku-Ring-Gai Council.</p> <p>Please reconsider this decision to make the area a heritage list one. It is not necessary. There are plenty of other concerns that the council should be spending our money on.</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p>
14	<p>Object to this proposal as it places unnecessary restrictions on my property and can have a potential decrease in my property value or future attractiveness.</p> <p>There are already many properties with additions and second stories which has already diminished any heritage significance. Do not do it!!!</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>It is noted that some properties on Telegraph Road have undergone modification over time, which is to be expected. However, the area is historically significant as it visually demonstrates the evolution of an area over time, as shown in the variety and</p>

No	Issue/Concern	Comment
		age of building stock.
15	<p>Owner of a property on Telegraph Road (35 Telegraph Road) and oppose the suggested heritage listing plans by Kuring-gai Council.</p> <p>This will most probably reduce the value of my property as buyers are less interested in buying heritage properties because of various associated restrictions.</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The subject property is rated as Neutral within the HCA. Current or future property owners may seek to make changes to the property in keeping with the overall character of the area.</p>
16	<p>Act for proprietors of premises and object to the proposal to include property (76 Telegraph Road) in the HCA for the following reasons:</p> <ol style="list-style-type: none"> 1. Application to redevelop the site for a Seniors Housing Development comprising of 9 dwellings remains unresolved (DA0192/17) 2. Clients have commenced LEC proceedings. 3. Appears more than coincidental that the determination has been unreasonably delayed and remains unresolved requiring commencement of LEC proceedings on the basis of a deemed refusal. 4. Existing house and property have no heritage significance and will no doubt be a consideration in determining the DA. 5. Proposal is more about Council maintaining controls over the whole area and putting barriers in place to allow for efficient management of the approval system. 	<p>Current application DA0415/16 to demolish existing structures and construct 10 town-houses for seniors (SEPP Housing for Seniors or People with a Disability) with basement parking, landscaping and associated works - Integrated Development (NSW Rural Fire Service under the RFS Act 1997) was refused by Council on 23 November 2017.</p> <p>It is proposed to amend the proposed northern boundary of the HCA to include up to 66 Telegraph Road only due to the lower quality of the building stock towards the intersection with Mona Vale Road. Therefore, the property subject to this objection is no longer proposed for inclusion within the HCA.</p>
17	<p>Letter from Council states that our property at 77B Telegraph Road is within the draft Telegraph Road Conservation area (C44) and the map provided shows only our tennis court is within this</p>	<p>Noted that the current proposed HCA boundary map includes a lot (Lot 101 DP 591256) containing a tennis court only.</p> <p>Agreed that this lot should be removed</p>

No	Issue/Concern	Comment
	<p>boundary.</p> <p>Writing to request that lot 101 of our property (the tennis court) be excluded from the conservation area.</p>	<p>from the draft HCA boundaries as it comprises a tennis court aligned with 77B Telegraph Road which is not proposed for inclusion within the HCA.</p> <p>It is recommended that the boundaries of the proposed HCA be realigned to remove properties on the southern side of Telegraph Road located from 69 Telegraph Road to 91 Mona Vale Road (which includes the property the subject of this objection).</p>
18	<p>Council should put in place restrictions on through traffic or the speed of traffic on Telegraph Rd.</p> <p>Increasing traffic impacts the streetscape, amenity of the area, housing value and is not aligned with the type of housing nor heritage value.</p>	<p>It is agreed that Telegraph Road is a heavily trafficked road. However, historically the street was the main timber getting bullock track through earlier land grants to what is now known as Mona Vale Road. Therefore, the road has always been a significant route through the Pymble area, as remains the case today.</p>
19	<p>Just become aware of the proposal under consideration by your team for the establishment of a new heritage conservation area along Telegraph Road, Pymble, which may include our property.</p> <p>Understand notifications of this matter should have been sent to affected residents in September last year. I did not receive such a notification and do not understand why we have not received notification as we have been owner occupiers throughout the above period.</p> <p>If we had been aware, we would have raised an objection during the public exhibition period, given that the proposed inclusion of our property would have a significant adverse impact on our property, and</p>	<p>Council can confirm that this property was contained with the dataset for the Telegraph Road HCA notification letters with the current owners' names.</p> <p>It is noted that the property is located on a battle-axe allotment. This is also the case with a number of other properties contained within the draft HCA including 46, 56, 56B, 58A, 67, 65, 61A, 35, 33A and 31A Telegraph Road and 17 Lindsay Close. Despite the lack of visibility of these properties from the public domain, it is considered they still represent the historical value associated with Telegraph Road of the ongoing process of subdivision and re-subdivision of large allotments into smaller sites.</p> <p>It is noted that this house was designed by John Bligh Suttor in 1965, a known modernist architect. It is noted that Suttor was also involved in extensive changes to the State listed heritage item 'Coppins'</p>

No	Issue/Concern	Comment
	<p>for the reasons outlined below.</p> <ol style="list-style-type: none"> 1. Our property is a battle-axe property, reached via a 55 metre long concrete driveway from Telegraph Road. 2. No part of our house is visible in any way whatsoever from Telegraph Road. The view from Telegraph Road towards our house is completely obscured by the property located at 57 Telegraph Road. 3. The study which appears on your website in support of the possible heritage conservation area in Telegraph Road (study by Stephen Booker of carste STUDIO Pty Limited) does not reference our house as having heritage value and none of the conservation area factors identified in the report is relevant to our property: <ul style="list-style-type: none"> <input type="checkbox"/>our property is not of historical significance; <input type="checkbox"/>it does not contribute to the streetscape, given that its only presence on Telegraph Road is the visibility of a concrete driveway entrance; and <input type="checkbox"/>its built form, materiality and gardens are and will remain invisible from Telegraph road due to the supervening presence of the property at 57 Telegraph Road. 4. It is inexplicable that our property, constructed in 1965, and being entirely invisible from Telegraph Road, obscured by the property at 57 Telegraph Road, could be thought to contribute to the heritage value of Telegraph Road. 	<p>designed by Walter Burley Griffin and Marion Mahony Griffin in 1935, which is also located on Telegraph Road.</p> <p>For the above-mentioned reasons, the property is recommended to remain with the revised boundaries of the Telegraph Road HCA and retain its exhibited rated as a Contributory building.</p>

Submission summary table: All HCAs

No	Issue/Concern	Comment
164	<p>Supports new HCAs.</p> <p>Submission from Friends of Pymble.</p> <p>Wants to protect vulnerable heritage streetscapes and neighbourhood character in Pymble from being lost or damaged by inappropriate planning and development outcomes.</p>	<p>Support is noted.</p> <p>The review and assessment has given consideration to the conservation of heritage areas.</p>
172	<p>Supports new HCAs.</p> <p>Notes how unacceptable development threats to heritage have been recognised by Australian Council of National Trusts Endangered Places Listing. The planning proposal supports the protection of local cultural heritage.</p> <p>Online 'Submit a comment direct to Council' form at the top right of the website did not work as expected.</p>	<p>Support is noted.</p> <p>Ku-ring-gai Council has listed to the requests to further protect Ku-ring-gai's Council and this review again assesses those places with potential heritage value for inclusion as conservation areas on Council's Local Environmental Plan.</p> <p>I'm sorry that for you the "submit a comment online" did not work. If you have trouble in future please contact Council's customer service as they would be happy to help.</p>
203	<p>Supports new HCAs.</p> <p>Feels it is too little too late as a lot has already been lost, but supports the last ditch effort.</p>	<p>Support is noted.</p>

Attachment: Brief literature review of the effect of designation on area on house prices

International results for hedonic analysis

Numerous studies have been undertaken globally to ascertain the impact of heritage listing (designation) on property values (see Table 1). Ford (1989), Asabere and Huffman (1994a), Leichenko et al (2001), Coulson and Leichenko (2001), Deodhar (2004), Coulson and Lahr (2005), Narwold et al (2008), and Noonan (2007) all found that designated houses typically sold for a premium when compared to similar properties that were not designated. Others such as Asabere, Hachey and Grubaugh (1989), Schaffer and Millerick (1991), and Asabere and Huffman (1994b) deduced that designation typically led to a discount in the value or had mixed results including no significant price effect. Summaries of these conclusions can be found in Table 1.

The Australian Government Productivity Commission (2006) investigated the effect heritage listing had on the value of residential single dwelling properties in Ku-ring-gai and Parramatta. The analysis found no significant effect on house prices in either area.

An Australian study by William Jeffries in 2012 reviewed the effect of heritage listing on house prices in Mosman. The review challenged the assumptions and methods of previous Australian studies including Deodhar (2004) and the Australian Productivity Commission (2006). The study hypothesized that the previous studies which employed a hedonic price methodology failed to give consideration to:

1. A variance effect – heritage listing increases the price of some properties while reducing the price of others, giving an overall outcome which is erroneous as the two outcomes:
 - a) offset each other to a neutral outcome;
 - b) result in false positive; or
 - c) result in a false negative.
2. Doesn't measure the effect on the prices of neighbouring properties.

Jeffries applied three models to the data:

- When using the hedonic price model the results were closely aligned to the findings of Deodhar and the Productivity Commission for Ku-ring-gai with an estimated increase to house prices of 17.9%. Jeffries postulated this positive outcome was the result of the types of houses which had been listed which may have been of higher quality (design, materials, setting) before listing and therefore regardless of designation, this subset may have had a higher house price compared to the overall sample.
- The difference-in-differences model estimated the average treatment effect i.e. the model assessed before and after listing prices. The results of this modelling were statistically insignificant and therefore it could not be concluded that the higher prices for heritage properties pre-existed the designation.
- The fixed effects model utilised in the calculation only those properties which had sales in both the before and after designation time periods. This analysis eliminates time-invariant observables and unobservables leaving only time-variant observables i.e. changes that occurred as a result of the changing condition (heritage listing) not the environment of the changing time (e.g. past and present macro and micro economic climates). Again, there was no statistically significant result.

Finally Jeffries tested the hypothesis that heritage listing increases the prices of some houses while decreasing the prices of others, with the overall effect being to cancel each other out to no effect. Jeffries applied the Breusch-Pagan heteroskedasticity test to the Mosman data to determine if this variance existed. Jeffries found that designation did not have a varying effect on the price of the houses that were listed or the neighbouring houses.

Results for historic precincts (hedonic modelling and repeat sales analysis)

Ford (1989), Asabere and Huffman (1994a), Coulson and Lahr (2005), and Thompson, Rosenbaum and Schmitz (2010) all used hedonic analysis to ascertain the impact of heritage listing on historic precincts or neighbourhoods and found a positive effect on houses prices.

Australian examples of the impact on property valuations and sale price from being included in a statutorily recognised heritage conservation area (heritage precincts) has tended to review the effect of listing on houses prices in country and mining towns.

Countrywide Valuers and Trevor Budge and Associates in their 1992 study of the Victorian mining town of Maldon found no adverse effect on property valuations from the heritage and planning and controls set in place as a result of heritage listing. The study concluded the planning controls had conserved the heritage character of Maldon and attracted visitors and property buyers to the town. Property values in Maldon were comparable or higher than neighbouring towns which were not included in the heritage overlay.

Penfold (1994) reviewed the impact of heritage controls on prices for four conservation areas in four Sydney local government areas: Ashfield, Burwood, North Sydney and Waverly. The study found that the statutory recognition of the conservation areas had favourable impacts on Ashfield and Burwood but made little difference to the prices in North Sydney and Waverly.

Cotteril (2007) stated in the Sinclair Knight Merz report of the impact of heritage overlays on house prices in Ballarat that “well maintained and marketed heritage listed residential properties are likely to sell at a premium...” and “....generally residential house prices are more likely to be affected by external economic factors such as interest rates and property location”.

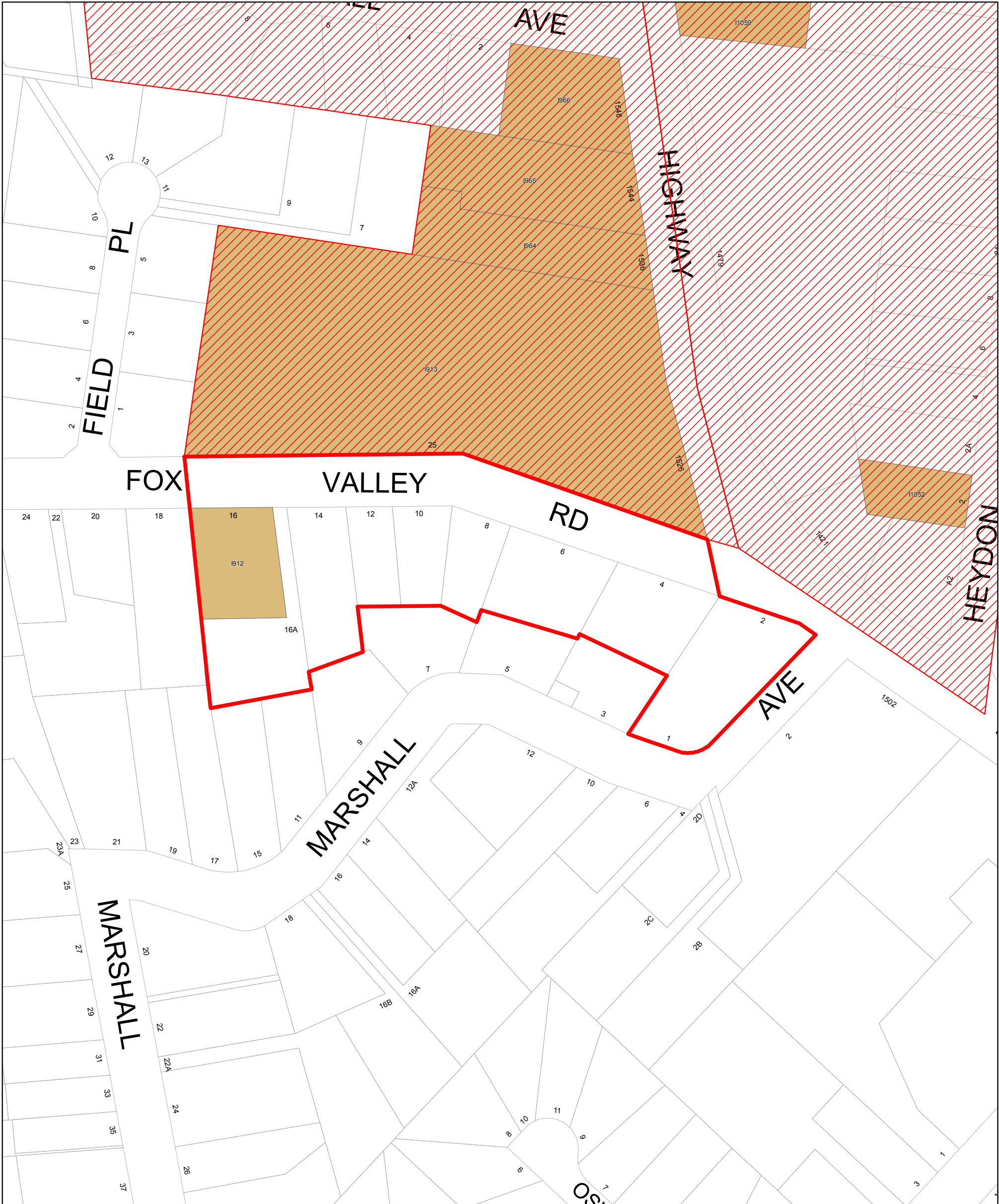
Armitage and Irons (2005) reviewed seven Australian and international studies on the effect of heritage listing on property prices. They surmised that the impact of heritage listing on property prices is marginal and generally tends to be positive, particularly in the case of placing heritage controls on entire precincts. They also note that individual cases, or outliers, do show significant upside or downside value movements. They attributed the positive effects in heritage precincts to the increased consistency and greater certainty of character in an area protected by conservation controls.

Table 1: Overview of studies**(Adapted from Lazrak, Nijkamp, Rietveld and Rouwendal (2009) and Jeffries (2012))**

Author(s)	Study	Study area	Key findings
Jeffries (2012)	Does heritage listing have an effect on property prices in Australia? Evidence from Mosman Sydney	Mosman, NSW	Cannot be concluded that heritage listing impacts house prices. A test for heteroskedacity yielded statistically insignificant results.
Zahirovic-Herbert and Chatterjee (2012)	Historic Preservation and residential property values: evidence from quantile regression	Baton Rouge, Louisiana	Results for historic districts. Buyers pay an average of approximately 6.5% for houses located in the nationally designated historic districts. Near Historic District, is a positive and indicates a 3.8% price premium for houses sold within walking distance from historic districts' boundaries'.
Moro, Mayor, Lyons and Tol (2011)	Does the housing market reflect cultural heritage? A case study of greater Dublin	Greater Dublin, Ireland	Results show that some types of cultural heritage sites, such as historic buildings, memorials, and Martello towers, provide positive spillovers to property prices while archaeological sites seem to be a negative amenity.
Thompson, Rosenbaum and Schmitz (2010)	Property values on the plains: the impact of historic designation	Nebraska, USA	Sale prices of houses in designated precincts rose \$5000 a year in comparison to houses in non-designated precincts in the years after designation.
Narwold, Sandy and Tu (2008)	The effect of historically designated houses on sale price	San Diego, USA	Historic designation of single-family residences creates a 16 percent increase in housing value which is higher than the capitalization of the property tax savings due to designation.
Noonan (2007)	The effect of landmarks and districts on sale price	Chicago, USA	Designated property has a positive effect on both itself and neighbouring properties.
Australian Government Productivity Commission (2006)	Effect of heritage listing: a hedonic study of two local government areas (on property value).	Parramatta and Ku-ring-gai, Australia	Heritage listing had no significant effect on the value of residential single dwelling properties.

Author(s)	Study	Study area	Key findings
Ruijgrok (2006)	The effect of 'authenticity', 'ensemble' and landmark designation on house prices	Tiel, Netherlands	Authenticity and façade elements accounts for 15 percent of sale prices in the Hanseatic city of Tiel.
Coulson and Lahr (2005)	The effect of district designation on appreciation rate	Memphis, Tennessee, USA	Appreciation rate were 14-23% higher when properties were in neighbourhoods which were zoned historical. Local designation is more important than national designation.
Deodhar (2004)	The effect of heritage listing on sale prices	Sydney, Australia	On average heritage listed houses commanded a 12 percent premium over non heritage listed houses. This premium is a combined value of heritage character, their architectural style elements, and their statutory listing status.
Coulson and Leichenko (2001)	The effect of designation on tax appraisal value	Abilane, Texas, USA	Local historic designation raises value 17.6 percent of designated property.
Leichenko, Coulson and Listokin (2001)	The effect of historic designation on house prices	nine different Texas cities, USA	Historical designated properties in Texas enjoy 5-20% higher appraised prices than other property.
Asabere and Huffman (1994a)	The effect of federal historic district on sales prices	Philadelphia, USA	Owner-occupied property located in national historic districts in Philadelphia sell at a premium of 26 percent.
Asabere and Huffman (1994b)	The effect of historic façade easements on sale prices	Philadelphia, USA	Condominiums with historic easements sell for about 30 percent less than comparable properties.
Asabere et al. (1994)	The sales effects of local preservation	Philadelphia, USA	Small historic apartment buildings experience a 24 percent reduction in price compared to non-locally certified properties.
Moorhouse and Smith (1994)	The effect of architecture on original purchase price	Boston, USA	Architecture design was valued with a premium.

Author(s)	Study	Study area	Key findings
Schaeffer and Millerick (1991)	The impact of historic district on sale prices	Chicago, USA	Properties with national historic designation have a premium and local historic designation have a discount over non designated properties. Properties near a historic district may enjoy positive externalities.
Asabere, Hachey and Grubaugh (1989)	The effect of architecture and historic district on home value	Newburyport, Massachusetts, USA	Historical architectural styles have positive premiums. The historic district of Newburyport does not have positive external effects.
Ford (1989)	The price effects of local historic districts	Baltimore, Maryland, USA	Historic districts do have higher prices than non-historical districts.
Vandell and Lane (1989)	The effect of design quality on rent and vacancy behaviour on the office market	Boston and Cambridge, USA	Design quality has a positive premium of 22 percent on rents but there is a weak relationship between vacancy behaviour and design quality.
Hough and Kratz (1983)	The effect of architectural quality on office rents	Chicago, USA	Tenants are willing to pay a premium to be in new architecturally significant office building, but apparently see no benefits associated with old office



Legend

Gazetted Conservation Area - General

Heritage Item - General

Revised HCA Boundary

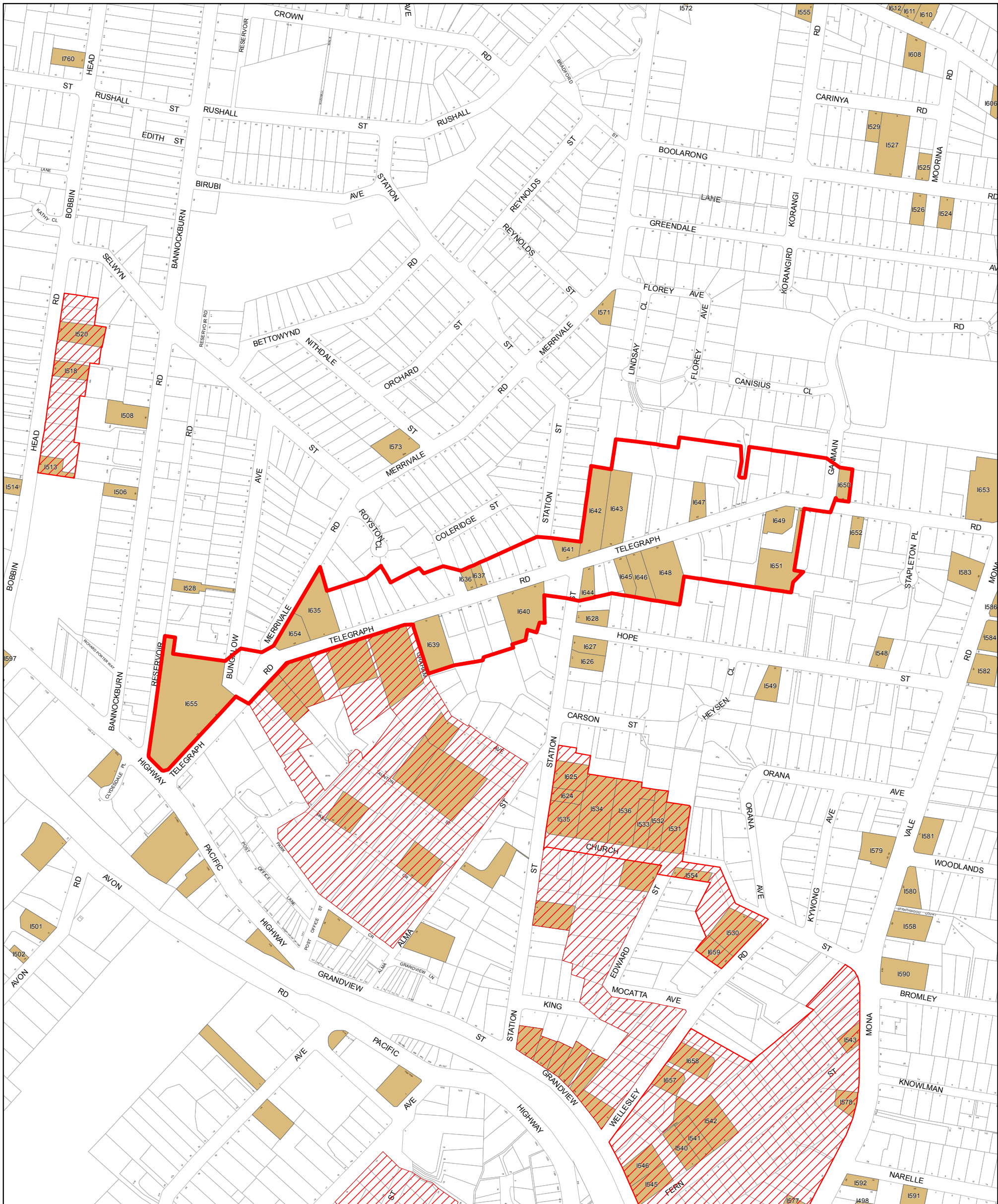
Date: 19/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018




Mahratta Conservation Area
Wahroonga
C4

Recommended to proceed





Legend

-  Gazetted Conservation Area - General
-  Heritage Item - General
-  Revised HCA Boundary

Date: 19/04/2018

**Draft Heritage Conservation Area
Area Review - Feb 2018**

**Telegraph Road
Pymble
C44**

Recommended to proceed - reviewed boundary



CONSIDERATION OF SUBMISSIONS ON THE DRAFT HERITAGE CONSERVATION AREAS: ATHOL CONSERVATION AREA, LANOSA CONSERVATION AREA, MONA VALE ROAD CONSERVATION AREA, PYMBLE HEIGHTS CONSERVATION AREA AND FERN WALK CONSERVATION AREA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	For Council to consider the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area in the <i>Ku-ring-gai Local Environmental Plan 2015</i> (KLEP 2015) and the <i>Ku-ring-gai Local Environmental Plan (Local Centres) 2012</i> (KLEP LC 2012).
BACKGROUND:	A Planning Proposal was prepared to include several heritage conservation areas for KLEP 2015 and the KLEP LC 2012. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. This report provides an overview of the outcomes of the public exhibition.
COMMENTS:	A total of 60 submissions were received on these draft conservation areas during the public exhibition of the Planning Proposal. The submissions have been reviewed and the Planning Proposal has been revised.
RECOMMENDATION:	That Council proceeds with a heritage listing for the amended Athol Conservation Area. The Lanosa, Mona Vale Road, Pymble Heights and Fern Walk Conservation Areas are not recommended to proceed.

PURPOSE OF REPORT

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 26 November 2013 Council resolved to place 14 potential heritage conservation areas on non-statutory exhibition. This was a peer review of the areas reviewed by Paul Davies Pty Ltd in 2010. These reviewed HCAs were exhibited from 7 March 2014 to 7 April 2014. This work was undertaken by Heritage Consultants Sue Jackson-Stepowski Pty Ltd, Carste Studios and John Oultram.

On 26 November 2013, members from the Pymble community addressed Council regarding the heritage significance of Pymble. Council resolved to seek quotations from a heritage consultant to undertake a further heritage review of Pymble.

Perumal Murphy Alessi Pty Ltd Heritage Consultants were engaged to undertake this review. On 26 May 2015 Council resolved to place this review of the Pymble East and West HCAs on non-statutory exhibition.

These were exhibited for a non-statutory period from 5 June 2015 to 3 July 2015.

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Owners were notified by a letter which included a map of the affected area and Heritage Conservation areas brochure briefly explaining the proposal, the process and the community's opportunity to make comment.

A report on the submissions was presented at the Ordinary Council meeting of 8 May 2018. Following representations from members of the community the Council resolved to defer the report to three subsequent meetings to provide more time for Councillors to consider the recommendations and undertake their own assessments.

This report provides an overview of the outcomes of the public exhibition for the following conservation areas:

- Athol Conservation Area;
- Lanosa Conservation Area;
- Mona Vale Road Conservation Area;
- Pymble Heights Conservation Area; and
- Fern Walk Conservation Area.

COMMENTS

Heritage conservation areas conserve the heritage values of an area, rather than a particular item. These are areas in which the historic origins and relationships between various elements create a cohesive sense of place that is worth keeping. These elements can include the buildings, gardens, landscape, views and vistas.

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing cultural significance and contribution values can be found in **Attachment A1**.

Common themes from the community submissions

Council **received 60 community submissions** for the heritage conservation area peer review for the HCAs being considered by this report, several of these were duplicates sent by mail and electronically: In addition 3 submissions were received that were in support of all the HCAs that were exhibited as part of the peer review.

56 submissions were against the proposal, 2 submissions were for the proposal and 2 submissions were unclear as to whether they were for or against. A summary of the submissions for each heritage conservation area can be found in **Attachments A3 to A7**, and submissions that were made for all HCAs (i.e. not a specific area) can be found in **Attachment A8**.

Common themes from the submissions were:

- Implications of inclusion in a heritage conservation area;
- support for protecting the local area from increased residential density;
- impact on house prices from reduced demand;
- objection to blanket listing;
- The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh.

A discussion of these common themes can be found in **Attachment A2**. A literature review on the effects of heritage listing in designated areas can be found in **Attachment A10**.

Review of the maps and proposed HCAs

Following the exhibition period Council staff reviewed the submissions, and then once again reviewed the proposed heritage conservation areas taking into consideration the information gleaned from the submissions, changes on the ground (demolitions and/or new developments including alterations and additions) and Council held records (such as historical photographs, Council reports, property files and development applications).

Below is a summary of the Council officer's recommendation for each heritage conservation area. Further information for each of the heritage conservation areas can be found in **Attachments A3 – A7** which includes comments, summary of submissions, revised ratings and revised mapping.

Summary of heritage conservation area recommendations

Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
New	Athol Conservation Area	C46	LCLEP	PMA	Proceed amended.
New	Lanosa Estate Conservation Area	C45	KLEP	SJS	Not Proceed
New	Mona Vale Road Conservation Area	C43	KLEP	SJS and PMA	Not proceed
Extension	Pymble Heights Conservation Area	C8A and C8B	KLEP and LCLEP	PMA	Not Proceed
Extension	Fern Walk Conservation Area	C9	KLEP	PMA	Not Proceed

Map of the Athol Conservation Area recommended to proceed can be found at **Attachment A9**.

Explanation of heritage conservation area recommendations**1. Athol Conservation Area – Pymble (C46) (see Attachment A3)*****Recommendation: Proceed amended***

The Athol Conservation Area is recommended to **proceed as an amended and reduced conservation area**. Based upon submissions and review of Council held information, the rating of several properties in this draft HCA were changed to neutral.

Unsympathetic changes to properties and the inclusion of more recent buildings has resulted in the erosion of the historic layer of buildings on the eastern side of the Athol study area (see Figure 1). This area no longer retains values worth conserving as a heritage conservation area.

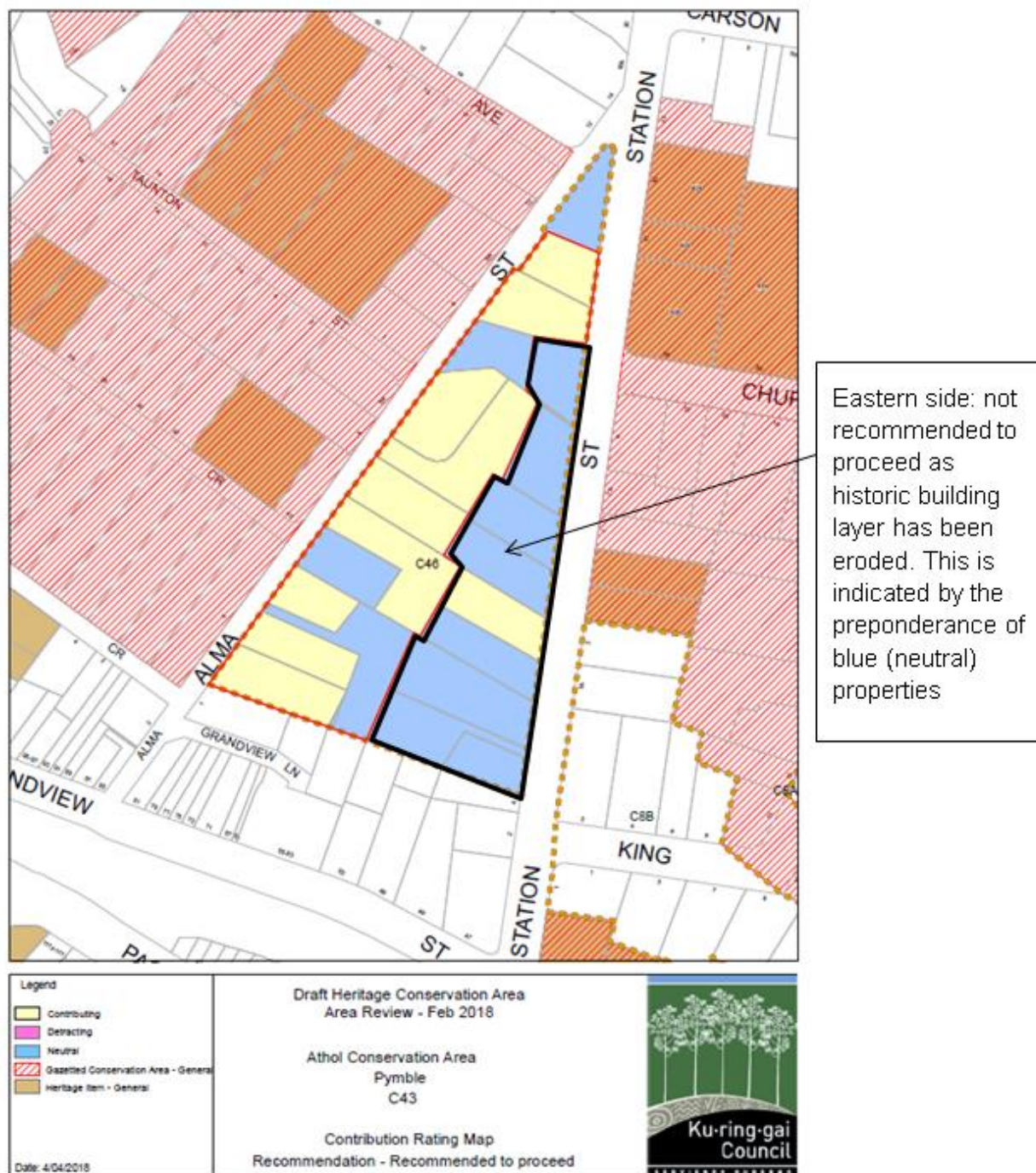


Figure 1: Contribution rating map of Athol Conservation Area

The western side of the HCA is recommended to proceed. The houses on this side include the heritage items Athol (19 Athol Street) and Claverton (3-5 Alma Street). The houses date from the 1890s through to the 1950s. The inclusion of the Athol Conservation Area will contribute to the heritage values and the setting of existing Park Estate Conservation Area.

2. Lanosa Estate Conservation Area - Pymble (C45) (see Attachment A4)

Recommendation: Not to proceed

The Lanosa Estate Conservation Area Pymble (C45) is **not recommended to proceed**. The streets contain a mix of building styles, forms and building materials. Inter-war building styles dominate but there are also examples of 1950s and 1960s dwellings, as well as more recent project home developments. A significant proportion of original properties have undergone substantial changes over time and no longer present in their original forms or retain their original fabric. This has significantly undermined the heritage values of the area and, consequently, the area is not considered to meet the threshold for listing as a heritage conservation area (see Figure 2 for the revised contribution ratings).

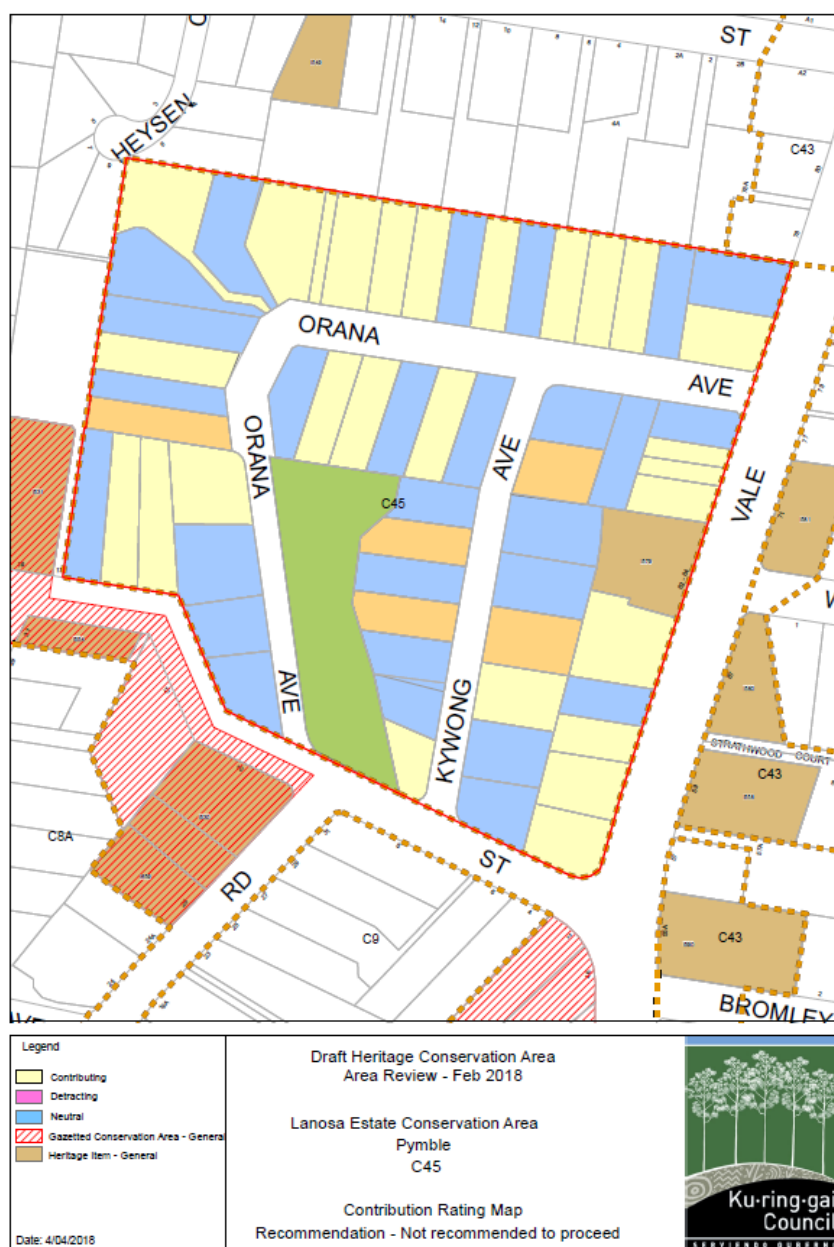


Figure 2: Contribution rating map of Lanosa Conservation Area

3. *Mona Vale Road Conservation Area - Pymble and Gordon (C43) (see Attachment A5)*

Recommendation: Not to proceed

The Mona Vale Road Conservation Area Pymble and Gordon (C43) is **not recommended to proceed**. The area displays a range of residential properties of different ages and styles, however, the impacts of widening Mona Vale Road and the heavy traffic flows have greatly impacted on the area's legibility and level of intactness.

The presentation to the street is dominated by high fences and the experience when in the street is dominated by traffic noise and the rush of fast moving vehicles along this busy six lane wide thoroughfare. It is noted the street contains many excellent examples of residential development, however, a significant proportion of these are already listed as individual heritage items (see Figure 3 – heritage items are coloured yellow and numbered). On balance, when giving consideration to compromised important values such as setting and streetscape Mona Vale Road does not meet the threshold for listing as a heritage conservation area.

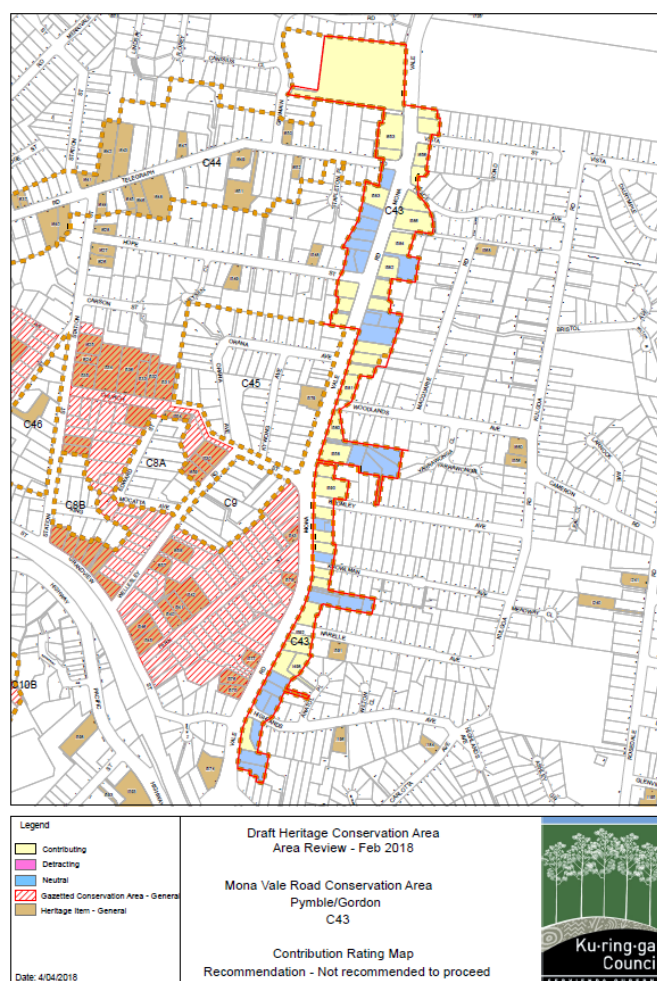


Figure 3: Contribution rating map of Mona Vale Road Conservation Area

4. Pymble Heights Conservation Area – Pymble (C8A and C8B extension) (see Attachment A6)

Recommendation: Not to proceed

The extension to the Pymble Heights Conservation Area is **not recommended to proceed**. Several of the ratings were changed due to unsympathetic additions including second storeys and demolition rebuilds (see Figures 4 and 5). Given the small size of these potential extensions to the Pymble Heights Conservation Area these few changes had a large impact on reducing the significance of these streetscapes. The area does have character in terms of the gardens and the streetscape but does not read as an intact heritage area.

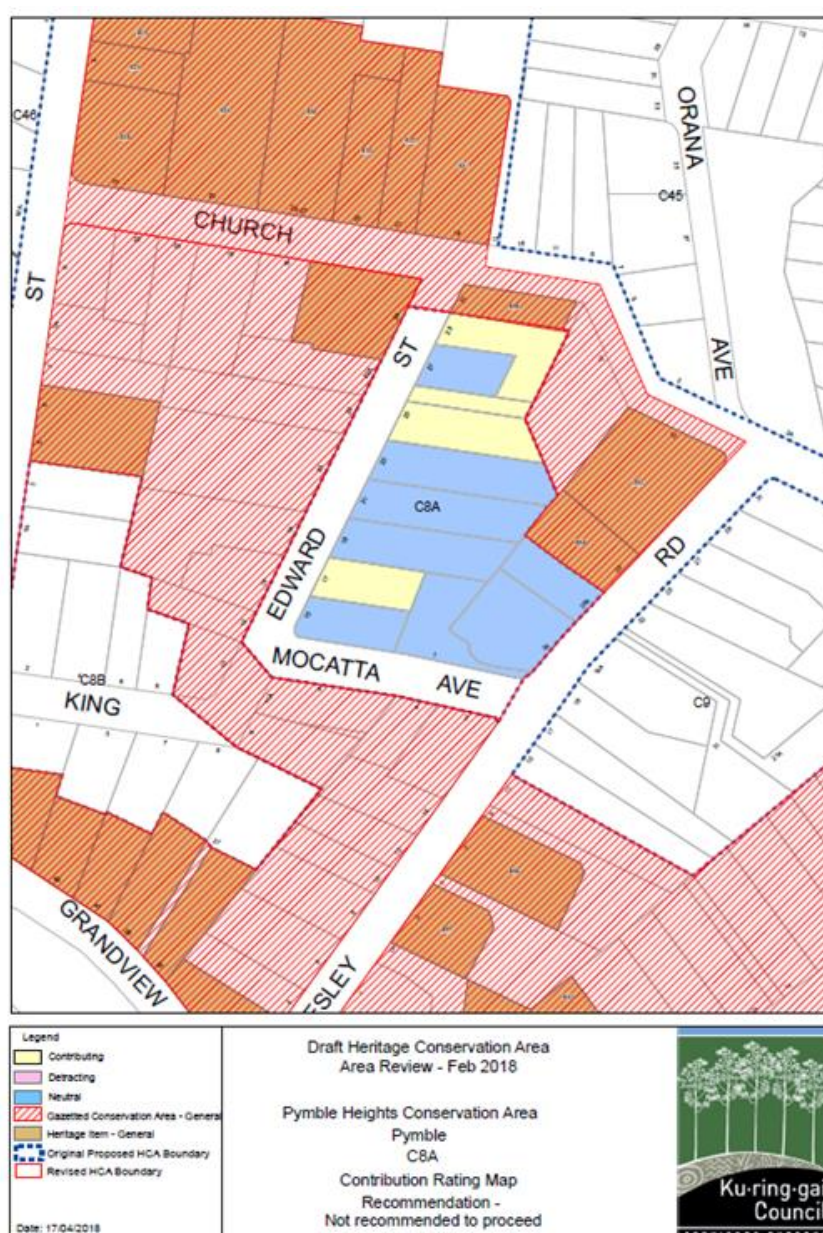


Figure 4: Contribution rating map of Pymble Heights Conservation Area (8A)

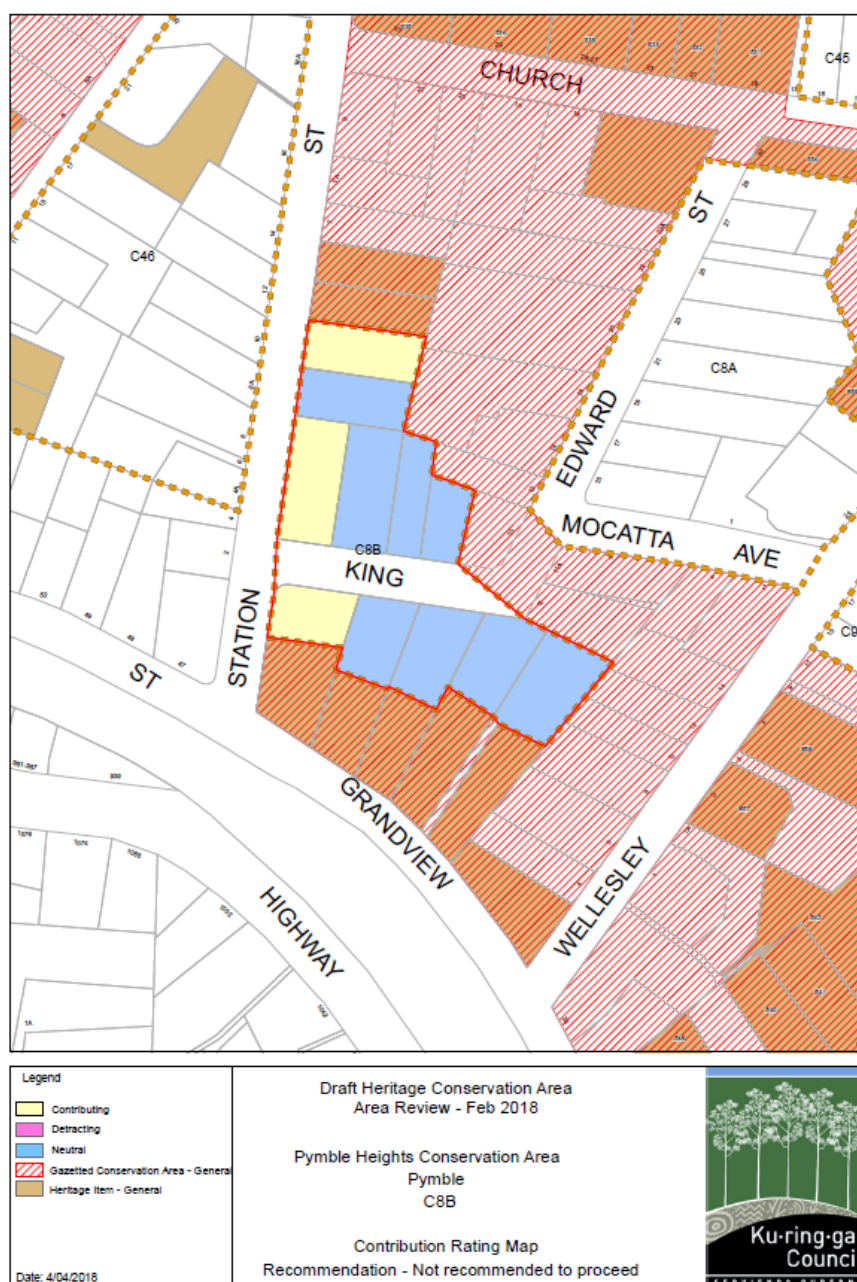


Figure 5: Contribution rating map of Pymble Heights Conservation Area (8B)

5. Fern Walk Conservation Area – Pymble (C9 extension) (see Attachment A7)

Recommendation: Not to proceed

This extension to the Fern Walk Conservation Area is not recommended to proceed. In this relatively small extension the ratings on five houses changed from contributory to neutral, the main reason being unsympathetic additions (such as second storeys on single storey bungalows) and loss of design integrity. The predominance of neutral properties has undermined the heritage significance of the area and the area is not recommended to proceed (see Figure 6).

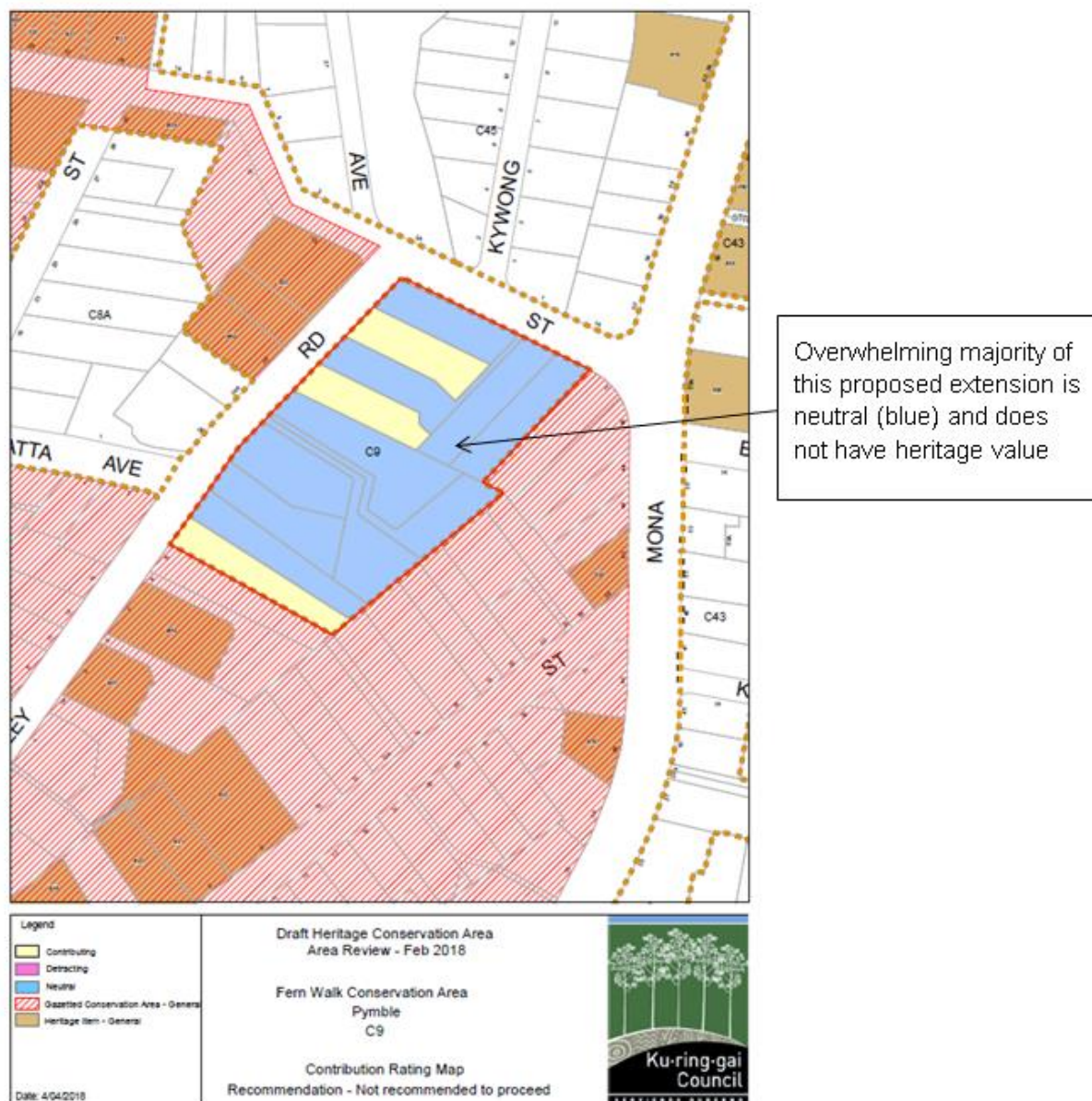


Figure 6: Contribution rating map of Fern Walk Conservation Area

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

This report addresses issues of heritage protection in line with Council's recently gazetted LEPs. The process for the preparation and implementation of the Planning Proposal to implement the new Heritage Conservation Area is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

Council was issued with plan-making delegation under Section 2.4 (previous s.23) of the EP&A Act 1979 to finalise the Planning Proposal.

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee. There were no objections raised to the recommendations regarding the draft heritage conservation areas contained within this report.

INTERNAL CONSULTATION

A briefing was held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018 and a further Councillor briefing session was scheduled prior to this report to the Council meeting of 26 June 2018.

This report has been referred to the relevant sections of Council and the Council's Heritage Reference Committee for comment.

SUMMARY

This report considers the community submissions to a planning proposal to list four additional heritage conservation areas being Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area. Based on the assessment of the submissions and further detailed heritage assessments only one heritage conservation area is recommended to proceed being the amended Athol Conservation Area.

RECOMMENDATION:




- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Athol Conservation Area as identified in **Attachment A9** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council does not proceed with the inclusion of the Lanosa Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council does not proceed with the inclusion of the Mona Vale Road Conservation Area (as exhibited) in the adopted Planning Proposal.
- D. That Council does not proceed with the inclusion of the Pymble Heights Conservation Area (as exhibited) in the adopted Planning Proposal.
- E. That Council does not proceed with the inclusion of the Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.
- F. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- G. That those who made a submission be notified of Council's resolution.

Andreana Kennedy
Heritage Specialist Planner

Antony Fabbro
Manager Urban & Heritage Planning








Maxine Bayley
Strategic Planner Heritage

Andrew Watson
Director Strategy & Environment

Attachments:	A1	Attachment A1 - Determining factors in assessing the significance of heritage conservation areas and contribution ratings	2018/169572
		A2	Attachment A2 - Common themes from the submissions
		A3	Attachment A3 - Assessment - Athol Conservation Area Pymble (C46)
			2018/169322

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 A4	Attachment A4 - Assessment - Lanosa Estate Conservation Area Pymble (C45) June 2018 Report Attachment	2018/166463
 A5	Attachment A5 - Assessment - Mona Vale Road Conservation Area Pymble and Gordon (C43) June 2018 Report Attachment	2018/166448
 A6	Attachment A6 - Assessment - Pymble Heights Conservation Area - C8A & C8B	2018/169311
 A7	Attachment A7 - Assessment - Fernwalk Conservation Area Pymble - C9	2018/169324
 A8	Attachment A8 - Submission summary table - all HCAs	2017/334722
 A9	Attachment A9 - Recommended to proceed	2018/169553
 A10	Attachment A10 - Brief literature review of the effect of designation on area on house prices	2018/109311

Determining factors in assessing the significance of heritage conservation areas

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing which heritage conservation areas should be included in the Ku-ring-gai Principal Local Environmental Plan include:

- **Cultural significance** – as assessed by the heritage consultant Architectural Projects Pty Ltd. This assessment reviewed the intactness of heritage conservation areas that were previously recommended by the 2006 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh and/ or the Godden Mackay Logan Urban Conservation Area studies (2001-2005).
- **Submissions** – issues raised in the submissions are addressed in **Attachments A3 to A8**. The public submissions covered a variety of topics including support or objecting against the findings of the HCA review, factual corrections, concerns regarding incorrect assessment of contributory values and the financial impacts of inclusion in a heritage conservation area.
- **Proximity to gazetted Heritage Conservation Areas** – where the proposed HCA is adjacent to an existing HCA the extension completes and/or further conserves those conservation areas already gazetted.
- **Other planning considerations** under the Ku-ring-gai Local Environmental Plans and associated Development Control Plans, including issues such as the management of fire prone areas and interaction with interface zones of areas with medium or high residential density.

Contribution ratings

Assessments of heritage conservation areas ascribe contribution values to the buildings within the conservation area. The methodology applied in the assessment process of potential heritage conservation areas includes reviewing previous studies and historical data, undertaking additional new historical research, engaging in detailed fieldwork including walking the study areas and assessing the properties as contributory, neutral or uncharacteristic. This methodology was developed by the City of Sydney to review and determine the integrity of several of its heritage conservation areas and is considered best practise.

The description for each ranking is:

- | | |
|-------------------|---|
| 1. Contributory - | Key historical period layer, highly or substantially intact
Key historical period layer, altered, yet recognisable and reversible |
| 2. Neutral - | Key historical period layer, altered in form, unlikely to be reversed;
New sympathetic layer or representative of a new layer |
| 3. Detracting - | Not from a key historical period layer
Uncharacteristic (in either scale or materials/details)
New uncharacteristic development
Other uncharacteristic development |

Common themes from the submissions

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval.

New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation.

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh.

Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to recognise and protect Ku-ring-gai's unique garden suburbs. The up-zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development.

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A10**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The “blanket” approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona Vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed is the Robertson and Hindmarsh study did not

undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and the history of change to include those areas that best represent the history and heritage of Ku-ring-gai.

Athol Conservation Area Pymble (C46)

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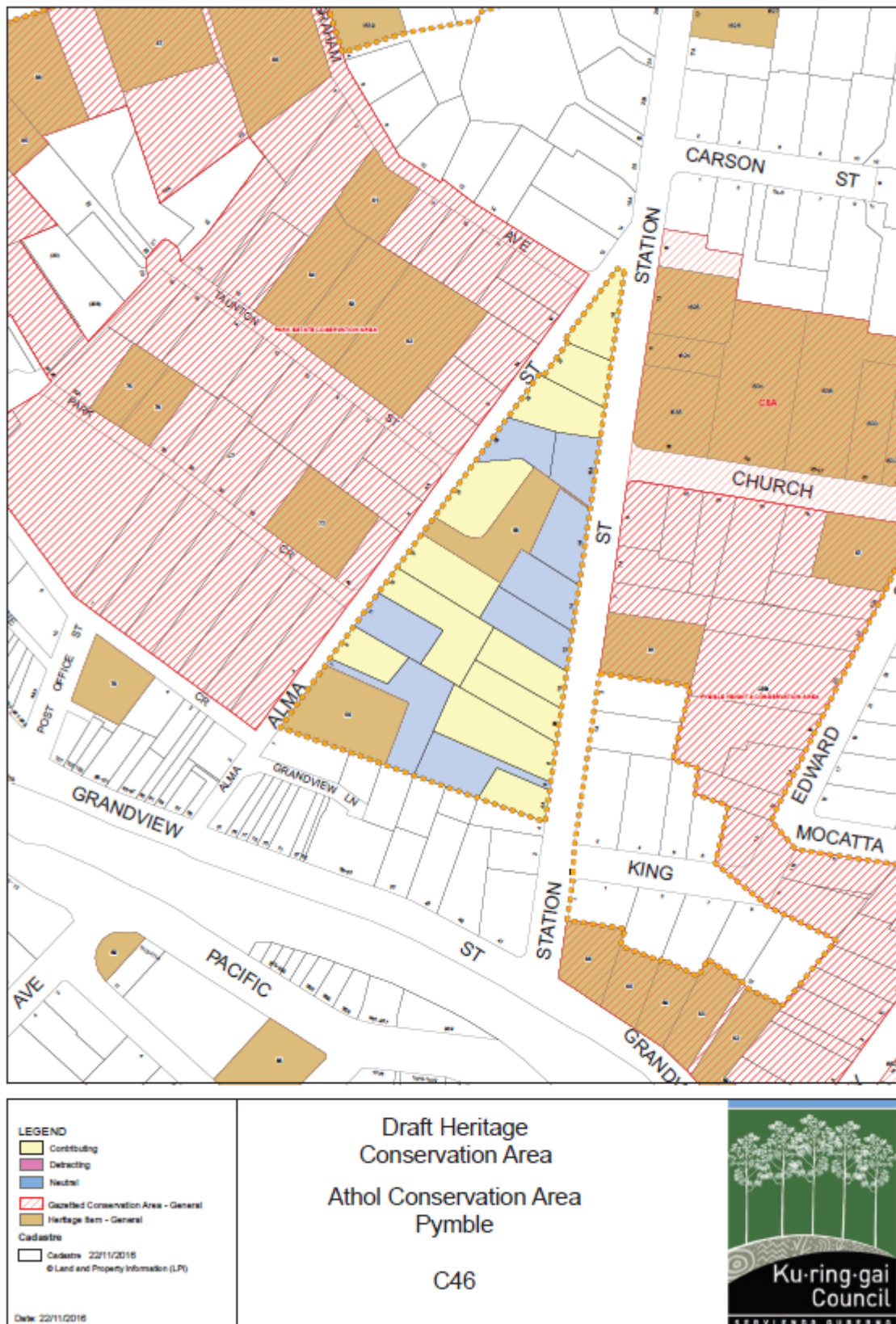
Comments 4

Submission summary table – Athol Conservation Area Pymble (C46) 5

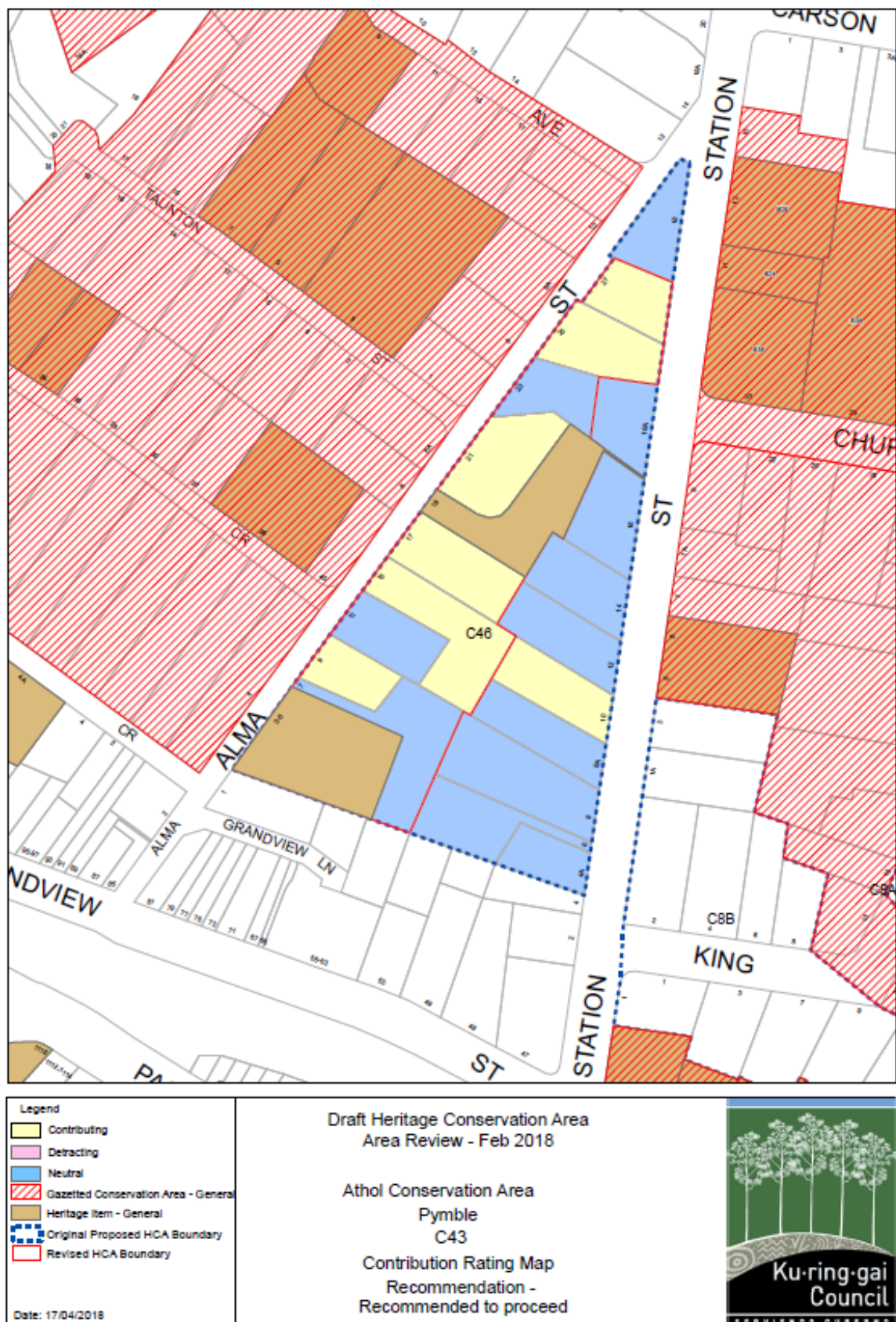
Rating review 7

Maps

1. Exhibited rating map



2. Revised rating map



Comments

The area reviewed is the draft Athol Conservation Area (C46) that includes 21 properties located on Alma Street and Station Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble East Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble East study area is of local historic and aesthetic significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war and Post War periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and subdivisions north of what is now the Pacific Highway and railway corridor.

The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.

As a result of the statutory public exhibition process, 5 objections were received and 1 submission in support.

Issues raised in the submissions included the lack of heritage significance, increased development restrictions and reduced property value. These issues are addressed in the main report.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers.

The Athol Conservation Area is recommended to proceed as an amended and reduced conservation area. Based upon submissions and review of Council held information the rating of four properties in this draft HCA were changed to neutral. The western side of the HCA is recommended to proceed. The houses on this side include the heritage items Athol (19 Athol Street) and Claverton (3-5 Alma Street). The houses date from the 1890s through to the 1950s. The inclusion of the Athol Conservation Area will contribute to the heritage values and the setting of existing Park estate Conservation Area.

The revised statement of significance for the Athol Conservation Area is:

The Athol Conservation Area is of local historic and aesthetic significance retaining streetscapes of quality and mostly intact, representative examples of single detached house from the 1890s through to the 1950s. Residential construction in this area followed the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivisions significantly reflect the early boundary lines of land grants and estate subdivisions. The land is associated with the original land grant owner Robert Pymble and later owner, orchardist, Robert McIntosh. The heritage listed Athol (formerly known as Marlboon) was built in c.1899 for Benjamin Richards. The subdivision of the Athol residence and grounds in 1941 is reflected in much of the current pattern of subdivision. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.

Submission summary table – Athol Conservation Area Pymble (C46)

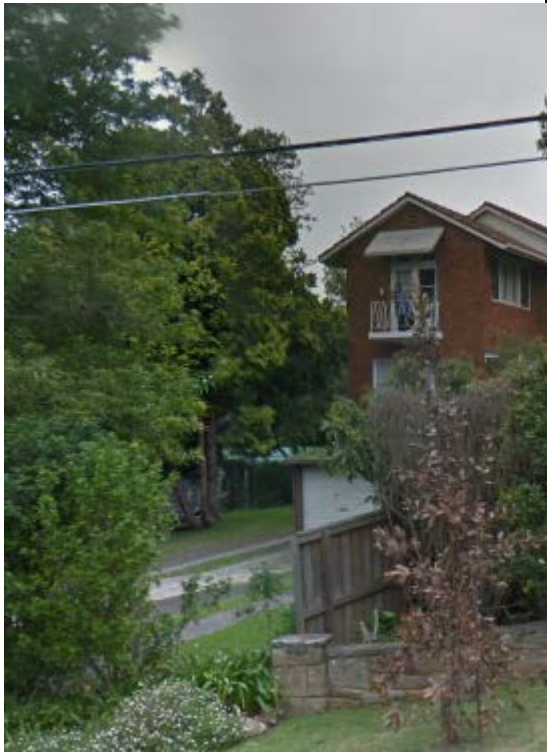
No	Issue/Concern	Comment
35	Opposed to HCA	Opposition noted.
83	<p>Strongly opposed to HCA.</p> <p>Opposed on following grounds:</p> <ul style="list-style-type: none"> House isn't a typical "heritage" home and it is not visible from street. Decrease home value and slow down future home sale. Street has been run down by Council from lack of maintenance. Mix of house styles in the street, with few worthy of heritage. Have the right to improve my home for liveability, investment and saleability without restriction. 	<p>The house at 16a Station street was assessed as neutral and it is agreed it does not have heritage value. On house sales please see comments in the main body of the report.</p> <p>With regards to maintenance concerns and requests please contact Council's Operations Directorate.</p> <p>The block does contain a mix of housing styles from the Federation through to recent. It is misnomer that a heritage conservation area requires a homogenous housing style from one era. Many of the HCAs in Ku-ring-gai have historical significance for the original subdivision and later re-subdivisions to accommodate housing overtime from the Victorian period through to the Inter-war.</p> <p>Every house in Ku-ring-gai is required to comply with Council's</p>



No	Issue/Concern	Comment
		<p>Local Environmental Plan. No development is unimpeded by rules whose aim is often to ensure environmental and amenity concerns are given due to consideration and are protected. In a HCA a house can still be updated and changed however it is required to undertake change in a way that respects the heritage significance of an area.</p>
<p>112</p> <p>185</p> <p>Duplicate submission</p>	<p>Opposed to HCA.</p> <p>This will certainly change the streetscape of our suburb in an undesirable way.</p> <p>Opposed because of restrictions on property (future development and potential intangible values), sees no need, want the ability to improve their property values, and modifications have diminished the heritage significance of the property and surrounding area.</p> <p>No regard for what is really heritage.</p>	<p>A conservation area is about maintaining the heritage significance, often the appearance of original houses.</p> <p>The impact of a conservation area on intangible value is considered negligible, intangible value being the present value of excess earning power of an entity over the normal rate of return. The development standards for this property have not changed regardless of the HCA. The FSR, building height and zoning remain the same. The property retains its development potential based on these quantifiable controls. How a property is redeveloped and the ability of a designer or architect to maximise the potential of the site within the heritage parameters will depend on the experience and talent of these professionals. Given the interface of this block with existing HCAs on two sides its potential for upzoning is also unlikely.</p> <p>The heritage assessment takes great consideration for what is heritage. What needs to be determined is, are there enough heritage values for this block to</p>


No	Issue/Concern	Comment
		warrant its inclusion as a HCA? On Alma Street the majority of houses are contributory. This is not the case on Station Street. As such it is recommended Alma Street proceed but not Station Street.
120	<p>Opposed to HCA.</p> <p>There is little heritage houses left in our street, most house have added second stories or have been rebuilt. It will greatly affect the price and saleability of our property plus more importantly the ability to improve our house.</p>	See comments to submission 112 above.
178	<p>Opposed to HCA.</p> <p>Property (14 Station Street) built in late 1980s. believe we will be unfairly affected with unnecessary restrictions. These restrictions would make it less attractive to future purchasers.</p>	<p>This house was rated as neutral recognising it as a more recent development not being from a significant heritage development period.</p> <p>See comments in the main body of the report on house sales.</p>
115	<p>Supportive of HCA.</p> <p>Agree with decision and process to determine this. See the proposal as a way to slow issues such as overdevelopment.</p>	Support noted.



Rating review



Rating: N – Neutral, C – Contributory, D – Detracting



Address	HCA Review Rating	Recommended rating	Comment
2 Station St	C	C	Late inter-war
4 Station St	C	C	1950s
4A Station St	C	C	St Ives Style
6 Station St	C	N	New on battleaxe. PCDC0509/14 – Demolish existing and construct dwelling, garage and swimming pool – Nov 2014
8 Station St	C	C	Inter-war bungalow
8A Station St	C	N	Apartment building late 1960s. 
10 Station St	C	C	Present in 1943 aerial – carport addition DA 4977/96 -RENOVATE A RES FLAT BUILD & BUILD NEW CARPORT


Address	HCA Review Rating	Recommended rating	Comment
			(1996)
12 Station St	C	N	<p>On 1943 aerial. Has alterations and additions, rendered and an integrated garage added to the front elevation.</p> <p>BA Alt & Add – 97/00932A (Oct 1997)</p> 
14 Station St	C	N	<p>Appeared between 1943 and 1951 aerial but has been altered with a substantial second wing added to the north on the front elevation.</p> 
16 Station St	D	D	Unchanged
16A Station St	N	N	Unchanged

Address	HCA Review Rating	Recommended rating	Comment
18 Station St	C	N	<p>1943 aerial- No house at this location</p> <p>Built 1950</p> <p>BA - 88/01050</p> <p>House has been rendered and altered.</p> 
3-5 Alma St	item	C	Item on a double lot. Tennis court is present on the 1943 aerial.
7 Alma St	N	N	On the 1943 aerial. Exists in substantially the same form with an extension to the side. What can be seen is rendered. Recommended to remain neutral.
9 Alma St	C	C	On the 1943 aerial photograph. Intact in form and materials but face-brick has been painted.

Address	HCA Review Rating	Recommended rating	Comment
			
11 Alma St	N	N	
15 Alma St	C	C	Dutch colonial style in face-brick. Appears between 1943 and 1951 aerial photograph.

Address	HCA Review Rating	Recommended rating	Comment
			
17 Alma St	C	C	Appears between 1956 and 1961 aerial photograph layers. Rendered Functionalist style and is contributory to the HCA.
19 Alma St	Item	Item	Item
21 Alma St	C	C	<p>Appears between 1943 and 1951 aerial photograph. Striking architecture. Contributory to the HCA.</p> 

Address	HCA Review Rating	Recommended rating	Comment
23 Alma St	N	N	
25 Alma St	N	C	<p>3 Town houses</p> <p>Same house present on 1943 aerial- some alts & adds</p> 
27 Alma St	C	C	1950s – retains original form and materials.

Address	HCA Review Rating	Recommended rating	Comment
			

**LANOSA ESTATE DRAFT HERITAGE CONSERVATION
AREA (C45)**

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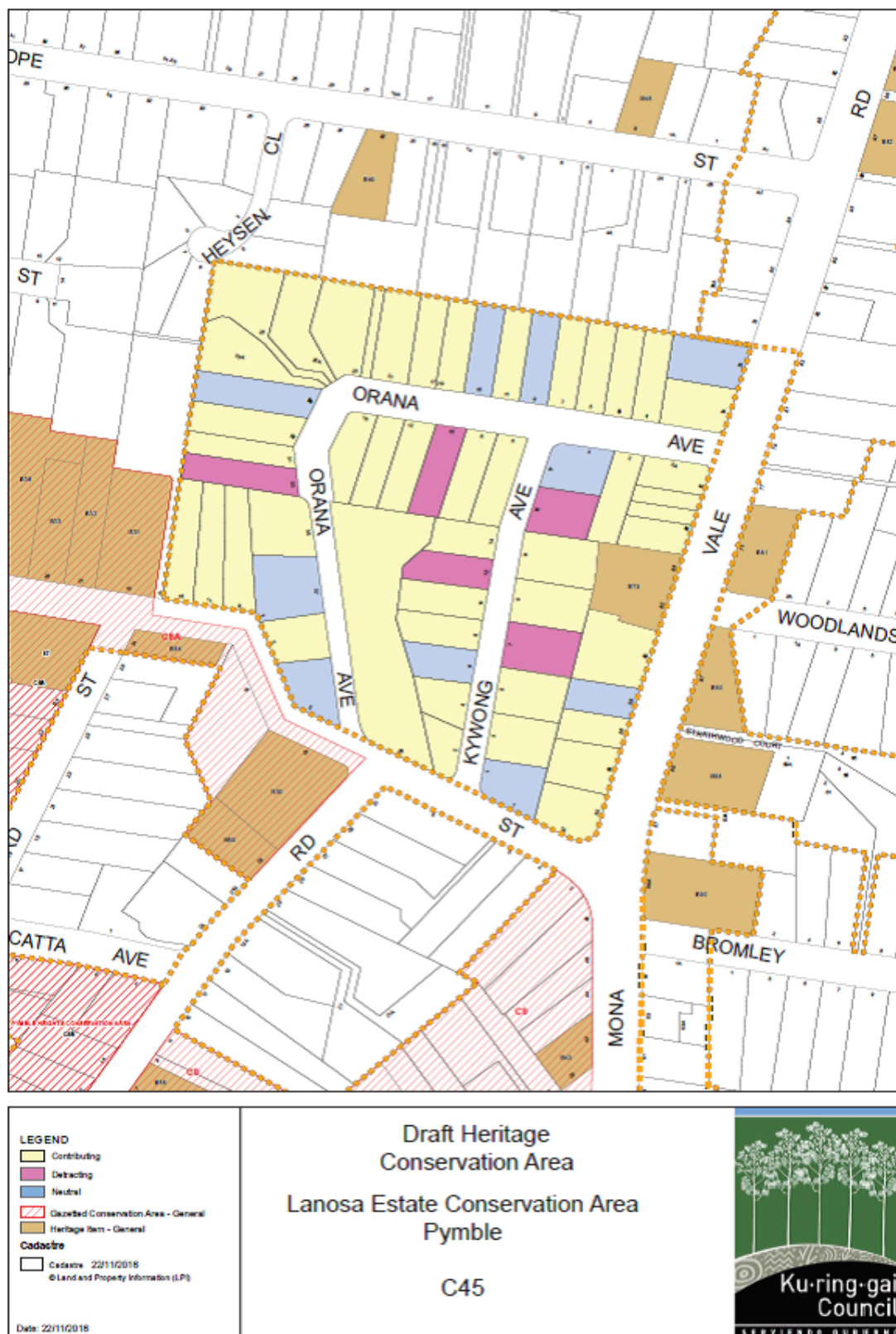
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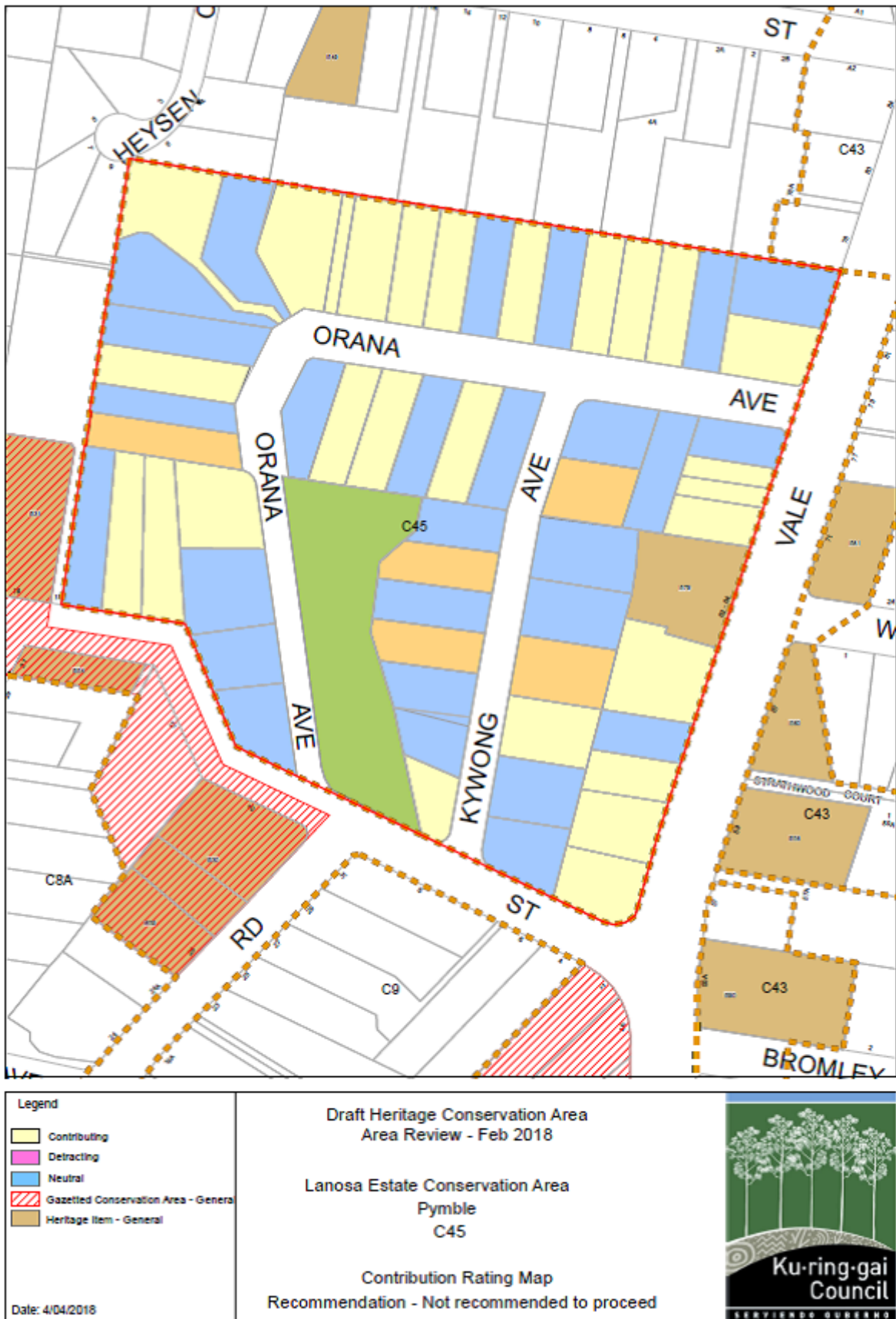
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1. Maps

1.1 Exhibited ratings map for draft Lanosa Estate HCA



1.2 Revised ratings map for draft Lanosa Estate HCA



2. Comment

The proposed Lanosa Estate HCA includes 55 properties (excluding Orana Reserve) located on Orana and Kywong Avenue, Mona Vale Road and Church Street, Pymble.

The area was identified for listing as a Heritage Conservation Area by Sue Jackson-Stepowski in 2012. The statement of significance prepared to support the listing states:

'The historical layers of European history are displayed in the current subdivision which does not follow a designed plan of streets or the geographical contours, but was dictated by the existing location of Stoney Creek Road (Mona Vale Road) and the boundaries of McKeown's orchard and Roseville Estate subdivision'...[the HCA] is built predominantly Inter-War and immediate post war houses which provide consistency of style, scale and materials...'

As part of the public exhibition process, objections were received from 23 properties (or 42% of all properties) and a group submission was received from on behalf of 'Friends of Orana and Kywong' resident action group representing 15 properties in draft HCA (which included properties who also lodged an individual submission). No submissions were received directly in support of the draft Lanosa HCA. This level of opposition is considered to be high and indicate an overall lack of support for the proposal within the affected area.

Submissions raised a number of issues including general disagreement to the assessed heritage values of the area; concerns about future limitation to making changes to properties; the evidence of unsympathetic changes within the area; and potential impacts on property and land values.

Council officers met with objectors on site on 9 January 2018 to inspect the area in further detail. Council was also provided with further detailed of an original objection at this meeting.

Following the public exhibition process and site visit, the rating of each property within the draft HAC was reconsidered. The assessment of each property is included below.

The reassessment process has identified that many properties have undergone significant change over time and no longer present in their original forms or retain their original fabric. Consequently, the rating of these properties has generally been reduced to Neutral. Common examples of alterations include rendering and painting of face brick buildings, introduction of dormers into a building's primary front elevation, and introduction of second storeys to originally single storey dwellings. For example, the impacts of rendering and painting of original face brick facades can be seen in comparing properties located at 9 Kywong Avenue and those at 1 and 2 Orana Avenue as follows:



Image 1: 9 Kywong Avenue retains its original face brick façade and original windows; modifications include replacement balustrades



Image 2: Rendered and painted building facades at 1 and 2 Orana Avenue, respectively.

Brick elements comprised a major design element of inter-war buildings, which were largely devoid of excessive embellishment evident in prior building styles. The loss of this original design component impacts significantly on the ability of these building's design styles to be legibly read and understood. As a consequence, it is considered the alterations of these properties in this manner are deemed to reduce their rating to neutral.

Investigations have identified two additional properties for future further research, being Nos. 12 and 23 Orana Avenue.

The streets contained within the draft HCA generally contain a mix of Inter-War and Post War dwellings. The streets slope significantly from a high point at Mona Vale Road. The area is generally well landscaped with mature trees dominating the public and private domain.



Image 3: Looking upwards towards Mona Vale Road from Orana Avenue

A large reserve of remnant bushland located on Orana Avenue which is under the control and management of Council.



Image 4: Looking north along Orana Avenue opposite Orana Reserve

The streets contain a mix of building styles, forms and building materials. Inter-war building styles dominate but there are also examples of 1950s and 1960s dwellings, as well as more recent project home developments. Whilst there is some commonality in common building materials (ie extensive use of brick, sandstone retaining walls and paths, and terracotta roof tiles) the streets do not retain a cohesive pattern or style. While this is a reflection of the area's historical development over time, is not considered to be sufficiently significant to warrant the imposition of a Heritage Conservation Area in this location.

Cumulatively, the abovementioned attributes create a pleasing visual streetscape. However, as noted previously, many of the buildings have undergone significant and irreversible

changes which have impacted on their heritage values. Whilst some fine examples remain intact (notably 3, 5, 11, 12, 23 Orana Avenue; 9 Kywong; 11 Church Street; 50 Mona Vale Road) the level of change within the area has resulted in a lack of integrity and a HCA cannot be justified for the area.

The image below shows extant structure in 1943. The properties shaded yellow have been either demolished or significantly changed since this date. This image clearly demonstrates the rate of change which has occurred within this area since 1943. Whilst a small group remains along Orana Avenue, the lots which were vacant in 1943 have been developed since this time and the infill buildings are not, in most cases, sympathetic to the values of the original adjoining structures.



Image 6: 1943 aerial of the area of the draft Lanosa HCA, with the properties highlighted yellow either significantly altered or demolished.

Accordingly, it is recommended that Council not proceed with the draft Lanosa Estate HCA. It is further recommended that Council investigate Nos. 12 and 23 Orana Avenue at a time when funding and resources are available.

3. Submissions Table

No.	Issue/Concern	Comment
1.	<p>Strongly object to draft HCA and property's inclusion within draft HCA.</p> <p>Consider this to be unreasonable administrative action.</p> <p>Heritage value is not substantiated, report has omissions and has identified certain properties to validate claims. No credentials of author given.</p> <p>Report is inconsistent as claims the area is well preserved but notes road widening and significant development. Refute notion Mona Vale Road is a unique landscape with heritage values, no streetscape value remains following road widenings in 1970s and impacts of clearway.</p> <p>Many properties have been altered including second storeys, garages and rendering. Rather the streetscape is eclectic and inconsistent. Property (60 Mona Vale Road) rated as contributory but should be neutral due to changes.</p> <p>Will have impacts on property values, legal rights and ability to make changes to home which has not been communicated effectively to residents.</p> <p>Process is a land grabbing exercise by Council. Current planning controls are sufficient.</p> <p>Concerns about the lack focus of the exhibition material on property owners' rights and restrictions.</p> <p>Many of the affected buildings are very old and Council has not undertaken an assessment of their structural integrity.</p>	<p>Objection noted.</p> <p>The study recommending the HCA was prepared by Sue Jackson-Stepowski and Carste Studios. Both are well known and qualified heritage professionals.</p> <p>It is noted that Mona Vale Road has undergone significant widening over time and agreed this has impacted on its amenity and aesthetic values.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The proposal does not propose Council obtain or acquire land within the draft HCA. The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits.</p>

No.	Issue/Concern	Comment
	This submission is made on behalf of 10 properties in the proposed HCA.	The imposition of an HCA will ensure that applications of this nature are determined by Council.
2.	<p>Strongly object to draft HCA and property's inclusion within draft HCA.</p> <p>Member of 'Friends of Orana and Kywong' resident action group and support submission on behalf of group.</p> <p>Property (17-19 Orana Avenue) should not be considered contributory as it has no street presence due to high fence and hedges, has an approved tennis court in front yard which has resulted in loss of original garden and landscaping, neighbouring property rated as detracting which negatively impacts this property, presence of Leyland Cypress hedge length of driveway which is inconsistent with the HCA.</p> <p>Proposal will impact on value of property.</p> <p>Request property be rated detracting.</p>	<p>Objection noted.</p> <p>It is agreed that views of 17-19 Orana Avenue from the public domain are currently obscured by a large hedge. It also contains a tennis court within its front setback. However, the tennis court does not obscure the building from the street and the hedge is not a permanent structure. Regardless, it is not recommended that this draft HCA proceed.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The subject property has been reviewed and it is recommended that the Contributory rating is appropriate. However, on balance, the recommendation is for this draft HCA not to proceed.</p>
03.	<p>Claims about the predominant types of building in area could be said for many other areas also and therefore area has no unique heritage elements of scale or material requiring protection. Disagree that a consistency of style can be identified within area and many properties have been altered.</p> <p>Area presents a mix of buildings representing its ongoing development and change over time which should be allowed to continue into the future rather than halted.</p> <p>Dispute the historical association of property (25 Orana Avenue) with original applicant for the subdivision. Reference to area's former rural use seems meaningless in its current context as a</p>	<p>It is agreed that the area represents a range of building styles. It is also agreed that the area does not express much consistency of style and many of the buildings have been altered. Accordingly, the recommendation is for this draft HCA not to proceed.</p> <p>Council owns and manages the public domain elements of the streets, pathways and verges. It also owns and manages Orana Reserve.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p>

No.	Issue/Concern	Comment
	<p>residential area.</p> <p>HCA will not preserve the landscape setting of the area as much of this is already owned by Council or already protected via Council's tree preservation order.</p> <p>Dispute notion that HCA will not impact negatively on property values and more information on this should be made available.</p>	
4.	<p>Object to HCA.</p> <p>Cannot understand on what basis HCA status can be justified given pretty much every home has been altered in some way or is a relatively new building.</p>	<p>Objection noted.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
5.	<p>Little or no historical or heritage significance in the proposed area or the majority of the homes, with many being of modern appearance and some, including ours having been rendered.</p>	<p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
6.	<p>Strongly object to proposal as house (6 Kywong Avenue) was rebuild for 2nd floor in 1990, many properties in street are new constructions, there are no listed heritage items in the street, and property is described as "neutral".</p>	<p>Objection noted.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>

No.	Issue/Concern	Comment
7.	<p>Object to HCA.</p> <p>There are no heritage listed items on Kywong Avenue.</p> <p>Property (8 Kywong Avenue) is incorrectly rated as "contributory" when the Planning Proposal acknowledges that 8 Kywong is "new" and built in the 1990s</p> <p>Barely 50% of Kywong Avenue can be regarded as "contributory" and many properties on the street have already undergone significant modification and necessary modernisation.</p> <p>In the case of Kywong and Orana Avenues, aesthetic significance has been attributed to the lack of kerbs and guttering which is not unique or historically significant. The "riparian landscape" referred to in the planning proposal is the "nature reserve" between Kywong and Orana Avenues and is owned and maintained by the council.</p> <p>Question literature on impacts on property value and are concerned about the unforeseen risks, costs, restrictions and obligations that would be imposed by a HCA designation.</p>	<p>Agreed there is currently no listed Heritage Items on Kywong Avenue.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p> <p>Council owns and manages the public domain elements of the streets, pathways and verges. It also owns and manages Orana Reserve.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>A re-assessment of each property has been undertaken and a rating of Detracting has been applied to 8 Kywong Avenue.</p>
8.	<p>Members of the "Friends of Orana and Kywong" group and support the submission lodged on behalf of group.</p> <p>Question claimed consistency of area due to the overwhelming majority of the houses on Orana (and Kywong) having undergone significant renovation to the facade and surrounds.</p> <p>We object to the "contributory" label that has been given to property (2 Orana Avenue) due to several renovations including a second level extension, rendering and other external changes. House should be viewed in same way</p>	<p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p> <p>It is agreed that 2 Orana Avenue should not be rated Contributory due to modifications including rendering. The recommended rating for the property has been amended to Neutral.</p>

No.	Issue/Concern	Comment
	<p>as Nos. 4 & 9 Orana Avenue which are rated neutral.</p> <p>Request that Orana and Kywong avenue be removed from the proposed HCA map and request that the classification of property be amended to neutral.</p>	<p>Regardless, it is not recommended that the draft HCA proceed.</p>
9.	<p>Members of the "Friends of Orana and Kywong" group and support the submission lodged on behalf of group.</p> <p>Object to property (16 Orana Avenue) bring rated as contributory as it has been significantly altered and should be neutral, and many other buildings are incorrectly rated.</p> <p>Description of lack of curbing as a riparian landscape is misleading and more a reflection of Council overlooking maintenance.</p>	<p>Objection noted.</p> <p>Agreed that 16 Orana Avenue should not be considered to be Contributory to the area due to extensive modifications. The recommended rating has been amended to Neutral. Regardless, it is not recommended that the draft HCA proceed.</p>
10.	<p>Object to the HCA and especially inclusion of property (23A Orana Avenue) as the house we built ourselves only 40 odd years ago based on a draughtsman's view of what an Australian colonial home may have looked like and constructed with modern bricks bearing no resemblance to the originals and confused this could be considered contributory.</p> <p>House was designed to accommodate an extension on the second story for more bedrooms which could be an issue if the area becomes a HCA.</p> <p>At the very least the residents should be afforded a second opinion. Social impacts of proposal also need to be considered.</p>	<p>Objection noted.</p> <p>Agreed that 23A Orana Avenue should not be considered a Contributory building within the area. The recommended rating for this property has been amended to Neutral. Regardless, it is not recommended that the draft HCA proceed.</p>

No.	Issue/Concern	Comment
11.	<p>Disappointed with the council proposal for the HCA and object. It is unnecessary restrictions on what residents can do with their properties which are going to effect and decrease the value of these properties. Aware what happened when council put unnecessary restriction to others and value of their property falls sharply.</p> <p>If it is required I can give more details. Many houses in Orana Avenue have additions or second storeys. These modifications have diminished the heritage significance of the property and surrounding area.</p> <p>We would appreciate council not to ignore our objection and not wasting taxpayers' money on this matter.</p>	<p>Objection noted.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
12.	<p>Do not believe that this proposal is the solution of this issue and We do not see any benefit of having area changed to HCA.</p> <p>This change will have various negative impacts on our property and the area, particularly, the land value which will need to be compensated by Council.</p> <p>As home owners and rate payers, have, want and need the right and ability to improve our home or property value and saleability, without having those further restrictions and rules.</p> <p>A lot of the houses in the area had been extensively renovated or modified, or are new buildings as identified by Paul Davies Pty Ltd in 2010.</p> <p>There are already 21 HCAs, including three in Pymble so don't see the benefit of declaring another HCA.</p> <p>The reasons provided by the council are not sufficient and object to the HCA proposal in our area.</p>	<p>See main body of Council report for discussion on impacts of heritage listing on property values. Council is not obliged to compensate property owners should property values be affected by heritage listing.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>

No.	Issue/Concern	Comment
13.	<p>Disappointed Council has failed to properly consider objections from 2014. Disagree property values will not be affected.</p> <p>The name "Lanosa Estate" is misleading and means nothing in the development of the area. The houses fronting Mona Vale do not form a natural grouping with the houses in Orana and Kywong Avenues (which are on the floor of a valley) as they are perched on the top of a hill and face away from Orana and Kywong Avenues and should not be included as the original parcel of land was owned by William McKeown, was extensive and covered both side of Mona Vale Road as well as beyond on both sides.</p> <p>A more logical place to locate these properties in Mona Vale Rd would be to include them in the proposed Mona Vale Road Conservation Area C43.</p> <p>The houses fronting Church Street, numbers 3-15, are sited up the hill from Orana Avenue and have nothing geographically to do with Orana Avenue. There is an existing heritage listing for Church Street which starts almost adjacent to 15 Church Street. This is where these houses in Church Street should be heritage listed, if at all.</p> <p>Paul Davies concluded in 2010 that area did not have sufficient merit to justify an HCA. There are already 21 HCAs in the municipality, including 3 in Pymble. Why are building ratings different for different consultants?</p> <p>No evidence provided to the consultant's assertion that the land was originally used for orchards.</p> <p>Orana park should not be considered contributory as it is not a building and is already under the control of Council.</p>	<p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>There is a historical relationship between properties on Mona Vale Road and the Kywong and Orana Avenue area, being the existing location of Mona Vale Road (then known as Stoney Creek Road) and the boundaries of William McKeown's orchard.</p> <p>The purpose of a Heritage Conservation Area is to protect areas expressing heritage significance via a process of assessment. The fact that Church Street is geographically separate from Orana and Kywong Avenue is not, in itself, a reason not to include it. Further, attributes other than buildings can form part of the significance of HCAs including parks, views and vistas, landscaping and public domains elements.</p> <p>A re-rating of all properties within draft HCA has been undertaken. It is recommended that the rating of Contributory for the Orana Reserve be retained. Regardless, it is not recommended that the draft HCA proceed.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>

No.	Issue/Concern	Comment
	<p>Objection to a reason for the HCA being its demonstration of the development of new construction methods that used split levels and suspended slabs as this could apply in any sloping areas.</p> <p>There has been significant development since the Second World War which has changed the character of this area adversely.</p> <p>Additional information provided as part of an on-site visit between Council and objectors on 9 January 2018.</p>	
14.	<p>Object to this proposal.</p> <p>The houses opposite us are not classified as HCA, which means we could potentially have multi-storey developments looking down on us.</p> <p>Will impose unnecessary restrictions on what we can do with the property – especially since our property is classified as “neutral”.</p> <p>Potential decrease in property values due to uncertainty and restrictions on the possible improvements allowed.</p> <p>Supports submission No. 1</p>	<p>Objection noted.</p> <p>The type and size of residential buildings is predominantly determined by land use zoning and building height and floor space ratio controls.</p> <p>Property owners can still seek to modify properties in accordance with Council’s planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p>
15.	Supports submission No. 1	Noted.
16.	Objects to proposal	Objection noted.
17.	<p>Oppose the inclusion of our property in the proposed HCA.</p> <p>There are no heritage listed items on Kywong Avenue.</p> <p>Properties on the street have already undergone significant modification and</p>	<p>Agreed there is currently no listed Heritage Items on Kywong Avenue.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded</p>

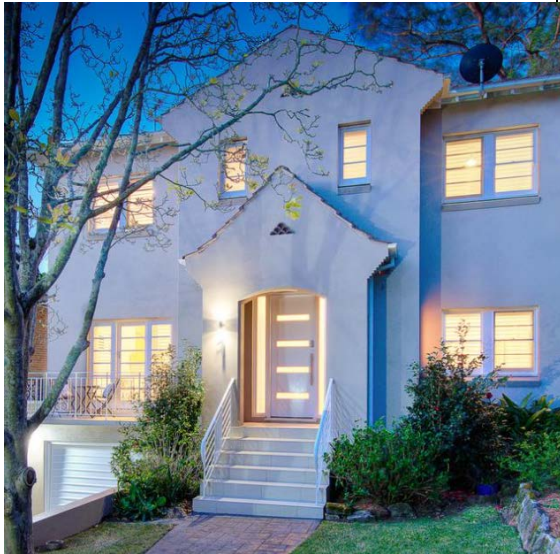
No.	Issue/Concern	Comment
	<p>necessary modernisation.</p> <p>It is acknowledged that property (14 Kywong) is "new" and built in the 1988. It has no characteristic of heritage features.</p>	<p>that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA proceed.</p>
18.	<p>Support submission No. 1</p> <p>Appalled that such a proposition, which has the potential to adversely affect property owners, should even be contemplated.</p> <p>Recent changes to 62 Mona Vale Road result in it bearing no similarity to the original property, either externally or internally.</p> <p>For Council to then place HCA restrictions on surrounding properties, all of which conform to the landscape, is the height of hypocrisy.</p> <p>We would like to think Council will take a more responsible and sympathetic approach in not proceeding with proposed HCA listing.</p>	<p>Noted.</p> <p>Approval was granted in 2014 by the Land and Environment Court for the use of 62-64 Mona Vale Road as a childcare centre and associated works including car parking.</p> <p>The recommendation is not to proceed with the draft HCA.</p>
19.	<p>Support submission No. 1</p>	<p>Noted.</p>
20.	<p>Submission on behalf of 'Friends of Orana and Kywong' resident action group representing 15 properties in draft HCA.</p> <p>Object to the proposal</p> <p>Area has no relationship to "Lanosa" at 62 Mona Vale Road. Orana/Kywong Ave have no relationship to Church Street or Mona Vale Road.</p> <p>Landscape of area is not unique and it already protected by tree preservation orders.</p> <p>Many properties in area have been altered and no longer contribute to the streetscape which is eclectic and inconsistent. Lack of kerb and gutter</p>	<p>Objection noted.</p> <p>There is a historical relationship between properties on Mona Vale Road and the Kywong and Orana Avenue area, being the existing location of Mona Vale Road (then known as Stoney Creek Road) and the boundaries of William McKeown's orchard.</p> <p>It is agreed that many of the buildings in the draft HCA have undergone modification and change. A re-rating assessment of the area has concluded that 50% of the buildings in the area are either considered to be Neutral or Detracting. For this reason, it is not recommended that this draft HCA</p>


No.	Issue/Concern	Comment
	<p>does not contribute to heritage values.</p> <p>Object to contributory rating for buildings which have undergone change.</p> <p>Refute idea that property values will not be impacted. Concerns over legal rights, ability to make changes to properties and in communication material as part of exhibition.</p> <p>Inconsistency exists between various heritage assessments.</p> <p>Existing planning controls are sufficient. Inspection necessary to adequately determine significance of area.</p>	<p>proceed.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>The State Environmental Planning Policy (Exempt and Complying Codes) 2008 permits, in certain circumstances, property owners to seek consent via a private certifier for the demolition and rebuilding of new dwelling house. Council has no involvement in this assessment process and therefore Council's planning controls are not applied to the new development and cannot be assessed on their merits. The imposition of an HCA will ensure that applications of this nature are determined by Council.</p> <p>A site inspection was held between Council and objectors on 9 January 2018.</p>
21.	Support submission No. 1	Noted.
22.	<p>Reject property (2 Orana) rating as contributing.</p> <p>House has been given a modern makeover in the past 2 years. House is rendered, warm olive green painted on exterior. Dated features are covered by downpipe.</p> <p>All heritage value has been lost since the renovation.</p>	<p>It is agreed that 2 Orana Avenue should not be rated Contributory due to modifications including rendering. The recommended rating for the property has been amended to Neutral. Regardless, it is not recommended that the draft HCA proceed.</p>


4. Rating Table



Kywong Ave and Orana Ave HCA – Initial SJS assessment; December 2017 reassessment

Rating: N – Neutral, C – Contributory, D – Detracting, Item – Existing Heritage Item



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
1 Orana Ave	C	N	<p>Rendered façade, unlikely to be reversed, extended to rear. Due to render and painting this building has lost much of its original integrity.</p>  <p>Amend rating to Neutral.</p>
2 Orana Ave	C	N	<p>Rendered façade, not on 43 aerial but in existence by 1951 aerial. Due to render and painting this building has lost much of its original integrity.</p>



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
3 Orana Ave	C	C	Interesting inter war two storey dwelling house – appears to have had few modifications over time; appears between 1943 and 1951; original stepped sandstone front and side retaining wall
4 Orana Ave	N	N	Modified inter war single storey dwelling, oversized dormers to façade; built between 1943 and 1951.
5 Orana Ave	C	C	Open carport forward of front building alignment; original front stepped sandstone retaining wall and sandstone garden edging. Retains original form and carport is open so does not completely obscure façade.
6 Orana Ave	C	N	<p>New roof (and dormers) since 1943 aerial</p> <p>Six new dormers (including 3 to façade) but retains an interesting and prominent protruding original sunroom. However too modified to be contributory.</p>



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
7 Orana Ave	C	C	Inter war single storey; pre 1943; online real estate photos showing interesting sandstone features to rear garden as well as driveway and front garden; original front stepped sandstone retaining wall. Enclosed from verandah but reversible.
8 Orana Ave	C	C	Pre 1943 intact inter war 2 storey dwelling house, seems predominantly intact.
9 Orana Ave	N	N	Newer build, maybe 1970s/80s
10 Orana Ave	D	N	Oversized dormer to façade and carport forward of front building alignment



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
11 Orana Ave	C	C	Intact inter war two storey dwelling house; pre 1943; lovely curved front sandstone retaining wall; generous front setback
12 Orana Ave	C	C	<p>Interesting inter war (Mediterranean?) single storey dwelling house “La Dauphine” located on 2 lots – on a relatively old DP</p> 
15 Orana Ave	N	N	1970s/1980s construction?
16 Orana Ave	C	N	Very heavily modified inter war dwelling house – large, highly visible second storey addition has changed the character of this house. 2003 additions



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
17-19 Orana Ave	C	C	Not highly visible from street due to foliage but if this were removed it would be able to be seen – tennis court in front of building – despite this the building façade seems intact and therefore still considered to contribute to the streetscape; interesting front sandstone retaining wall to street.
21 Orana Ave	C	C	Inter war dwelling house, façade appears largely intact, rear modifications, generous front setback, stepped sandstone front retaining wall
23 Orana Ave	C	C	Lovely inter war dwelling house in garden setting, stepped sandstone front retaining wall.


Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			
23A Orana Ave	C	N	<p>Newer building, possibly 1980s</p>  <p>Amend rating to Neutral.</p>
25 Orana Ave	C	C	Extant on 1943 aerial but only accessible via a very long driveway – not visible from public domain. Cannot verify property on site.
25A Orana Ave	C	N	c.1962. Rendered and painted.



Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			 <p>Amend rating to Neutral.</p>
27 Orana Ave	N	N	Property not visible from street. Maybe modified property evident on 1943 aerial.
29 Orana Ave	C	C	Evident on 1943 aerial, no significant modifications on file.
31 Orana Ave	C	N	<p>Heavily modified 1920s? cottage, painted façade, large dormer to façade and garage incorporated into building façade.</p>  <p>Amend rating to Neutral.</p>


Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
33 Orana Ave	D	D	 <p>Likely a heavily modified inter-war house with domineering addition.</p>
35 Orana Ave	C	C	On 1943 aerial, modified. Minor alterations to rear approved 1999.
37 Orana Ave	N	N	Not visible from street (aka 7 Church Street). Modifications approved 2007.
5 Church St	C	N	<p>Not on 1943 aerial; boundary between 5 and 3 Church Street appears to have realigned over time.</p> <p>Rendered façade, too altered to be considered Contributory.</p>  <p>Amend rating to Neutral.</p>
3 Church St	N	N	New building, not same as on 1943

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			aerial.
1 Kywong St	N	N	Modified, appears between 1943 and 1951.
2 Kywong St	C	C	50s/60s, intact
3 Kywong St	C	N	<p>Rendered functionalist inter-war, two storey, not original windows</p>  <p>Amend rating to Neutral.</p>
4 Kywong St	C	N	<p>C1950s/60s single storey brick, now rendered. Therefore, recommend amending rating to Neutral.</p> 

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
5 Kywong St	C	C	 <p>Interesting house, amended originally single storey.</p>
6 Kywong St	N	N	Amended inter-war house with mansard roof addition and dormers
7 Kywong St	D	D	Likely newer build
8 Kywong St	C	D	<p>New (BA 89/01947) – construct early 90s</p>  <p>Dominant front garage</p>
9 Kywong St	C	C	Interwar two storey dwelling house, face brick intact, likely original windows. Later

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			balustrades and addition above garage.
10 Kywong St	C	N	<p>Second storey addition. Single storey in 43 aerial.</p> <p>BA 82/02179 – Alterations (around 1983)</p> <p>BA 84/00978A</p> <p>“Garden Studio” 1984</p> 
11 Kywong St	C	C	Interwar dwelling house on high side of street, face brick intact, curved bay window to front façade, likely original built in garage
12 Kywong St	D	D	Newer build, very prominent garage
14 Kywong St	C	N	New double garage at front, new second storey, new windows and openings. Amend rating to Neutral.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
			
15 Kywong St	D	D	Heavily modified either interwar or immediate post war dwelling house
15 Church St	C	N	New 2 storey dwelling plus garage BS97/0422 
11 Church St	C	C	Inter war dwelling house, face brick
9 Church St	C	C	Inter war dwelling house
50 Mona Vale Rd (aka 1A Church	C	C	Inter war Tudor style two storey dwelling house, intact textured? face brick.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
Street			
54 Mona Vale Rd	C	C	Inter war dwelling house, intact face brick.
56 Mona Vale Rd	C	C	1950? Single storey blonde brick, symmetrical façade with rounded columns to central front entrance.
58 Mona Vale Rd	N	N	Post 1943 two storey dwelling house, painted brick façade, modified.
60 Mona Vale Rd	C	C	Red face brick dwelling house on large parcel of land, sloping site, 2 storeys at rear
62-64 Mona Vale Rd	C HI	C Item (I579)	"Lanosa"
66 Mona Vale Rd	C	C	Inter-war dwelling house, interesting roof form
70 Mona Vale Rd (aka 2A Orana Avenue)	C	N	Two storey inter-war dwelling house now painted. Amend rating to Neutral. 
			Amend rating to Neutral.

Address	HCA Review Rating (SJS 2012)	Reassessment December 2017	Comment
1A Orana Ave	C	C	Pre 1943 altered
76 Mona Vale Ave	N	N	Post 1943 build
Orana Reserve	C	Not rated	Council owned remnant bushland

**MONA VALE ROAD DRAFT HERITAGE CONSERVATION
AREA (C43)**

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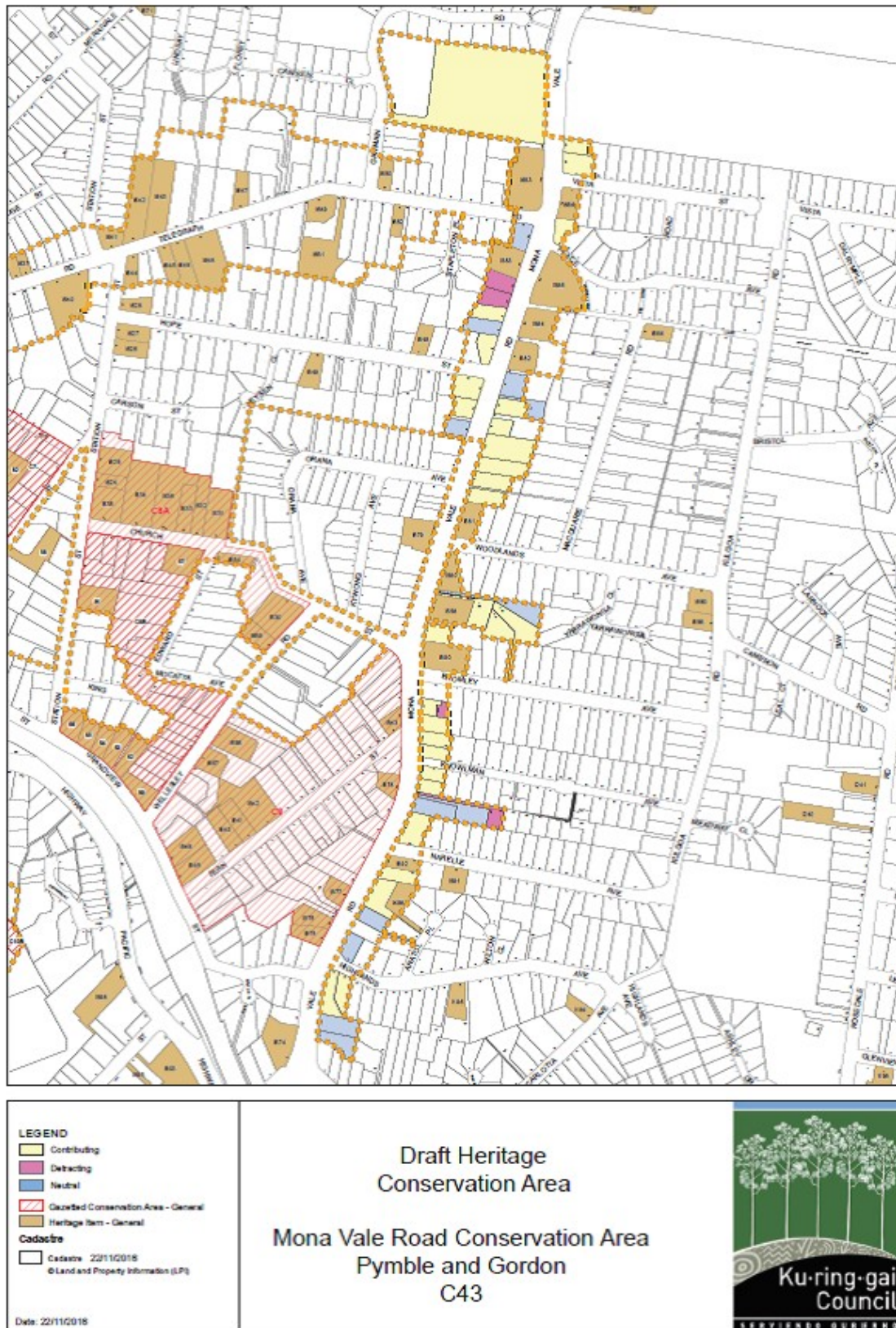
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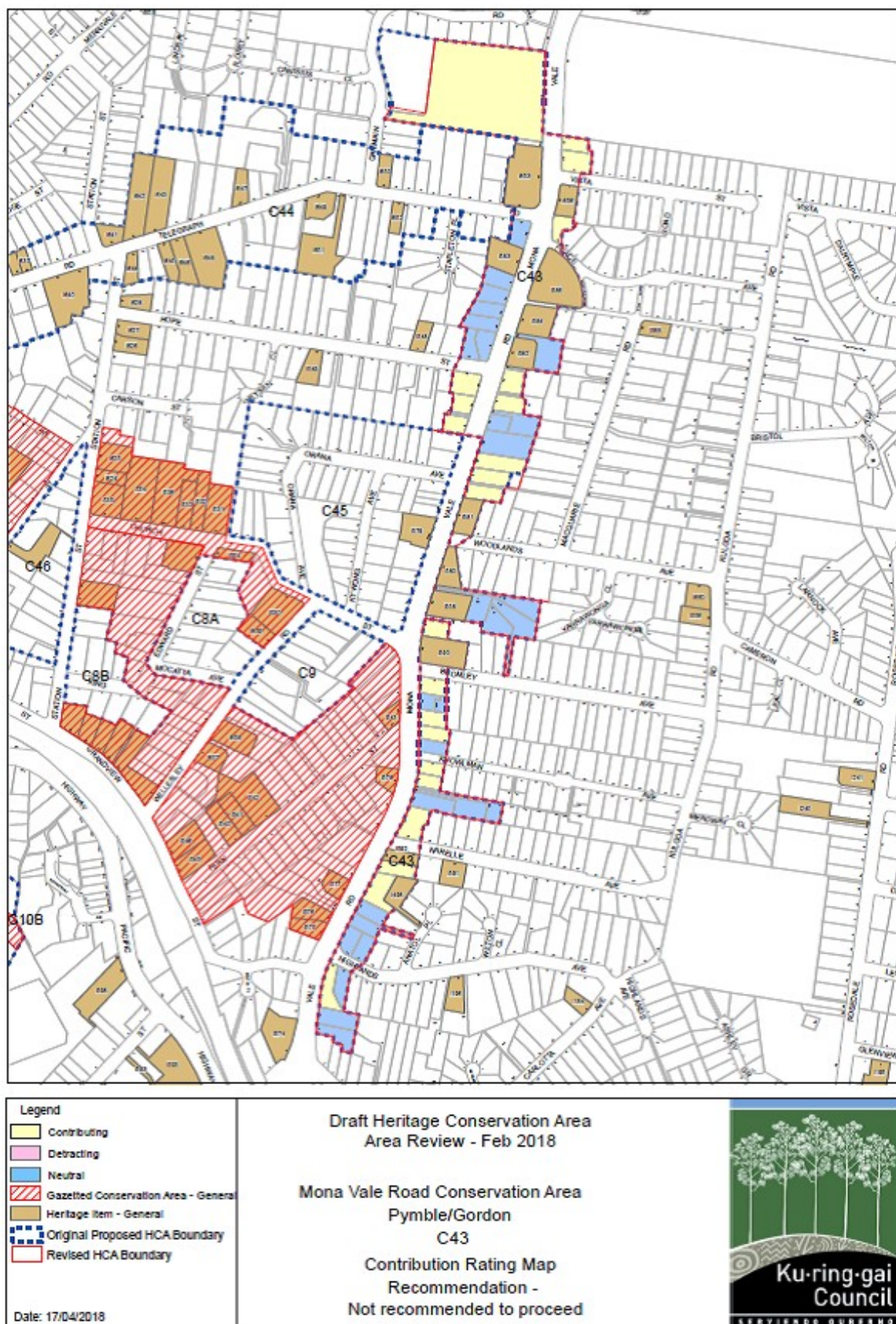
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1. Maps

1.1 Exhibited ratings map for draft Mona Vale Road HCA



1.2 Revised ratings map for draft Mona Vale Road HCA



2. Comment

The proposed Mona Vale Road HCA includes 66 properties mainly located along Mona Vale Road but also capturing a small number of properties located on Highlands Avenue, Anatol Place, Narelle Avenue, Knowlman Avenue, Strathwood Court, Woodlands Avenue, Vista Street and Hope Street, Pymble.

The area was identified for listing as a Heritage Conservation Area by Sue Jackson-Stepowski in 2012. The proposed HCA was initially divided into 2 areas, being Mona Vale Road Highlands Heritage Conservation Area 1 and Mona Vale Road Heritage Conservation Area 2. For the purposes of the recent planning proposal, these areas were combined to create one larger Heritage Conservation Area.

The respective Statements of Significance prepared to support the listings state:

Mona Vale Road Highlands Heritage Conservation Area 1 (HCA1)

The historical layers of European history and development of the area of HCA1 are displayed in the current subdivision which has been dictated in layout by the existing location of Stoney Creek Road (Mona Vale Road) and the boundaries of the earlier orchards and the 1896 Highlands Estate. HCA 1 is located within the area of earlier orchards c1840-70, though the only known evidence of this previous use are the roads such as Knowlman and Narelle that mark the boundaries of the former orchards. The proposed railway from its early stages in 1887 to the completion of the link between St Leonards and Hornsby in 1890 was the impetus for subdivisions and the middle class movement to this area. Glengariffe house, 1903 was built for by the Brown family who were successful retailers and is a record of the development of this land for use by middle class professionals as a retreat from urban areas of inner Sydney.

The later Inter-War subdivision and development of this area is evident in the houses. 35 Mona Vale Road is representative of an Inter-War style house with face brick curved bays and 29 Mona Vale Road is an Inter-War style Californian Bungalow built with sandstone and face brick. The 1970s widening of Mona Vale Road has resulted in retaining walls to 27 Mona Vale Road and C. Bowles Thystlethwayte Reserve. Vegetation including mature trees and rebuilding of fences has reduced the impact to an extent. Where front gardens have been reduced, fences have been replaced with sandstone or low brick fences that are uniform in appearance and do not detract from the housing style.

Mona Vale Road Heritage Conservation Area 2 (HCA2):

The historical layers of European history and development of the area of HCA2 are displayed in the current subdivision which has been determined in layout by the existing location of Stoney Creek Road (Mona Vale Road) and the boundaries of the earlier orchards. This was the location of orchards c1840-70, though there is little evidence of this previous use. The gullies and creek line may reveal some evidence of earlier agricultural use and the sandstone banks could be associated with earlier layers of historical use. The settlement of this area in the late 19th Century is evident in the two workers cottages built by E. Brown at no18-20 Stoney Creek (MV) Rd. These cottages are extant and within HCA2. These are likely to date from the late 19th or early 20th century as the Brown family is associated with the building of Glengariffe in 1903 (located on the east of MV Road). The cottages are rare surviving

buildings in an area that is built predominantly with houses dating from the Inter-War and post war period.

The gully of Stoney Creek has created a precinct that includes the riparian course of mature vegetation and high tree canopy that is visible from Mona Vale Road and built elements such as sandstone retaining walls and bridges in the gully. The vernacular workers cottages and post war subdivision for housing sited in the battleaxes, are a part of this gully precinct. The sub-division of this land in the Inter-War period is recorded by the houses on Mona Vale Road from numbers 24 to 40. Later layers of development and subdivision of larger blocks of land are evident in the battleaxe blocks behind the gully with the building of post war houses. In 1973-74 the Department of Main Roads resumed the Mona Vale Road frontages for widening to 6 lanes resulting in the reduction in size of front gardens and new fences and retaining walls. Mature gardens and trees are predominant along the length of Mona Vale Road and in some areas create a backdrop of dense bushland and tree canopy. The spacing and pattern of subdivision has retained the historical subdivision pattern of the Inter-War period.

As part of the public exhibition process, objections were received from 16 properties (or 24% of all properties). One submission was received in support of the draft Mona Vale Road HCA.

The vast majority of submissions raised concerns about the amenity impacts caused by the changes to Mona Vale Road including widening, the removal of a clearway which used to permit parking at certain off peak periods, increase in the speed limit along the road. Further, in general all roads, especially major connecting routes, have experienced an increase in usage over time as the population of Sydney increases. The consequence of these changes have had impacts on all aspects of the area including both the public and private domain as residents attempt to ameliorate the impacts of an ever growing amount of fast moving traffic.



Image 1: Width of footpath and grass verge along Mona Vale Road

The busyness of a road is not, in itself, a reason to conclude an area lacks sufficient significance to warrant heritage listing. However, the impacts of its change over time have had significant impacted on the heritage values of the area. For example, many property owners have installed high and solid fences to block out noise impacts. The widening of the

road has resulted in the loss of setback and setting to many properties. The overall width of the road visually and physically disconnects one side of Mona Vale Road from the other. Large retaining walls and barriers have been created to protect the road and the amenity of residents.



Image 2: Concrete retaining wall to southern end of Mona Vale Road



Images 3 and 4: Examples of high fencing along Mona Vale Road

It is noted that the street contains many excellent examples of residential development, particularly towards the higher part of the street as it nears its intersection with Telegraph Road. Following the public exhibition process and site visit, the rating of each property within the draft HAC was reconsidered. The assessment of each property is included below. This process identified 31 properties as contributing to heritage values in the area. However, of these properties, 11 or 35% have already been listed as individual Heritage Items. Therefore, these properties are already protected from inappropriate development. Three additional properties have been identified for future investigation being Nos. 84 (also known as A2 Hope Street), 115 (also known as 2 Vista Street), 117 and 102 (Canisius College) Mona Vale Road.

It is noted that the majority of properties specifically referenced in the Statement of Significance for Mona Vale Road Heritage Conservation Area 2 are already contained within an existing Heritage Conservation Area. For example, the text states '*The sub-division of this land in the Inter-War period is recorded by the houses on Mona Vale Road from numbers 24 to 40*' and '*The settlement of this area in the late 19th Century is evident in the two workers cottages built by E. Brown at no18-20 Stoney Creek Rd*' (Stoney Creek Rd is now known as Mona Vale Road). All these properties are already captured within Heritage Conservation Area C9 known as Fernwalk Conservation Area and contained within the KLEP 2015. Therefore, protection already exists for these specific properties.

The area historically comprised orchards located on various estates created through land grants. As the Statement of Significance for the Mona Vale Road Heritage Conservation Area 2 notes '*there is little evidence of this previous use.*' The area does display a range of residential properties of different ages and styles but the impacts of Mona Vale Road have greatly impacted on its legibility and level of intactness. Council officers have carefully considered the original heritage reports, undertaken a re-assessment process for each individual property, and taken into consideration the issues and concerns raised as part of the public exhibition process. On balance, taking all these matters into account, it is not recommended that the draft Mona Vale Road HCA proceed.

Accordingly, it is recommended that Council not proceed with the draft Mona Vale Road HCA. It is further recommended that Council investigate 84 (also known as A2 Hope Street), 115 (also known as 2 Vista Street), 117 and 102 (Canisius College) Mona Vale Road at a time when funding and resources are available.

3. Submissions Table

No.	Issue/Concern	Comment
1.	<p>Object to proposal.</p> <p>Introduction of clearway to Mona Vale Road has impacted area and buildings including crack in walls. Road was widened in the 1970s in order to create a 6 lane highway. High walls and noise attenuation required which may not be possible if a heritage area.</p> <p>The proposal notes beautiful front gardens and the street appeal but no mention is made about the speed limit and the fact that many of the homes are right on the street.</p> <p>If Pymble is the treasure that the Heritage Foundation believe it is shouldn't the speed limit reflect this and be in keeping with other beautiful residential areas?</p> <p>Existing trees pose a safety hazard to visibility on Mona Vale Road.</p> <p>These issues with Mona Vale Road have already reduced property values and this proposal threatens to reduce them even more. Heavy trucks detracting from area and devaluing homes.</p> <p>Many homes in area have been modified or are new.</p> <p>Many of the existing home boundary walls have become insignificant in providing a noise barrier and privacy screen, ourselves included. Considering asking council to consider allowing us to raise our boundary wall height which again would be to protect the ambience of the home and this would again have to go through a Heritage Conservation Committee resulting in further increased costs and anxiety.</p> <p>Recently it has become increasingly difficult to exit and gain access to our own home. We have had to use part of our garden as a turning circle which has resulted in loss of a grassed area and causing it become a sandpit. In order for this to be sustainable we would need to provide some sort permanent</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>It is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating assessment of the area has concluded that less than 50% of the buildings in the area are considered to be Contributory.</p> <p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>

No.	Issue/Concern	Comment
	<p>driveway, this would be another aspect that would have to be considered by a Heritage Committee. Again delaying process, adding to our anxiety and costing us extra money for hopeful approval.</p> <p>None of the factors mentioned above pertains to single property alone. Many of these above mentioned factors have already significantly devalued our property. Feel that heritage listing them, with future restrictions of addressing some of these factors, will further devalue the homes.</p>	
2.	<p>House (1A Hope Street) has been shaded in on the map and believe an error has been made in including this residence as it is relatively modern (c.25 years old).</p> <p>This is not in keeping in any way of the aims of Heritage Conservation and would request for the planning proposal be amended.</p>	<p>It is likely that 1A Hope Street was included as this lot was once part of 88 Mona Vale Road. This property was not rated as part of the original study, although the reason for this is unclear. As part of the re-rating process, this property has been allocated a Neutral rating.</p> <p>Regardless, on balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
3.	<p>Object to the proposal. Property has been included as neutral for conclusion but was not included in the proposed heritage area in the supporting attached documents and there is little historical references in the document around Highlands Avenue. A lot of study has been discussed and general heritage item has been identified in that area (namely 31 Highlands Avenue) already in the past but current study appears to concentrate on Mona Vale Road.</p> <p>Not certain how property (41 Highlands) was concluded to be neutral and is subjective in this respect. Property is not visual from Mona Vale Road and its front garden footage faces Highlands Avenue.</p> <p>There are inconsistencies in the boundaries drawn along Mona Vale Road. Historical map dated 1940 shows the orchard/mature trees towards Knowlman and Woodlands Ave</p>	<p>Agreed it is unclear as to why these 4 properties on Highlands Avenue have been included but all others excluded. The State Heritage Inventory Form states: <i>In 1896 bought by Wahroonga solicitor Benjamin Frederic Parker, who buys large acreage with frontage to Stoney Creek (MV) Rd. Parker also buys adjoining 11 acres of Thomas Mazlin's land. A total of 20 acres. Parker builds on north side of Highlands Ave a brick cottage villa designed by architects Slatyer & Cosh with entrance gates to Highlands Ave. Highlands House enlarged three times and later 1915 additions by architect John Reid.</i> It is further noted: 1965: <i>Glengarriff still extant and located at 12 Anatol Cl lot1, DP228739, sold to Trans Realities; Highlands House demolished, lands subdivided into 18</i></p>

No.	Issue/Concern	Comment
	<p>adjacent to Mona Vale Road as well as the right side of Highlands (towards Anatol Place) instead property (41 Highlands).</p> <p>The boundary of 41 Highlands Avenue does not fall visually into the proposed heritage area along Mona Vale Road to justify its inclusion in the HCA and even for its “neutral” rating and for it, not be included in the heritage area and the existing setting to be retained.</p>	<p><i>lots and to create Anatol Close. Glengarriff loses its front garden which became C. Bowles Thystlethwayte Reserve.</i></p> <p>‘Highlands House’ is no longer extant and it appears that nothing remains of the gates to Highlands Avenue. The remnant building ‘Glengarriff’ is already a listed Heritage Item in the KLEP 2015. It is agreed that the history of this area is not easily discernible from the remnant structures on the ground.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
4.	<p>Object to the latest restriction proposal.</p> <p>Clearway is bad enough. Can no longer have friends and family visit on weekends due to the lack of parking and now placing more restrictions on what I can or can't do on property.</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
5.	<p>Object to proposal.</p> <p>Feel this proposal places unnecessary restrictions on what we can be done with property and has the potential to decrease property values due to the uncertainty and limitations on renovations and improvements allowed.</p> <p>Don't need a blanket Heritage Conservation Area restriction across large parts of our</p>	<p>See main body of Council report for discussion on impacts of heritage listing on property values.</p> <p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that</p>

No.	Issue/Concern	Comment
	<p>suburbs with little regard to what is really deemed heritage. Home owners and rate payers want and need the ability to improve home and property investment values and saleability by not having further onerous rules.</p>	<p>future development is consistent with the key characteristics and development periods for the area.</p> <p>Regardless, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
6.	<p>Object to the proposed inclusion of property (3 Strathwood Court) as there is no justification to include 3 Strathwood Court and no justification to include similar adjacent properties.</p> <p>Both the studies done in 2014 and 2016 did not find Strathwood Court or adjacent properties to be significant or contributory.</p> <p>Property is not visible from Mona Vale Road and does not have access from Mona Vale Road and proposal is extending substantially beyond the recommendations of both heritage consultancy studies.</p> <p>The proposed rating of contributory for the properties (2 and 3 Strathwood Court) is not valid, justified or specifically referenced. Request that these properties maintain the original status of neutral as within the 2015 Perumal Murphy and Alessi assessment.</p>	<p>It is agreed that properties located on Strathwood Court have no visual presence to Mona Vale Road and are clearly part of a new re-subdivision process.</p> <p>As part of the re-rating process, these properties have been allocated a Neutral rated to reflect their visual contribution to Mona Vale Road and also their age of construction.</p> <p>Regardless, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
7.	<p>Object to Council's proposal due to unnecessary restrictions on what we can do with our property, potential decrease in property value of future saleability due to limitations on renovations; property (39 Mona Vale Road) is a battle-axe with limited impact on the streetscape, many houses already have additions or second stories and these modifications have already diminished the heritage significance of the surrounding area.</p> <p>There are other similar properties on Mona Vale Road which have been specifically excluded from the existing Heritage Conservation Area.</p>	<p>Property owners can still seek to modify properties in accordance with Council's planning controls. The aim of the proposal is to increase certainty for the future of the area, not decrease certainty, by ensuring that future development is consistent with the key characteristics and development periods for the area.</p> <p>It is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating assessment of the area has concluded that less than 50% of the buildings in the area are considered to</p>

No.	Issue/Concern	Comment
		<p>be Contributory.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
8.	<p>Object to proposal as feel the area no longer deserves it.</p> <p>Have lived in the area since the 1970s.</p> <p>Traffic and road widening have taken a significant toll on the area.</p> <p>Will limit redevelopment options into the future to consider building types which may be more suitable to deal with road noise.</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
9.	<p>Strongly oppose the proposal</p> <p>Many of the properties in this area have no heritage values. Most are just ordinary houses built in 40 or 50 years ago. They are neither unique nor reflect any cultural traditions and their architecture styles can be found anywhere in this region.</p> <p>Many of them are reaching their design lifespan, redevelopment is much needed. But the change to HCA will heavily restrict this to happen.</p> <p>Mona Vale road is a 70km/h highway and it is extraordinary close to the properties on both sides. There are many vision blocking trees between the road and the property boundary and living and driving in the area is a dangerous everyday routine.</p> <p>Street noise is another issue facing the people living this area. Don't want to be restricted when we want to make a change for this.</p>	<p>The area has been identified as demonstrating heritage values through the land's modification over time from orchards to residential development. Some properties do identify key heritage characteristics but the vast majority of these have already been identified and listed as individual Heritage Items.</p> <p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback</p>

No.	Issue/Concern	Comment
	<p>If some houses do have any heritage values let them be listed as individual Heritage Items. Don't make the whole area conserved just for the sake of few houses.</p>	<p>from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
10.	<p>Proposal should not proceed as is does not meet the state planning laws under the Environmental Planning and Assessment Act 1979 or the state heritage listing criteria under the Heritage Act 1977.</p> <p>Area has a nice suburban character but its character possesses insufficient local significant heritage values for a heritage conservation area.</p> <p>The Council's proposal is a step too far in the exercise of Council's delegated powers because it undermines the integrity of the Heritage Act 1977 heritage listing process, as well as the Heritage Act 1977 legislative intent:</p> <ul style="list-style-type: none"> a. that heritage listing proposals will have heritage values which are significant, b. that heritage listing proposals shall: <ul style="list-style-type: none"> i. provide greatest consideration to the concerns of owners of properties that are proposed to be listed, ii. facilitate rigorous assessment of the heritage significance of properties, and iii. provide fairness and rigour in the heritage listing process. <p>Council is required to consider whether heritage listing would render the properties incapable of reasonable or economic use and/or cause undue financial hardship to the owner, mortgagee or lessee of the item or land on which it is situated.</p> <p>The area's presentation to the public domain does not contain sufficient heritage values because, inter alia, a majority of properties:</p>	<p>The heritage assessments underpinning the planning proposal have been prepared by qualified and experience heritage professionals. Their assessments concluded that the area did contain significant heritage values to be listed as a heritage conservation area. The planning proposal process includes a requirement for consultation with affected owners and the wider community. Council is then required to consider and respond to concerns and comments raised as part of the exhibition process. Council then utilises all information available to make a determination on matters. This report is part of the process of making a final determination on this matter and has considered the concerns of residents. The processes undertaken have been assessed by the Department of Planning & Environment and considered suitable for progression to public exhibition via its Gateway Determination process.</p> <p>Accordingly, it is not agreed that the process has not be undertaken in accordance with relevant legislative obligations or is procedurally flawed.</p> <p>It is important to note that many thousands of properties within the Ku-ring-gai local government area are contained within heritage conservation areas and their identification and management is the responsibility of local government, which operates as an instrument of the State Government.</p> <p>Council has considered the original</p>

No.	Issue/Concern	Comment
	<ul style="list-style-type: none"> a. Are too disparate in their characteristics, b. Are built behind high walls which significantly limit public aspect. c. Whilst having a nice suburban character it does not present significant local heritage which is of state heritage significance. d. Are located on a busy clearway state road where the: <ul style="list-style-type: none"> i. ability to appreciate any state heritage significance in relation to historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value is limited, and ii. properties are severely impacted by road widening and traffic. <p>Descriptions of the local heritage significance of the precinct do not demonstrate appropriate levels of importance or association. Undermining the NSW heritage listing system by 'over listing' heritage areas within the Ku-ring-gai Municipality and by setting a low benchmark for local heritage significance not contemplated by the Act and amounting to executive overreach,</p> <ul style="list-style-type: none"> a. Acting as Council's anti-development political strategy that has no place in determining areas of local heritage significance or value under the Act, and b. Inadequately considering heritage reports and heritage inventory listings relied upon by Council to propose C43 as a heritage conservation area. <p>Council's assessment of local heritage significance is procedurally flawed because Council has not placed adequate emphasis on meeting its obligations under the Act. In particular, Council must in meeting its obligations under the Act:</p>	<p>heritage reports, undertaken a re-assessment process for each individual property, and taken into consideration the issues and concerns raised as part of the public exhibition process. On balance, taking all these matters into account, it is not recommended that the draft Mona Vale Road HCA proceed.</p>

No.	Issue/Concern	Comment
	<ul style="list-style-type: none"> a. provide greatest consideration to the concerns of owners of properties that are proposed to be listed, b. facilitate rigorous assessment of the heritage significance of properties, and c. provide fairness and rigour in the heritage listing process. <p>Council's planning proposal unnecessarily imposes financial difficulties on property owners by limiting the development potential by:</p> <ul style="list-style-type: none"> a. Limiting reasonable access to complying development rights, b. Imposing development controls that are onerous, c. Imposing financial burdens of additional costs of compliance with heritage listing requirements associated with future development applications, and d. Reducing property values as a result raising perceptions of future property buyers not being able to do much with the affected properties. <p>The planning proposal to amend KLEP to include list C43 as a heritage conservation area should be withdrawn.</p>	
11.	<p>Concerned about the proposed new heritage Conservation Area in Gordon on Mona Vale Road.</p> <p>Property (43 Highlands Avenue) falls within the limits defined in the photographs & maps.</p> <p>House does not meet any of the 7 criteria for local heritage listing & it differs from nearby properties.</p> <p>Property is a brick veneer house built in 1972 & is only a few feet away from Mona Vale Road so I do not enjoy that "setback from the street..." mentioned on website.</p> <p>Back of property has large trees growing</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p>

No.	Issue/Concern	Comment
	<p>within inches of the boundary fence above the retaining wall along Mona Vale Road. These trees act as a buffer against the traffic noise. In a recent storm one of these trees fell onto Mona Vale Road & it required considerable coordination from the emergency services, the RMS & our insurers to have the mess cleaned up & our fence & garden repaired & restored. At some stage these trees will have to be removed because they are dangerously close to the edge of the retaining wall. We will then be subjected to the noise of the increasingly heavy traffic on Mona Vale Road. The only remedy for noise abatement would be a higher fence or a wall built enclosing my back garden. Would Council permit this under the new rules?</p> <p>Believe we are being asked to park our cars behind the building line & that is not always possible or convenient. When the hedge along the Mona Vale Road side of my property grows higher the cars will not be visible to passing traffic.</p> <p>The proposed HCA does not take into consideration the difficulties & discomforts of living in this area. Hilly terrain, increasing road & pedestrian traffic & many elderly residents make the proposed HCA difficult for residents to comply with & could also diminish property values.</p>	<p>Heritage consultants engaged by Council concluded that the area does contain heritage values to warrant its listing as a heritage conservation area.</p> <p>However, Council has considered the original heritage reports, undertaken a re-assessment process for each individual property, and taken into consideration the issues and concerns raised as part of the public exhibition process. On balance, taking all these matters into account, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
12.	<p>Object to proposal.</p> <p>Submission on behalf of The Trustees of Jesuit Fathers and the Australian Province of the Society of Jesus in the capacity of commercial advisor for Canisius College (102 Mona Vale Road).</p> <p>Strongly object to proposal and disagree with the heritage assessment as detailed within the inventory sheets. Note agreed that the “demonstrate the history and achievements of the Ku-ring-gai area”.</p> <p>Not agreed that the Property demonstrates the required level of connection or</p>	<p>It is agreed that Canisius College is significantly different from the vast majority of residential properties located along Mona Vale Road due to its size and function and that this property requires additional review and consideration.</p> <p>The report is recommending that this property be further investigated in the future. As part of this process, Council can request internal access to the property so that a full and proper understanding of the property can be obtained. Should the property be</p>

No.	Issue/Concern	Comment
	<p>significance with the local area. Our client can provide independent advice from a heritage subject matter expert to support this opinion.</p> <p>Insufficient level of engagement and consultation by Council in drafting the Proposal and inclusion of the Property. The Proposal will impact the Property's ongoing utility, flexibility, development options and potential, and opportunities to integrate complementary uses.</p> <p>Disagree with Council's comments that the impact of a heritage designation is "negligible". The impact of heritage restrictions on value can be significant, and depending on the relative level of restrictiveness, this can be in excess of 75% relative to an unencumbered assessment of market value.</p> <p>Believe that any heritage sensitivities associated with the Property can be sufficiently managed & resolved through future development application processes.</p> <p>Council's heritage advisor has not inspected the interiors of the Property. We have difficulty in accepting that an appropriate and orderly heritage assessment can be made without the benefit of an internal inspection</p> <p>The Property has undergone significant change and has been subject to various alterations and additions. It is considered that the original part of the Property has substantially evolved, and the inventory sheets also state that later additions to the Property do not share the same level of significance. The evolution and additions to the Property detract from any heritage significance that it has.</p>	<p>recommended for heritage listing, the owners involvement will be sought via a consultation process as is required via the current legislation.</p>
13.	<p>Property purchased in July 2009. During repeat inspections there were cars parked outside the property.</p> <p>Mona Vale Road is like a racetrack, motorists often exceed the speed limit. There is a lot of noise generated from the trucks along Mona</p>	<p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures</p>

No.	Issue/Concern	Comment
	<p>Vale Road as they speed up going towards St Ives. The speed limit along Mona Vale Road is 70km.</p> <p>The heavy trucks along Mona Vale Road are causing cracks to appear in the walls of the dwelling. The trucks also generate ripples in the swimming pool. Many of the heritage homes along Mona Vale Road have disappeared as the road has been</p> <p>The curb side entrances to the drive ways are too narrow to enter and exit into the outer lane of Mona Vale Road.</p> <p>Roads and Maritime Services, the New South Wales Government, in July 2014 inspected the property with plans to sound proof the dwelling.</p>	<p>to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
14.	<p>Property is on a battle-axe block with only a 6 metre wide entrance to Mona Vale Road so property has not impact on Mona Vale Road frontage.</p> <p>Balance of land obscured by house the fronts Mona Vale Road and does not affect the proposal.</p> <p>Request that property be removed from proposal.</p>	<p>This property is a vacant lot of land with an access handle to Mona Vale Road. A re-rating process has allocated a Neutral rating for this site. Regardless, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
15.	<p>Support retaining as much heritage to Mona Vale Road (formerly called Pittwater Road). Have has property reduced both in size, noise and speed since purchased in 1969.</p>	<p>Not provided</p> <p>Support noted.</p>
16.	<p>The HCA proposal has been prepared without consultation with people directly affected.</p> <p>We strongly oppose to any further restriction to be put on what we can do with our property.</p> <p>Many properties in the designated area have already carried out modern modifications and extensions.</p>	<p>The planning proposal has undergone a public exhibition process in order to obtain the views and concerns of all affected residents and the wider community.</p> <p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other</p>

No.	Issue/Concern	Comment
		<p>noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>It is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating assessment of the area has concluded that less than 50% of the buildings in the area are considered to be Contributory.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>
17.	<p>There are already sufficient, if not excessive protections for individual buildings without lumping in those with little or no architectural merit or aesthetic value (including un-renovated 1960's eyesores) in with the rest as a 'bulk heritage conversation area'.</p> <p>Also, there needs to be room for common sense and flexibility to allow sympathetic modifications and renovations to historic properties to make them safe, liveable and suitable for today's family needs.</p> <p>Having a blanket restriction to development of heritage items flies in the face of sensible decision making and is an unnecessary impingement of homeowners' rights. Quite simply the homes in these areas are NOT homogenous and it is totally inappropriate to place restrictions on all of them.</p> <p>Some of these proposals such as restricting the height of fences and in relation to garages also impacts on the amenity of residential buildings especially those on busy roads. In other areas State and Federal Governments are INSTALLING sound barriers too protect residents from high levels of noise pollution</p>	<p>Received via Paul Fletcher MP</p> <p>It is agreed that the widening of Mona Vale Road and loss of clearway has resulted in considerable negative impacts to the dwellings on Mona Vale Road. As a result, many residents have introduced measures to reduce these impacts such as the introduction of high fences and other noise attenuation measures. This has impacted on the legibility of the area from the public domain. This is particularly evident for properties which suffer from a minimal setback from Mona Vale Road.</p> <p>Buildings do not have to be homogenous to be considered of heritage value. This area does show a process of historical development over time and therefore contains a mix of building types and styles. However, it is also agreed that many properties in the area are either newer builds or have undergone significant change over time, thereby reducing their overall heritage values. A re-rating</p>

No.	Issue/Concern	Comment
	<p>and traffic fumes.</p> <p>Given the number of fuel tankers, tippers from Kimbricki Tip, Australian National Landscapes, Nurseries, works depots, heavy equipment and supermarket lorries this is a major issue which needs attention, not inappropriate restrictions on measures such as fencing and the siting of enclosed garages to protect residents from noise, dust and fumes blown off the roadway into private properties.</p> <p>In the case of Mona Vale Road, the Department of Main Roads demolished existing fences and sandstone walls of heritage value in the 1970's and in many instances replaced them with lesser quality, lower and cheaper alternatives.</p> <p>Homeowner's should have the right to decide what is best and most appropriate for their individual circumstances without clumsy and broad brush planning controls which leads to diminution of rights and unnecessary red tape - which is completely at odds with the concept of 'complying developments' and other common sense approaches to planning which these changes are seeking to overturn.</p>	<p>assessment of the area has concluded that less than 50% of the buildings in the area are considered to be Contributory.</p> <p>On balance, it is not recommended that the draft Mona Vale Road HCA proceed.</p>

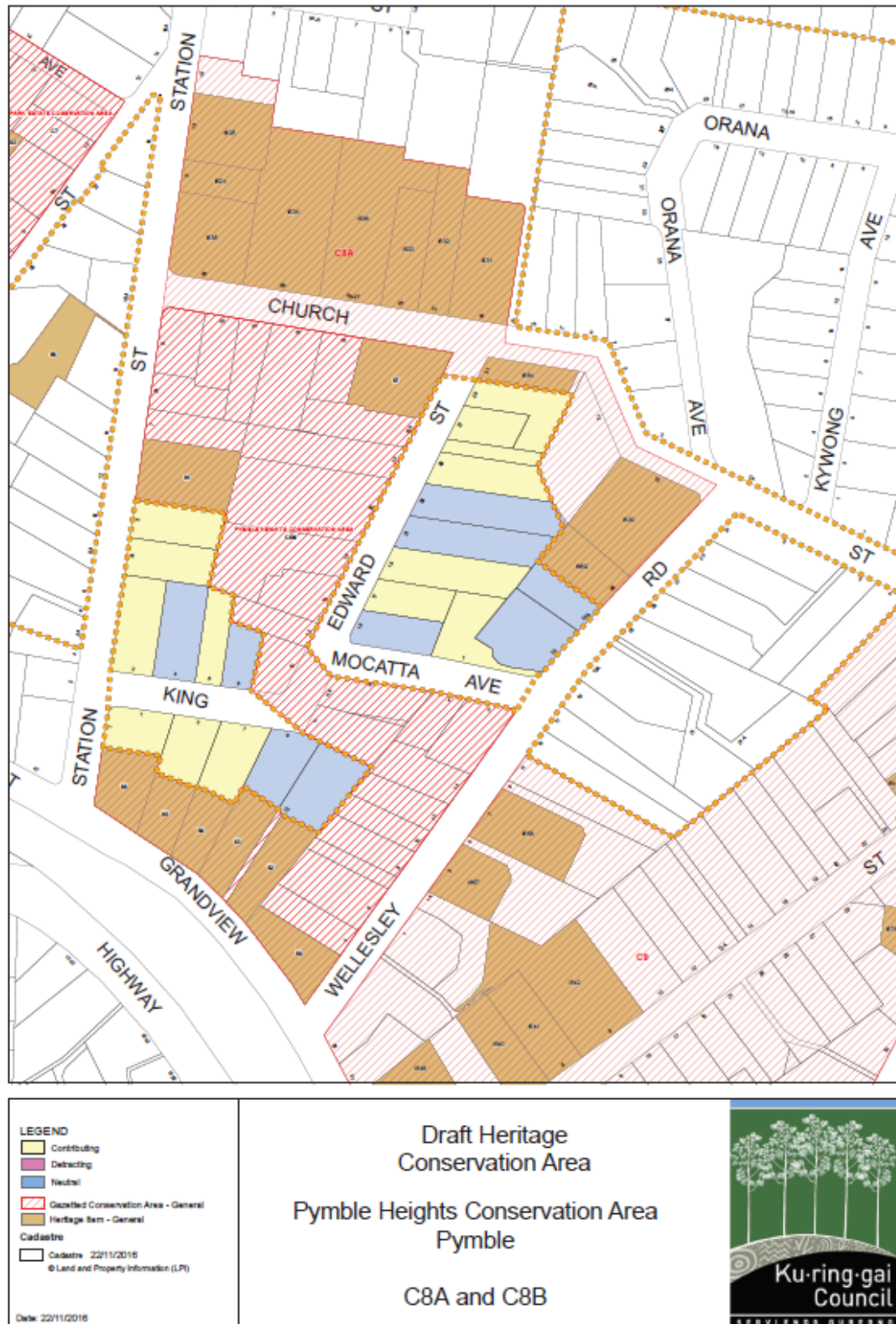
Pymble Heights Conservation Area (C8A & C8B)

Contents

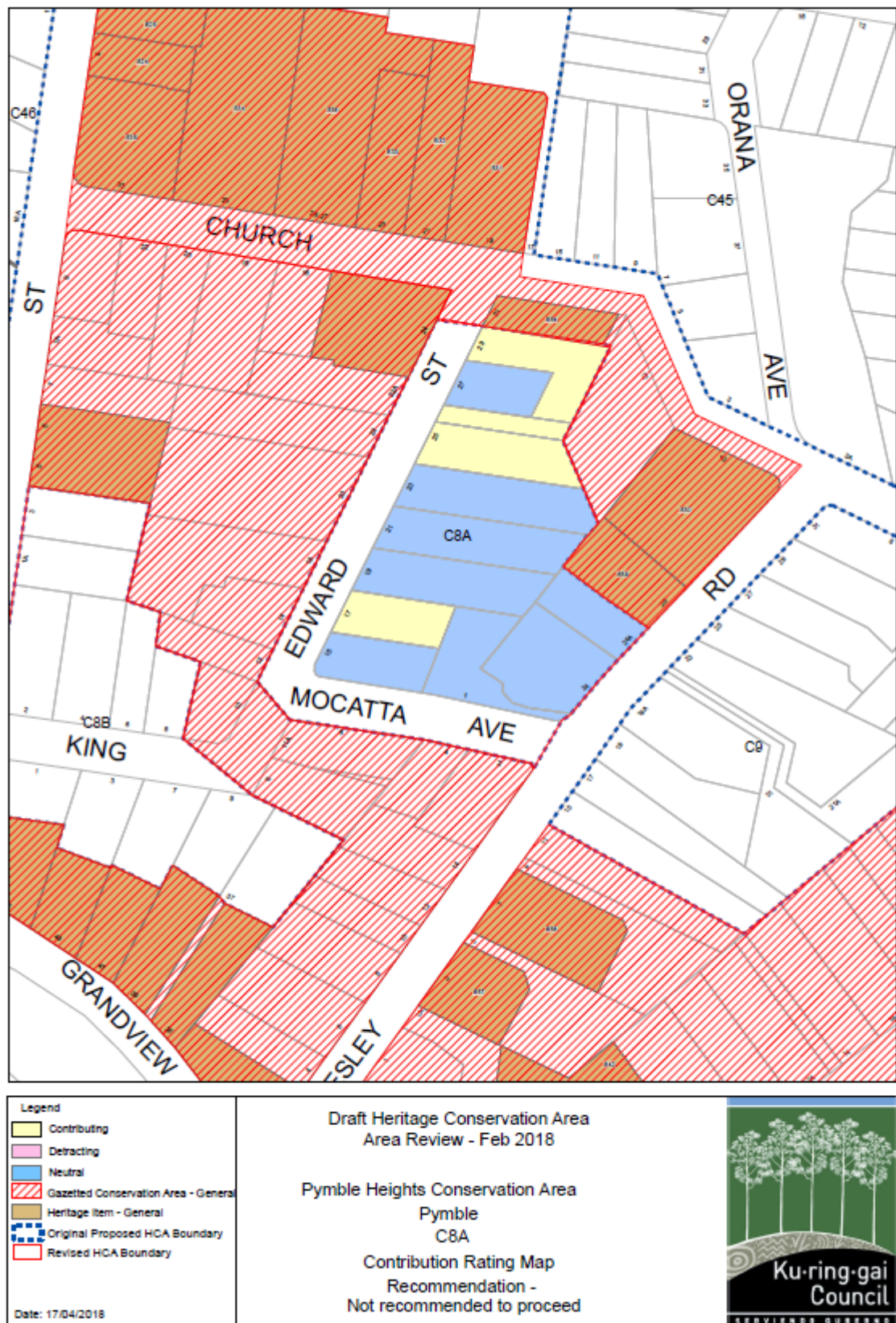
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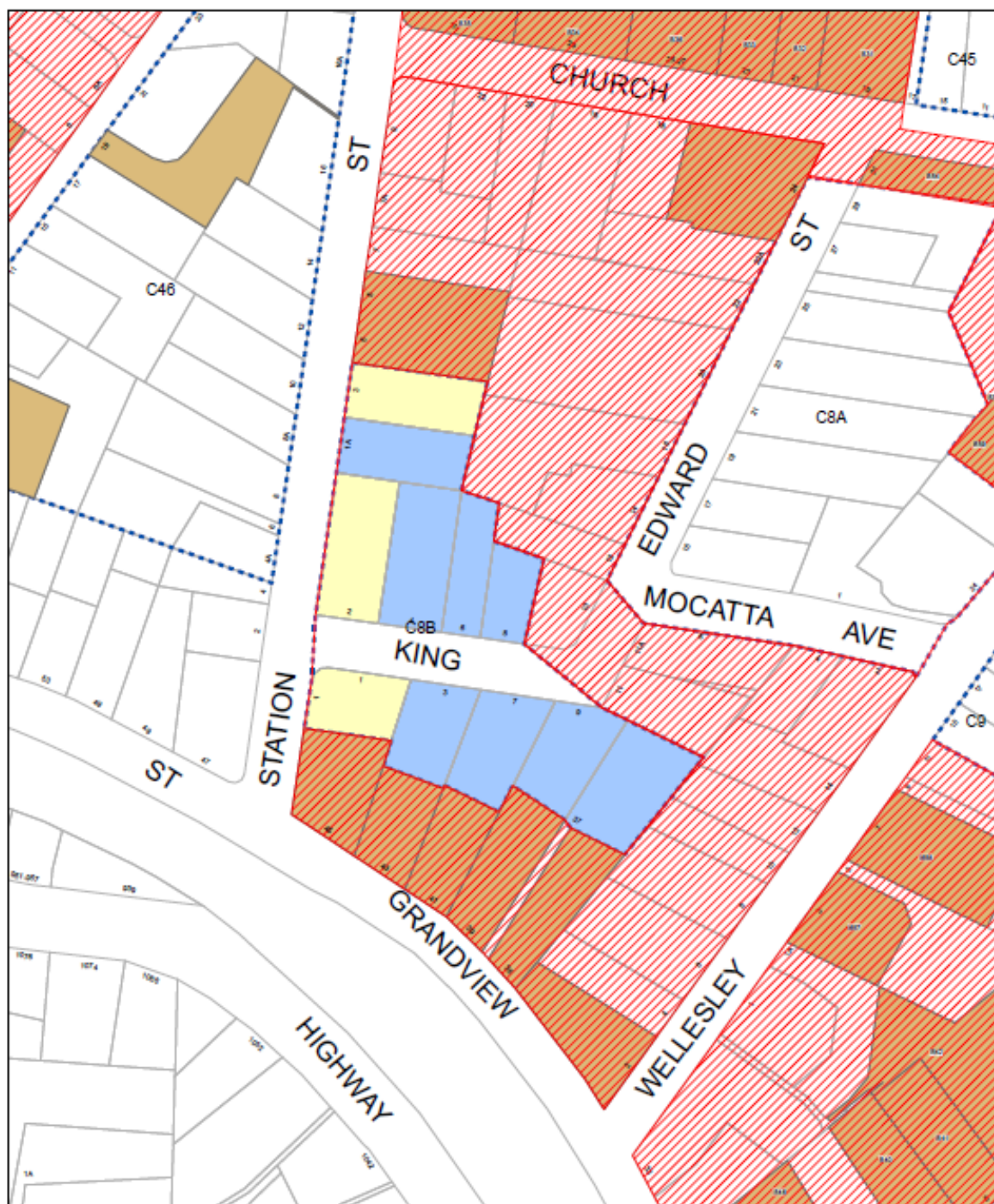
Maps

1. Exhibited rating map



2. Revised rating maps





Legend

	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Revised HCA Boundary

Date: 17/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Heights Conservation Area
Pymble
C8B

Contribution Rating Map
Recommendation -
Not recommended to proceed



Comments

The area reviewed is the draft Pymble Heights Conservation Area (C8A and C8B) that includes 22 properties located on Station Street, King Edward Street, Mocatta Avenue and Wellesley Road Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble East Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble East study area is of local historic and aesthetic significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war and Post War periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and subdivisions north of what is now the Pacific Highway and railway corridor.

The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.

As a result of the statutory public exhibition process, 3 submissions were received and 2 were objections and 1 was unclear. It should be noted that 3 submissions were received in support of all the heritage conservation areas considered in the peer review.


Issues raised in the submissions included the lack of heritage significance as buildings are not from the key development periods or have undergone unsympathetic change. These issues are addressed in the submission summary table below.


In light of the community submissions the area was reviewed again which included several site visits and historical research by Council officers.

The extension to the Pymble Heights Conservation Area is **not recommended to proceed**. Based upon submissions and review of Council held information the rating of seven previously contributory properties in this draft HCA were changed to neutral. These changes were made due to unsympathetic additions including second storeys and demolition rebuilds. Given the small size of these potential extensions to the Pymble Heights Conservation Area these few changes had a large impact on the significance of these streetscapes. The area does have character in terms of the gardens and the streetscape but does not read as an intact heritage area. The


inclusion of these properties will have no additional benefit to the existing heritage conservation area.



Submission summary table - Pymble Heights Conservation Area (C8A & C8B)


No	Issue/Concern	Comment
39	<p>Opposed to HCA.</p> <p>Many dwellings in the HCA constructed post 1940 and others are more recent or have recent renovations, as such do not represent the key development periods.</p> <p>The streetscape is not cohesive give then stylistic and historical differences of buildings across the draft HCA.</p> <p>The few buildings that are of heritage values are not dependent on the others to retain their cultural significance. Individual listing would protect their value.</p>	<p>An assessment of the 1943 aerial has shown that of those properties on the 1943 aerial many have been altered. Several ratings have been changed to neutral to reflect this. The 1943 aerial is only indicative of development periods from the Inter-war and earlier. There may be significant buildings constructed in the post-war period of development that could be significant i.e. 1950s or 1960s. Please refer to the revised rating map above. It is not recommended that this HCA proceed.</p>
220	<p>Opposed to HCA.</p> <p>Our house is only ordinary. There is no heritage significance.</p>	<p>24 Wellesley Road</p> <p>The house is rated as a neutral</p> 
106	<p>Opposed to HCA.</p> <p>Dislikes rating and wants it reconsidered to neutral. Notes how surrounding properties have been replaced and are rated as neutral.</p> <p>Has previously provided comment to Council on dwelling changes and rating.</p>	<p>6 King Edward Street Pymble</p> <p>Opposition noted.</p> <p>It is agreed that the house has changed, and no longer resembles the single storey inter-war bungalow it once was. The house is no longer intact to such an extent it should be considered contributory and should be rated as</p>



		<p>neutral.</p> 
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Rating review

Address	HCA Review Rating	Recommended rating	Comment
1 Mocatta Ave	C	N	<p>The house was a modest 1960 bungalow but construction of approved DA0248/17 has commenced and it has alterations and addition, now 2 storeys.</p> 
15 King Edward Street	N	N	Unchanged
17 King Edward Street	C	C	Unchanged: 1950s bungalow
19 King Edward Street	C	N	Building has been altered. Appears as faux Federation.

Address	HCA Review Rating	Recommended rating	Comment
			
21 King Edward Street	N	N	Unchanged
23 King Edward street	N	N	Unchanged
25 King Edward Street	C	C to BL	<p>This house has been altered but much of the original detailing is evident and what is original and what is new is discernible. The type of form of additions would not be permissible if the house were in original condition however the early date of the house would make an important historical contribution to an HCA.</p> 
27 King Edward Street	C	N	The house is not in original form and has several unsympathetic additions. The significant historic layer is no longer discernible.

Address	HCA Review Rating	Recommended rating	Comment
			
29 King Edward Street	C	C	<p>The southern wing has doubled in size and two dormers added. The house was originally two storeys and the change is discernible and not considered unsympathetic to the scale of the building.</p> 
1 King Edward Street	C	C	<p>Unchanged</p> 
3 King Edward Street	C	N	<p>House has been altered. Single storey on 1961 aerial photograph. Addition is not a significant layer and not a sympathetic addition.</p>

Address	HCA Review Rating	Recommended rating	Comment
			
7 King Edward Street	C	N	<p>New build.</p> 
9 King Edward Street	N	N	Unchanged
37 Grandview Street	N	N	Unchanged
2 King Edward Street	C	C	Unchanged
4 King Edward Street	N	N	Unchanged
6 King Edward Street	C	N	<p>The house has changed, and no longer resembles the single storey inter-war bungalow it once was. The house is no longer intact to such an extent it should be considered contributory and should be rated as neutral.</p>

Address	HCA Review Rating	Recommended rating	Comment
			
8 King Edward Street	N	N	Unchanged
1A Station Street	C	N	The house cannot be viewed from the street. The roofline has been altered since the house first appears on the 1961 aerial with additions to the side, a separate building forward of the front building line and a pool in the front yard.
3 Station Street	C	C	Unchanged

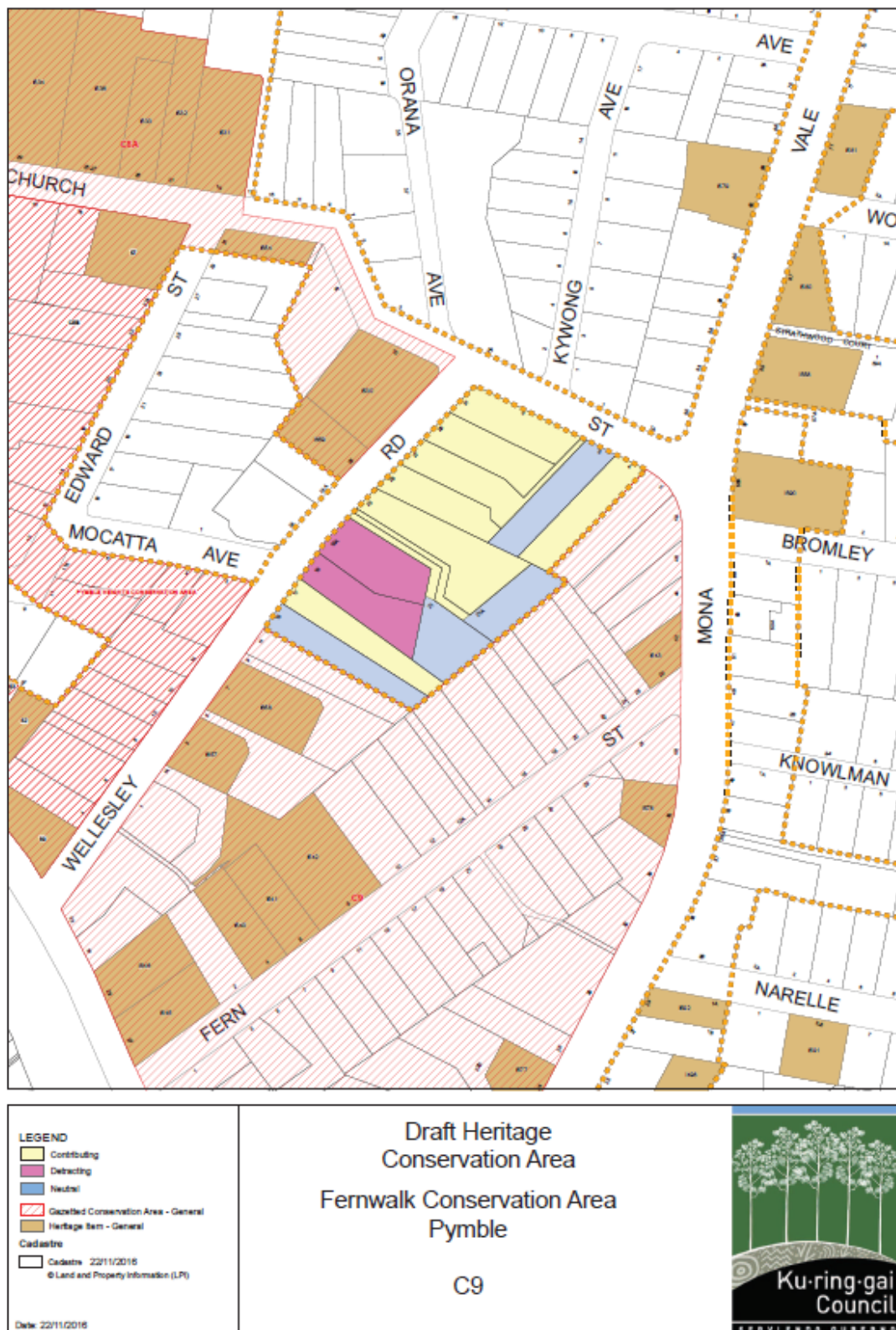
Extension to Fernwalk Conservation Area Pymble (C9)

Contents

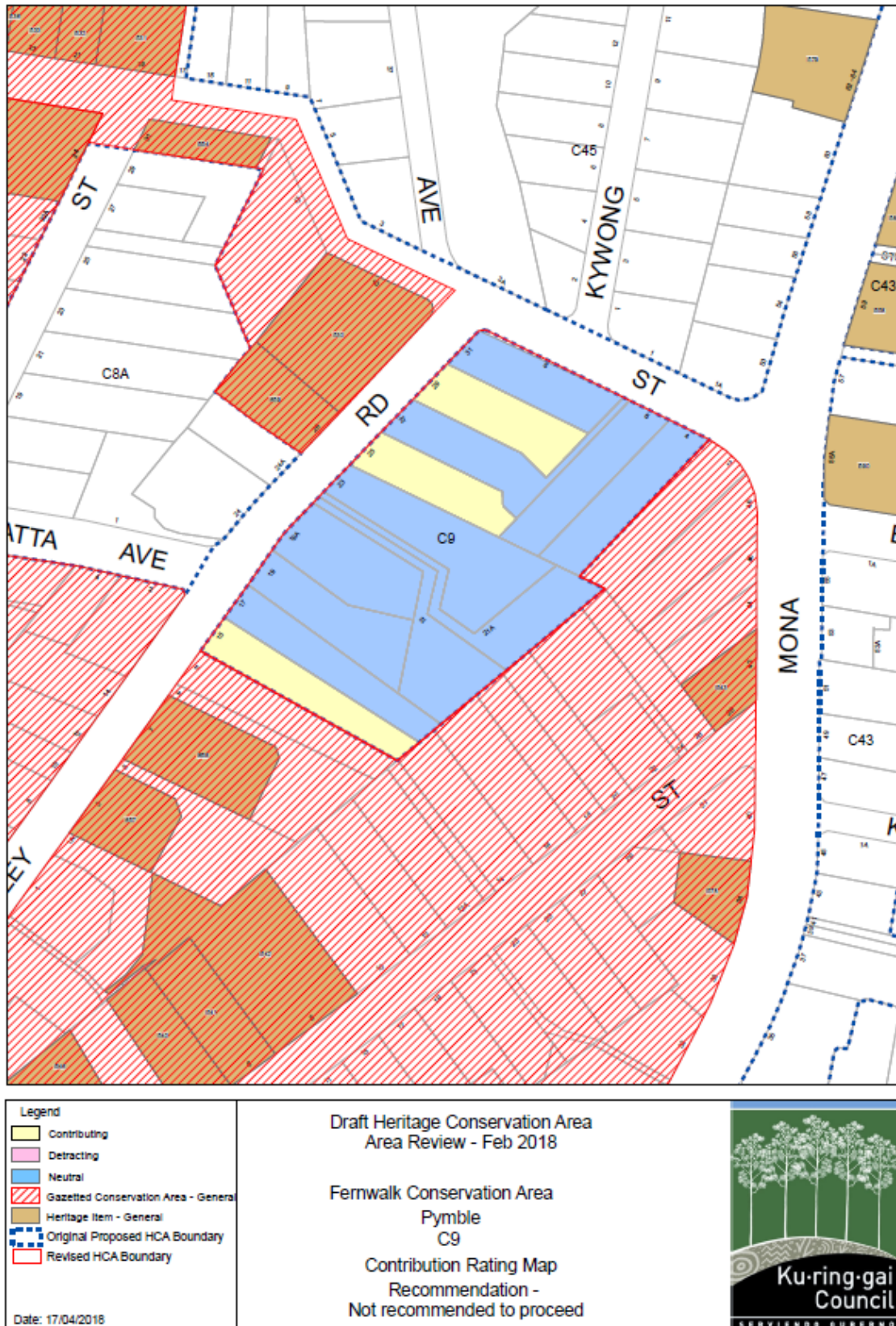
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Maps

1. Exhibited rating map



2. Revised rating map



Comments

The area reviewed was a proposed extension to the Fernwalk HCA (C9) that included 13 properties located on Wellesley Road and Church Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble East Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble East study area is of local historic and aesthetic significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war and Post War periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and subdivisions north of what is now the Pacific Highway and railway corridor.

The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area.



As a result of the statutory public exhibition process, 7 objections were received all against the proposal. No submissions were received directly in support of the draft Fernwalk HCA extension however three submissions were received in support of all the proposed conservation areas considered by the peer review.

Issues raised in the submissions included the lack of heritage significance, increased development restrictions and reduced property value. These issues are addressed in the main report.

In light of the public exhibition submissions the area was reviewed again which included several site visits and historical research by Council officers.

The ranking of each property within the draft conservation area is included below. In this relatively small extension the ratings on five houses changed from contributory to neutral the main reason being unsympathetic additions and loss of design integrity. Based upon the reassessment the extension to the Fernwalk Conservation Area is not recommended to proceed.

Submission summary table



No	Issue/Concern	Comment
5	<p>Opposed to HCA.</p> <p>Opposed because of further restrictions to property.</p> <p>The area you are currently proposing has houses that do not justify this rezoning. The block of houses you are proposing to enforce stricter controls have no reasonable justification for doing so.</p>	<p>Please see main body of the report on restrictions. It is not recommended that this HCA extension proceed.</p> <p>Image is of the side.</p>  <p>Front – from street view</p> 
9	<p>Opposed to HCA.</p> <p>Opposed due to E4 Environmental Living zoning. More restrictions would be too much for home owners to manage.</p> <p>House sale concern, would like a property impact sales report to be done.</p>	<p>Opposition noted</p> <p>The lot is zoned E4 which is a reflection of the high environmental values on the site. A heritage conservation area recognises the heritage values on the site. Development in the form of alterations and additions can still occur but must give consideration to conserving the recognised environmental and heritage values. For more information on developing this specific site please contact Council's duty planner service.</p> <p>There have been numerous studies on the impact of listing on house prices.</p>



No	Issue/Concern	Comment
		Please see the main body of the reports for comments.
29	<p>Opposed to HCA.</p> <p>Other than few gum trees and the Storm Water Creek nothing would be of historical value. Therefore I think my property should not be included. Concerns about No. 15 & 17 Wellesley Road being unfairly included. Higher cost for applications with additional restrictions leading the house price to drop and sometimes difficult to sell.</p>	<p>Opposition noted.</p> <p>The creek and the trees do provide a valuable setting to the proposed HCA. The consultant has identified the Inter-war houses as another significant layer. Your house at number 15 was rated as neutral and does not contribute to the key historical layer. Number 17 was rated as contributory as it is an extant example of interwar bungalow that is considered to have retained its design integrity and adds to the Inter-war historical layer of the HCA.</p>
108	<p>Opposed to HCA.</p> <p>Opposed because there are no heritage items of significance on this property, No native/gum trees on the property for preservation, No consistency with neighbouring properties that have been modified, it will impact the saleability and desirability of the house.</p>	<p>Opposition noted.</p> <p>Your property has been assessed as neutral not as contributing to the historical development layer of this proposed HCA. The “blanket” approach as referred to in your submission is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean your property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall</p>



No	Issue/Concern	Comment
		significance of your blanket heritage area aka heritage conservation area.
179	<p>Opposed to HCA.</p> <p>Council allowed the demolition of historically significant 19 Wellesley Road Pymble, my neighbour, and approved 2 project homes. My house (17 Wellesley) has had been changed and like the street is a mish-mash of styles and materials.</p>	<p>Opposition noted.</p> <p>19 Wellesley at the time of the approved demolition was not statutorily listed and Council could not refuse the application.</p> <p>It is not recommended that this HCA extension proceed.</p>
209	<p>Opposed to HCA.</p> <p>Opposed due to alterations and disadvantages when selling or renovating.</p>	<p>Opposition noted. Please see comments on housing demand in the body of the report.</p>
233	<p>Opposed to HCA.</p> <p>Opposed due to previous rebuilds and renovations on street and loss of this right. Property value decrease concern.</p>	<p>Opposition noted.</p> <p>See main body of the report on property rights.</p>

Rating review

Rating: N – Neutral, C – Contributory, D – Detracting

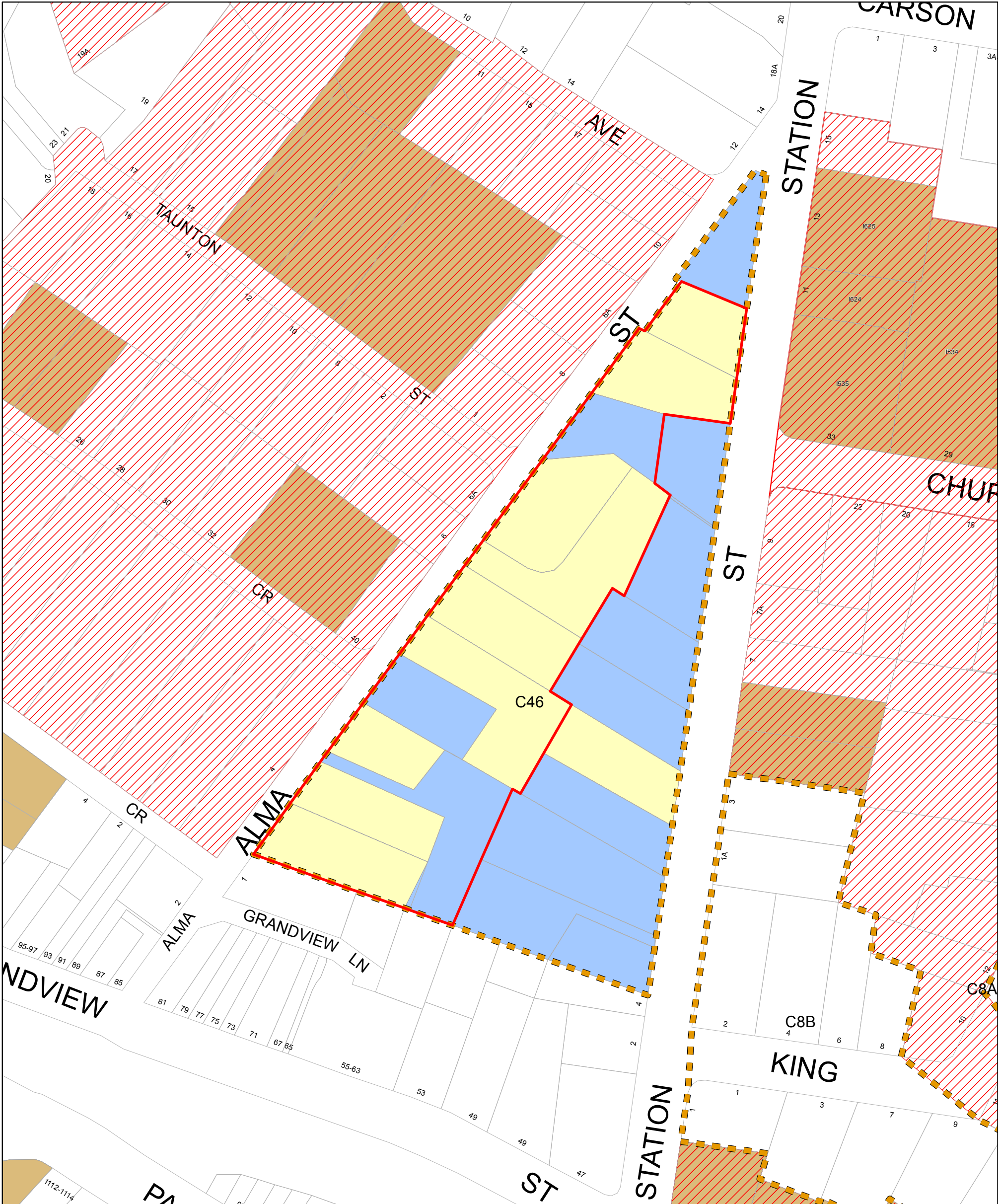
Address	HCA Review Rating	Recommended rating	Comment
15 Wellesley	N	C	<p>Painted and filled in verandah</p> <p>On 1943 aerial. Verandah infill is reversible.</p> <p>DA0466/00- Additions plus new carport – revised plans</p> 
17 Wellesley	C	N	<p>Rendered. Has lost an important attribute of the design integrity when the brick was rendered.</p> 
19 Wellesley	D	N	<p>While new the scale form and setback do not detract from the area. The change in rating from D to N does not impact on the outcome of the HCAs exclusion</p>
19A Wellesley	D	N	<p>While new the scale form and setback do not detract from the area. The change in rating from D to N does not impact on the</p>

Address	HCA Review Rating	Recommended rating	Comment
			outcome of the HCAs exclusion
21 Wellesley	N	N	No change. Battleaxe.
21A Wellesley	N	N	No change. Battleaxe.
23 Wellesley	C	N	<p>The house appears between the 1951 and 1956 aerial photograph. From the street it appears modified and BA95/1642 is for a major alteration and addition to the existing dwelling. The inventory sheet identifies the 1890s to the 1940s as the key periods of development.</p> 
25 Wellesley	C	C	Unchanged
27 Wellesley	C	BL - N	<p>This house cannot be easily viewed from the street. This house has substantial additions BA89/2005.</p> 
29 Wellesley	C	C	Unchanged
31 Wellesley	C	N	BA96/0437 alterations and additions.

Address	HCA Review Rating	Recommended rating	Comment
			
4 Church Street	C	N	<p>House has an unsympathetic second storey addition.</p> 
6 Church Street	N	N	Unchanged

Submission summary table: All HCAs

No	Issue/Concern	Comment
164	<p>Supports new HCAs.</p> <p>Submission from Friends of Pymble.</p> <p>Wants to protect vulnerable heritage streetscapes and neighbourhood character in Pymble from being lost or damaged by inappropriate planning and development outcomes.</p>	<p>Support is noted.</p> <p>The review and assessment has given consideration to the conservation of heritage areas.</p>
172	<p>Supports new HCAs.</p> <p>Notes how unacceptable development threats to heritage have been recognised by Australian Council of National Trusts Endangered Places Listing. The planning proposal supports the protection of local cultural heritage.</p> <p>Online 'Submit a comment direct to Council' form at the top right of the website did not work as expected.</p>	<p>Support is noted.</p> <p>Ku-ring-gai Council has listed to the requests to further protect Ku-ring-gai's Council and this review again assesses those places with potential heritage value for inclusion as conservation areas on Council's Local Environmental Plan.</p> <p>I'm sorry that for you the "submit a comment online" did not work. If you have trouble in future please contact Council's customer service as they would be happy to help.</p>
203	<p>Supports new HCAs.</p> <p>Feels it is too little too late as a lot has already been lost, but supports the last ditch effort.</p>	<p>Support is noted.</p>



Legend

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

— Boundary of HCA recommended to proceed

Date: 4/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Athol Conservation Area
Pymble
C43

Contribution Rating Map
Recommendation - Recommended to proceed



Attachment: Brief literature review of the effect of designation on area on house prices

International results for hedonic analysis

Numerous studies have been undertaken globally to ascertain the impact of heritage listing (designation) on property values (see Table 1). Ford (1989), Asabere and Huffman (1994a), Leichenko et al (2001), Coulson and Leichenko (2001), Deodhar (2004), Coulson and Lahr (2005), Narwold et al (2008), and Noonan (2007) all found that designated houses typically sold for a premium when compared to similar properties that were not designated. Others such as Asabere, Hachey and Grubaugh (1989), Schaffer and Millerick (1991), and Asabere and Huffman (1994b) deduced that designation typically led to a discount in the value or had mixed results including no significant price effect. Summaries of these conclusions can be found in Table 1.

The Australian Government Productivity Commission (2006) investigated the effect heritage listing had on the value of residential single dwelling properties in Ku-ring-gai and Parramatta. The analysis found no significant effect on house prices in either area.

An Australian study by William Jeffries in 2012 reviewed the effect of heritage listing on house prices in Mosman. The review challenged the assumptions and methods of previous Australian studies including Deodhar (2004) and the Australian Productivity Commission (2006). The study hypothesized that the previous studies which employed a hedonic price methodology failed to give consideration to:

1. A variance effect – heritage listing increases the price of some properties while reducing the price of others, giving an overall outcome which is erroneous as the two outcomes:
 - a) offset each other to a neutral outcome;
 - b) result in false positive; or
 - c) result in a false negative.
2. Doesn't measure the effect on the prices of neighbouring properties.

Jeffries applied three models to the data:

- When using the hedonic price model the results were closely aligned to the findings of Deodhar and the Productivity Commission for Ku-ring-gai with an estimated increase to house prices of 17.9%. Jeffries postulated this positive outcome was the result of the types of houses which had been listed which may have been of higher quality (design, materials, setting) before listing and therefore regardless of designation, this subset may have had a higher house price compared to the overall sample.
- The difference-in-differences model estimated the average treatment effect i.e. the model assessed before and after listing prices. The results of this modelling were statistically insignificant and therefore it could not be concluded that the higher prices for heritage properties pre-existed the designation.
- The fixed effects model utilised in the calculation only those properties which had sales in both the before and after designation time periods. This analysis eliminates time-invariant observables and unobservables leaving only time-variant observables i.e. changes that occurred as a result of the changing condition (heritage listing) not the environment of the changing time (e.g. past and present macro and micro economic climates). Again, there was no statistically significant result.

Finally Jeffries tested the hypothesis that heritage listing increases the prices of some houses while decreasing the prices of others, with the overall effect being to cancel each other out to no effect. Jeffries applied the Breusch-Pagan heteroskedasticity test to the Mosman data to determine if this variance existed. Jeffries found that designation did not have a varying effect on the price of the houses that were listed or the neighbouring houses.

Results for historic precincts (hedonic modelling and repeat sales analysis)

Ford (1989), Asabere and Huffman (1994a), Coulson and Lahr (2005), and Thompson, Rosenbaum and Schmitz (2010) all used hedonic analysis to ascertain the impact of heritage listing on historic precincts or neighbourhoods and found a positive effect on houses prices.

Australian examples of the impact on property valuations and sale price from being included in a statutorily recognised heritage conservation area (heritage precincts) has tended to review the effect of listing on houses prices in country and mining towns.

Countrywide Valuers and Trevor Budge and Associates in their 1992 study of the Victorian mining town of Maldon found no adverse effect on property valuations from the heritage and planning and controls set in place as a result of heritage listing. The study concluded the planning controls had conserved the heritage character of Maldon and attracted visitors and property buyers to the town. Property values in Maldon were comparable or higher than neighbouring towns which were not included in the heritage overlay.

Penfold (1994) reviewed the impact of heritage controls on prices for four conservation areas in four Sydney local government areas: Ashfield, Burwood, North Sydney and Waverly. The study found that the statutory recognition of the conservation areas had favourable impacts on Ashfield and Burwood but made little difference to the prices in North Sydney and Waverly.

Cotteril (2007) stated in the Sinclair Knight Merz report of the impact of heritage overlays on house prices in Ballarat that “well maintained and marketed heritage listed residential properties are likely to sell at a premium...” and “....generally residential house prices are more likely to be affected by external economic factors such as interest rates and property location”.

Armitage and Irons (2005) reviewed seven Australian and international studies on the effect of heritage listing on property prices. They surmised that the impact of heritage listing on property prices is marginal and generally tends to be positive, particularly in the case of placing heritage controls on entire precincts. They also note that individual cases, or outliers, do show significant upside or downside value movements. They attributed the positive effects in heritage precincts to the increased consistency and greater certainty of character in an area protected by conservation controls.

Table 1: Overview of studies**(Adapted from Lazrak, Nijkamp, Rietveld and Rouwendal (2009) and Jeffries (2012))**

Author(s)	Study	Study area	Key findings
Jeffries (2012)	Does heritage listing have an effect on property prices in Australia? Evidence from Mosman Sydney	Mosman, NSW	Cannot be concluded that heritage listing impacts house prices. A test for heteroskedacity yielded statistically insignificant results.
Zahirovic-Herbert and Chatterjee (2012)	Historic Preservation and residential property values: evidence from quantile regression	Baton Rouge, Louisiana	Results for historic districts. Buyers pay an average of approximately 6.5% for houses located in the nationally designated historic districts. Near Historic District, is a positive and indicates a 3.8% price premium for houses sold within walking distance from historic districts' boundaries'.
Moro, Mayor, Lyons and Tol (2011)	Does the housing market reflect cultural heritage? A case study of greater Dublin	Greater Dublin, Ireland	Results show that some types of cultural heritage sites, such as historic buildings, memorials, and Martello towers, provide positive spillovers to property prices while archaeological sites seem to be a negative amenity.
Thompson, Rosenbaum and Schmitz (2010)	Property values on the plains: the impact of historic designation	Nebraska, USA	Sale prices of houses in designated precincts rose \$5000 a year in comparison to houses in non-designated precincts in the years after designation.
Narwold, Sandy and Tu (2008)	The effect of historically designated houses on sale price	San Diego, USA	Historic designation of single-family residences creates a 16 percent increase in housing value which is higher than the capitalization of the property tax savings due to designation.
Noonan (2007)	The effect of landmarks and districts on sale price	Chicago, USA	Designated property has a positive effect on both itself and neighbouring properties.
Australian Government Productivity Commission (2006)	Effect of heritage listing: a hedonic study of two local government areas (on property value).	Parramatta and Ku-ring-gai, Australia	Heritage listing had no significant effect on the value of residential single dwelling properties.

Author(s)	Study	Study area	Key findings
Ruijgrok (2006)	The effect of 'authenticity', 'ensemble' and landmark designation on house prices	Tiel, Netherlands	Authenticity and façade elements accounts for 15 percent of sale prices in the Hanseatic city of Tiel.
Coulson and Lahr (2005)	The effect of district designation on appreciation rate	Memphis, Tennessee, USA	Appreciation rate were 14-23% higher when properties were in neighbourhoods which were zoned historical. Local designation is more important than national designation.
Deodhar (2004)	The effect of heritage listing on sale prices	Sydney, Australia	On average heritage listed houses commanded a 12 percent premium over non heritage listed houses. This premium is a combined value of heritage character, their architectural style elements, and their statutory listing status.
Coulson and Leichenko (2001)	The effect of designation on tax appraisal value	Abilene, Texas, USA	Local historic designation raises value 17.6 percent of designated property.
Leichenko, Coulson and Listokin (2001)	The effect of historic designation on house prices	nine different Texas cities, USA	Historical designated properties in Texas enjoy 5-20% higher appraised prices than other property.
Asabere and Huffman (1994a)	The effect of federal historic district on sales prices	Philadelphia, USA	Owner-occupied property located in national historic districts in Philadelphia sell at a premium of 26 percent.
Asabere and Huffman (1994b)	The effect of historic façade easements on sale prices	Philadelphia, USA	Condominiums with historic easements sell for about 30 percent less than comparable properties.
Asabere et al. (1994)	The sales effects of local preservation	Philadelphia, USA	Small historic apartment buildings experience a 24 percent reduction in price compared to non-locally certified properties.
Moorhouse and Smith (1994)	The effect of architecture on original purchase price	Boston, USA	Architecture design was valued with a premium.

Author(s)	Study	Study area	Key findings
Schaeffer and Millerick (1991)	The impact of historic district on sale prices	Chicago, USA	Properties with national historic designation have a premium and local historic designation have a discount over non designated properties. Properties near a historic district may enjoy positive externalities.
Asabere, Hachey and Grubaugh (1989)	The effect of architecture and historic district on home value	Newburyport, Massachusetts, USA	Historical architectural styles have positive premiums. The historic district of Newburyport does not have positive external effects.
Ford (1989)	The price effects of local historic districts	Baltimore, Maryland, USA	Historic districts do have higher prices than non-historical districts.
Vandell and Lane (1989)	The effect of design quality on rent and vacancy behaviour on the office market	Boston and Cambridge, USA	Design quality has a positive premium of 22 percent on rents but there is a weak relationship between vacancy behaviour and design quality.
Hough and Kratz (1983)	The effect of architectural quality on office rents	Chicago, USA	Tenants are willing to pay a premium to be in new architecturally significant office building, but apparently see no benefits associated with old office

CONSIDERATION OF SUBMISSIONS ON THE DRAFT WEST PYMBLE CONSERVATION AREA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND:

A Planning Proposal was prepared to include several heritage conservation areas for KLEP 2015 and the KLEP LC 2012. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. This report provides an overview of the outcomes of the public exhibition.

COMMENTS:

A total of 175 submissions were received on these two draft conservation areas during the public exhibition of the Planning Proposal. The submissions have been reviewed and the Planning Proposal has been revised.

RECOMMENDATION:

That Council proceeds with a heritage listing for the amended Pymble Avenue Conservation Area. The larger West Pymble Conservation Area is not recommended to proceed nor is the extension to the Orinoco Conservation Area.

PURPOSE OF REPORT

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Owners were notified by a letter which included a map of the affected area, and a brochure briefly explaining the proposal, the process and the community's opportunity to make comment.

A report on the submissions was presented at the Ordinary Council meeting of 8 May 2018. Following representations from members of the community the Council resolved to defer the report to three subsequent meetings to provide more time for Councillors to consider the recommendations and undertake their own assessments.

This report provides an overview of the outcomes of the public exhibition for the West Pymble Conservation Area and the proposed extension to the Orinoco Conservation Area.

COMMENTS

Heritage conservation areas conserve the heritage values of an area, rather than a particular item. These are areas in which the historic origins and relationships between various elements create a cohesive sense of place that is worth keeping. These elements can include the buildings, gardens, landscape, views and vistas.

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing cultural significance and contribution values can be found in **Attachment A1**

Common themes from the community submissions

Council received 175 community submissions for the heritage conservation area peer review for the HCAs being considered by this report, several of these were duplicates sent by mail and electronically. In addition 3 submissions were received that were in support of all the HCAs that were exhibited as part of the peer review.

Overview of submission numbers on these HCAs:

	Against	For	Unclear
Orinoco	2	1	
West Pymble	63	17	1
Both HCAs	68	21	2
Total	133 (76%)	39 (22%)	3 (2%)

For these HCAs, 133 submissions were against the proposal, 39 submissions were for the proposal and 3 submissions were unclear as to whether they were for or against. A summary of the submissions for each of the heritage conservation area can be found in **Attachments A3 to A5**, and submissions that were made for all HCAs (i.e. not a specific area) can be found in **Attachment A6**.

Common themes from the submissions were:

- Implications of inclusion in a heritage conservation area;
- support for protecting the local area from increased residential density;
- impact on house prices from reduced demand;
- objection to blanket listing;
- The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh.

A discussion of these common themes can be found in **Attachment A2**. A literature review on the effects of heritage listing in designated areas can be found in **Attachment A7**.

Review of the maps and proposed HCAs

Following the exhibition period Council staff reviewed the submissions, and then once again reviewed the proposed heritage conservation areas taking into consideration the information gleaned from the submissions, changes on the ground (demolitions and/or new developments including alterations and additions) and Council held records (such as historical photographs, Council reports, property files and development applications).

Below is a summary of the Council officer's recommendation for each heritage conservation area. Further information for each of the heritage conservation areas can be found in **Attachments A3 – A4** which includes comments, summary of submissions, revised ratings and revised mapping.

Summary of heritage conservation area recommendations

Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
Extension	West Pymble	C11A – C11B	LCLEP KLEP	PMA	Proceed amended
Extension	Orinoco	C10A – C10B	LCLEP	SJS and PMA	Not proceed

Map of the extension to the Pymble Avenue Conservation Area recommended to proceed can be found at **Attachment A8**.

Explanation of heritage conservation area recommendations

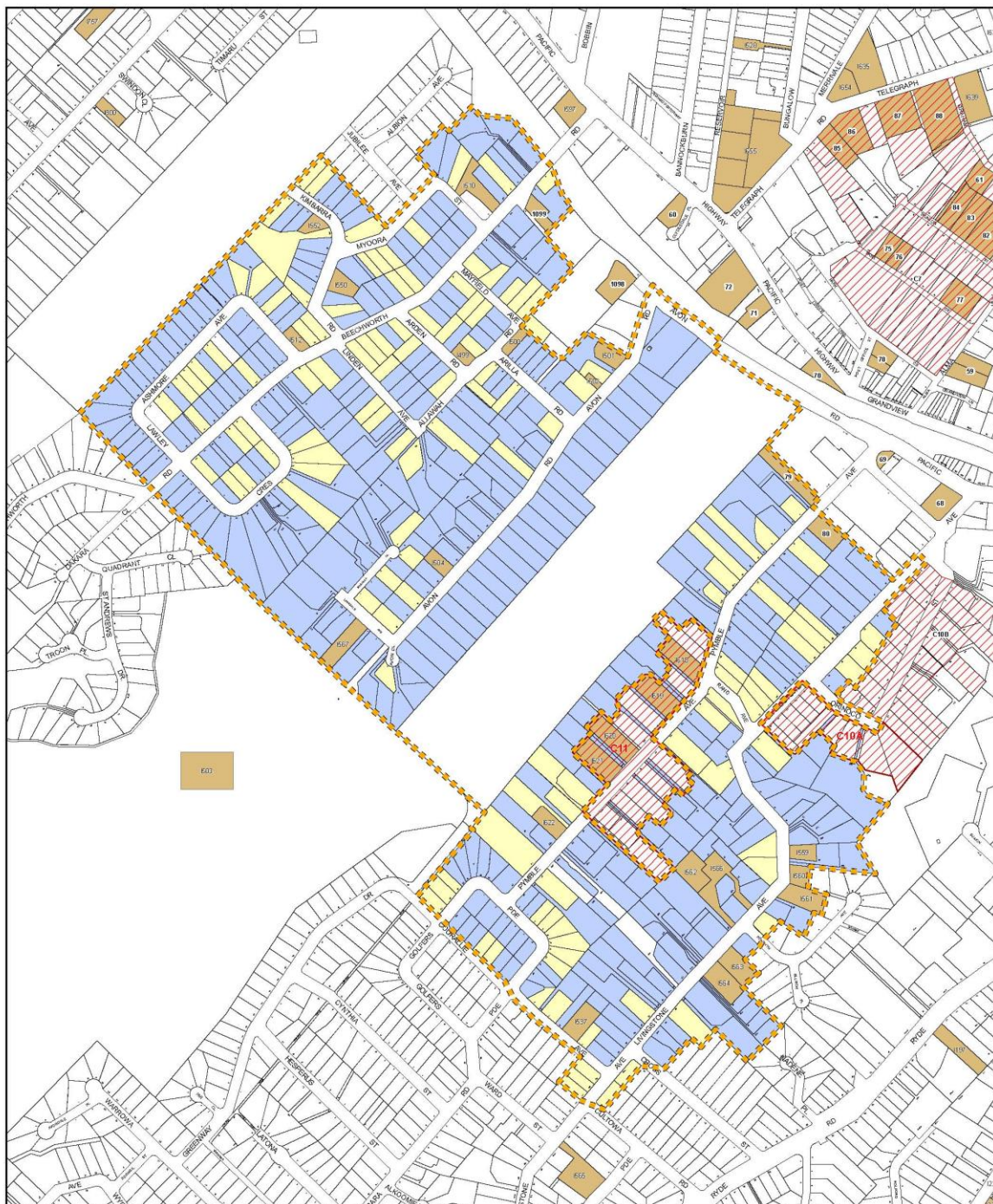
1. West Pymble Conservation Area – Pymble (C11A and C11B)(see Attachment A3)

Recommendation: Proceed amended

The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”.

It is agreed the large areas of neutral properties do not warrant inclusion within a heritage conservation area.

Instead several potential small HCAs were reviewed and reassessed more closely where clusters of contributory buildings were indicated on the exhibited map. As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area (C11) be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack.



LEGEND

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastre

- Cadastre 02/08/2018
- © Land and Property Information (LPI)

Date: 18/04/2018

Draft Heritage Conservation Area

West Pymble Conservation Area

Pymble

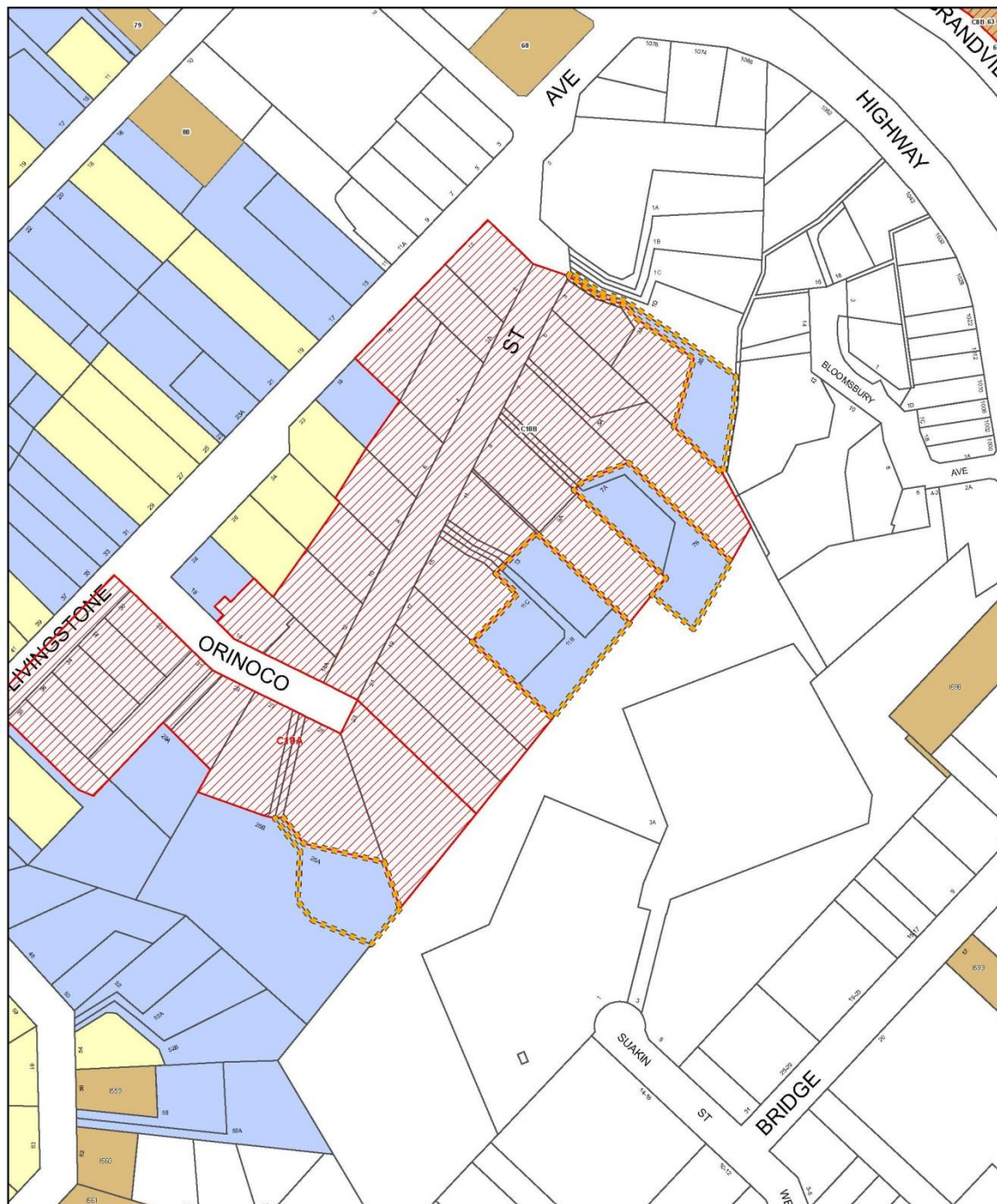
C11A and C11B Extensions



2. Orinoco Street Conservation Area (C10A and C10B)(see A4)

Recommendation: Do not proceed

The exhibited map of this extension to the Orinoco Street Conservation Area *rated all the properties as neutral* and all of these properties were battle-axe lots. These properties, following review, remained neutral. This area is not recommended to proceed as there is no gain to the HCA from the inclusion of this group non-historical buildings. This extension to the conservation area is not recommended to proceed.



<p>LEGEND</p> <ul style="list-style-type: none"> Contributing Detracting Neutral Gazetted Conservation Area - General Heritage Item - General <p>Cadastral</p> <ul style="list-style-type: none"> Cadastral 01/08/2018 © Land and Property Information (LPI) <p>Date: 18/04/2018</p>	<p>Draft Heritage Conservation Area</p> <p>Orinoco Street Conservation Area</p> <p>Pymble</p> <p>C10A and C10B Extensions</p>	
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INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

This report addresses issues of heritage protection in line with Council's recently gazetted LEPs. The process for the preparation and implementation of the Planning Proposal to implement the new Heritage Conservation Area is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

Council was issued with plan-making delegation under Section 2.4 (previous s.23) of the EP&A Act 1979 to finalise the Planning Proposal. This authorises to exercise the functions of the Greater Sydney Commission under Section 3.36 (previous s59) of the Act. This includes both:

- requesting that the legal instrument (the LEP) is drafted by Parliamentary Counsel's Office (PCO), and
- the actual making of the LEP once an Opinion has been issued by PCO that the plan can be legally made.

When a delegated planning proposal is revised following exhibition, Council is to forward a copy of the revised proposal to the Department under Section 3.35(2) (previous 58(2)) of the Act. In circumstances where substantial changes are made to a planning proposal after exhibition, a new Gateway determination and further consultation may be required before the LEP is made.

Given the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, it is recommended that Council's delegation be returned to the Department to finalise the proposal. This will then allow the department to direct these complicated amendments to Parliamentary Counsel.

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee. There were no objections raised to the recommendations regarding the draft heritage conservation areas contained within this report.

INTERNAL CONSULTATION

A briefing was held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018 and a further Councillor briefing session was scheduled prior to this report to the Council meeting of 14 August 2018.

This report has been referred to the relevant sections of Council and the Council's Heritage Reference Committee for comment.

SUMMARY

This report considers the community submissions to a planning proposal to list one additional heritage conservation area being West Pymble Conservation Area. Based on the assessment of the submissions and further detailed heritage assessment an amended heritage conservation area is recommended to proceed being the amended Pymble Avenue Conservation Area.

RECOMMENDATION:

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the Environmental Planning and Assessment Act to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

Andreana Kennedy
Heritage Specialist Planner

Craig Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1	Attachment 1 - Determining factors in assessing the significance of heritage conservation areas and contribution ratings	2018/169572
	A2	Attachment 2 - Common themes from the submissions	2018/169578
	A3	Attachment 3 - West Pymble Conservation Area - C11A & C11B	2018/175995
	A4	Attachment 4 - Orinoco Conservation Area - C10A & C10B	2018/175971
	A5	Attachment 5 - Submission summary table - West Pymble and Orinoco	2018/176063
	A6	Attachment 6 - Submission summary table - Not Specified	2017/343501
	A7	Attachment 7 - Brief literature review of the effect of designation on area on house prices	2018/109311
	A8	Attachment 8 - extension to Pymble Avenue HCA - recommended to proceed	2018/176329

Determining factors in assessing the significance of heritage conservation areas

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing which heritage conservation areas should be included in the Ku-ring-gai Principal Local Environmental Plan include:

- **Cultural significance** – as assessed by the heritage consultant Architectural Projects Pty Ltd. This assessment reviewed the intactness of heritage conservation areas that were previously recommended by the 2006 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh and/ or the Godden Mackay Logan Urban Conservation Area studies (2001-2005).
- **Submissions** – issues raised in the submissions are addressed in **Attachments A3 to A8**. The public submissions covered a variety of topics including support or objecting against the findings of the HCA review, factual corrections, concerns regarding incorrect assessment of contributory values and the financial impacts of inclusion in a heritage conservation area.
- **Proximity to gazetted Heritage Conservation Areas** – where the proposed HCA is adjacent to an existing HCA the extension completes and/or further conserves those conservation areas already gazetted.
- **Other planning considerations** under the Ku-ring-gai Local Environmental Plans and associated Development Control Plans, including issues such as the management of fire prone areas and interaction with interface zones of areas with medium or high residential density.

Contribution ratings

Assessments of heritage conservation areas ascribe contribution values to the buildings within the conservation area. The methodology applied in the assessment process of potential heritage conservation areas includes reviewing previous studies and historical data, undertaking additional new historical research, engaging in detailed fieldwork including walking the study areas and assessing the properties as contributory, neutral or uncharacteristic. This methodology was developed by the City of Sydney to review and determine the integrity of several of its heritage conservation areas and is considered best practise.

The description for each ranking is:

- | | |
|-------------------|---|
| 1. Contributory - | Key historical period layer, highly or substantially intact
Key historical period layer, altered, yet recognisable and reversible |
| 2. Neutral - | Key historical period layer, altered in form, unlikely to be reversed;
New sympathetic layer or representative of a new layer |
| 3. Detracting - | Not from a key historical period layer
Uncharacteristic (in either scale or materials/details)
New uncharacteristic development
Other uncharacteristic development |

Common themes from the submissions

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval.

New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation.

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh.

Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to recognise and protect Ku-ring-gai's unique garden suburbs. The up-zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development.

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A10**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The “blanket” approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona Vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed is the Robertson and Hindmarsh study did not

undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and the history of change to include those areas that best represent the history and heritage of Ku-ring-gai.

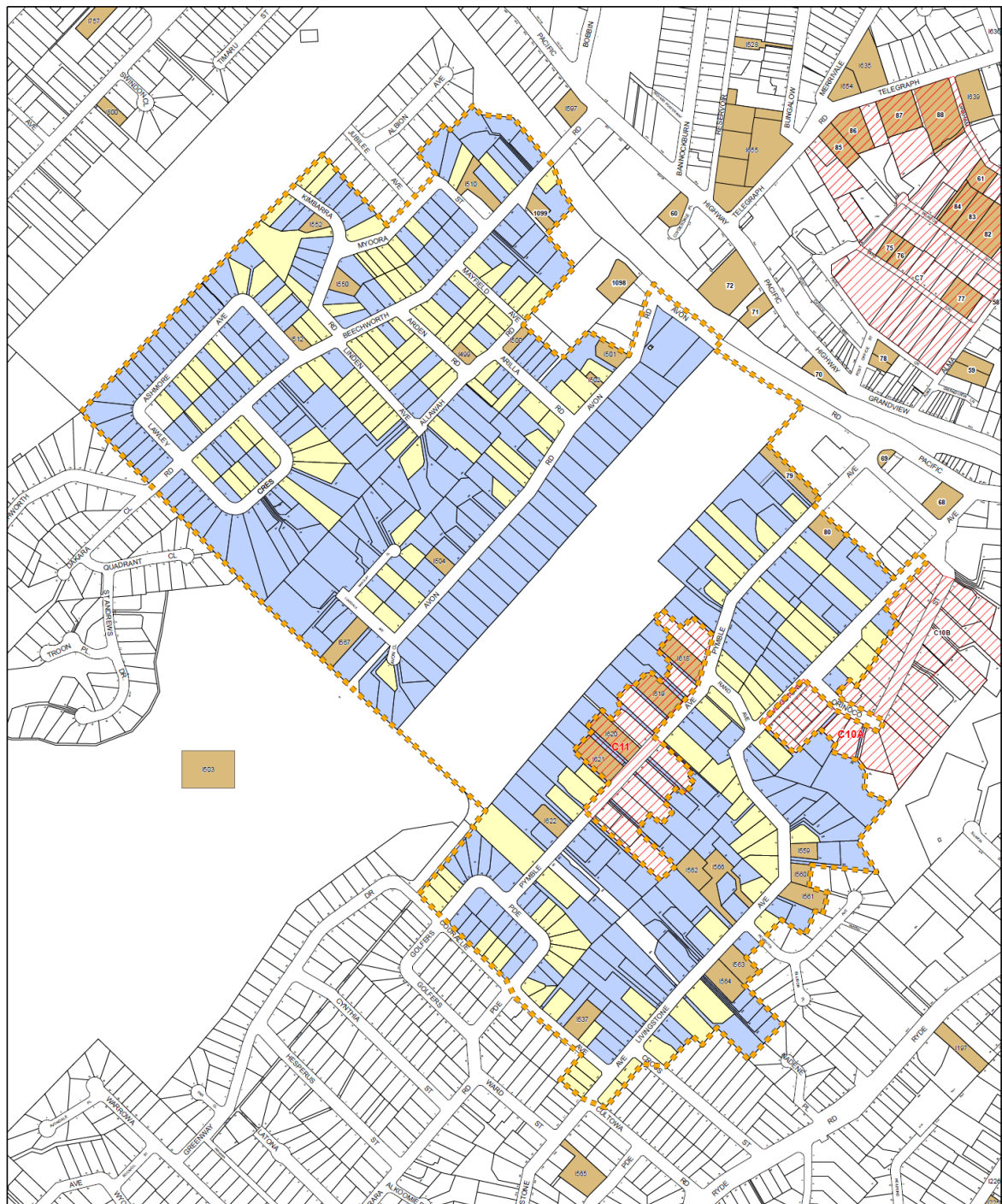
Draft West Pymble Conservation Area (C11A & C11B)

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Maps

1. Exhibited rating map



LEGEND

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastral

- Cadastral 02/08/2018
- © Land and Property Information (LPI)

Date: 12/09/17

Draft Heritage
Conservation Area

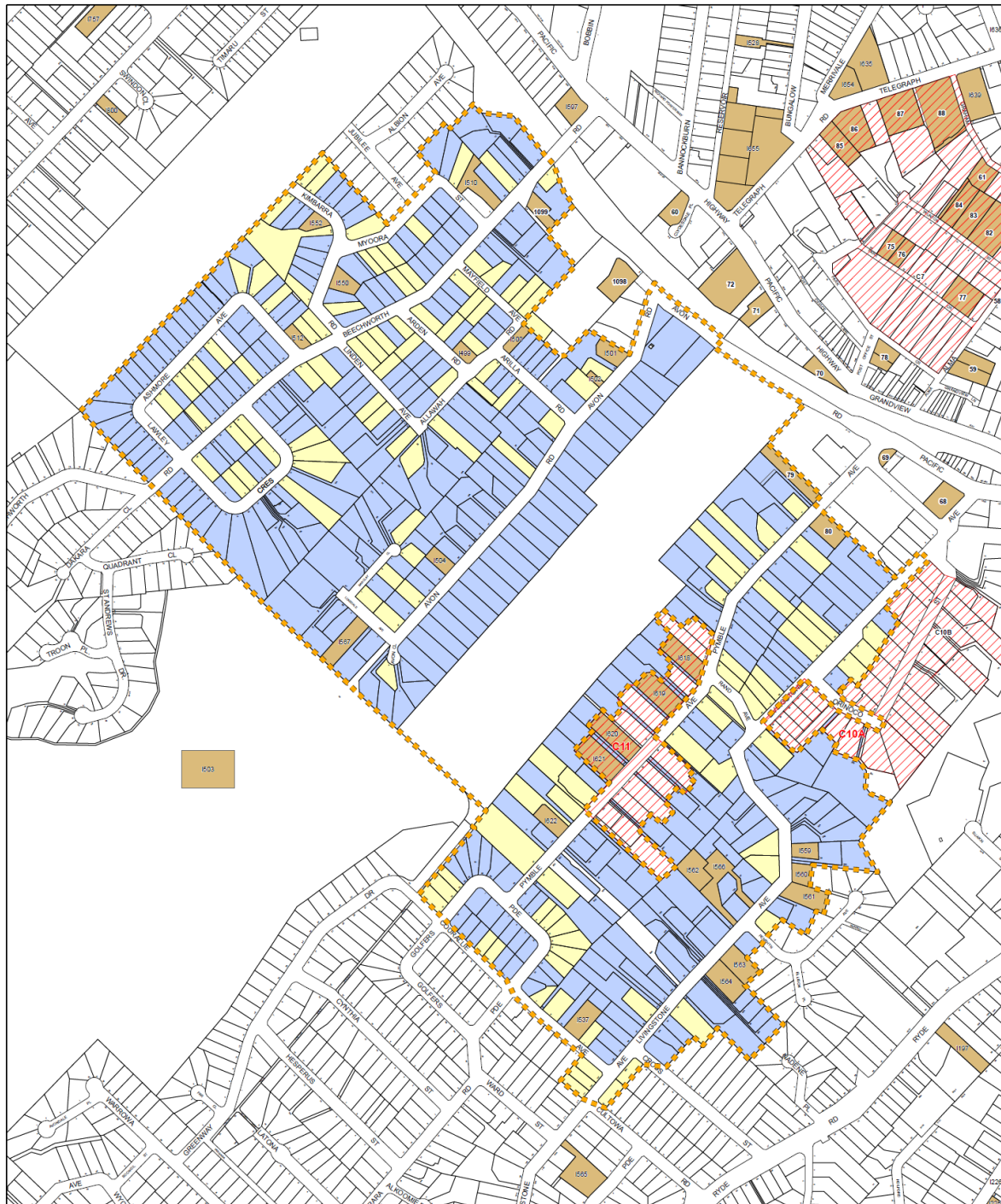
West Pymble Conservation Area
Pymble

C11A and C11B Extensions



2. Revised rating maps

2.1 Draft West Pymble HCA



LEGEND

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastral

- Cadastral 02/08/2018
- © Land and Property Information (LPI)

Draft Heritage
Conservation Area

West Pymble Conservation Area

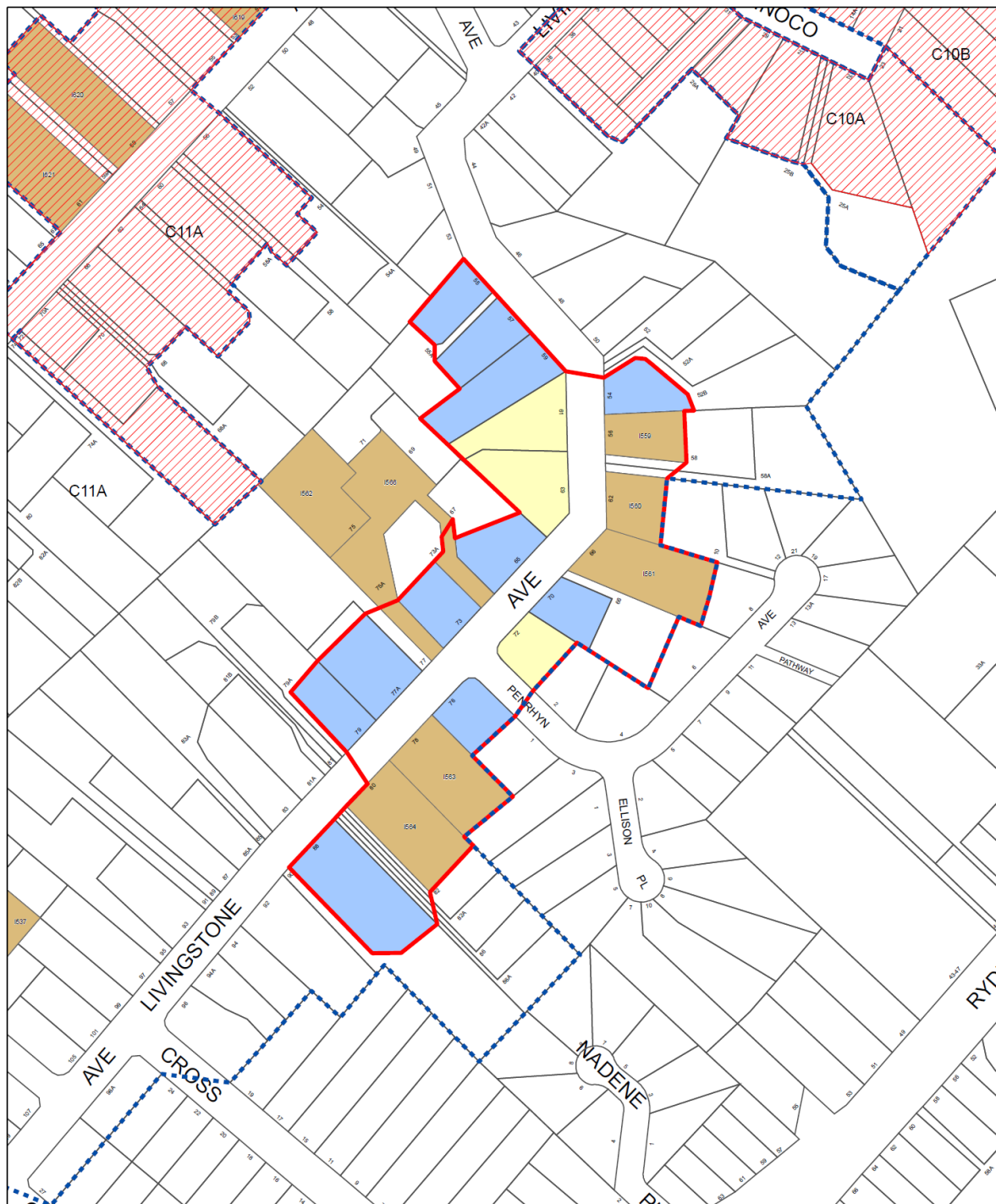
Pymble

C11A and C11B Extensions



Date: 18/04/2018

2.2 Draft Livingstone Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date: 18/04/2018

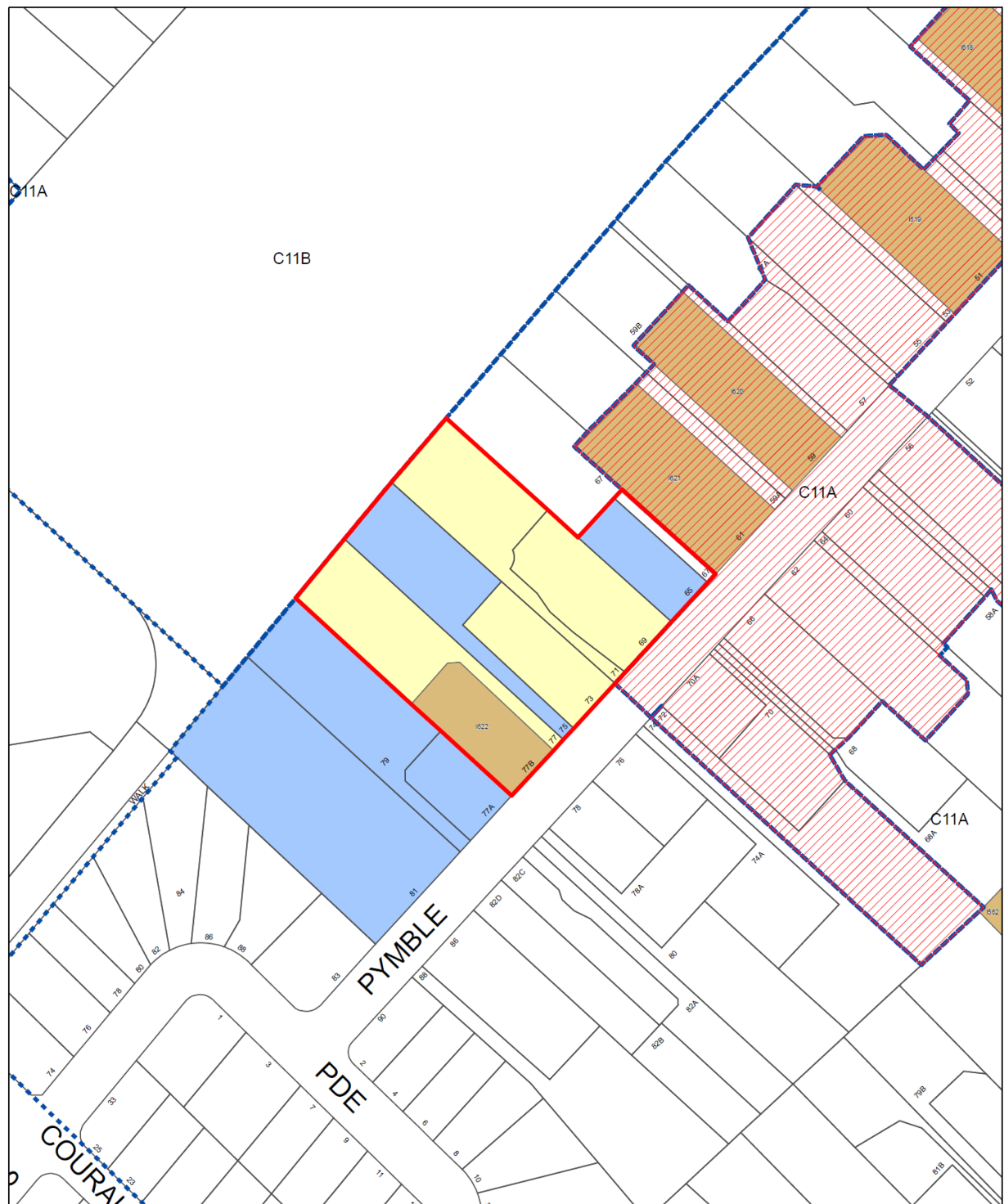
Draft Heritage Conservation Area Area Review - Feb 2018

Livingstone Avenue
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



2.3 Draft Pymble Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date: 18/04/2018

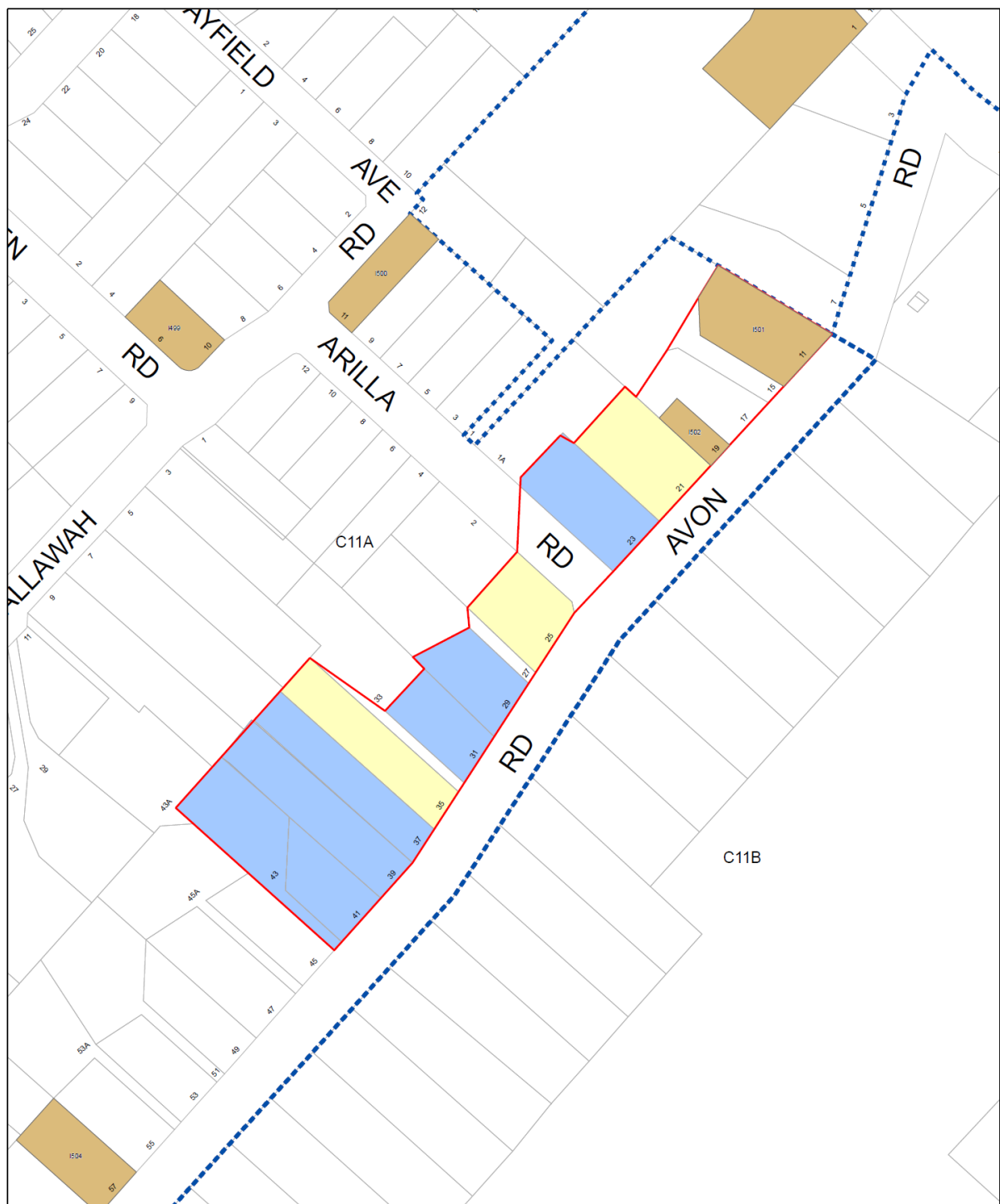
Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Avenue Conservation Area
Pymble
C11

Contribution Rating Map
Recommendation
Recommended extension to C11



2.4 Draft Avon Road, Pymble HCA



Legend	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Revised HCA Boundary

Date: 17/04/2018

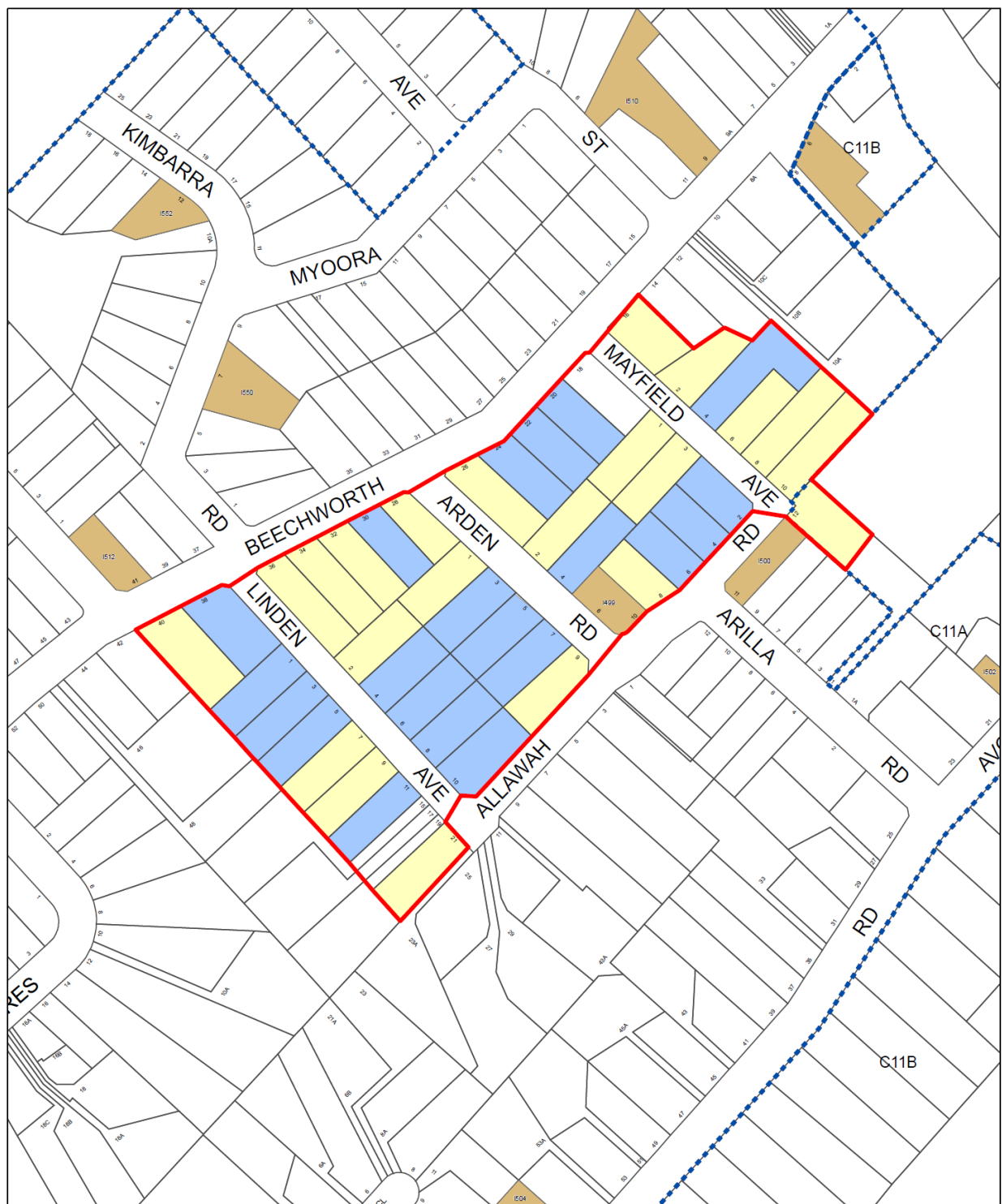
Draft Heritage Conservation Area
Area Review - Feb 2018

Avon Road
Pymble
C11

Contribution Rating Map
Recommendation -
Not recommended to proceed



2.5 Draft Mayfield Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date:18/04/2018

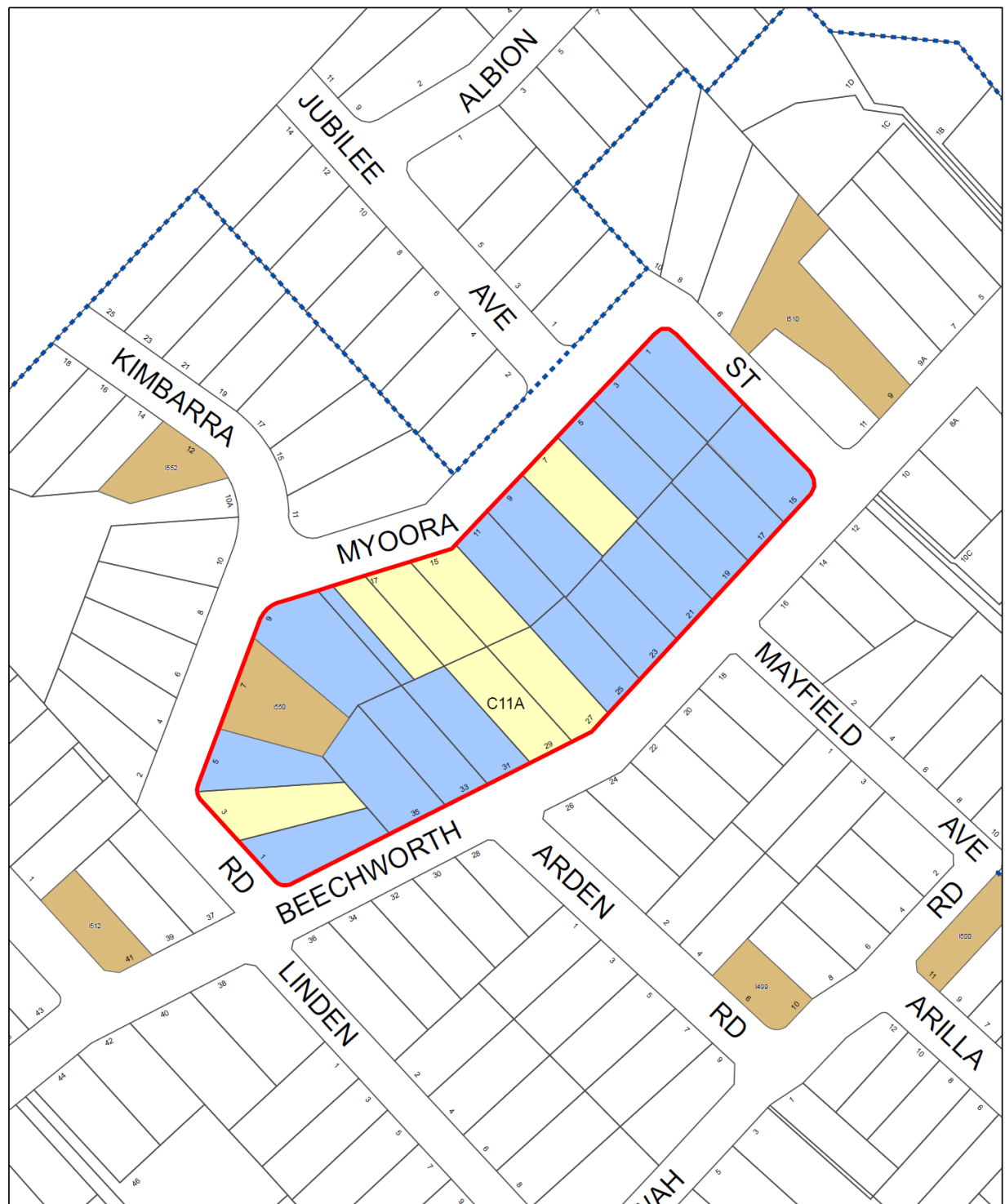
Draft Heritage Conservation Area
Area Review - Feb 2018

Mayfield Avenue Conservation Area
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



2.6 Draft Myoora Street/Kimbarra Street Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date:18/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Myoora Street/Kimbarra Street
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



Comments

The area reviewed is the draft C11A and C11B that includes 512 properties located in Pymble on the west side of North Shore Railway Line (see exhibited rating map above).

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 82 submissions were received.

Issues raised in the submissions included the unfairness of blanket restrictions, support for what was previously recognised as an urban conservation area, restrictions on development and reduced house prices. These issues are addressed in the main report and the submission summary table below.

In light of the public submissions the area was reviewed again which included several site visits and historical research by Council officers. The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”. Instead several

potential small HCAs were reviewed and reassessed more closely. These areas can be seen in maps above (maps 2.2 – 2.6) and were:

- Livingstone Avenue, Pymble

On Livingstone Avenue (Nos. 55-79 and 54-88) 21 properties were reviewed. Following the review the ratings of six properties were changed from contributory to neutral. The reasons for the change of rating included misidentification (a more recent building with faux features identified as an earlier build), render of original facebrick and unsympathetic additions (including garages forward of the front building line). Many of the neutral properties were on the edges of the reviewed area which when removed reduced the size of any potential proceeding HCA. In addition, 62 Livingstone Avenue which is listed as a heritage item is being removed from the heritage list as it is a recent build constructed on land subdivided from a heritage item. It is not recommended this portion of Livingstone Avenue proceed to inclusion as a heritage conservation area.

- Pymble Avenue, Pymble

The area reviewed on Pymble Avenue (nos. 65-81) includes 10 properties. On review two properties ratings were changed from contributory to neutral as the houses were more recently built examples of Australian Nostalgia and had been mistaken for buildings from an earlier period. Two properties on battle-axe sites were changed from neutral to contributory. Both of these properties were good examples of Post-war architecture and a significant period of development for Pymble Avenue. The extension is recommended to proceed as good representative examples of houses from the 1930s through to the 1960s and a positive addition to the existing heritage conservation area.

- Avon Road, Pymble

On Avon Road (Nos 11-41) Pymble 14 properties were reviewed for inclusion within an HCA. This area was of interest due to the number of extant buildings as identified on the 1943 aerial photograph running along Avon Road. On closer inspection the ratings of 4 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick, unsympathetic additions and a misidentification of more recent building (faux Federation) for one from a much earlier period. There is a small group of contributory buildings from 11-21 Avon Road that includes two heritage items, however, this small group if included would be alone and not be an extension of an existing HCA and as such is not recommended to proceed.

- Mayfield Avenue, Pymble (including Arden Road, Linden Avenue, Beechworth Avenue and Allawah Road)

The area reviewed includes Linden Avenue, Arden Road and Mayfield Avenue and is bounded to the north by Beechworth Road and to the south by Allawah Road. It was evident on the 1943 aerial photograph that a high number of houses had already been built. As opposed to other areas in the draft West Pymble HCA that were undeveloped. On reviewing the ratings 11 properties changed from contributory to neutral. The main reason for the change in ratings was rendering of original facebrick and unsympathetic additions including integrated garages forward of the original front building line of the house and second storey additions. As a result of the rating changes the area is predominantly neutral buildings. This area is not recommended to proceed.

- Myoora Street/Kimbarra Road Pymble

The area reviewed included 27-31 Beechworth Road, 1-17 Myoora Street and 1-9 Kimbarra Road for inclusion within an HCA. These streets were of interest due to the presence of representative examples of 1950s and 1960s houses. On closer inspection the ratings of 2 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick and unsympathetic additions. The change in ratings resulted in a very small proposed area interspersed with clusters of neutral buildings. This area is not recommended to proceed.

Overall recommendation:

As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots during the post-war period. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack it is recommended this be investigated for individual listing.

Properties recommended for further investigation to understand their cultural significance include:

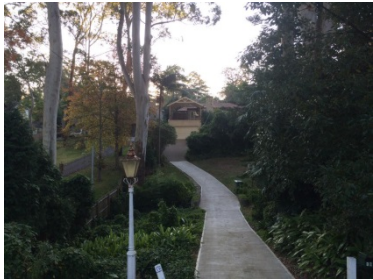
- 4 Avon Close Pymble (architect Harry Seidler)
- 8 Barclay Close Pymble (architecturally designed Post-war housing)
- 77 Pymble Avenue Pymble (architect Russell Jack)

The revised statement of significance for the extended Pymble Avenue Conservation Area is:



Pymble Avenue Heritage Conservation Area is historically significant as a portion of Richard's Wall's 1824 land grant which became the Pymble Station Estate subdivision of 47 one-acre residential lots on either side of Pymble Avenue, advertised for sale between 1893 and 1910, developed in the Federation to inter-war period, with substantial one and two storey houses, often architect-designed. Post-war subdivision of these lots resulted in many battle-axe sites which provided opportunities for architects of this time including Russell Jack. The area is of aesthetic significance for its group of fine, Federation to post-war period houses in generous garden settings within a spectacular mature blue gum high forest streetscape.

Submission summary table


No	Issue/Concern	Comment
1	New and approved development in the area. Does not see the sense in heritage listing new places. Should exclude the block containing Beechworth Road and Mayfield Avenue and list only the places of heritage significance.	<p>Please see comments on area listings in main body of the report.</p> <p>It is not recommended to proceed with most of Beechworth Avenue, the exception being numbers 16, and 18. Please see recommendations on the Mayfield HCA in the main body of the report.</p>
3	Concerns of the impact on proposed DA for a new house. The house was built in the 1980s. Already paid for the new design which was designed without giving consideration to heritage and a redesign would cost considerable expense.	<p>94A Livingstone Avenue Pymble: DA0540/17 submitted Nov 5.</p> <p>The DA for the property has been submitted and is being considered by Development Assessment. As the existing house is a recent build then a new house can be considered onsite assuming the design is contextual and responsive to the values of the draft heritage area. Further guidance will be given by the Development Assessment team when they assess the DA.</p>
4 28	Property at 17 Livingstone Avenue when combined with the neighbours at number 15 is a significant development opportunity due to its size and proximity to rail and the Pacific Highway. 15 and 17 should be turned into R4 to accommodate more people living in the area near significant employment lands like St Leonards. Sacrificing a bit of Pymble's environment will protect untouched forests further out.	<p>Any proposal to proceed with the HCA should consider an interface between zonings such as R4 (high residential density) and R2 (low residential density). In this case the zoning is R4 against E4 (Environmental Living). The E4 zoning reflects the high environmental value of these sites, not in isolation but as a group. This includes the riparian zone of the creek. In response to these environmentally sensitive sites and the E4 zoning the maximum height of buildings on the adjoining R4 site has been limited to 11.5m.</p> <p>In determining appropriate zoning Council is required to consider the impact on affectations such as heritage and the environment. This study is with</p>

No	Issue/Concern	Comment
		regards to the heritage values of the site. The built heritage value of this property is limited and the rating should remain as neutral. It is not recommended these houses be included within an HCA.
7	<p>Does not support the proposal.</p> <p>Property (55 Pymble Avenue) is not heritage it is Inter-war in age, a housing style prevalent throughout Sydney. There will be impact on the property owner's collateral worth as a result of the listing. Council should compensate on the loss of value based upon independent valuation.</p>	The house is within an existing HCA and is not part of this review.
12	<p>Does not support the proposal.</p> <p>On their block in Lawley Crescent there are many new builds and in other areas old shabby houses that need to be upgraded. These affect the character of the area.</p>	It is agreed that the majority of Lawley Crescent is not contributory or worthy of inclusion in the HCA. Please refer to the reviewed HCA boundary in the main body of the report.
20	Against the proposal.	Opposite Orinoco HCA.
21	<p>Property at 19 Livingstone Avenue is not contributory due to the unsympathetic addition of a garage and pergola forward of the front building line, constructed in 2001. The heritage requirements for further development are onerous. How will the changes affect my development potential and future zoning changes as the site is highly suitable for upzoning due to its size and proximity to Pymble Station.</p>	 <p>The house is present on the 1943 aerial. There is an unsympathetic covered patio over a garage. DA for garage construction was 1989. The pergola was added later.</p> <p>The site is E4 (environmental living). This zoning reflects the high environmental values of the site and</p>

No	Issue/Concern	Comment
		<p>immediate area and has been assessed as not appropriate for upzoning.</p> <p>The constraints on this site are not just heritage. Future development would require a merit based development assessment that considers all factors affecting the site.</p>
22	Objects to the proposal.	Noted
27	<p>Strongly supports the conservation areas.</p> <p>We value the aesthetic quality of the early to mid 20th century houses and the historical subdivision patterns and original natural topography that are evident. We value the streetscapes of the area with the houses set in substantial gardens and set back from the street; and overlaid with large canopy native trees.</p> <p>The CA approved by Council covers the wider area recommended by Perumal Murphy Alessi. This is correct in our view. First, it corresponds with the original National Trust proposed CA 18. Secondly, the key heritage concept now reflected in the CA is the over-arching local environmental context of the garden suburbs movement. Smaller, fragmented CAs would miss the point. The wider CA now approved is the right way to go.</p> <p>Unlike the southern suburbs of Ku-ring-gai, Pymble and areas north have received little or no heritage recognition. However it is clear from the Jackson-Stepowski and Perumal Murphy Alessi studies that this area of Pymble west of the highway warrants heritage recognition.</p>	<p>The support is noted. The area does have a unique mature canopy with bush outlooks and a character of large houses set in substantial gardens. At issue is what of this is heritage. A conservation area has many elements and layers not just buildings but also the setting and the landscape. West Pymble certainly has a unique landscape which is highly valued by the community. The overwhelming outcome of this public consultation, and is reflected in the contribution rating mapping, is that many of the houses are not contributory and the community do not understand why there should be additional development controls on house design when in many streets the architecture is not valued. If tree preservation is the issue than there are other mechanisms for protecting these trees. The National Trust Urban Conservation Area was based on the review by Robertson and Hindmarsh in their study Housing Between the Wars.</p>

No	Issue/Concern	Comment
40	<p>Objects to the proposal.</p> <p>House (15 Courallie Avenue, Pymble) should be neutral because the house is small and only a few windows to the street; the financial disadvantage through loss of value; and there are many new houses in the street.</p>	 <p>The substantial garage forward of the front building line is detracting. From historic aerials it is not original and it is recommended the house be rated as neutral.</p>
48	<p>Objects to the proposal.</p> <p>Want to demolish the building to build a more accessible home.</p>	<p>Objection noted.</p>  <p>House (66 Beechworth Road, Pymble) is 1960s Georgian Revival constructed before 1968. While the house is considered contributory as representative example of the 1960s development layer this part of the HCA is not recommended to proceed.</p>
52	<p>Opposes the proposal.</p> <p>House zoned E4 (Environmental Living) immediately adjoining R4. Not consistent with Council's interface policy.</p> <p>Believes there should be a more balanced approach to conservation that allows developmental growth along the rail corridor. A balanced approach between development and the environment would encourage owners to grow trees rather than protect the trees that are there. The population issues and the need to house the growing community should take</p>	<p>15 Livingstone</p> <p>Please see comments in submission 4 above regarding interface.</p> <p>The other comments take issue with the zoning of the site and not with heritage and that is not the subject of this report. Please contact Council's customer service if you wish to further discuss zoning issues.</p>

No	Issue/Concern	Comment
	precedence over protection of species.	
54	<p>Against the proposal.</p> <p>The recommendations do not have sufficient evidence to back them up.</p> <p>How do you justify a blanket listing that doesn't fit the Heritage Council's definition of heritage listing. Why make homes comply to restrictions for a listing that has nothing to do with them. This review smacks of laziness.</p> <p>Majority of the homes are either new or rebuilds. How is there one rule for homeowners and one rule for developers, the developers being allowed to demolish heritage homes and build high-rises. The eclectic mix of homes from the post-war to now are not significant to the people of NSW.</p> <p>Furthermore, I am concerned that one of the Principals of PMA Heritage who were commissioned to put the report together has now been questioned on his integrity for council decisions made in the Canterbury Bankstown Council in 2016.</p> <p>Prefer individual listings over places that truly deserve to blanket listing.</p>	<p>The Heritage Council provide advice and recommendations to the government on State heritage matters. With the exception of certain interim heritage orders, local heritage falls under the legislative jurisdiction of the Environmental Planning and Assessment Act.</p> <p>Please see comments on blanket listing in the main body of the report.</p> <p>Review of the ICAC website could not find any past or current investigations with regards to these comments on integrity associated with PMA, and with the little information given by the submitter no further comment can be made in response.</p> <p>The preference for individual listing is noted.</p>
60	<p>Against the proposal.</p> <p>Houses at 82, 82A, 86, 86A Livingstone Avenue were only built ten years ago and should not be included. These are unnecessary restrictions that will devalue the properties.</p>	<p>New seniors living on rear lots not facing street.</p> <p>It is agreed that recent developments on these battle-axe sites should not be included within any future HCA.</p>
61	<p>Need to be able to build garages and carports front of the building line to make the house more marketable.</p> <p>Preserve the area by monitoring</p>	<p>A carport in front of the building line may be permissible with development approval. The trees are protected by Council's LEP but trees permitted to be removed under a complying</p>


No	Issue/Concern	Comment
	number of trees being cut down.	development do not fall under the jurisdiction of Council.
65	<p>Strongly against the proposal.</p> <p>Do not want further restrictions that could impede future development. Against blanket listings. Are they going to be required to revert the house to the original and not allowed to park on their own driveway.</p>	<p>22 Golfers Parade. Building is a 1950s house (appeared after 1951 aerial photograph) that appears to be rendered and modified with garages added forward of the front building at a later date.</p> <p>For information on development controls for properties in a HCA please refer to the Ku-ring-gai Development Control Plan which is available on Council's webpage.</p> <p>Recommend changing from contributory to neutral.</p> 
66	<p>Strongly object to the proposal.</p> <p>Against extra restrictions, it's a disincentive to improve the property.</p>	<p>Objection noted.</p> <p>There are many properties in HCAs in Ku-ring-gai in prestige areas that are highly sought after and extremely well maintained homes.</p>
67	<p>Strongly opposes the proposal. The communicated information was misleading and lacked transparency. The map sent with the letters did not indicate the rating.</p> <p>There are many more neutral houses in the area than contributory. A few isolated houses does not constitute a heritage zone.</p> <p>If Council care about character it should have given more thought to the development permitted along the rail</p>	<p>The map that was sent was to notify that a proposal was on exhibition and those within the boundary were urged to look at the exhibition material available online, in Wahroonga and Gordon libraries, and at Council's customer service centre. The letters and maps were sent to several thousand residents. The A4 size did not allow for clear presentation of detail which is why it was a location map only and the exhibition paper maps which included the rating were sized A3. The use of the A4 map was logistical to</p>


No	Issue/Concern	Comment
	<p>corridor and the Pacific highway.</p> <p>Concerned Council is responding to pressure from a small group and not listening to the concerns of the wider community.</p> <p>Better to spend money on infrastructure and services than this flawed study.</p> <p>Council should be providing housing choice on these large sites rather than heritage listing them.</p> <p>Our house (56 Beechworth) is in extensive need of renovation and the most cost effective method would be knock down and rebuild. With the restrictions I will be unable to make the changes needed and that I want.</p> <p>I will suffer financial loss, as houses that are neutral and able to be knocked will be more appealing to prospective buyers.</p> <p>No redeeming features make the house contributory.</p> <p>It is discriminatory to impose the maintenance of the whole block on a minority of owners.</p>	<p>allow Council's folding machines to prepare the mailout.</p> <p>It is agreed the area is under represented by contributory buildings. Please see the amended boundary maps above.</p> <p>The budget is determined by the elected Councillors and senior management to best meet community expectations and Council obligations. The recognition and management of heritage is an obligation of Council supported by many in the Ku-ring-gai community.</p> <p>The house is a simple 1950s single storey house. The facebrick has been painted; there have been changes to several openings including doors and windows on the facade. The house is contributory but it is not in a setting of similar vernacular buildings and therefore not recommended for inclusion in the HCA.</p> <p>For other comments please see the main body of the report.</p>
68	<p>Protests against the proposal. Did not receive the information leaflet.</p> <p>A contribution rating map should have been included with the letter to provide transparency and make owners fully aware of the impact of the proposal.</p> <p>Council's correspondence on the matter is duplicitous, unethical, a disgrace, a contravention of Schedule 6A – Code of Conduct (s. 440 Local Government act 1993), by conducting:</p> <p>Conduct that is detrimental to the</p>	<p>On contribution rating map see comments in response to submission 67.</p> <p>It is unfortunate that the information leaflet was not in the envelope. However, in addition to the in-letter leaflet, a digital version was also made available on the website, and a printed version in the paper exhibition folders which were available at Turramurra and Gordon libraries and Council's customer service.</p> <p>The exhibition material including the</p>



No	Issue/Concern	Comment
	<p>pursuit of the charter of the Council</p> <p>Improper or unethical conduct</p> <p>Abuse of power and other misconduct</p> <p>Action causing, comprising or involving any of the following...(c) prejudice in the provision of the service to the community</p> <p>Our house was built on spec in post-war primarily with lime mortar due to the shortage of cement. Broad brush heritage restraints are prejudicial to redevelopment. Our property's rating should be changed to neutral.</p>	<p>letter, leaflet, and map and the overall community consultation were prepared consistent with the requirements of the NSW Department of Planning and Environment's document "A guide to preparing local environmental plans" and the requirements of the Gateway Determination. Most specific to your claims is the requirement to "indicate the land affected by the planning proposal" which was achieved with the map included in the letter.</p> <p>House (42 Beechworth Road) first appears on the 1951 aerial photograph. It is a simple brick bungalow featuring a gable with weather board cladding. It is not recommended to change the rating.</p>
73	<p>Vehemently objects to the proposal.</p> <p>Recently purchased and there was no indication of the proposal. How can Council blanket list areas with no forewarning. The listing places unnecessary restriction on the property.</p> <p>The property has been previously changed and many of the houses around Lawley Crescent are altered. The character of the area being the trees and its bushy outlook can be retained with current development controls. If the proposal goes ahead Council should compensate owners for the loss.</p>	<p>32 Lawley Crescent</p> <p>Council did undertake consultation with the home owners prior to the statutory exhibition. The previous owner's choice in not disclosing this information is a private issue. Council also placed notification on its website that Council had resolved to pursue the Planning Proposal.</p> <p>Rendered single storey bungalow, extensive interior renovations and changes to the rear. Property is neutral. It is not intended to pursue a HCA in this area.</p>
74	<p>Objects to the proposal.</p> <p>Unnecessary restriction and will devalue the property.</p>	<p>Noted.</p> <p>Please see comments in the main body of the report.</p>
77	<p>Does not agree with the planning proposal.</p>	<p>Noted.</p>



No	Issue/Concern	Comment
78	Does not agree with the planning proposal.	Noted.
81	<p>Against the process.</p> <p>Places unnecessary restrictions, will devalue the property and limit opportunity for improvements. Against blanket listing. Already many unsympathetic high rise apartment developments.</p>	<p>Objected noted.</p> <p>Please see main body of report for response to comments.</p>
84	<p>Concerned about ability to undertake future development and the impact on value given their significant investment.</p> <p>Draconian heritage restriction would have prevented post-war homes being built 60- years ago. The process of renewal and change of the built environment needs to be allowed to continue.</p> <p>There are two conflicting reports being the Paul Davies Pty Ltd and Perumal Murphy Alessi. Why has Council gone with the report with wider heritage restrictions?</p> <p>Many of the houses are neutral. The blanket restriction is unfair and unwarranted.</p> <p>Council should consult with owners as the first step not the last.</p>	<p>See comments in main body of report on house values and development.</p> <p>Heritage conservation is not preservation. Managed change can still occur when the identified cultural significance is retained. Many homes in heritage conservation areas have undertaken renovation works to alter the houses for modern living. New builds may also be permissible with approval where the new building can be shown not to have a degrading effect upon the HCA.</p> <p>The Perumal Murphy Alessi Report is the most recent report and it is the one on exhibition. This does not ignore or negate the assessments of either the Paul Davies Pty Ltd or the Sue Jackson-Stepowski heritage reviews. These are being reviewed along with the community's submissions to assist in determining the final HCA boundaries.</p> <p>It is agreed that many of the houses are neutral and the current boundary needs to be reassessed.</p> <p>Council did undertake non-statutory consultation with the community twice before this statutory exhibition.</p>




No	Issue/Concern	Comment
86	<p>Opposed to the proposal.</p> <p>Creates greater restrictions and reduce the property value.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments n restrictions and property values.</p>
87 89 131	<p>Object to the proposal.</p> <p>Less competition means lower price.</p> <p>It will affect all properties because lower quality properties will drive down the price of already renovated properties.</p> <p>Much of the area is neutral and many houses have additions diminishing the heritage significance.</p> <p>Many of those who supported this plan in the past were worried about high rise development but this is no longer of concern due to a change in government and law.</p> <p>The Development Control Plan for HCAs is too strict and will increase the cost and length of approvals.</p>	<p>It has not been the experience in Ku-ring-gai that conservation areas result in house price reductions. Other factors like the strong desire to live near schools and the train line tend to drive real estate prices. Also inclusion in a heritage area does not equate to zero alterations or additions. Properties continue to be renovated and maintained. Many of Ku-ring-gai's highest real estate prices for single dwellings have been for houses in conservation areas.</p> <p>It is agreed that the high number of neutral properties will require the boundary of the HCA to be amended.</p> <p>This report is dealing with current submissions not historic zonings.</p> <p>DAs for HCAs will require a comment or report on the heritage impact depending on the type of development, this will</p>
93	<p>Opposed to the proposal.</p> <p>It will devalue the property and impose restrictions on future changes which is unfair.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments.</p>
94	<p>Purchased the house with the intent of demolition. Feel that Council has misled them as there was nothing in the 149 certificate and they have received no other notifications of Council's intention to heritage list the property.</p> <p>Cannot see that there house is heritage</p>	<p>As per schedule 4 of the Environmental Planning and Assessment Regulations, the specified content of the 149 certificate is to include only those planning proposals that have been exhibited as per the requirements of the Environmental Planning and Assessment Act 1979. The previous</p>

No	Issue/Concern	Comment
	<p>as it was built during a period with a shortage of materials which has led to poor quality. Against the broad-brush approach to heritage. Instead should focus of individual places of value.</p> <p>Heritage listing will decrease the appeal of the area, which will fall into disrepair, decreasing the value.</p>	<p>exhibitions of the Heritage Reports were non statutory exhibitions. Council has provided a link on the heritage conservation area page to the <i>Local Plan Making Tracking Page</i> of the Department of Planning and Environment. This page identifies if a Gateway Determination has been requested i.e. once Council has resolved to pursue a heritage conservation area but before the statutory exhibition.</p> <p>The property (29 Beechworth Road) is a representative example of an Inter-war house and is contributory. However, many of the houses in this area are not contributory and it is not recommended that this property be included in the HCA.</p>
96	<p>The houses in this area are not old enough for heritage. The house has a variety of styles and not a consistent architectural character. The restriction will reduce the house price. The development controls are onerous and expensive, increasing the cost of change.</p>	<p>Age is not the only indicator of heritage significance. The properties in this area are of varying ages from around 1900 to now. This property (53 Livingstone Avenue) has been altered with a second storey extension over the northern wing and a carport added to the front attached to the building. It is recommended to change threatening from contributory to neutral.</p> 
97	<p>Object to the proposal.</p> <p>More than 50% of the draft area has undergone change with new builds and extensive renovation.</p> <p>The burden of maintaining the</p>	<p>It is agreed that in pockets the area has undergone extensive change.</p> <p>Within a conservation area all properties, new or old, are required to give consideration to the development controls for heritage conservation</p>


No	Issue/Concern	Comment
	<p>character is borne by a disproportionate minority. The constraints of conservation and the cost of renovation rather than rebuild would cause financial disadvantage.</p> <p>Listed houses could find themselves in the shadow of large new houses not burdened by the conservation constraints.</p> <p>The criterion for allocating ratings on specific houses lacks transparency and appears arbitrary.</p> <p>Our property at 24 Ashmore Avenue has undergone extensive change and none of the original exterior walls remaining. The rating should be changed to neutral.</p> <p>22 Ashmore Avenue has not undergone maintenance over the years and was in a state of disrepair before we purchased it in 2012. It is not in a state to be rented or retained.</p> <p>We have always maintained the character of the street by improving planting, avoiding building fences and maintaining setbacks. We support Council in protecting the character but in a way that requires all residents to contribute equitably.</p>	<p>areas. The HCA Development Control Plan objectives are to conserve the heritage values and permit development that enhances these values. Over scaled development that dwarfs existing dwellings would be discouraged and generally not approved.</p> <p>Please see the original report for definitions or the frequently asked questions. Generally, a contributory building is from a key development period, in this instance from the Federation to the Post-war period, and its front facade is generally intact, and any new development does not degrade or mask this significance.</p> <p>22 Ashmore would be assessed as contributory to the Post-war development period but this section of the HCA is not recommended to proceed.</p> 
99	<p>Objects to the proposal.</p> <p>Existing restrictions on development are already cumbersome. Additional restrictions will add additional costs to development.</p> <p>Many houses have changed. Mine at 19 Linden Avenue Pymble has had walls removed, rooms added and roof replaced. There is unsympathetic new build next door. The streetscape is</p>	<p>19 Linden Avenue Pymble is not rated as contributory, it is rated as neutral. The building next door is also rated neutral.</p> <p>The trees are recognised on the Biodiversity map of KLEP 2015 and are protected.</p>


No	Issue/Concern	Comment
	<p>impacted by the potholes in the street. Trees are already protected by the TPO.</p> <p>Street trees have been hacked to protect powerlines. The trees should be removed and replaced with shrubs to complement the gardens.</p>	
105	<p>Objects to the proposal.</p> <p>Area is no longer heritage due to the number or rebuilds and redevelopment.</p> <p>Proposal will place unnecessary restrictions and reduce value.</p> <p>House is 40 years old and needs renewing. The cost of home improvements may have increased by 50%.</p>	<p>Objection noted.</p> <p>This area is not recommended to proceed. The house at 8 Barclay Close Pymble however is an interesting example of architecturally designed Post-war housing and should be further investigated.</p>   <p>Council does offer Heritage Home Grants to assist owners with conservation works of heritage places.</p>
107	<p>Against the proposal.</p> <p>Against blanket preservation as there are many new builds with new buildings and landscaping.</p> <p>Difficult to protect the streetscape and preserve the visual and topographical aspects of the area.</p>	<p>79 Pymble Avenue</p> <p>House on the site in the 1943 aerial photograph but the roof form has been altered. The property is correctly rated as neutral.</p> <p>Please see main report on property prices and blanket listing. This lot is</p>

No	Issue/Concern	Comment
	<p>Battle-axe sites with no assessment should not be included.</p> <p>Any property with external renovations should be excluded.</p> <p>Increased approval times will decrease demand to live in the area and reduce property values.</p>	<p>recommended to not be in the HCA.</p> 
113	<p>Strongly against the proposal.</p> <p>Concerned our property was included without proper consultation or due process.</p> <p>Our building at 72 Livingstone Avenue is of no heritage significance as in a state of disrepair. Constructed in the 1950s it has not been maintained and has issues with tree roots, termites and mould. The mould is endangering my family's health.</p> <p>We have a CDC for demolition that was issued in October 2017.</p> <p>We want to be removed from the HCA.</p>	<p>Objection noted.</p> <p>Has a non-complying CDC, certifier based it upon an out of date 149 certificate. The house was already in a draft HCA when the CDC for demolition was issued and should be invalidated.</p> <p>The house is a modest mostly intact 1950s bungalow. It is representative of an important key development period for the draft HCA.</p> 
114	<p>Strongly object to the proposal.</p> <p>It interferes with the use and maintenance of an owner's private property. Area has significantly changed with demolitions, rebuilds and renovations. What heritage is there?</p> <p>The timing of the exhibition after the Council election prevented it from being an election issue. In the past Council has spent millions of dollars unsupported by ratepayers trying to stop high rise development. I suspect this proposal has the same motivation.</p>	<p>27 Livingstone</p> <p>Heritage listing does not change the zoning it remains R2 low density residential. Many people in Ku-ring-gai live in heritage homes and have undertaken contemporary renovations to meet the demands of modern life.</p> <p>The timing of the exhibition was due to conflicting work demands of Council staff and other exhibitions.</p>

No	Issue/Concern	Comment
		
117	Do not agree with the proposal.	90 Livingstone Noted.
118	Totally opposes the proposal. It has no common sense. It will decrease the value of knock-down rebuild sites like my small modest house which has been labelled contributory and is absolute nonsense.	31 Beechworth Road Small rendered bungalow. Yard is heavily treed. On 1943 aerial, hipped roof with a projecting bay. Rating should be amended to neutral. This are is not recommended to proceed.
121	Objects to the proposal. Unnecessary restrictions that will decrease value of their house. Have invested a lot of money in the house and do not want to lose it. The house has a second storey extension and is not heritage.	7 Arilla Road Pymble  This is a heavily altered house and the rating was neutral so not considered to contribute to the heritage layer. This are is not recommended to proceed.
130	Property should not be in a HCA as: There is no architectural consistency Applying HCA rules will discourage upkeep No heritage significance House is less than 20 years old. Boundary of HCA should stop at the	84 Golfers Parade This house and both neighbours are new two storey builds  It is agreed that the boundary should be


No	Issue/Concern	Comment
	bottom of Pymble Avenue. Individual houses with significance can be listed as items.	altered and this property not included. Potential individual items should be recommended for further assessment.
132	Against the proposal. It will devalue the property and impact on their ability to downsize. Council's current rules are sufficient.	93 Livingstone Avenue See comments in the main body of the report on property value and regulations..
142	Opposed to the proposal. Opposed to the extension of the Heritage Conservation Area to include Golfers Parade Pymble. The proposed Conservation Area is unnecessarily large. The inclusion of Golfers Parade adds no material heritage benefit with many of the houses being built or modified within the last 20 years. Those not modified are no different to others in the area. Proposed restrictions are onerous. House already modified. It will devalue the house due to a reduced number of buyers.	The history of Golfers Parade is that it was part of a residential subdivision that was undertaken by Avondale Golf Course after WW2 in the 1950s. This is interesting in the course of development of the area but the fact that many of the houses are altered with new buildings and unsympathetic renovations has led to more neutral rather than contributory builds. It is recommended that this portion of the HCA not proceed. Please also see comments in the main body of the report.
153	Objects to the proposal. Own house is less than 20 years old.	Objection noted.
154	Object to the proposal. House has been extensively altered, lost historical roots. Nearly every building in Myoora Street has been substantially changed.	10 Myoora Street The house has been altered. It is not contributory. Listed as neutral on the map. Myoora Street is not recommended to proceed as an HCA.
167	Strong objection to the proposal. Concerned about the loss of property value and increased maintenance costs. Doesn't meet criteria for listing. House has been altered and changed. House	1 Courallie Avenue Pymble


No	Issue/Concern	Comment
	<p>has maintenance, structural, tree and pest issues.</p> <p>We will lose our rights to extend the house providing for housing choice.</p>	 <p>Please see the main body of the report regarding house value, renovation potential and housing choice.</p> <p>House is a modest 1950s bungalow. Does have a more recent garage built behind the front building line. The building is considered to be contributory to a 1950s development layer but this street is not recommended for inclusion in the HCA.</p> <p>Please also see comments in the main body of the report.</p>
169	<p>Against the proposal.</p> <p>Impact house value and ability to extend. While they do value the leafy streetscape Council should find a better way to protect the character of the area like preventing inappropriate development like the high rise apartments.</p>	<p>Objection noted.</p> <p>Please see comments in the main body of the report on property value and development.</p>
173	<p>Object to the proposal. Residents not adequately notified about the restrictions. Many houses already have additions or second stories. These modifications have diminished the heritage significance of the properties and the surrounding area.</p>	<p>The supporting material directed readers to view Council's development Control Plan and the Exempt and Complying SEPP. Both outline the requirements for development of heritage properties.</p>
174	<p>Strongly oppose.</p> <p>Existing regulations already control what can be done on private properties and are sufficient. It is important that development is controlled in this great</p>	<p>Opposition noted.</p> <p>The aim of heritage controls is to conserve heritage values, it is not regulation for regulations sake. Council's DCP allows development with</p>

No	Issue/Concern	Comment
	area but not over-controlled.	approval in conservation areas that facilitates the modernisation of family while conserving the cultural values of an area.
175	<p>Strongly object to the proposal.</p> <p>Having lived in an area where the average age was over 100 years I find it hard to accept the house at 39 Livingstone Avenue can be heritage. Plans to change the zoning should have been included in the 2015 149 certificate. It wasn't fair not include this on the certificate.</p> <p>It is the natural environment that is worth conserving. We own the house and not Council and there should not be further restrictions to the existing restrictions being riparian and E4.</p> <p>We have chosen to not pay a property at a higher price than it sold because of the heritage restrictions.</p> <p>The proposal does not balance my rights as a property owner.</p>	<p>39 Livingstone Avenue Pymble</p>  <p>Please see the main body of the report on "what is heritage". See comments in submission 84 above re 149 certificates.</p> <p>There are development controls on all properties, some fall under the SEPP, other Council's DCP. Properties that are assessed as having heritage values can still be renovated; the additional development controls require new addition so alterations conserve those heritage values.</p>
187	<p>Against the proposal.</p> <p>Limit ability to change house and garden as we move into retirement. Changes such as the high rise development are not appropriate but these can be prevented without further onerous protections.</p> <p>Strongly request Council retain the current planning rules.</p>	<p>52 Pymble Avenue.</p> <p>The house was constructed in the 1950s, and has limited aesthetic contribution to the key development layer and is considered borderline.</p>
188	<p>Object to the proposal.</p> <p>No new restriction, existing rules allow sympathetic redevelopment.</p>	<p>Objection noted.</p> <p>See main body of the report on restrictions.</p>

No	Issue/Concern	Comment
193	<p>Object to the proposal.</p> <p>Unnecessary restrictions with little regard to what is heritage.</p> <p>2 out of the 3 heritage experts who have undertaken assessment do not support the heritage listing.</p> <p>Those properties that have heritage value have already been identified. Many new owners have bought unaware of the potential listing. HCA will reduce future property values and improvements.</p> <p>Current rules allow sympathetic redevelopment.</p>	<p>33 Avon Road.</p> <p>See main body of the report on restrictions, redevelopment and notification.</p> <p>The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
205	<p>Object to the proposal</p> <p>Area is already changed with addition and second storeys on many houses.</p> <p>Allowing further changes like subdivision will benefit the community.</p> <p>Council should concentrate on footpaths.</p>	<p>It is agreed that many houses are changed. The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
206	<p>Request proposal does not proceed.</p> <p>Pymble is a highly sought after area with a variety of housing. Planning the future of the area can be achieved without broad-brush restrictions. Being unable to subdivide and make changes will make the area less desirable for families. Our own house is battle-axe and it is difficult to understand the heritage value given the recent changes and housing diversity.</p>	<p>See comments in main report on listing and restrictions.</p>
211	<p>Object to the proposal.</p> <p>Own an existing item. Support preservation and sympathetic</p>	<p>Objection noted.</p> <p>Please see comments under submission 205.</p>

No	Issue/Concern	Comment
	<p>renovation of genuine heritage places that are pre WWII. Including unworthy houses in a blanket listing makes a mockery of those places worth listing like several in the Orinoco HCA.</p> <p>Council application of the rules is inconsistent will only be worse with more places and cost more to ratepayers.</p>	
216	<p>Objects to the proposal.</p> <p>Majority of the houses in the area do not contribute to heritage.</p> <p>A local real estate agent told me it would limit the number of buyers and therefore the price. I should be able to determine how to redevelop my home within the existing rules to make it an attractive and sellable asset.</p> <p>Support preserving the Blue Gum High Forest. However the listing based upon subjective interpretations of taste, age and history is restrictive. Will the high rise towers be listed next?</p>	<p>Objection noted.</p> <p>See comments in submission 205 above and in the main report on house sales and redevelopment.</p> <p>See submission 99 on trees.</p>
219	<p>Strongly object to the proposal.</p> <p>Insufficient communication just putting ads in the paper and having a notice on the Council website. Council wasted money having someone randomly allocate different categories to houses. Council should notify residents of the restriction not the sanitised online version. While bureaucrats and are only interested in the list possible notice we hope Councillors will ensure each resident is fully notified.</p> <p>Previous submission was inadequate and misleading so it has been attached again. Understand Councillors only received a summary; they should take</p>	<p>In addition to the website and local paper advertisements, every homeowner was sent a letter which included a map and an explanatory brochure.</p> <p>The online exhibition included a link to the Development Control Plan which are the actual restrictions that would be applied to any Development Application.</p> <p>The summary of submissions is provided to the Councillors as well as a full copy of all submissions i.e. the submitted letters. This and the previous submission will be made available to</p>

No	Issue/Concern	Comment
	<p>the time to read the letters themselves.</p> <p>The assertion there is no property value loss is untrue. With 40 years' experience as a solicitor I know prospective buyers are put off if a property is in a conservation area.</p> <p>Question the consultant's qualifications. Nothing in her public information about her qualifications. Inconsistent nomination of ratings. Recent house has been categorised as contributory, pre 1950 is not. There is nothing heritage about our house to make it contributory. No external wall is original.</p> <p>Consider the full consequences of the proposal from Council's clerks and consider the consequences on home owners.</p>	<p>the Councillors.</p> <p>Please see the main body of the report with regards to property values.</p> <p>Council has confirmed Luisa Alessi's qualifications as an architect and her experience in several firms working as a heritage architect.</p> <p>While the house is representative of a certain 1960s aesthetic, this area is not recommended to proceed as a HCA.</p>
223	<p>Object to the proposal.</p> <p>Don't need blanket listing and unnecessary restrictions. Vast majority of houses don't have heritage value.</p> <p>Our rated contributory property will decrease our property value. It will lead to uncertainty. Development restrictions should remain the same.</p>	<p>2 Arilla is not contributory. Substantially modified with extended ridge line and dominant oversized dormers.</p>  <p>Area not recommended to proceed into the HCA.</p>
235	<p>Our 1950s house is built on clay and has many cracks. Many houses have been demolished and others of superior design in their place. Placing restrictions will lead to the building suffering further damage.</p>	<p>6 Myoora</p> <p>Classic red brick 1950s bungalow with cladded gable. It is contributory but this area not recommended to proceed to the HCA.</p>

No	Issue/Concern	Comment
		
10	<p>Support the proposal.</p> <p>It is a wonderful idea to protect our heritage.</p>	Support noted.
11	<p>Strongly support the conservation area.</p> <p>Values the area mid 20th century aesthetic, the historical subdivision patterns, natural topography and large canopy native trees.</p> <p>Agree with the larger HCA area as it corresponds with the original National Trust Urban Conservation Area 18. Includes the environmental context of the garden suburbs movement, smaller fragmented HCAs less effective at protecting these values.</p> <p>Compared to southern Ku-ring-gai the north area has little heritage and what we have should be recognised and protected.</p>	<p>23 Kimbarra</p> <p>Support noted. See the main report on the values of the area and the recommended boundary changes.</p>
13	<p>Strongly support the proposal.</p> <p>As a resident I value the streetscapes with houses set in large gardens, back from the street; the aesthetic qualities of the houses themselves, with a diversity of styles and built forms; the history present even today in the historical subdivision patterns; the beautiful remnant natural topography; and the wonderful native canopy trees, in great number and size in Sheldon Forest and along the Council's roadside</p>	<p>35 Avon</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>

No	Issue/Concern	Comment
	<p>reserves</p> <p>The area corresponds with original National Trust Urban Conservation Area.</p> <p>Pymble deserves to receive heritage recognition.</p>	
15	<p>Supports the HCA.</p> <p>In the traditional garden suburbs of Kuring-gai, we treasure the traditional streetscapes and neighbourhood character with low-rise dwellings and tree-lined suburban streets. Our built and natural environment are being lost or damaged at an unprecedented rate through inappropriate development under existing planning laws and policies.</p> <p>Support the HCA to ensure that changes to properties respect heritage values and streetscapes</p>	<p>10 Arilla</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>
16	<p>Support the proposal.</p> <p>Attracted to the area by the historic character being the early to mid 20th century houses set in large gardens and the large native trees.</p> <p>Support listing of eastern side. Heritage in Pymble needs to be recognised.</p>	<p>53 Beechworth</p> <p>Support noted.,</p>
19	<p>Strongly support the proposal.</p> <p>Values the historic aesthetic quality of the area. Supports the listing of eastern side. The west area corresponds with original National Trust Urban Conservation Area. Heritage in Pymble needs to be recognised.</p>	<p>2 Allawah</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>

No	Issue/Concern	Comment
25	<p>Strongly supports the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well.</p>	<p>43 Ashmore</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>
139	<p>Local heritage character should be protected for future generations. The buildings styles and layout have their foundation in the earlier 20th century garden suburbs movement. Modifications in the area are in the main sympathetic. Recognised independent professional consultants acknowledge the heritage value of the area.</p> <p>Creating a HCA will conserve the heritage setting for already designated heritage items. The streets have a visual rhythm of modest single residences and generous gardens integrated with stands of remnant forest. The character is enhanced by the undulating topography, bush views and vistas. The distinctiveness and character create a sense of place, informing us about what was important for previous residents.</p> <p>The area wears its layers of history well because new buildings and renovations have been in keeping with the existing scale and character.</p> <p>Maintaining distinctive historic neighbourhoods like ours, alongside the Victorian terraces of Paddington and Federation bungalows of Haberfield, contributes to the quality and life of a liveable city.</p> <p>We received a letter from a group in the</p>	<p>Support noted.</p> <p>Please see comments in the main body of the report on UCA and see comments to submission 11 above.</p>

No	Issue/Concern	Comment
	area urging opposition to protect property rights and house values. This is a selfish attitude that fails to acknowledge and recognise the aesthetic and amenity of our area that has evolved over many years, achieved by undertaking development of harmonious scale and character that respects the past. It is important that our neighbourhood have protection under Heritage Conservation Area designation.	
145	<p>Strongly supports the proposal.</p> <p>Supports the other conservation areas proposed for Pymble.</p> <p>As President of the Pymble Action group for the Environment Inc I have previously expressed to the Council and the HRC my views and support for the HCA. My views closely align with the Perumal Murphy Alessi report.</p>	Support noted.
162	<p>Strongly supports the proposal.</p> <p>As a former resident who grew up in Pymble I strongly support the conservation area. I enjoyed the garden feel and bushland environment of Pymble and hope to move back the area one day and enjoy it once more as I did before.</p>	Support noted.
170	<p>Supports the proposal.</p> <p>Must protect what makes this area desirable. Most new builds either multi storey or incongruent with the area.</p>	Support noted.
182	<p>Strong supports for the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the</p>	<p>Support noted.</p> <p>Support noted. Please see comments in the main body of the report on UCA and See comments to submission 11</p>

No	Issue/Concern	Comment
	<p>National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well. The consultant studies make it clear the area warrants heritage protection.</p>	<p>above.</p>
213	<p>Support the proposal as it facilitates the protection of BGHF and STIF which are important unique vegetation communities of World Heritage class.</p> <p>Support protecting heritage streetscapes of Inter-war architecture.</p> <p>Disappointed the former AGL site on Suakin Street has not been included as it has historic and archaeological value.</p> <p>Concerned about the canopy height of mature BGHF trees not being appropriate in a residential context. Perhaps these could be substituted for a local species with a lower centre of gravity.</p>	<p>29a Orinoco</p> <p>BGHF and STIF are recognised on the Biodiversity map of KLEP 2015 and are protected</p> <p>The former AGL site should be investigated for historic and archaeological values as part of any future strategic heritage reviews.</p> <p>Concern over the trees is noted but is beyond the scope of this report which is assessing the heritage planning proposal. Concerns over the suitability of tree species should be taken up with Council's Operations team who have responsibility for street trees.</p>
215	<p>Supports the proposal.</p> <p>The garden, architecture and bushland setting are representative of the history, evolution of infrastructure and changing settlement patterns of the area. There are no detracting items as new architecture is designed to fit in the area.</p>	<p>Support noted.</p> <p>The area is strongly dominated by the heavily treed landscape and the bush outlooks. This camouflages what would be traditionally considered unsympathetic development e.g. the introduction of two storey rendered project homes in a street that traditionally had single storey facebrick houses. An area that has substantially been changed and the key period of development is now heavily in the minority are no longer substantially intact. While the new architecture in some instances is sympathetic, sympathetic new builds are not heritage places. For these reasons the boundary has been reviewed to include areas where the landscape is supported by contributory buildings from the key</p>

No	Issue/Concern	Comment
		development periods.
218	Supports the proposal in both east and west Pymble.	Support noted.
227	Supports the proposal. From the residents of Euralba Estate. The proposal will improve and enhance the living environment for residents of Ku-ring-gai.	Support noted.
34	Support the proposal but want it extended. Would like the area to include the immediate boundaries of Sheldon Forest being Dhakkra Close, Quadrant Close and lower part of Beechworth Road, Albion and Jubilee Avenues. Area has natural and architectural heritage value. The Council planners must explain the logical reasons for excluding these areas. They are at risk from development that will denude the landscape like 1 Avon. Houses we recommend for heritage inclusion are: 5 or 6 in Albion Avenue or No 7 or 10 Dhakkara Close or 94 or 98 of Beechworth Road.	Support noted. Areas not assessed or exhibited cannot be included in this planning proposal. This area could be assessed as part of future strategic heritage reviews.
234	Support the proposal but not for their house. House is different from those in the immediate vicinity including the brick colour, window style, gable design and absence of architectural embellishments. The house is austere and would not suit a modern family without major modifications. We believe the HCA would be a severe	3 Mayfield Avenue This house is clearly present on the 1961 aerial photograph. It is a modest single storey family house with little or no change and is contributory.


No	Issue/Concern	Comment
	impediment to any sale process.	
	<p>Concerned over the aircraft noise and the potential impact on the conservation area.</p> <p>The whole Ku-ring-gai area is seriously impacted by the aircraft noise. This is due to the southern wind forcing the airplanes taking the route in north shore area.</p> <p>Is there anything that can be done to share this aircraft noise load, which will be beneficial to our heritage conservation area? Especially when I read the Long Term Operating Plan (LTOP) stats, it is noted the aircraft target of 17% for North is well beaten by the actual of 34%.</p> <p>Something needs to be done through our council.</p>	<p>Aircraft pathways are out of the jurisdiction of local government. This link to Airservices Australia mentioned in your submission explains the aircraft noise sharing plan for Sydney: http://www.airservicesaustralia.com/wp-content/uploads/FINAL_Key-facts-about-noise-sharing.pdf</p> <p>In a representation to Council when questioned on aircraft noise over the Pymble the response from Airservices Australia was “whenever it is possible to do so, noise sharing will be implemented and other runway modes will be used. However sometimes the wind makes this impossible.”</p>


Rating review



Rating: N – Neutral, C – Contributory, D – Detracting


Potential HCAs reviewed

Ratings review Livingstone Avenue (midway) – not recommended to proceed


Address	HCA Review Rating	Recommended rating	Comment
54 Livingstone Ave	C	N	<p>Large double garage forward of the front building line. The main building has been rendered.</p> 
56 Livingstone Ave	C	C	Heritage Item (Victorian)
62 Livingstone Ave	N	N	House incorrectly listed. Recommended for removal from KLEP 2015.
66 Livingstone Ave	C	C	Heritage item (Federation)
70 Livingstone Ave	N	N	Unchanged
72 Livingstone Ave	C	C	1950s
76 Livingstone Ave	D	N	New
78 Livingstone Ave	C	C	Heritage item (Federation)
80 Livingstone Ave	C	C	Heritage item (Federation)



Address	HCA Review Rating	Recommended rating	Comment
88 Livingstone Ave	C	N	<p>The house has been changed including infill on the ground floor.</p> 
77A Livingstone Ave	C	N	<p>Substantial 2 storey extension to the side of the building</p> 
77 Livingstone Ave	N	N	Unchanged
75 Livingstone Ave	C	Item	Heritage item
73 Livingstone Ave	N	N	<p>Unchanged</p> <p>DA4958/96 New 2 storey dwelling, front fence and outbuilding.</p>


Address	HCA Review Rating	Recommended rating	Comment
65 Livingstone Ave	C	N	<p>The building is reasonably recent and has faux detailing sympathetically blend with the heritage item at 75 Livingstone Avenue.</p> <p>DA96/1183: New single storey dwelling with double garage</p> 
63 Livingstone Ave	C	C	Unchanged
61 Livingstone Ave	C	C	1950s
59 Livingstone Ave	C	N	<p>Building has been rendered. Has lost the fine detail of the face-brickwork.</p> 

Address	HCA Review Rating	Recommended rating	Comment
57 Livingstone Ave	C	N	<p>New render (appears online in last sale with facebrick). No house at location on 1943 aerial</p> 


Ratings review extension Pymble Avenue HCA – recommended to proceed


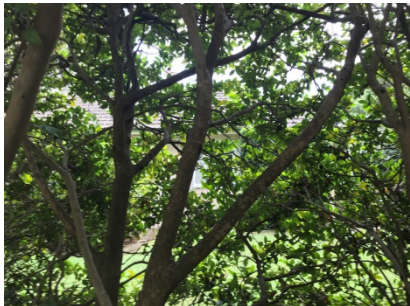
Address	HCA Review Rating	Recommended rating	Comment
67 Pymble Avenue	N	N	Battle-axe
65 Pymble Avenue	C	N	 <p>1988 Build – Australian Nostalgia</p>
69 Pymble Avenue	C	C	Same
71 Pymble Avenue	N	C	Interesting 1960s - had a minor extension



Address	HCA Review Rating	Recommended rating	Comment
			
73 Pymble Avenue	C	C	Same
75 Pymble Avenue	N	N	Battle-axe
77 Pymble Avenue	N	C	<p>Battle-axe</p> <p>Architecturally designed (Russell Jack) intact and representative example of post-war architecture</p> <p>Recommended for further investigation to understand cultural significance</p> 
77B Pymble Avenue	Heritage item	Heritage item	Same
77A Pymble Avenue	N	N	Same
79 Pymble Avenue	N	N	Battle-axe - same




Address	HCA Review Rating	Recommended rating	Comment
81 Pymble Avenue	C	N	<p>Building application BA95/0506 – house, tennis court and garage</p> <p>Another variant of Australian Nostalgia</p> 



Ratings review Avon Road HCA – not recommended to proceed



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
11 Avon Road		Heritage item	Heritage item	same
15 Avon Road				Battle-axe handle
17 Avon Road		C	C	<p>1960s brick bungalow, single storey, substantially intact</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
19 Avon Road		Heritage item	Heritage item	Same 
21 Avon Road		C	C	Not easily photographed from the street due to vegetation. Extant building on the 1943 aerial photograph. From the street the house is single storey, rendered with Georgian revival characteristics including timber shutters. 
23 Avon Road		C	N	The house has been rendered, the verandas, windows and other openings altered. What was probably a terracotta roof tile has been replaced with black tiles. The form of the original house is extant as seen in the 1943 aerial photograph but the loss of the detailed brickwork and general characteristics of bungalows from this period has downgraded the contributory value of this building as representing the key

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				development period. 
25 Avon Road	C	C	C	Same 
27 Avon Road	N	N	N	Same Battle-axe
29 Avon Road	C	C	N	This was a lovely intact bungalow and many of the features are still present and discernible but the two dormers prominent on the front elevation are not sympathetic additions and have a detracting impact on the building.

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				 
31 Avon Road	C	N	N	<p>Present on the 1943 aerial, the roof form is substantially the same. The building has been rendered.</p> 
35 Avon Road	C	C	C	<p>Painted (reversible). Appears between the 1943 and 1951 aerial photograph in substantially the same form.</p>




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
37 Avon Road	N	C	N	<p>Dwelling present on 1943 aerial, however substantially changed. What was a transverse gable is now a hipped roof with a substantial projecting gable on the front elevation. Building best described as two storey faux federation.</p> <p>DA- 2012/89 Additions to create a dwelling in excess of 7 metres in hgt (1989)</p> <p>BA- 89/00220 (alts&adds)</p> <p>BA- 82/01710 (Garage)1982</p> <p>BA94/00027-Major additions and alterations</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
39 Avon Road	N	N	N	<p>Same</p> <p>Interesting 1960s building. Possibly architecturally designed. For this small area cannot be considered representative of a key development period.</p> 
41 Avon Road	N	C	N	<p>Facebrick has been painted (reversible). 1960s building that has been altered.</p> 




Ratings review Mayfield HCA – not recommended to proceed




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Mayfield Avenue	C	C	C	IW




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
3 Mayfield Avenue	N	C	C	IW 
2 Mayfield Avenue	C	C	C	Same 
4 Mayfield Avenue	N	N	N	Same 
6 Mayfield Avenue	C	C	C	Same




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Mayfield Avenue	C	C	C	<p>Same</p> 
10 Mayfield Avenue	C	C	C	<p>Same</p> 
12 Mayfield Avenue	N	C	N	Has been rendered




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
2 Arden Road	C	C	C	Same 
4 Arden Road	C	C	N	Unsympathetic dormer on front elevation. DA-1179/04/DB (ADDITIONS AND ALTERATIONS-2005) DA- 372/05/DB ADDITION TO REAR OF DWELLING-2005




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
6 Arden Road	N	ITEM	Item Not from key development period	Being considered for delisting 1950s modest single storey house. Early and not representative example of the work of Sydney Ancher. 
1 Arden Road	N	C	C	1950s 


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
3 Arden Road	N	C	N	Building has been rendered and integrated extension to the side. 
5 Arden Road	N	N	N	Same 
7 Arden Road	N	C	N	Building has been rendered and built masonry structure (not fence) forward of the front building line. 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
9 Arden Road	C	C	C	Same 
2 Linden Avenue	C	C	C	Same 
4 Linden Avenue	N	C	N	Rendered 
6 Linden Avenue	C	N	N	Altered


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Linden Avenue	N	N	N	<p>Same</p> 
10 Linden Avenue	N	N	N	<p>Same</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Linden Avenue	N	C	N	Extension forward of the front building line 
3 Linden Avenue	C	C	N	Rendered 
5 Linden Avenue	N	C	N	Altered and not representative 
7 Linden	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
Avenue				
9 Linden Avenue	C	C	C	<p>Same</p> 
11 Linden Avenue	C	C	N	<p>DA0153/15 -Alterations and additions 2016 to create a second storey. No longer representative of the key development period.</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
15 Linden Avenue	N	N	N	Same Battle-axe cannot be viewed from the street
17 Linden Avenue	C	N	N	Battle-axe
19 Linden Avenue	C	N	N	Same
21 Linden Avenue	C	N	C	C 
40 Beechworth Road	C	C	C	LATE INTERWAR BA -86/01021 (alts &adds 1986) BA -87/01758 (additions 1987) BA-86/01021A(alts& adds 1988) Potentially sits within the recommended HCA
38 Beechworth Road	N	N	N	Same
36 Beechworth Road	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
34 Beechworth Road	C	C	C	Same
32 Beechworth Road	C	C	C	Same
30 Beechworth Road	N	N	N	Same
28 Beechworth Road	C	C	C	Same
26 Beechworth Road	C	C	C	Same
24 Beechworth Road	N	C	N	N
22 Beechworth Road	N	N	N	Same
20 Beechworth Road	N	N	N	Same
18 Beechworth Road	C	C	BL	Review
2 Allawah Road	N	C	N	Rendered

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
4 Allawah Road	N	C	C	On 1951 aerial
6 Allawah Road	N	N		Same
8 Allawah Road	C	C	C	Same
11 Allawah Road	N	N	N	Same
9A Allawah Road	N	-	-	Can't access BATTLE AXE

Ratings review Myoora Street/Kimbarra Road HCA – not recommended to proceed

1 Kimbarra Road	N	N	Same
3 Kimbarra Road	C	C	Same
5 Kimbarra Road	N	N	Same
7 Kimbarra Road	C	C	Same
9 Kimbarra Road	N	N	Same
1 Myoora Street	C	C	Same

3 Myoora Street	C	C	Same
5 Myoora Street	N	N	Same
7 Myoora Street	C	C	Same
9 Myoora Street	N	N	Same
11 Myoora Street	C	N	 <p>Rendered – originally red coloured biscuit-brick</p>
15 Myoora Street	C	C	Same
17 Myoora Street	C	C	Same
31 Beechworth Road	C	N	<p>Rendered – front of the house has been altered with roof changes – difficult to photograph because of the trees</p> 

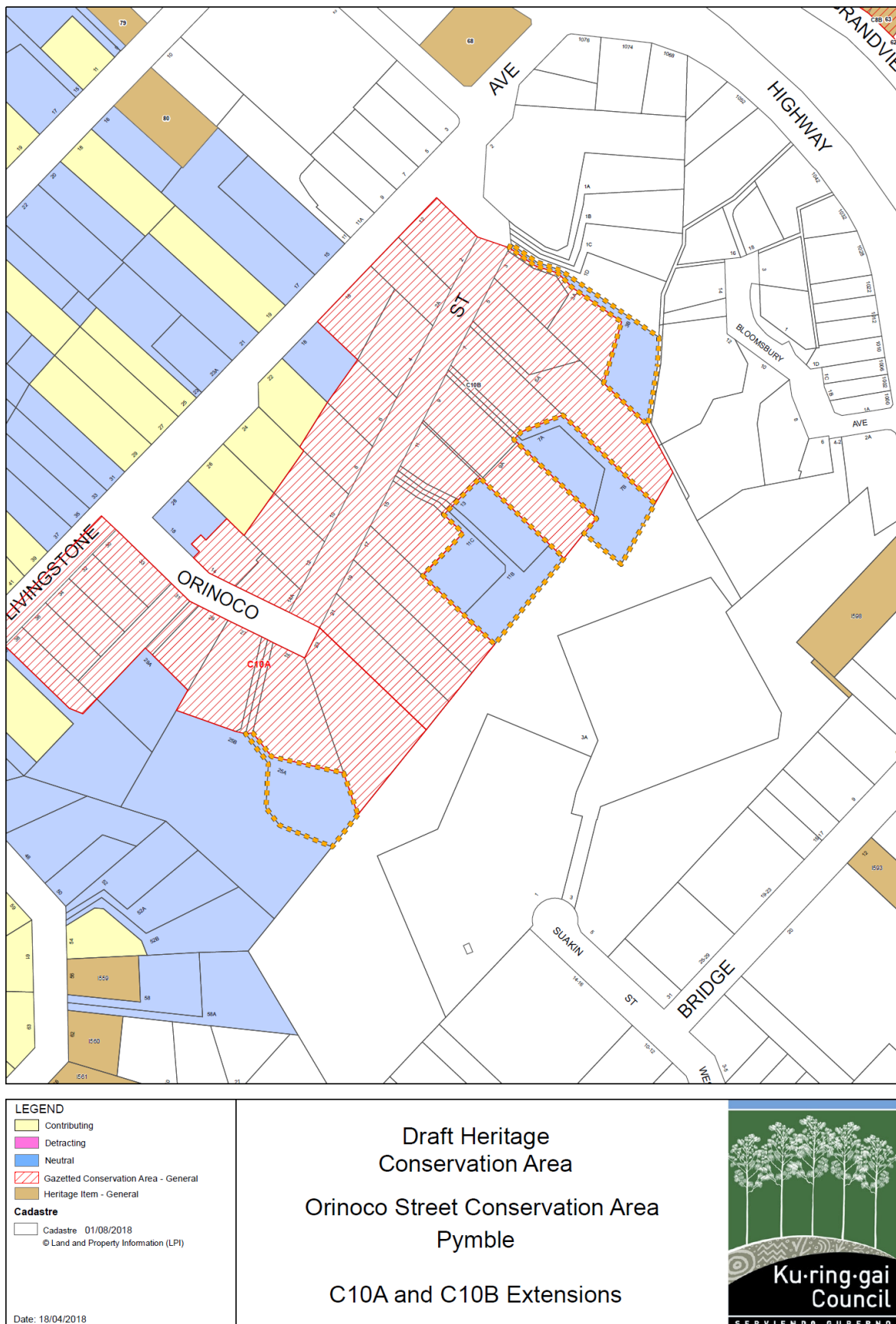
Draft Orinoco Conservation Area (C10A & C10B)

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Maps

1. Exhibited rating map



Comments

The area reviewed is the draft C11A and C11B that includes 7 properties located on battle-axe sites on Orinoco Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 1 objection was received.

Issues raised in the submissions included the unfairness of the listing as the houses do not address the street. The submissions are addressed in the submission summary table below.

In light of the public exhibition submission the area was reviewed again which included several site visits and historical research by Council officers. None of the ratings for this area changed as they were previously neutral and remain neutral. This area is not recommended to proceed as the inclusion of these neutral properties does not add to the significance of the existing heritage conservation area and there is no perceived benefit from their inclusion.

Rating review

There are no rating changes for the assessed extension to the Orinoco Conservation Area. In the exhibited map all the properties were neutral and remain neutral.

Submission summary table

No	TRIM	Issue/Concern	Comment
33	2017/282542	<p>Objects to the proposal.</p> <p>My house does not address the street, any building changes on my property would not impact on the Orinoco streetscape. This HCA only potentially disadvantages me. Why have these 7 properties been singled out?</p>	<p>The properties on the battle-axe sites were identified for inclusion as they are a new and important layer of the subdivision (of the larger West Pymble HCA not just Orinoco).</p> <p>Larger sites were re-subdivided to create these battle-axe blocks, many being downhill from Orinoco Street. The location on the hill created opportunities for architects to respond to the site with many houses having heavily treed bush outlooks. Many of these houses were designed in significant recognisable Post-war architectural styles such as those by Harry Seidler (perched above the site) and those by Russell Jack (nestled into the site). Specific to the Orinoco battle-axe sites is are the houses off Orinoco good examples of his type. These properties have been assessed as neutral and therefore the extension to the Orinoco HCA (to include the battle-axe sites) is not recommended to proceed.</p>

Submission summary table West Pymble and Orinoco Conservation Areas (C11A, C11B, C10A and C10B)

No	Issue/Concern	Comment
32, 37, 44, 47, 49, 51, 56, 80, 85, 92, 102, 143, 149, 158, 159, 204, 222, 225	<p>Supportive of both</p> <p>Values the early- to mid-20th century houses; subdivision patterns; gardens; vegetation; and streetscape. The recommendations in the Perumal Murphy Alessi and Jackson Stepowski reports are recognition of the heritage values that should be conserved and corresponds with National Trust UCAs. Supports wider Pymble HCA and supports Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see discussion on UCAs in the main report and the assessment of the draft West Pymble HCA and the Orinoco HCA in the attachments.</p> <p>The recommendation to not proceed with these areas is a reflection of the lack of representation of buildings from key historic development periods. The area is still rich in character and biodiversity, and the R2 (low residential density) zoning and protections in place for the environment will conserve this suburban character for years to come.</p>
102	<p>Supportive of both</p> <p>Same comments as submission above however also mentions Councils responsibility to protect heritage, but also to fully understand the rights and responsibilities of all citizens and human rights and how “such changes as suggested may be perceived by ordinary people as intruding upon their everyday life”</p>	<p>Support is noted.</p> <p>Please see comments above.</p> <p>The majority of submissions received were against the proposal citing loss of property rights and financial loss. These issues have been further elaborated upon in the main body of the report to further explain the costs and benefits of heritage listing.</p>
159	<p>Supportive of both</p> <p>Same comments as submission 32 however, also raises concern with high rise development and need for HCA to protect. Supports wider Pymble HCA and Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see comments for submission 32 above.</p> <p>It is agreed that Ku-ring-gai’s valued heritage should be protected, however, there is a need for robust assessment to ensure that these areas are intact and representative of Ku-ring-gai’s heritage, and as such are defensible when challenged.</p>

No	Issue/Concern	Comment
6	<p>Opposed</p> <p>Objects to the inclusion of Golfers Parade and Courallie Avenue. The area is neutral and the houses late 20th century or newer. Streetscape is not in the same league as houses along Pymble Avenue.</p>	<p>Opposition is noted.</p> <p>It is agreed that this area is mostly neutral and it is not recommended to proceed.</p>
8	<p>Opposed</p> <p>Lawley Crescent, Pymble does not show the integrity of a war period development, many houses are modern. The area should be removed.</p>	<p>Opposition is noted.</p> <p>Agreed. Lawley Crescent area is not recommended for inclusion within a heritage conservation area.</p>
24	<p>Opposed</p> <p>Puzzled by some of the classification – do you honestly think 56 Beechworth Road is worth keeping. A lovely renovated home would be better than what is there now.</p>	<p>Opposition is noted.</p> <p>56 Beechworth is not on an area recommended to proceed as a HCA and as such will not have the requirements of conservation.</p>
100	<p>Opposed</p> <p>Council allowed redevelopment near the Pacific Highway in Pymble. It would be a double standard to prevent change down the hill.</p> <p>No financial compensation for the loss of what is a huge investment.</p> <p>DAS will have time and monetary blowouts. Blanket listing will diminish the value. Existing codes and regulations are enough. Council should do everything in its power to prevent further medium and high density development in the area.</p>	<p>Opposition is noted.</p> <p>The high density zoning referred to in the submission was undertaken by the State Government. For comments on reduced house values and development restrictions please see the main body of the report. Most of this HCA is not recommended to proceed. As the submission did not provide an address this report cannot respond to the impact or not on the specific property. This report does not deal with rezoning.</p>
36	<p>Concerned about road safety.</p>	<p>Is not relevant to the current report. Submission has been forwarded to the relevant staff in Roads and Traffic.</p>

Submission summary table – Not Specified

No	Issue/Concern	Comment
55	<p>Opposed to HCA/</p> <p>The above proposal imposes unnecessary restrictions on what I can do with my property, therefore I do not agree to any extension of Heritage Conservation Area.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
122	<p>Opposed to HCA.</p> <p>Very few houses in the area proposed have anything of heritage or architectural value due to the amount of renovations, extensions and additions to the properties. These modifications have diminished their heritage significance of the area.</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p>
127	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on the owners with what they can do with their properties & living.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
128	<p>Opposed to HCA.</p> <p>It will decrease the property value and will attract less long term & stable resident due to council restrictions. No need of this proposal</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values.</p>
129	<p>Opposed to HCA.</p> <p>This proposal should come from the resident of the area who are living in it, not from people outside the area. This will restrict us as individual owner of the property, while the council has in past allowed big</p>	<p>Opposition noted.</p> <p>The request for the HCAs did come from the residents of the area. Please see the background in the report to Council GB. 15 on 6 December 2016.</p>

No	Issue/Concern	Comment
	builders to change the whole landscape of the area despite of our petitions not to do it.	
150	<p>Opposed to HCA.</p> <p>Many houses already have additions or 2nd stories which have already diminished the heritage significance of the property & surrounding area. The proposal will place unnecessary restrictions on what I can do with my property as well as potentially decrease the property value.</p>	<p>Opposition noted.</p> <p>It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
152	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Potential decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed. Many houses already have additions stories, which has diminished the heritage significance.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>
186	<p>Opposed to HCA.</p> <p>Many houses in the newly proposed HCA area already have additions, second stories, or modified with modern garages or carports and gardens. These modifications have greatly diminished the significance of the properties and surrounding area.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>

No	Issue/Concern	Comment
190	<p>Opposed to HCA.</p> <p>Concerned with decrease in property value, a lack of contributory buildings, previous modifications and additions, and a lengthy, costly and complicated Development Application process.</p> <p>Also mentions the West Pymble HCA extension is far away from Pymble train station and unlikely to attract developers. Also, Pymble residents supported the original HCA proposal; it was in the aim to prevent the approval for the major development application at 1 Avon Road Pymble.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above. Inclusion in a heritage conservation area does require a heritage impact statement for DAs which can increase length and cost. The restriction on exempt and complying development in a HCA is intended to conserve the recognised heritage values from unsympathetic change.</p> <p>There are many examples of knock-down rebuilds in the West Pymble area. The street is desired for its proximity to schools as well as the station.</p>
70	<p>Opposed to HCA.</p> <p>This restriction is absolutely unnecessary due to the following reasons: 1) Some of the houses in this area are moderated (extended or rebuilt); 2) Potential impacts on our property values and 3) It will add a lot of unnecessary works to extend my property.</p>	<p>Opposition noted.</p> <p>Please see comments to submissions 150 and 190 above.</p>
71	<p>Opposed to HCA.</p> <p>Many of the houses included in the heritage area would definitely not be classified as "heritage" properties. This proposal will limit people's ability to improve their homes for their own well being and will affect the value of their</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of</p>

No	Issue/Concern	Comment
	property.	significance.
75	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Limitations on renovations and improvement allowed will decrease in property value.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
98	<p>Opposed to HCA.</p> <p>I object to this proposal and seek further community consultation which addresses the impact on property values and appeal for prospective purchasers buying into in the area. Further, the already built new developments (high density and single dwellings) has already diminished heritage significance.</p>	<p>Opposition noted.</p> <p>This proposal has undergone community consultation through both statutory and non-statutory processes. Nearly all statistical analysis to the impacts of heritage listing on properties points to the impact being negligible. Upzoning would have a significant impact on property values however at this point in time and given the environmental constraints of some of these areas upzoning is not being considered.</p>

Attachment: Brief literature review of the effect of designation on area on house prices

International results for hedonic analysis

Numerous studies have been undertaken globally to ascertain the impact of heritage listing (designation) on property values (see Table 1). Ford (1989), Asabere and Huffman (1994a), Leichenko et al (2001), Coulson and Leichenko (2001), Deodhar (2004), Coulson and Lahr (2005), Narwold et al (2008), and Noonan (2007) all found that designated houses typically sold for a premium when compared to similar properties that were not designated. Others such as Asabere, Hachey and Grubaugh (1989), Schaffer and Millerick (1991), and Asabere and Huffman (1994b) deduced that designation typically led to a discount in the value or had mixed results including no significant price effect. Summaries of these conclusions can be found in Table 1.

The Australian Government Productivity Commission (2006) investigated the effect heritage listing had on the value of residential single dwelling properties in Ku-ring-gai and Parramatta. The analysis found no significant effect on house prices in either area.

An Australian study by William Jeffries in 2012 reviewed the effect of heritage listing on house prices in Mosman. The review challenged the assumptions and methods of previous Australian studies including Deodhar (2004) and the Australian Productivity Commission (2006). The study hypothesized that the previous studies which employed a hedonic price methodology failed to give consideration to:

1. A variance effect – heritage listing increases the price of some properties while reducing the price of others, giving an overall outcome which is erroneous as the two outcomes:
 - a) offset each other to a neutral outcome;
 - b) result in false positive; or
 - c) result in a false negative.
2. Doesn't measure the effect on the prices of neighbouring properties.

Jeffries applied three models to the data:

- When using the hedonic price model the results were closely aligned to the findings of Deodhar and the Productivity Commission for Ku-ring-gai with an estimated increase to house prices of 17.9%. Jeffries postulated this positive outcome was the result of the types of houses which had been listed which may have been of higher quality (design, materials, setting) before listing and therefore regardless of designation, this subset may have had a higher house price compared to the overall sample.
- The difference-in-differences model estimated the average treatment effect i.e. the model assessed before and after listing prices. The results of this modelling were statistically insignificant and therefore it could not be concluded that the higher prices for heritage properties pre-existed the designation.
- The fixed effects model utilised in the calculation only those properties which had sales in both the before and after designation time periods. This analysis eliminates time-invariant observables and unobservables leaving only time-variant observables i.e. changes that occurred as a result of the changing condition (heritage listing) not the environment of the changing time (e.g. past and present macro and micro economic climates). Again, there was no statistically significant result.

Finally Jeffries tested the hypothesis that heritage listing increases the prices of some houses while decreasing the prices of others, with the overall effect being to cancel each other out to no effect. Jeffries applied the Breusch-Pagan heteroskedasticity test to the Mosman data to determine if this variance existed. Jeffries found that designation did not have a varying effect on the price of the houses that were listed or the neighbouring houses.

Results for historic precincts (hedonic modelling and repeat sales analysis)

Ford (1989), Asabere and Huffman (1994a), Coulson and Lahr (2005), and Thompson, Rosenbaum and Schmitz (2010) all used hedonic analysis to ascertain the impact of heritage listing on historic precincts or neighbourhoods and found a positive effect on houses prices.

Australian examples of the impact on property valuations and sale price from being included in a statutorily recognised heritage conservation area (heritage precincts) has tended to review the effect of listing on houses prices in country and mining towns.

Countrywide Valuers and Trevor Budge and Associates in their 1992 study of the Victorian mining town of Maldon found no adverse effect on property valuations from the heritage and planning and controls set in place as a result of heritage listing. The study concluded the planning controls had conserved the heritage character of Maldon and attracted visitors and property buyers to the town. Property values in Maldon were comparable or higher than neighbouring towns which were not included in the heritage overlay.

Penfold (1994) reviewed the impact of heritage controls on prices for four conservation areas in four Sydney local government areas: Ashfield, Burwood, North Sydney and Waverly. The study found that the statutory recognition of the conservation areas had favourable impacts on Ashfield and Burwood but made little difference to the prices in North Sydney and Waverly.

Cotteril (2007) stated in the Sinclair Knight Merz report of the impact of heritage overlays on house prices in Ballarat that “well maintained and marketed heritage listed residential properties are likely to sell at a premium...” and “....generally residential house prices are more likely to be affected by external economic factors such as interest rates and property location”.

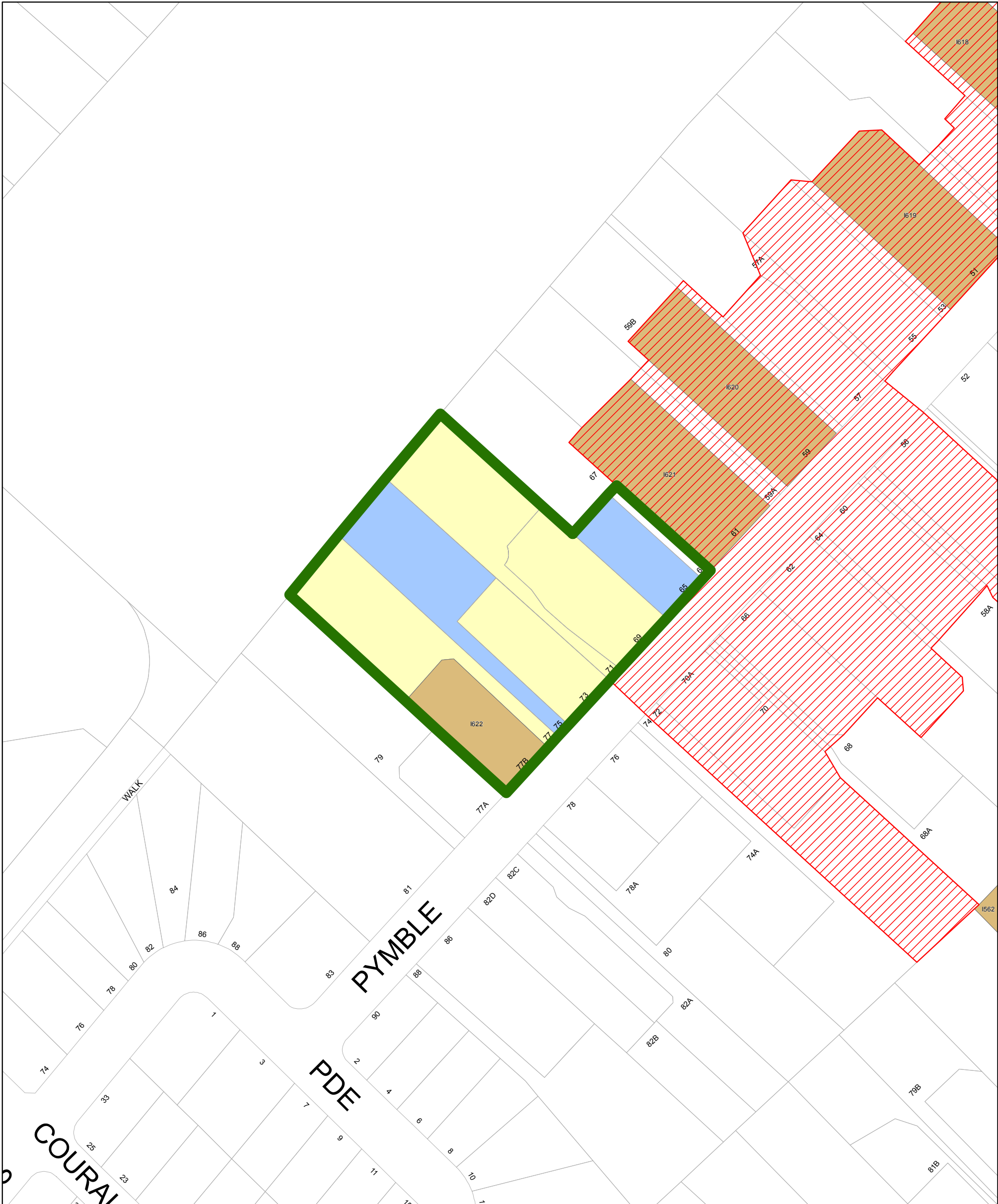
Armitage and Irons (2005) reviewed seven Australian and international studies on the effect of heritage listing on property prices. They surmised that the impact of heritage listing on property prices is marginal and generally tends to be positive, particularly in the case of placing heritage controls on entire precincts. They also note that individual cases, or outliers, do show significant upside or downside value movements. They attributed the positive effects in heritage precincts to the increased consistency and greater certainty of character in an area protected by conservation controls.

Table 1: Overview of studies**(Adapted from Lazrak, Nijkamp, Rietveld and Rouwendal (2009) and Jeffries (2012))**

Author(s)	Study	Study area	Key findings
Jeffries (2012)	Does heritage listing have an effect on property prices in Australia? Evidence from Mosman Sydney	Mosman, NSW	Cannot be concluded that heritage listing impacts house prices. A test for heteroskedacity yielded statistically insignificant results.
Zahirovic-Herbert and Chatterjee (2012)	Historic Preservation and residential property values: evidence from quantile regression	Baton Rouge, Louisiana	Results for historic districts. Buyers pay an average of approximately 6.5% for houses located in the nationally designated historic districts. Near Historic District, is a positive and indicates a 3.8% price premium for houses sold within walking distance from historic districts' boundaries'.
Moro, Mayor, Lyons and Tol (2011)	Does the housing market reflect cultural heritage? A case study of greater Dublin	Greater Dublin, Ireland	Results show that some types of cultural heritage sites, such as historic buildings, memorials, and Martello towers, provide positive spillovers to property prices while archaeological sites seem to be a negative amenity.
Thompson, Rosenbaum and Schmitz (2010)	Property values on the plains: the impact of historic designation	Nebraska, USA	Sale prices of houses in designated precincts rose \$5000 a year in comparison to houses in non-designated precincts in the years after designation.
Narwold, Sandy and Tu (2008)	The effect of historically designated houses on sale price	San Diego, USA	Historic designation of single-family residences creates a 16 percent increase in housing value which is higher than the capitalization of the property tax savings due to designation.
Noonan (2007)	The effect of landmarks and districts on sale price	Chicago, USA	Designated property has a positive effect on both itself and neighbouring properties.
Australian Government Productivity Commission (2006)	Effect of heritage listing: a hedonic study of two local government areas (on property value).	Parramatta and Ku-ring-gai, Australia	Heritage listing had no significant effect on the value of residential single dwelling properties.

Author(s)	Study	Study area	Key findings
Ruijgrok (2006)	The effect of 'authenticity', 'ensemble' and landmark designation on house prices	Tiel, Netherlands	Authenticity and façade elements accounts for 15 percent of sale prices in the Hanseatic city of Tiel.
Coulson and Lahr (2005)	The effect of district designation on appreciation rate	Memphis, Tennessee, USA	Appreciation rate were 14-23% higher when properties were in neighbourhoods which were zoned historical. Local designation is more important than national designation.
Deodhar (2004)	The effect of heritage listing on sale prices	Sydney, Australia	On average heritage listed houses commanded a 12 percent premium over non heritage listed houses. This premium is a combined value of heritage character, their architectural style elements, and their statutory listing status.
Coulson and Leichenko (2001)	The effect of designation on tax appraisal value	Abilane, Texas, USA	Local historic designation raises value 17.6 percent of designated property.
Leichenko, Coulson and Listokin (2001)	The effect of historic designation on house prices	nine different Texas cities, USA	Historical designated properties in Texas enjoy 5-20% higher appraised prices than other property.
Asabere and Huffman (1994a)	The effect of federal historic district on sales prices	Philadelphia, USA	Owner-occupied property located in national historic districts in Philadelphia sell at a premium of 26 percent.
Asabere and Huffman (1994b)	The effect of historic façade easements on sale prices	Philadelphia, USA	Condominiums with historic easements sell for about 30 percent less than comparable properties.
Asabere et al. (1994)	The sales effects of local preservation	Philadelphia, USA	Small historic apartment buildings experience a 24 percent reduction in price compared to non-locally certified properties.
Moorhouse and Smith (1994)	The effect of architecture on original purchase price	Boston, USA	Architecture design was valued with a premium.

Author(s)	Study	Study area	Key findings
Schaeffer and Millerick (1991)	The impact of historic district on sale prices	Chicago, USA	Properties with national historic designation have a premium and local historic designation have a discount over non designated properties. Properties near a historic district may enjoy positive externalities.
Asabere, Hachey and Grubaugh (1989)	The effect of architecture and historic district on home value	Newburyport, Massachusetts, USA	Historical architectural styles have positive premiums. The historic district of Newburyport does not have positive external effects.
Ford (1989)	The price effects of local historic districts	Baltimore, Maryland, USA	Historic districts do have higher prices than non-historical districts.
Vandell and Lane (1989)	The effect of design quality on rent and vacancy behaviour on the office market	Boston and Cambridge, USA	Design quality has a positive premium of 22 percent on rents but there is a weak relationship between vacancy behaviour and design quality.
Hough and Kratz (1983)	The effect of architectural quality on office rents	Chicago, USA	Tenants are willing to pay a premium to be in new architecturally significant office building, but apparently see no benefits associated with old office



Legend

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General
- Boundary of recommended HCA extension

Date: 20/06/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Avenue Conservation Area
Pymble
C11

Recommended extension to C11



FINALISATION OF PLANNING PROPOSAL FOR NEW AND EXPANDED HERITAGE CONSERVATION AREA IN WAHROONGA, TURRAMURRA, PYMBLE AND GORDON

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to make a determination in relation to the final composition of the Planning Proposal to include new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND:

A Planning Proposal was prepared to include new and expanded heritage conservation areas for KLEP 2015 and the KLEP LC 2012.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017.

Council considered the outcomes of the public exhibition at its meetings of 8 May 2018, 12 June 2018, 26 June 2018 and 14 August 2018. Council made resolutions in relation to 9 of the 11 areas at these meetings. A determination in relation to the final two areas is now required to progress the Planning Proposal to finalisation.

COMMENTS:

The Planning Proposal to include new and extended heritage conservation areas has been publicly exhibited and the results have been reported to Council over four meetings. Council has not made a determination as to how to proceed with two of the draft HCAs. A final determination on these matters to finalise the Planning Proposal is now required.

RECOMMENDATION:

That Council determine how to finalise the Planning Proposal to include several new and extended heritage conservation areas in the KLEP 2015 and KLEP LC 2012.

PURPOSE OF REPORT

For Council to make a determination in relation to the final composition of the Planning Proposal to include new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on Schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017, and subsequent extension on 5 April 2018. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017.

Council on 8 May 2018 considered the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

Council resolved on 8 May 2018:

- A. *That given the short timeframe provided to make decisions that impact over 800 properties, and the significant impact that these decisions could have on the character of Ku-ring-gai, that Council should defer the matter and spread the decision making across the next three (3) council meetings.*

Council on 12 June 2018 considered the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Telegraph Road Conservation Area, Gilroy Road Conservation Area, Mahratta Conservation Area and Hillview Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

Council resolved (in part):

1. *That Council resolves to adopt the Planning Proposal to list the Telegraph Road Heritage Conservation Area as statutorily exhibited during the period 15/09/2017 – 23/10/2017.*
2. *That Council resolved not to adopt the Planning Proposal to list the **Gilroy Road Heritage Conservation Area** as identified in Attachment A7 in schedule 15 and the heritage map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.*
3. *That Council resolved not to adopt the Planning Proposal to list the **Mahratta Heritage Conservation Area** as identified in Attachment A7 in schedule 15 and the heritage map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.*
4. *That Council resolves to adopt the Planning Proposal to list the **Hillview Heritage Conservation Area** as statutorily exhibited during the period 15/09/2017 – 23/10/2017.*

Item GB.11

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Council on 26 June 2018 considered the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

Council resolved (in part):

1. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area **Athol Conservation Area** as identified in **Attachment A9** in Schedule 5 and the Heritage Map of the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012*.
2. That Council does proceed with the inclusion of the **Mona Vale Road Conservation Area** (as exhibited) in the adopted Planning Proposal.
3. That Council does proceed with the inclusion of the **Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area** (as exhibited) in the adopted Planning Proposal.

Council on 14 August 2018 considered the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

In relation to the report considered on 14 August 2018, no decision was taken in respect of the matter and it remains in abeyance. Therefore, Council's position on the final two HCAs for the West Pymble and Orinoco areas in Pymble is required in order to finalise the Planning Proposal.

A copy of this report is included at **Attachment A1**.

COMMENTS

Council has now considered reports on all of the proposed new and extended HCA for inclusion within the KLEP 2015 and the KLEP LC 2012. Council has not made a determination into relation to two of the HCAs. A decision is now required from Council regarding the final composition of the Planning Proposal to be forwarded to the Department of Planning and Environment for finalisation.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

The report considered by Council on 14 August 2018 addressed governance matters relating to the preparation and implementation of planning proposals. It noted that Council was issued with plan-making delegation under Section 2.4 (previous s.23) of the EP&A Act 1979 to finalise the Planning Proposal. This authorises to exercise the functions of the Greater Sydney Commission under Section 3.36 (previous s59) of the Act. This includes both:

- requesting that the legal instrument (the LEP) is drafted by Parliamentary Counsel's Office (PCO), and
- the actual making of the LEP once an Opinion has been issued by PCO that the plan can be legally made.

When a delegated Planning Proposal is revised following exhibition, Council is to forward a copy of the revised proposal to the Department under Section 3.35(2) (previous 58(2)) of the Act. In circumstances where substantial changes are made to a Planning Proposal after exhibition, a new Gateway Determination and further consultation may be required before the LEP is made.

The report recommended that, should the final Planning Proposal be substantially different from the original planning proposal and given the added complexity and conflicting issues surrounding the multiple HCAs, Council's delegation be returned to the Department to finalise the proposal. This will then allow the Department to direct these complicated amendments to Parliamentary Counsel.

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions. Submitters have been additionally notified when their relevant HCA was considered by Council as part of further reporting.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee.

INTERNAL CONSULTATION

Briefings were held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018; Tuesday, 12 June 2018; Tuesday, 26 June 2018 and Tuesday, 14 August 2018.

This report has been referred to the relevant sections of Council and the Council's Heritage Reference Committee for comment.

SUMMARY

The public exhibition process for the planning proposal to include new and extended HCAs in the KLEP 2015 and the KLEP LC 2012 has concluded. Council has received and considered four reports regarding this matter. A final determination as to the progression of the Planning Proposal is now required in order for Council to finalise this matter.

RECOMMENDATION:

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** to the report to Council of 14 August 2018 (contained within **Attachment A1** to this report), in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are proposed to this planning proposal via Council's resolutions of 12 June 2018 and 26 June 2018, and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the *Environmental Planning and Assessment Act* to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

Maxine Bayley
Strategic Planner Heritage

Craige Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments: A1  Council Report OMC 14 August 2018 Item GB.10 2018/240304

CONSIDERATION OF SUBMISSIONS ON THE DRAFT WEST PYMBLE CONSERVATION AREA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND:

A Planning Proposal was prepared to include several heritage conservation areas for KLEP 2015 and the KLEP LC 2012. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. This report provides an overview of the outcomes of the public exhibition.

COMMENTS:

A total of 175 submissions were received on these two draft conservation areas during the public exhibition of the Planning Proposal. The submissions have been reviewed and the Planning Proposal has been revised.

RECOMMENDATION:

That Council proceeds with a heritage listing for the amended Pymble Avenue Conservation Area. The larger West Pymble Conservation Area is not recommended to proceed nor is the extension to the Orinoco Conservation Area.

PURPOSE OF REPORT

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Owners were notified by a letter which included a map of the affected area, and a brochure briefly explaining the proposal, the process and the community's opportunity to make comment.

A report on the submissions was presented at the Ordinary Council meeting of 8 May 2018. Following representations from members of the community the Council resolved to defer the report to three subsequent meetings to provide more time for Councillors to consider the recommendations and undertake their own assessments.

This report provides an overview of the outcomes of the public exhibition for the West Pymble Conservation Area and the proposed extension to the Orinoco Conservation Area.

COMMENTS

Heritage conservation areas conserve the heritage values of an area, rather than a particular item. These are areas in which the historic origins and relationships between various elements create a cohesive sense of place that is worth keeping. These elements can include the buildings, gardens, landscape, views and vistas.

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing cultural significance and contribution values can be found in **Attachment A1**

Common themes from the community submissions

Council received 175 community submissions for the heritage conservation area peer review for the HCAs being considered by this report, several of these were duplicates sent by mail and electronically: In addition 3 submissions were received that were in support of all the HCAs that were exhibited as part of the peer review.

Overview of submission numbers on these HCAs:

	Against	For	Unclear
Orinoco	2	1	
West Pymble	63	17	1
Both HCAs	68	21	2
Total	133 (76%)	39 (22%)	3 (2%)

For these HCAs, 133 submissions were against the proposal, 39 submissions were for the proposal and 3 submissions were unclear as to whether they were for or against. A summary of the submissions for each of the heritage conservation area can be found in **Attachments A3 to A5**, and submissions that were made for all HCAs (i.e. not a specific area) can be found in **Attachment A6**.

Common themes from the submissions were:

- Implications of inclusion in a heritage conservation area;
- support for protecting the local area from increased residential density;
- impact on house prices from reduced demand;
- objection to blanket listing;
- The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh.

A discussion of these common themes can be found in **Attachment A2**. A literature review on the effects of heritage listing in designated areas can be found in **Attachment A7**.

Review of the maps and proposed HCAs

Following the exhibition period Council staff reviewed the submissions, and then once again reviewed the proposed heritage conservation areas taking into consideration the information gleaned from the submissions, changes on the ground (demolitions and/or new developments including alterations and additions) and Council held records (such as historical photographs, Council reports, property files and development applications).

Below is a summary of the Council officer's recommendation for each heritage conservation area. Further information for each of the heritage conservation areas can be found in **Attachments A3 – A4** which includes comments, summary of submissions, revised ratings and revised mapping.

Summary of heritage conservation area recommendations

Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
Extension	West Pymble	C11A – C11B	LCLEP KLEP	PMA	Proceed amended
Extension	Orinoco	C10A – C10B	LCLEP	SJS and PMA	Not proceed

Map of the extension to the Pymble Avenue Conservation Area recommended to proceed can be found at **Attachment A8**.

Explanation of heritage conservation area recommendations

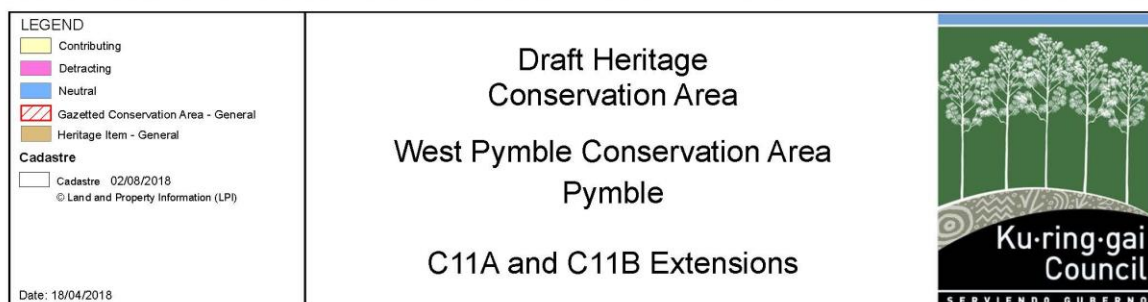
1. West Pymble Conservation Area – Pymble (C11A and C11B)(see Attachment A3)

Recommendation: Proceed amended

The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”.

It is agreed the large areas of neutral properties do not warrant inclusion within a heritage conservation area.

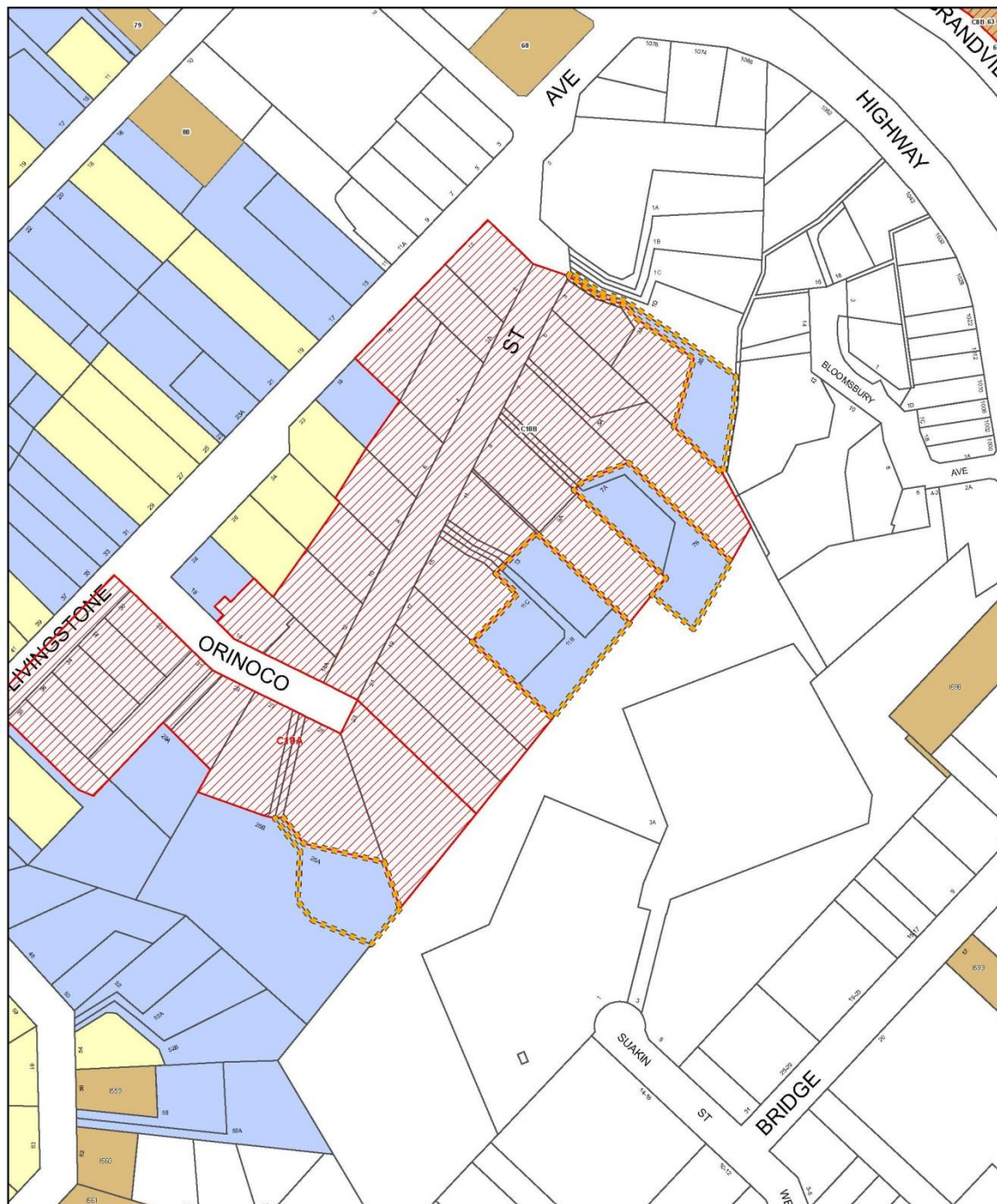
Instead several potential small HCAs were reviewed and reassessed more closely where clusters of contributory buildings were indicated on the exhibited map. As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area (C11) be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack.



2. Orinoco Street Conservation Area (C10A and C10B)(see A4)

Recommendation: Do not proceed

The exhibited map of this extension to the Orinoco Street Conservation Area ***rated all the properties as neutral*** and all of these properties were battle-axe lots. These properties, following review, remained neutral. This area is not recommended to proceed as there is no gain to the HCA from the inclusion of this group non-historical buildings. This extension to the conservation area is not recommended to proceed.



<p>LEGEND</p> <ul style="list-style-type: none"> Contributing Detracting Neutral Gazetted Conservation Area - General Heritage Item - General <p>Cadastral</p> <ul style="list-style-type: none"> Cadastral 01/08/2018 © Land and Property Information (LPI) <p>Date: 18/04/2018</p>	<p>Draft Heritage Conservation Area</p> <p>Orinoco Street Conservation Area</p> <p>Pymble</p> <p>C10A and C10B Extensions</p>	
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INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

This report addresses issues of heritage protection in line with Council's recently gazetted LEPs. The process for the preparation and implementation of the Planning Proposal to implement the new Heritage Conservation Area is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

Council was issued with plan-making delegation under Section 2.4 (previous s.23) of the EP&A Act 1979 to finalise the Planning Proposal. This authorises to exercise the functions of the Greater Sydney Commission under Section 3.36 (previous s59) of the Act. This includes both:

- requesting that the legal instrument (the LEP) is drafted by Parliamentary Counsel's Office (PCO), and
- the actual making of the LEP once an Opinion has been issued by PCO that the plan can be legally made.

When a delegated planning proposal is revised following exhibition, Council is to forward a copy of the revised proposal to the Department under Section 3.35(2) (previous 58(2)) of the Act. In circumstances where substantial changes are made to a planning proposal after exhibition, a new Gateway determination and further consultation may be required before the LEP is made.

Given the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, it is recommended that Council's delegation be returned to the Department to finalise the proposal. This will then allow the department to direct these complicated amendments to Parliamentary Counsel.

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee. There were no objections raised to the recommendations regarding the draft heritage conservation areas contained within this report.

INTERNAL CONSULTATION

A briefing was held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018 and a further Councillor briefing session was scheduled prior to this report to the Council meeting of 14 August 2018.

This report has been referred to the relevant sections of Council and the Council's Heritage Reference Committee for comment.

SUMMARY

This report considers the community submissions to a planning proposal to list one additional heritage conservation area being West Pymble Conservation Area. Based on the assessment of the submissions and further detailed heritage assessment an amended heritage conservation area is recommended to proceed being the amended Pymble Avenue Conservation Area.

RECOMMENDATION:

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the Environmental Planning and Assessment Act to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

Andreana Kennedy
Heritage Specialist Planner

Craig Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1	Attachment 1 - Determining factors in assessing the significance of heritage conservation areas and contribution ratings	2018/169572
	A2	Attachment 2 - Common themes from the submissions	2018/169578
	A3	Attachment 3 - West Pymble Conservation Area - C11A & C11B	2018/175995
	A4	Attachment 4 - Orinoco Conservation Area - C10A & C10B	2018/175971
	A5	Attachment 5 - Submission summary table - West Pymble and Orinoco	2018/176063
	A6	Attachment 6 - Submission summary table - Not Specified	2017/343501
	A7	Attachment 7 - Brief literature review of the effect of designation on area on house prices	2018/109311
	A8	Attachment 8 - extension to Pymble Avenue HCA - recommended to proceed	2018/176329

Determining factors in assessing the significance of heritage conservation areas

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing which heritage conservation areas should be included in the Ku-ring-gai Principal Local Environmental Plan include:

- **Cultural significance** – as assessed by the heritage consultant Architectural Projects Pty Ltd. This assessment reviewed the intactness of heritage conservation areas that were previously recommended by the 2006 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh and/ or the Godden Mackay Logan Urban Conservation Area studies (2001-2005).
- **Submissions** – issues raised in the submissions are addressed in **Attachments A3 to A8**. The public submissions covered a variety of topics including support or objecting against the findings of the HCA review, factual corrections, concerns regarding incorrect assessment of contributory values and the financial impacts of inclusion in a heritage conservation area.
- **Proximity to gazetted Heritage Conservation Areas** – where the proposed HCA is adjacent to an existing HCA the extension completes and/or further conserves those conservation areas already gazetted.
- **Other planning considerations** under the Ku-ring-gai Local Environmental Plans and associated Development Control Plans, including issues such as the management of fire prone areas and interaction with interface zones of areas with medium or high residential density.

Contribution ratings

Assessments of heritage conservation areas ascribe contribution values to the buildings within the conservation area. The methodology applied in the assessment process of potential heritage conservation areas includes reviewing previous studies and historical data, undertaking additional new historical research, engaging in detailed fieldwork including walking the study areas and assessing the properties as contributory, neutral or uncharacteristic. This methodology was developed by the City of Sydney to review and determine the integrity of several of its heritage conservation areas and is considered best practise.

The description for each ranking is:

- | | |
|-------------------|---|
| 1. Contributory - | Key historical period layer, highly or substantially intact
Key historical period layer, altered, yet recognisable and reversible |
| 2. Neutral - | Key historical period layer, altered in form, unlikely to be reversed;
New sympathetic layer or representative of a new layer |
| 3. Detracting - | Not from a key historical period layer
Uncharacteristic (in either scale or materials/details)
New uncharacteristic development
Other uncharacteristic development |

Common themes from the submissions

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval.

New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation.

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh.

Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to recognise and protect Ku-ring-gai's unique garden suburbs. The up-zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development.

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A10**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The “blanket” approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona Vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed is the Robertson and Hindmarsh study did not

undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and the history of change to include those areas that best represent the history and heritage of Ku-ring-gai.

Draft West Pymble Conservation Area (C11A & C11B)

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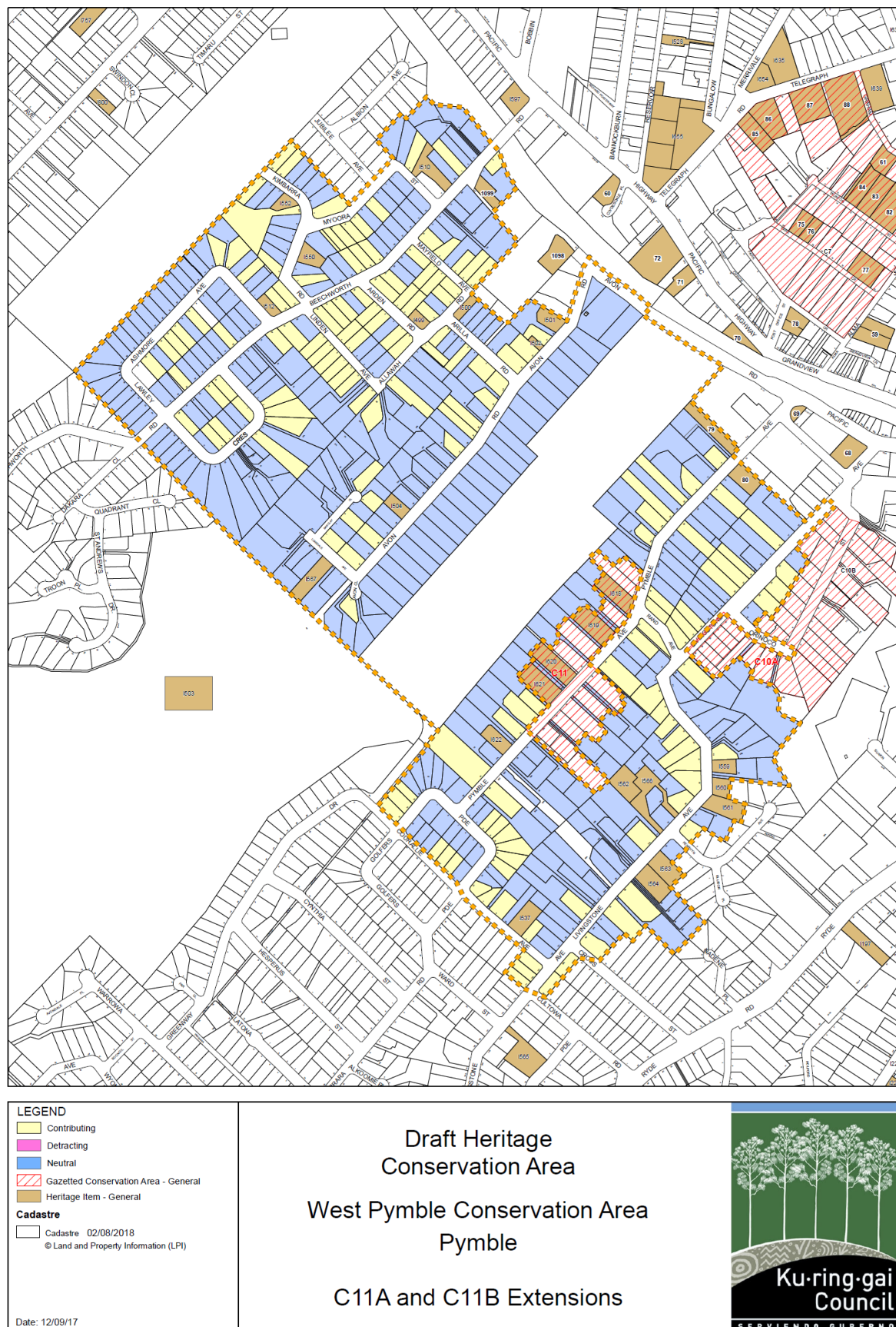
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Rating review 39

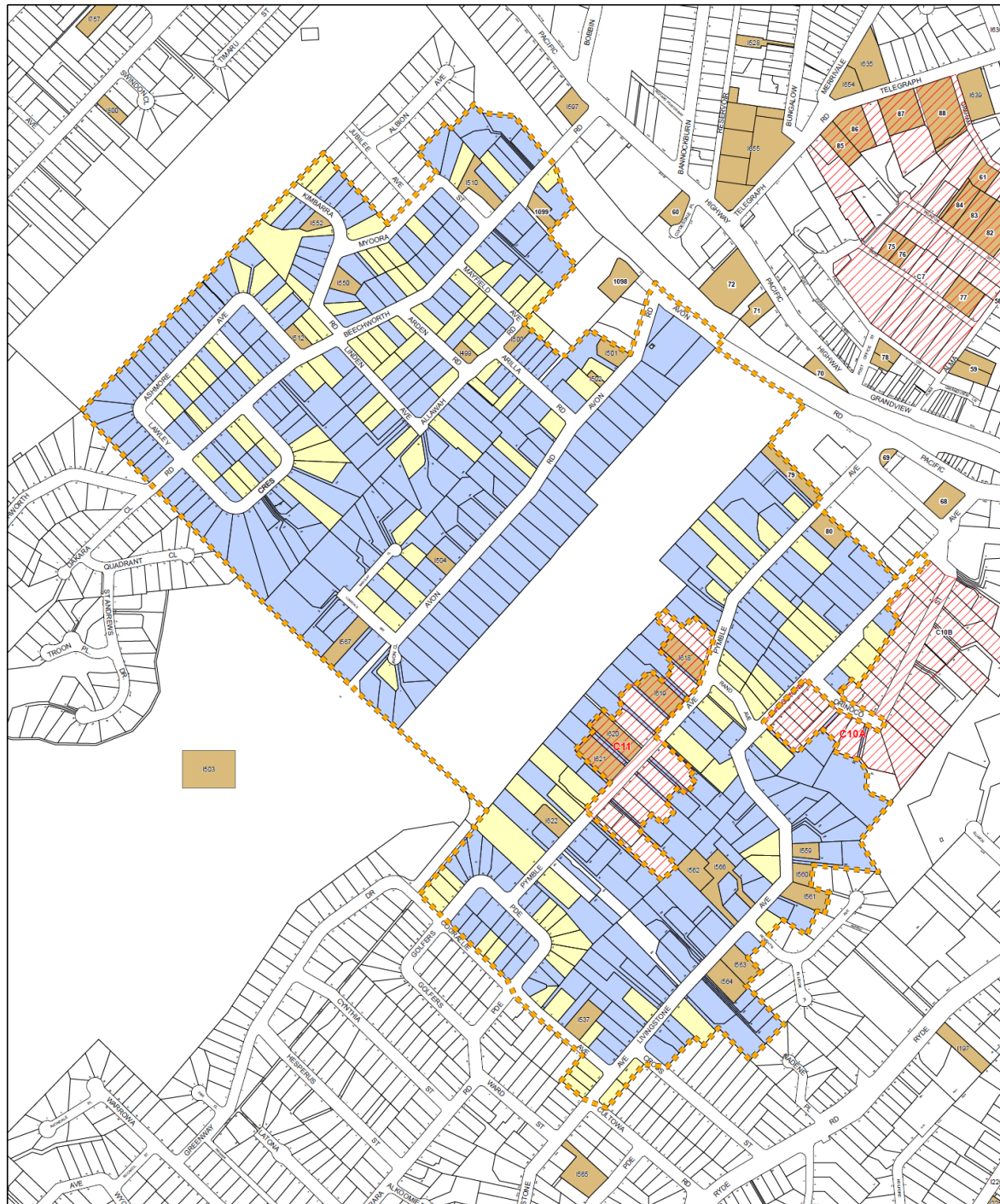
Maps

1. Exhibited rating map



2. Revised rating maps

2.1 Draft West Pymble HCA



LEGEND

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastral

- Cadastral 02/08/2018
- © Land and Property Information (LPI)

Date: 18/04/2018

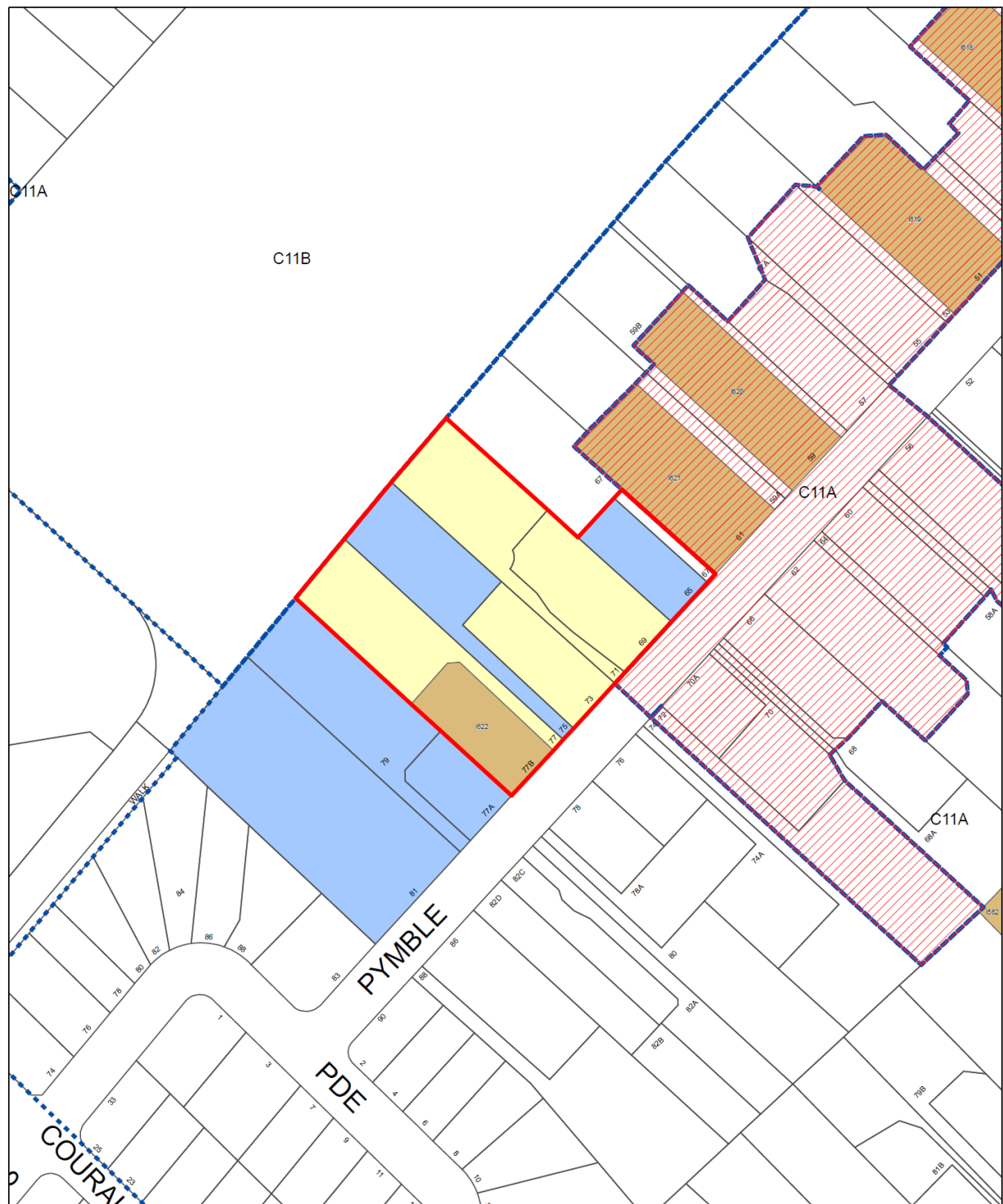
Draft Heritage
Conservation Area

West Pymble Conservation Area
Pymble

C11A and C11B Extensions



2.3 Draft Pymble Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date: 18/04/2018

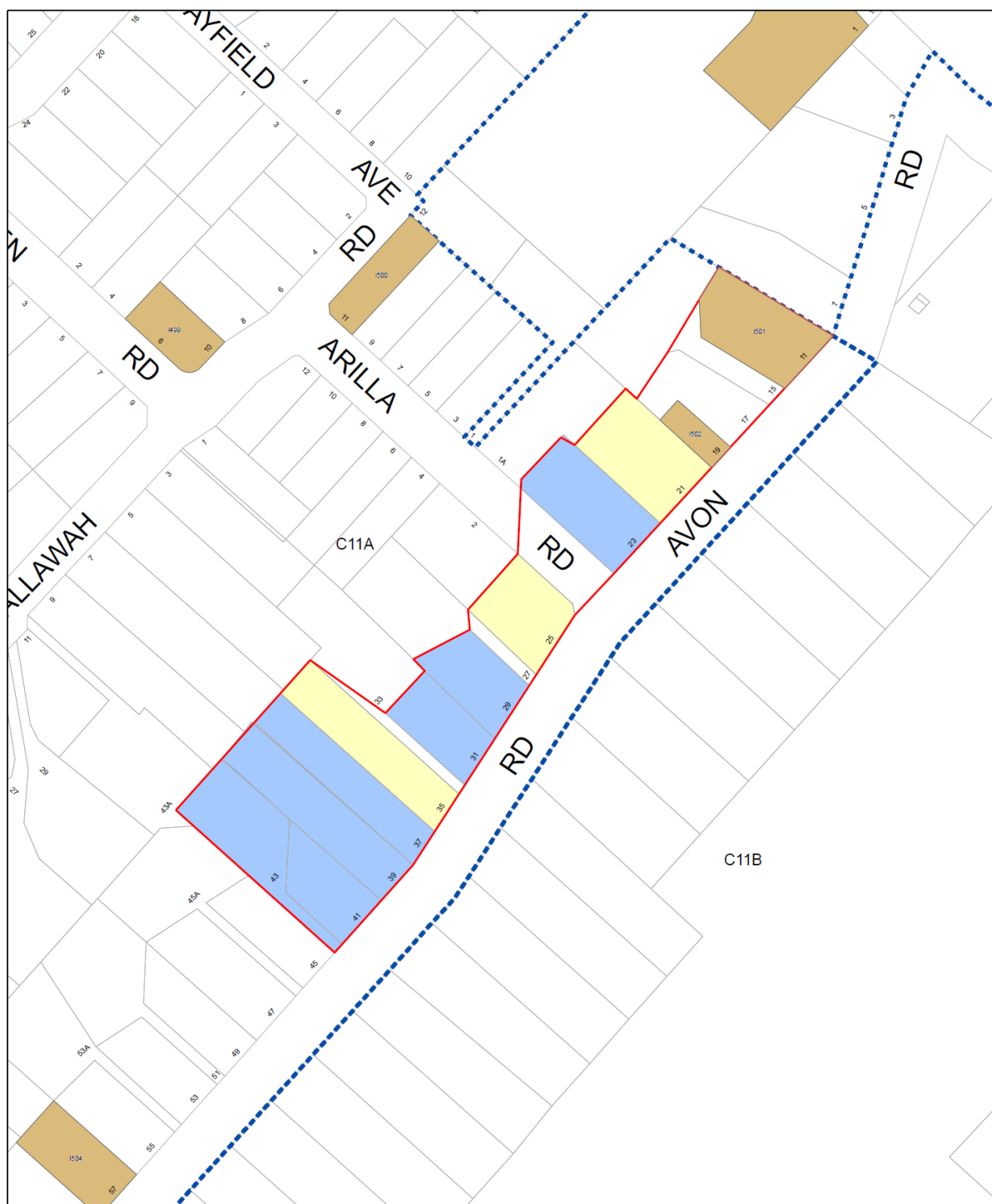
Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Avenue Conservation Area
Pymble
C11

Contribution Rating Map
Recommendation
Recommended extension to C11



2.4 Draft Avon Road, Pymble HCA



Legend	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Revised HCA Boundary

Date: 17/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

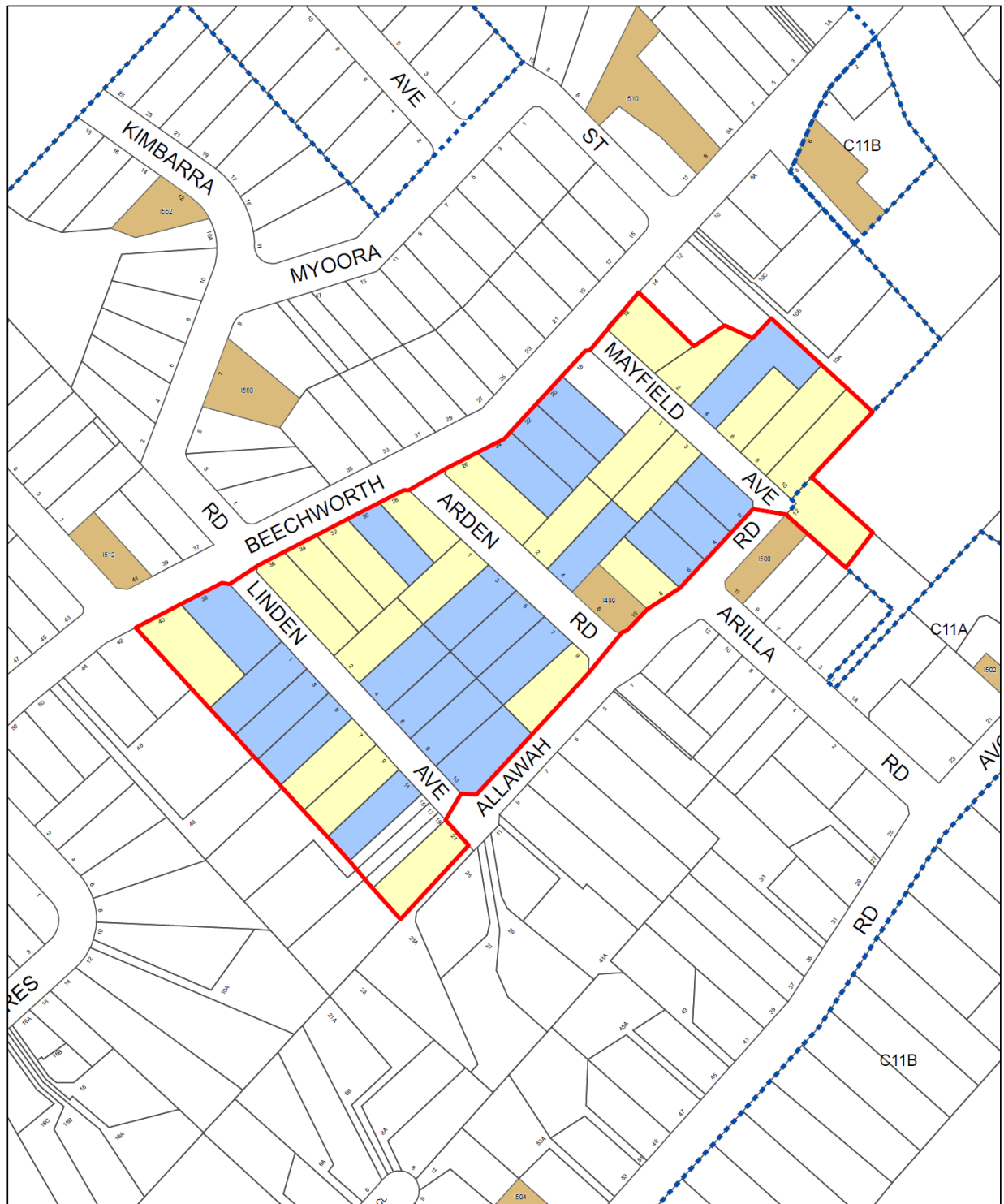
Avon Road
Pymble

C11

Contribution Rating Map
Recommendation -
Not recommended to proceed



2.5 Draft Mayfield Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date:18/04/2018

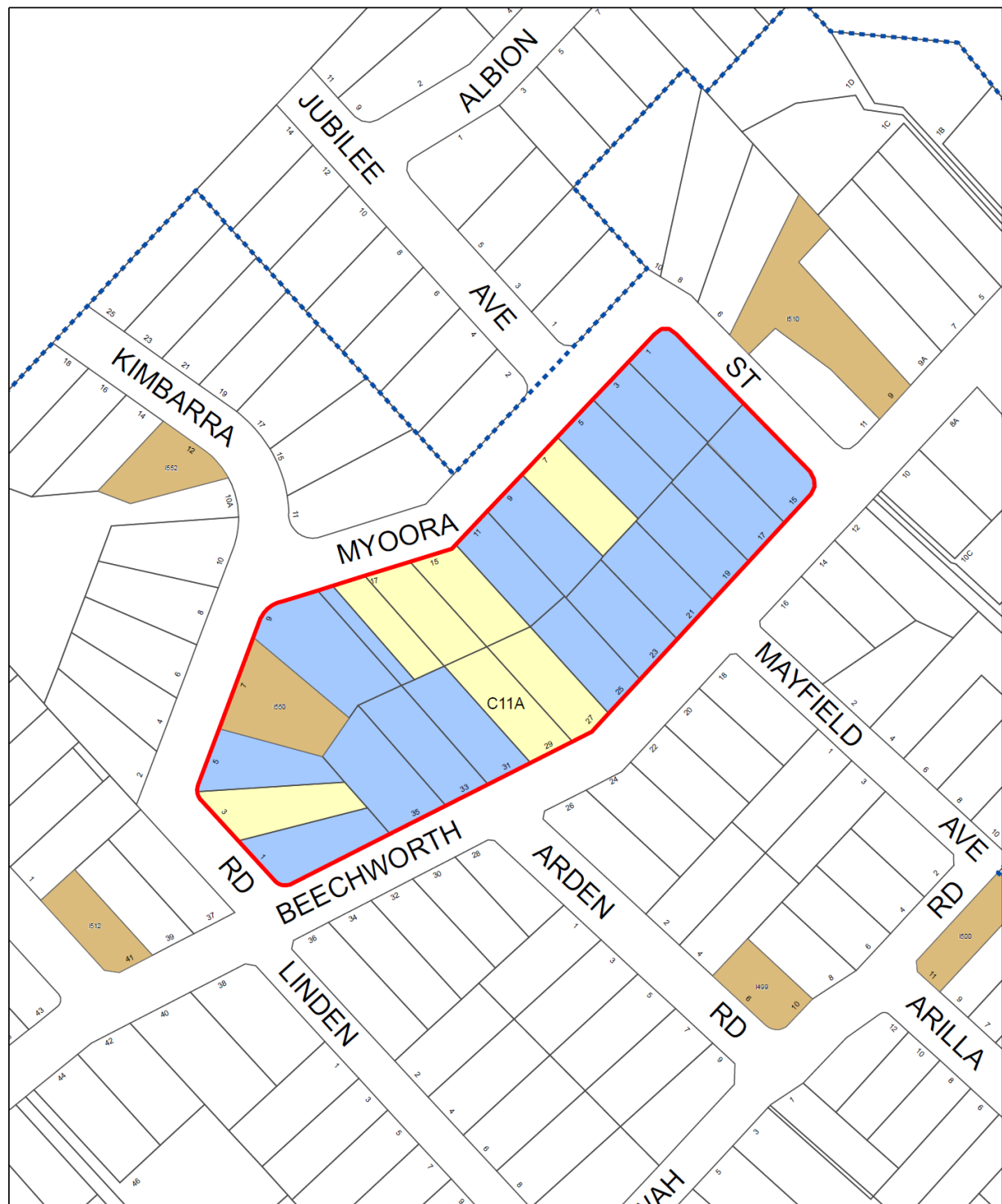
Draft Heritage Conservation Area
Area Review - Feb 2018

Mayfield Avenue Conservation Area
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



2.6 Draft Myoora Street/Kimbarra Street Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date: 18/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Myoora Street/Kimbarra Street
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



Comments

The area reviewed is the draft C11A and C11B that includes 512 properties located in Pymble on the west side of North Shore Railway Line (see exhibited rating map above).

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 82 submissions were received.

Issues raised in the submissions included the unfairness of blanket restrictions, support for what was previously recognised as an urban conservation area, restrictions on development and reduced house prices. These issues are addressed in the main report and the submission summary table below.

In light of the public submissions the area was reviewed again which included several site visits and historical research by Council officers. The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”. Instead several

potential small HCAs were reviewed and reassessed more closely. These areas can be seen in maps above (maps 2.2 – 2.6) and were:

- Livingstone Avenue, Pymble

On Livingstone Avenue (Nos. 55-79 and 54-88) 21 properties were reviewed. Following the review the ratings of six properties were changed from contributory to neutral. The reasons for the change of rating included misidentification (a more recent building with faux features identified as an earlier build), render of original facebrick and unsympathetic additions (including garages forward of the front building line). Many of the neutral properties were on the edges of the reviewed area which when removed reduced the size of any potential proceeding HCA. In addition, 62 Livingstone Avenue which is listed as a heritage item is being removed from the heritage list as it is a recent build constructed on land subdivided from a heritage item. It is not recommended this portion of Livingstone Avenue proceed to inclusion as a heritage conservation area.

- Pymble Avenue, Pymble

The area reviewed on Pymble Avenue (nos. 65-81) includes 10 properties. On review two properties ratings were changed from contributory to neutral as the houses were more recently built examples of Australian Nostalgia and had been mistaken for buildings from an earlier period. Two properties on battle-axe sites were changed from neutral to contributory. Both of these properties were good examples of Post-war architecture and a significant period of development for Pymble Avenue. The extension is recommended to proceed as good representative examples of houses from the 1930s through to the 1960s and a positive addition to the existing heritage conservation area.

- Avon Road, Pymble

On Avon Road (Nos 11-41) Pymble 14 properties were reviewed for inclusion within an HCA. This area was of interest due to the number of extant buildings as identified on the 1943 aerial photograph running along Avon Road. On closer inspection the ratings of 4 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick, unsympathetic additions and a misidentification of more recent building (faux Federation) for one from a much earlier period. There is a small group of contributory buildings from 11-21 Avon Road that includes two heritage items, however, this small group if included would be alone and not be an extension of an existing HCA and as such is not recommended to proceed.

- Mayfield Avenue, Pymble (including Arden Road, Linden Avenue, Beechworth Avenue and Allawah Road)

The area reviewed includes Linden Avenue, Arden Road and Mayfield Avenue and is bounded to the north by Beechworth Road and to the south by Allawah Road. It was evident on the 1943 aerial photograph that a high number of houses had already been built. As opposed to other areas in the draft West Pymble HCA that were undeveloped. On reviewing the ratings 11 properties changed from contributory to neutral. The main reason for the change in ratings was rendering of original facebrick and unsympathetic additions including integrated garages forward of the original front building line of the house and second storey additions. As a result of the rating changes the area is predominantly neutral buildings. This area is not recommended to proceed.

- Myoora Street/Kimbarra Road Pymble

The area reviewed included 27-31 Beechworth Road, 1-17 Myoora Street and 1-9 Kimbarra Road for inclusion within an HCA. These streets were of interest due to the presence of representative examples of 1950s and 1960s houses. On closer inspection the ratings of 2 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick and unsympathetic additions. The change in ratings resulted in a very small proposed area interspersed with clusters of neutral buildings. This area is not recommended to proceed.

Overall recommendation:

As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots during the post-war period. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack it is recommended this be investigated for individual listing.

Properties recommended for further investigation to understand their cultural significance include:

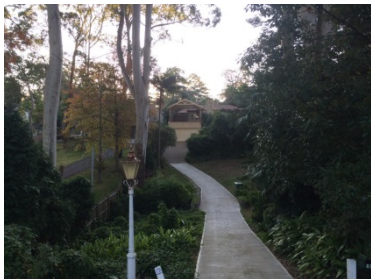
- 4 Avon Close Pymble (architect Harry Seidler)
- 8 Barclay Close Pymble (architecturally designed Post-war housing)
- 77 Pymble Avenue Pymble (architect Russell Jack)

The revised statement of significance for the extended Pymble Avenue Conservation Area is:



Pymble Avenue Heritage Conservation Area is historically significant as a portion of Richard's Wall's 1824 land grant which became the Pymble Station Estate subdivision of 47 one-acre residential lots on either side of Pymble Avenue, advertised for sale between 1893 and 1910, developed in the Federation to inter-war period, with substantial one and two storey houses, often architect-designed. Post-war subdivision of these lots resulted in many battle-axe sites which provided opportunities for architects of this time including Russell Jack. The area is of aesthetic significance for its group of fine, Federation to post-war period houses in generous garden settings within a spectacular mature blue gum high forest streetscape.

Submission summary table


No	Issue/Concern	Comment
1	New and approved development in the area. Does not see the sense in heritage listing new places. Should exclude the block containing Beechworth Road and Mayfield Avenue and list only the places of heritage significance.	<p>Please see comments on area listings in main body of the report.</p> <p>It is not recommended to proceed with most of Beechworth Avenue, the exception being numbers 16, and 18. Please see recommendations on the Mayfield HCA in the main body of the report.</p>
3	Concerns of the impact on proposed DA for a new house. The house was built in the 1980s. Already paid for the new design which was designed without giving consideration to heritage and a redesign would cost considerable expense.	<p>94A Livingstone Avenue Pymble: DA0540/17 submitted Nov 5.</p> <p>The DA for the property has been submitted and is being considered by Development Assessment. As the existing house is a recent build then a new house can be considered onsite assuming the design is contextual and responsive to the values of the draft heritage area. Further guidance will be given by the Development Assessment team when they assess the DA.</p>
4 28	Property at 17 Livingstone Avenue when combined with the neighbours at number 15 is a significant development opportunity due to its size and proximity to rail and the Pacific Highway. 15 and 17 should be turned into R4 to accommodate more people living in the area near significant employment lands like St Leonards. Sacrificing a bit of Pymble's environment will protect untouched forests further out.	<p>Any proposal to proceed with the HCA should consider an interface between zonings such as R4 (high residential density) and R2 (low residential density). In this case the zoning is R4 against E4 (Environmental Living). The E4 zoning reflects the high environmental value of these sites, not in isolation but as a group. This includes the riparian zone of the creek. In response to these environmentally sensitive sites and the E4 zoning the maximum height of buildings on the adjoining R4 site has been limited to 11.5m.</p> <p>In determining appropriate zoning Council is required to consider the impact on affectations such as heritage and the environment. This study is with</p>

No	Issue/Concern	Comment
		regards to the heritage values of the site. The built heritage value of this property is limited and the rating should remain as neutral. It is not recommended these houses be included within an HCA.
7	<p>Does not support the proposal.</p> <p>Property (55 Pymble Avenue) is not heritage it is Inter-war in age, a housing style prevalent throughout Sydney. There will be impact on the property owner's collateral worth as a result of the listing. Council should compensate on the loss of value based upon independent valuation.</p>	The house is within an existing HCA and is not part of this review.
12	<p>Does not support the proposal.</p> <p>On their block in Lawley Crescent there are many new builds and in other areas old shabby houses that need to be upgraded. These affect the character of the area.</p>	It is agreed that the majority of Lawley Crescent is not contributory or worthy of inclusion in the HCA. Please refer to the reviewed HCA boundary in the main body of the report.
20 21	<p>Against the proposal.</p> <p>Property at 19 Livingstone Avenue is not contributory due to the unsympathetic addition of a garage and pergola forward of the front building line, constructed in 2001. The heritage requirements for further development are onerous. How will the changes affect my development potential and future zoning changes as the site is highly suitable for upzoning due to its size and proximity to Pymble Station.</p>	<p>Opposite Orinoco HCA.</p>  <p>The house is present on the 1943 aerial. There is an unsympathetic covered patio over a garage. DA for garage construction was 1989. The pergola was added later.</p> <p>The site is E4 (environmental living). This zoning reflects the high environmental values of the site and</p>

No	Issue/Concern	Comment
		<p>immediate area and has been assessed as not appropriate for upzoning.</p> <p>The constraints on this site are not just heritage. Future development would require a merit based development assessment that considers all factors affecting the site.</p>
22	Objects to the proposal.	Noted
27	<p>Strongly supports the conservation areas.</p> <p>We value the aesthetic quality of the early to mid 20th century houses and the historical subdivision patterns and original natural topography that are evident. We value the streetscapes of the area with the houses set in substantial gardens and set back from the street; and overlaid with large canopy native trees.</p> <p>The CA approved by Council covers the wider area recommended by Perumal Murphy Alessi. This is correct in our view. First, it corresponds with the original National Trust proposed CA 18. Secondly, the key heritage concept now reflected in the CA is the over-arching local environmental context of the garden suburbs movement. Smaller, fragmented CAs would miss the point. The wider CA now approved is the right way to go.</p> <p>Unlike the southern suburbs of Ku-ring-gai, Pymble and areas north have received little or no heritage recognition. However it is clear from the Jackson-Stepowski and Perumal Murphy Alessi studies that this area of Pymble west of the highway warrants heritage recognition.</p>	<p>The support is noted. The area does have a unique mature canopy with bush outlooks and a character of large houses set in substantial gardens. At issue is what of this is heritage. A conservation area has many elements and layers not just buildings but also the setting and the landscape. West Pymble certainly has a unique landscape which is highly valued by the community. The overwhelming outcome of this public consultation, and is reflected in the contribution rating mapping, is that many of the houses are not contributory and the community do not understand why there should be additional development controls on house design when in many streets the architecture is not valued. If tree preservation is the issue than there are other mechanisms for protecting these trees. The National Trust Urban Conservation Area was based on the review by Robertson and Hindmarsh in their study Housing Between the Wars.</p>

No	Issue/Concern	Comment
40	<p>Objects to the proposal.</p> <p>House (15 Courallie Avenue, Pymble) should be neutral because the house is small and only a few windows to the street; the financial disadvantage through loss of value; and there are many new houses in the street.</p>	 <p>The substantial garage forward of the front building line is detracting. From historic aerials it is not original and it is recommended the house be rated as neutral.</p>
48	<p>Objects to the proposal.</p> <p>Want to demolish the building to build a more accessible home.</p>	<p>Objection noted.</p>  <p>House (66 Beechworth Road, Pymble) is 1960s Georgian Revival constructed before 1968. While the house is considered contributory as representative example of the 1960s development layer this part of the HCA is not recommended to proceed.</p>
52	<p>Opposes the proposal.</p> <p>House zoned E4 (Environmental Living) immediately adjoining R4. Not consistent with Council's interface policy.</p> <p>Believes there should be a more balanced approach to conservation that allows developmental growth along the rail corridor. A balanced approach between development and the environment would encourage owners to grow trees rather than protect the trees that are there. The population issues and the need to house the growing community should take</p>	<p>15 Livingstone</p> <p>Please see comments in submission 4 above regarding interface.</p> <p>The other comments take issue with the zoning of the site and not with heritage and that is not the subject of this report. Please contact Council's customer service if you wish to further discuss zoning issues.</p>

No	Issue/Concern	Comment
	precedence over protection of species.	
54	<p>Against the proposal.</p> <p>The recommendations do not have sufficient evidence to back them up.</p> <p>How do you justify a blanket listing that doesn't fit the Heritage Council's definition of heritage listing. Why make homes comply to restrictions for a listing that has nothing to do with them. This review smacks of laziness.</p> <p>Majority of the homes are either new or rebuilds. How is there one rule for homeowners and one rule for developers, the developers being allowed to demolish heritage homes and build high-rises. The eclectic mix of homes from the post-war to now are not significant to the people of NSW.</p> <p>Furthermore, I am concerned that one of the Principals of PMA Heritage who were commissioned to put the report together has now been questioned on his integrity for council decisions made in the Canterbury Bankstown Council in 2016.</p> <p>Prefer individual listings over places that truly deserve to blanket listing.</p>	<p>The Heritage Council provide advice and recommendations to the government on State heritage matters. With the exception of certain interim heritage orders, local heritage falls under the legislative jurisdiction of the Environmental Planning and Assessment Act.</p> <p>Please see comments on blanket listing in the main body of the report.</p> <p>Review of the ICAC website could not find any past or current investigations with regards to these comments on integrity associated with PMA, and with the little information given by the submitter no further comment can be made in response.</p> <p>The preference for individual listing is noted.</p>
60	<p>Against the proposal.</p> <p>Houses at 82, 82A, 86, 86A Livingstone Avenue were only built ten years ago and should not be included. These are unnecessary restrictions that will devalue the properties.</p>	<p>New seniors living on rear lots not facing street.</p> <p>It is agreed that recent developments on these battle-axe sites should not be included within any future HCA.</p>
61	<p>Need to be able to build garages and carports front of the building line to make the house more marketable.</p> <p>Preserve the area by monitoring</p>	<p>A carport in front of the building line may be permissible with development approval. The trees are protected by Council's LEP but trees permitted to be removed under a complying</p>


No	Issue/Concern	Comment
	number of trees being cut down.	development do not fall under the jurisdiction of Council.
65	<p>Strongly against the proposal.</p> <p>Do not want further restrictions that could impede future development. Against blanket listings. Are they going to be required to revert the house to the original and not allowed to park on their own driveway.</p>	<p>22 Golfers Parade. Building is a 1950s house (appeared after 1951 aerial photograph) that appears to be rendered and modified with garages added forward of the front building at a later date.</p> <p>For information on development controls for properties in a HCA please refer to the Ku-ring-gai Development Control Plan which is available on Council's webpage.</p> <p>Recommend changing from contributory to neutral.</p> 
66	<p>Strongly object to the proposal.</p> <p>Against extra restrictions, it's a disincentive to improve the property.</p>	<p>Objection noted.</p> <p>There are many properties in HCAs in Ku-ring-gai in prestige areas that are highly sought after and extremely well maintained homes.</p>
67	<p>Strongly opposes the proposal. The communicated information was misleading and lacked transparency. The map sent with the letters did not indicate the rating.</p> <p>There are many more neutral houses in the area than contributory. A few isolated houses does not constitute a heritage zone.</p> <p>If Council care about character it should have given more thought to the development permitted along the rail</p>	<p>The map that was sent was to notify that a proposal was on exhibition and those within the boundary were urged to look at the exhibition material available online, in Wahroonga and Gordon libraries, and at Council's customer service centre. The letters and maps were sent to several thousand residents. The A4 size did not allow for clear presentation of detail which is why it was a location map only and the exhibition paper maps which included the rating were sized A3. The use of the A4 map was logistical to</p>


No	Issue/Concern	Comment
	<p>corridor and the Pacific highway.</p> <p>Concerned Council is responding to pressure from a small group and not listening to the concerns of the wider community.</p> <p>Better to spend money on infrastructure and services than this flawed study.</p> <p>Council should be providing housing choice on these large sites rather than heritage listing them.</p> <p>Our house (56 Beechworth) is in extensive need of renovation and the most cost effective method would be knock down and rebuild. With the restrictions I will be unable to make the changes needed and that I want.</p> <p>I will suffer financial loss, as houses that are neutral and able to be knocked will be more appealing to prospective buyers.</p> <p>No redeeming features make the house contributory.</p> <p>It is discriminatory to impose the maintenance of the whole block on a minority of owners.</p>	<p>allow Council's folding machines to prepare the mailout.</p> <p>It is agreed the area is under represented by contributory buildings. Please see the amended boundary maps above.</p> <p>The budget is determined by the elected Councillors and senior management to best meet community expectations and Council obligations. The recognition and management of heritage is an obligation of Council supported by many in the Ku-ring-gai community.</p> <p>The house is a simple 1950s single storey house. The facebrick has been painted; there have been changes to several openings including doors and windows on the facade. The house is contributory but it is not in a setting of similar vernacular buildings and therefore not recommended for inclusion in the HCA.</p> <p>For other comments please see the main body of the report.</p>
68	<p>Protests against the proposal. Did not receive the information leaflet.</p> <p>A contribution rating map should have been included with the letter to provide transparency and make owners fully aware of the impact of the proposal.</p> <p>Council's correspondence on the matter is duplicitous, unethical, a disgrace, a contravention of Schedule 6A – Code of Conduct (s. 440 Local Government act 1993), by conducting:</p> <p>Conduct that is detrimental to the</p>	<p>On contribution rating map see comments in response to submission 67.</p> <p>It is unfortunate that the information leaflet was not in the envelope. However, in addition to the in-letter leaflet, a digital version was also made available on the website, and a printed version in the paper exhibition folders which were available at Turramurra and Gordon libraries and Council's customer service.</p> <p>The exhibition material including the</p>



No	Issue/Concern	Comment
	<p>pursuit of the charter of the Council</p> <p>Improper or unethical conduct</p> <p>Abuse of power and other misconduct</p> <p>Action causing, comprising or involving any of the following...(c) prejudice in the provision of the service to the community</p> <p>Our house was built on spec in post-war primarily with lime mortar due to the shortage of cement. Broad brush heritage restraints are prejudicial to redevelopment. Our property's rating should be changed to neutral.</p>	<p>letter, leaflet, and map and the overall community consultation were prepared consistent with the requirements of the NSW Department of Planning and Environment's document "A guide to preparing local environmental plans" and the requirements of the Gateway Determination. Most specific to your claims is the requirement to "indicate the land affected by the planning proposal" which was achieved with the map included in the letter.</p> <p>House (42 Beechworth Road) first appears on the 1951 aerial photograph. It is a simple brick bungalow featuring a gable with weather board cladding. It is not recommended to change the rating.</p>
73	<p>Vehemently objects to the proposal.</p> <p>Recently purchased and there was no indication of the proposal. How can Council blanket list areas with no forewarning. The listing places unnecessary restriction on the property.</p> <p>The property has been previously changed and many of the houses around Lawley Crescent are altered. The character of the area being the trees and its bushy outlook can be retained with current development controls. If the proposal goes ahead Council should compensate owners for the loss.</p>	<p>32 Lawley Crescent</p> <p>Council did undertake consultation with the home owners prior to the statutory exhibition. The previous owner's choice in not disclosing this information is a private issue. Council also placed notification on its website that Council had resolved to pursue the Planning Proposal.</p> <p>Rendered single storey bungalow, extensive interior renovations and changes to the rear. Property is neutral. It is not intended to pursue a HCA in this area.</p>
74	<p>Objects to the proposal.</p> <p>Unnecessary restriction and will devalue the property.</p>	<p>Noted.</p> <p>Please see comments in the main body of the report.</p>
77	<p>Does not agree with the planning proposal.</p>	<p>Noted.</p>

No	Issue/Concern	Comment
78	Does not agree with the planning proposal.	Noted.
81	<p>Against the process.</p> <p>Places unnecessary restrictions, will devalue the property and limit opportunity for improvements. Against blanket listing. Already many unsympathetic high rise apartment developments.</p>	<p>Objected noted.</p> <p>Please see main body of report for response to comments.</p>
84	<p>Concerned about ability to undertake future development and the impact on value given their significant investment.</p> <p>Draconian heritage restriction would have prevented post-war homes being built 60- years ago. The process of renewal and change of the built environment needs to be allowed to continue.</p> <p>There are two conflicting reports being the Paul Davies Pty Ltd and Perumal Murphy Alessi. Why has Council gone with the report with wider heritage restrictions?</p> <p>Many of the houses are neutral. The blanket restriction is unfair and unwarranted.</p> <p>Council should consult with owners as the first step not the last.</p>	<p>See comments in main body of report on house values and development.</p> <p>Heritage conservation is not preservation. Managed change can still occur when the identified cultural significance is retained. Many homes in heritage conservation areas have undertaken renovation works to alter the houses for modern living. New builds may also be permissible with approval where the new building can be shown not to have a degrading effect upon the HCA.</p> <p>The Perumal Murphy Alessi Report is the most recent report and it is the one on exhibition. This does not ignore or negate the assessments of either the Paul Davies Pty Ltd or the Sue Jackson-Stepowski heritage reviews. These are being reviewed along with the community's submissions to assist in determining the final HCA boundaries.</p> <p>It is agreed that many of the houses are neutral and the current boundary needs to be reassessed.</p> <p>Council did undertake non-statutory consultation with the community twice before this statutory exhibition.</p>




No	Issue/Concern	Comment
86	<p>Opposed to the proposal.</p> <p>Creates greater restrictions and reduce the property value.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments n restrictions and property values.</p>
<p>87</p> <p>89</p> <p>131</p>	<p>Object to the proposal.</p> <p>Less competition means lower price.</p> <p>It will affect all properties because lower quality properties will drive down the price of already renovated properties.</p> <p>Much of the area is neutral and many houses have additions diminishing the heritage significance.</p> <p>Many of those who supported this plan in the past were worried about high rise development but this is no longer of concern due to a change in government and law.</p> <p>The Development Control Plan for HCAs is too strict and will increase the cost and length of approvals.</p>	<p>It has not been the experience in Ku-ring-gai that conservation areas result in house price reductions. Other factors like the strong desire to live near schools and the train line tend to drive real estate prices. Also inclusion in a heritage area does not equate to zero alterations or additions. Properties continue to be renovated and maintained. Many of Ku-ring-gai's highest real estate prices for single dwellings have been for houses in conservation areas.</p> <p>It is agreed that the high number of neutral properties will require the boundary of the HCA to be amended.</p> <p>This report is dealing with current submissions not historic zonings.</p> <p>DAs for HCAs will require a comment or report on the heritage impact depending on the type of development, this will</p>
93	<p>Opposed to the proposal.</p> <p>It will devalue the property and impose restrictions on future changes which is unfair.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments.</p>
94	<p>Purchased the house with the intent of demolition. Feel that Council has misled them as there was nothing in the 149 certificate and they have received no other notifications of Council's intention to heritage list the property.</p> <p>Cannot see that there house is heritage</p>	<p>As per schedule 4 of the Environmental Planning and Assessment Regulations, the specified content of the 149 certificate is to include only those planning proposals that have been exhibited as per the requirements of the Environmental Planning and Assessment Act 1979. The previous</p>

No	Issue/Concern	Comment
	<p>as it was built during a period with a shortage of materials which has led to poor quality. Against the broad-brush approach to heritage. Instead should focus of individual places of value.</p> <p>Heritage listing will decrease the appeal of the area, which will fall into disrepair, decreasing the value.</p>	<p>exhibitions of the Heritage Reports were non statutory exhibitions. Council has provided a link on the heritage conservation area page to the <i>Local Plan Making Tracking Page</i> of the Department of Planning and Environment. This page identifies if a Gateway Determination has been requested i.e. once Council has resolved to pursue a heritage conservation area but before the statutory exhibition.</p> <p>The property (29 Beechworth Road) is a representative example of an Inter-war house and is contributory. However, many of the houses in this area are not contributory and it is not recommended that this property be included in the HCA.</p>
96	<p>The houses in this area are not old enough for heritage. The house has a variety of styles and not a consistent architectural character. The restriction will reduce the house price. The development controls are onerous and expensive, increasing the cost of change.</p>	<p>Age is not the only indicator of heritage significance. The properties in this area are of varying ages from around 1900 to now. This property (53 Livingstone Avenue) has been altered with a second storey extension over the northern wing and a carport added to the front attached to the building. It is recommended to change threatening from contributory to neutral.</p> 
97	<p>Object to the proposal.</p> <p>More than 50% of the draft area has undergone change with new builds and extensive renovation.</p> <p>The burden of maintaining the</p>	<p>It is agreed that in pockets the area has undergone extensive change.</p> <p>Within a conservation area all properties, new or old, are required to give consideration to the development controls for heritage conservation</p>


No	Issue/Concern	Comment
	<p>character is borne by a disproportionate minority. The constraints of conservation and the cost of renovation rather than rebuild would cause financial disadvantage.</p> <p>Listed houses could find themselves in the shadow of large new houses not burdened by the conservation constraints.</p> <p>The criterion for allocating ratings on specific houses lacks transparency and appears arbitrary.</p> <p>Our property at 24 Ashmore Avenue has undergone extensive change and none of the original exterior walls remaining. The rating should be changed to neutral.</p> <p>22 Ashmore Avenue has not undergone maintenance over the years and was in a state of disrepair before we purchased it in 2012. It is not in a state to be rented or retained.</p> <p>We have always maintained the character of the street by improving planting, avoiding building fences and maintaining setbacks. We support Council in protecting the character but in a way that requires all residents to contribute equitably.</p>	<p>areas. The HCA Development Control Plan objectives are to conserve the heritage values and permit development that enhances these values. Over scaled development that dwarfs existing dwellings would be discouraged and generally not approved.</p> <p>Please see the original report for definitions or the frequently asked questions. Generally, a contributory building is from a key development period, in this instance from the Federation to the Post-war period, and its front facade is generally intact, and any new development does not degrade or mask this significance.</p> <p>22 Ashmore would be assessed as contributory to the Post-war development period but this section of the HCA is not recommended to proceed.</p> 
99	<p>Objects to the proposal.</p> <p>Existing restrictions on development are already cumbersome. Additional restrictions will add additional costs to development.</p> <p>Many houses have changed. Mine at 19 Linden Avenue Pymble has had walls removed, rooms added and roof replaced. There is unsympathetic new build next door. The streetscape is</p>	<p>19 Linden Avenue Pymble is not rated as contributory, it is rated as neutral. The building next door is also rated neutral.</p> <p>The trees are recognised on the Biodiversity map of KLEP 2015 and are protected.</p>


No	Issue/Concern	Comment
	<p>impacted by the potholes in the street. Trees are already protected by the TPO.</p> <p>Street trees have been hacked to protect powerlines. The trees should be removed and replaced with shrubs to complement the gardens.</p>	
105	<p>Objects to the proposal.</p> <p>Area is no longer heritage due to the number or rebuilds and redevelopment.</p> <p>Proposal will place unnecessary restrictions and reduce vale.</p> <p>House is 40 years old and needs renewing. The cost of home improvements may have increased by 50%.</p>	<p>Objection noted.</p> <p>This area is not recommended to proceed. The house at 8 Barclay Close Pymble however is an interesting example of architecturally designed Post-war housing and should be further investigated.</p>   <p>Council does offer Heritage Home Grants to assist owners with conservation works of heritage places.</p>
107	<p>Against the proposal.</p> <p>Against blanket preservation as there are many new builds with new buildings and landscaping.</p> <p>Difficult to protect the streetscape and preserve the visual and topographical aspects of the area.</p>	<p>79 Pymble Avenue</p> <p>House on the site in the 1943 aerial photograph but the roof form has been altered. The property is correctly rated as neutral.</p> <p>Please see main report on property prices and blanket listing. This lot is</p>

No	Issue/Concern	Comment
	<p>Battle-axe sites with no assessment should not be included.</p> <p>Any property with external renovations should be excluded.</p> <p>Increased approval times will decrease demand to live in the area and reduce property values.</p>	<p>recommended to not be in the HCA.</p> 
113	<p>Strongly against the proposal.</p> <p>Concerned our property was included without proper consultation or due process.</p> <p>Our building at 72 Livingstone Avenue is of no heritage significance as in a state of disrepair. Constructed in the 1950s it has not been maintained and has issues with tree roots, termites and mould. The mould is endangering my family's health.</p> <p>We have a CDC for demolition that was issued in October 2017.</p> <p>We want to be removed from the HCA.</p>	<p>Objection noted.</p> <p>Has a non-complying CDC, certifier based it upon an out of date 149 certificate. The house was already in a draft HCA when the CDC for demolition was issued and should be invalidated.</p> <p>The house is a modest mostly intact 1950s bungalow. It is representative of an important key development period for the draft HCA.</p> 
114	<p>Strongly object to the proposal.</p> <p>It interferes with the use and maintenance of an owner's private property. Area has significantly changed with demolitions, rebuilds and renovations. What heritage is there?</p> <p>The timing of the exhibition after the Council election prevented it from being an election issue. In the past Council has spent millions of dollars unsupported by ratepayers trying to stop high rise development. I suspect this proposal has the same motivation.</p>	<p>27 Livingstone</p> <p>Heritage listing does not change the zoning it remains R2 low density residential. Many people in Ku-ring-gai live in heritage homes and have undertaken contemporary renovations to meet the demands of modern life.</p> <p>The timing of the exhibition was due to conflicting work demands of Council staff and other exhibitions.</p>

No	Issue/Concern	Comment
		
117	Do not agree with the proposal.	90 Livingstone Noted.
118	Totally opposes the proposal. It has no common sense. It will decrease the value of knock-down rebuild sites like my small modest house which has been labelled contributory and is absolute nonsense.	31 Beechworth Road Small rendered bungalow. Yard is heavily treed. On 1943 aerial, hipped roof with a projecting bay. Rating should be amended to neutral. This are is not recommended to proceed.
121	Objects to the proposal. Unnecessary restrictions that will decrease value of their house. Have invested a lot of money in the house and do not want to lose it. The house has a second storey extension and is not heritage.	7 Arilla Road Pymble  This is a heavily altered house and the rating was neutral so not considered to contribute to the heritage layer. This are is not recommended to proceed.
130	Property should not be in a HCA as: There is no architectural consistency Applying HCA rules will discourage upkeep No heritage significance House is less than 20 years old. Boundary of HCA should stop at the	84 Golfers Parade This house and both neighbours are new two storey builds  It is agreed that the boundary should be


No	Issue/Concern	Comment
	bottom of Pymble Avenue. Individual houses with significance can be listed as items.	altered and this property not included. Potential individual items should be recommended for further assessment.
132	<p>Against the proposal.</p> <p>It will devalue the property and impact on their ability to downsize. Council's current rules are sufficient.</p>	<p>93 Livingstone Avenue</p> <p>See comments in the main body of the report on property value and regulations..</p>
142	<p>Opposed to the proposal.</p> <p>Opposed to the extension of the Heritage Conservation Area to include Golfers Parade Pymble. The proposed Conservation Area is unnecessarily large. The inclusion of Golfers Parade adds no material heritage benefit with many of the houses being built or modified within the last 20 years. Those not modified are no different to others in the area.</p> <p>Proposed restrictions are onerous. House already modified. It will devalue the house due to a reduced number of buyers.</p>	<p>The history of Golfers Parade is that it was part of a residential subdivision that was undertaken by Avondale Golf Course after WW2 in the 1950s. This is interesting in the course of development of the area but the fact that many of the houses are altered with new buildings and unsympathetic renovations has led to more neutral rather than contributory builds. It is recommended that this portion of the HCA not proceed.</p> <p>Please also see comments in the main body of the report.</p>
153	<p>Objects to the proposal.</p> <p>Own house is less than 20 years old.</p>	Objection noted.
154	<p>Object to the proposal.</p> <p>House has been extensively altered, lost historical roots. Nearly every building in Myoora Street has been substantially changed.</p>	<p>10 Myoora Street</p> <p>The house has been altered. It is not contributory. Listed as neutral on the map. Myoora Street is not recommended to proceed as an HCA.</p>
167	<p>Strong objection to the proposal.</p> <p>Concerned about the loss of property value and increased maintenance costs.</p> <p>Doesn't meet criteria for listing. House has been altered and changed. House</p>	1 Courallie Avenue Pymble


No	Issue/Concern	Comment
	<p>has maintenance, structural, tree and pest issues.</p> <p>We will lose our rights to extend the house providing for housing choice.</p>	 <p>Please see the main body of the report regarding house value, renovation potential and housing choice.</p> <p>House is a modest 1950s bungalow. Does have a more recent garage built behind the front building line. The building is considered to be contributory to a 1950s development layer but this street is not recommended for inclusion in the HCA.</p> <p>Please also see comments in the main body of the report.</p>
169	<p>Against the proposal.</p> <p>Impact house value and ability to extend. While they do value the leafy streetscape Council should find a better way to protect the character of the area like preventing inappropriate development like the high rise apartments.</p>	<p>Objection noted.</p> <p>Please see comments in the main body of the report on property value and development.</p>
173	<p>Object to the proposal. Residents not adequately notified about the restrictions. Many houses already have additions or second stories. These modifications have diminished the heritage significance of the properties and the surrounding area.</p>	<p>The supporting material directed readers to view Council's development Control Plan and the Exempt and Complying SEPP. Both outline the requirements for development of heritage properties.</p>
174	<p>Strongly oppose.</p> <p>Existing regulations already control what can be done on private properties and are sufficient. It is important that development is controlled in this great</p>	<p>Opposition noted.</p> <p>The aim of heritage controls is to conserve heritage values, it is not regulation for regulations sake. Council's DCP allows development with</p>

No	Issue/Concern	Comment
	area but not over-controlled.	approval in conservation areas that facilitates the modernisation of family while conserving the cultural values of an area.
175	<p>Strongly object to the proposal.</p> <p>Having lived in an area where the average age was over 100 years I find it hard to accept the house at 39 Livingstone Avenue can be heritage. Plans to change the zoning should have been included in the 2015 149 certificate. It wasn't fair not include this on the certificate.</p> <p>It is the natural environment that is worth conserving. We own the house and not Council and there should not be further restrictions to the existing restrictions being riparian and E4.</p> <p>We have chosen to not pay a property at a higher price than it sold because of the heritage restrictions.</p> <p>The proposal does not balance my rights as a property owner.</p>	<p>39 Livingstone Avenue Pymble</p>  <p>Please see the main body of the report on "what is heritage". See comments in submission 84 above re 149 certificates.</p> <p>There are development controls on all properties, some fall under the SEPP, other Council's DCP. Properties that are assessed as having heritage values can still be renovated; the additional development controls require new addition so alterations conserve those heritage values.</p>
187	<p>Against the proposal.</p> <p>Limit ability to change house and garden as we move into retirement. Changes such as the high rise development are not appropriate but these can be prevented without further onerous protections.</p> <p>Strongly request Council retain the current planning rules.</p>	<p>52 Pymble Avenue.</p> <p>The house was constructed in the 1950s, and has limited aesthetic contribution to the key development layer and is considered borderline.</p>
188	<p>Object to the proposal.</p> <p>No new restriction, existing rules allow sympathetic redevelopment.</p>	<p>Objection noted.</p> <p>See main body of the report on restrictions.</p>

No	Issue/Concern	Comment
193	<p>Object to the proposal.</p> <p>Unnecessary restrictions with little regard to what is heritage.</p> <p>2 out of the 3 heritage experts who have undertaken assessment do not support the heritage listing.</p> <p>Those properties that have heritage value have already been identified. Many new owners have bought unaware of the potential listing. HCA will reduce future property values and improvements.</p> <p>Current rules allow sympathetic redevelopment.</p>	<p>33 Avon Road.</p> <p>See main body of the report on restrictions, redevelopment and notification.</p> <p>The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
205	<p>Object to the proposal</p> <p>Area is already changed with addition and second storeys on many houses.</p> <p>Allowing further changes like subdivision will benefit the community.</p> <p>Council should concentrate on footpaths.</p>	<p>It is agreed that many houses are changed. The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
206	<p>Request proposal does not proceed.</p> <p>Pymble is a highly sought after area with a variety of housing. Planning the future of the area can be achieved without broad-brush restrictions. Being unable to subdivide and make changes will make the area less desirable for families. Our own house is battle-axe and it is difficult to understand the heritage value given the recent changes and housing diversity.</p>	<p>See comments in main report on listing and restrictions.</p>
211	<p>Object to the proposal.</p> <p>Own an existing item. Support preservation and sympathetic</p>	<p>Objection noted.</p> <p>Please see comments under submission 205.</p>

No	Issue/Concern	Comment
	<p>renovation of genuine heritage places that are pre WWII. Including unworthy houses in a blanket listing makes a mockery of those places worth listing like several in the Orinoco HCA.</p> <p>Council application of the rules is inconsistent will only be worse with more places and cost more to ratepayers.</p>	
216	<p>Objects to the proposal.</p> <p>Majority of the houses in the area do not contribute to heritage.</p> <p>A local real estate agent told me it would limit the number of buyers and therefore the price. I should be able to determine how to redevelop my home within the existing rules to make it an attractive and sellable asset.</p> <p>Support preserving the Blue Gum High Forest. However the listing based upon subjective interpretations of taste, age and history is restrictive. Will the high rise towers be listed next?</p>	<p>Objection noted.</p> <p>See comments in submission 205 above and in the main report on house sales and redevelopment.</p> <p>See submission 99 on trees.</p>
219	<p>Strongly object to the proposal.</p> <p>Insufficient communication just putting ads in the paper and having a notice on the Council website. Council wasted money having someone randomly allocate different categories to houses. Council should notify residents of the restriction not the sanitised online version. While bureaucrats and are only interested in the list possible notice we hope Councillors will ensure each resident is fully notified.</p> <p>Previous submission was inadequate and misleading so it has been attached again. Understand Councillors only received a summary; they should take</p>	<p>In addition to the website and local paper advertisements, every homeowner was sent a letter which included a map and an explanatory brochure.</p> <p>The online exhibition included a link to the Development Control Plan which are the actual restrictions that would be applied to any Development Application.</p> <p>The summary of submissions is provided to the Councillors as well as a full copy of all submissions i.e. the submitted letters. This and the previous submission will be made available to</p>

No	Issue/Concern	Comment
	<p>the time to read the letters themselves.</p> <p>The assertion there is no property value loss is untrue. With 40 years' experience as a solicitor I know prospective buyers are put off if a property is in a conservation area.</p> <p>Question the consultant's qualifications. Nothing in her public information about her qualifications. Inconsistent nomination of ratings. Recent house has been categorised as contributory, pre 1950 is not. There is nothing heritage about our house to make it contributory. No external wall is original.</p> <p>Consider the full consequences of the proposal from Council's clerks and consider the consequences on home owners.</p>	<p>the Councillors.</p> <p>Please see the main body of the report with regards to property values.</p> <p>Council has confirmed Luisa Alessi's qualifications as an architect and her experience in several firms working as a heritage architect.</p> <p>While the house is representative of a certain 1960s aesthetic, this area is not recommended to proceed as a HCA.</p>
223	<p>Object to the proposal.</p> <p>Don't need blanket listing and unnecessary restrictions. Vast majority of houses don't have heritage value.</p> <p>Our rated contributory property will decrease our property value. It will lead to uncertainty. Development restrictions should remain the same.</p>	<p>2 Arilla is not contributory. Substantially modified with extended ridge line and dominant oversized dormers.</p>  <p>Area not recommended to proceed into the HCA.</p>
235	<p>Our 1950s house is built on clay and has many cracks. Many houses have been demolished and others of superior design in their place. Placing restrictions will lead to the building suffering further damage.</p>	<p>6 Myoora</p> <p>Classic red brick 1950s bungalow with cladded gable. It is contributory but this area not recommended to proceed to the HCA.</p>

No	Issue/Concern	Comment
		
10	<p>Support the proposal.</p> <p>It is a wonderful idea to protect our heritage.</p>	Support noted.
11	<p>Strongly support the conservation area.</p> <p>Values the area mid 20th century aesthetic, the historical subdivision patterns, natural topography and large canopy native trees.</p> <p>Agree with the larger HCA area as it corresponds with the original National Trust Urban Conservation Area 18. Includes the environmental context of the garden suburbs movement, smaller fragmented HCAs less effective at protecting these values.</p> <p>Compared to southern Ku-ring-gai the north area has little heritage and what we have should be recognised and protected.</p>	<p>23 Kimbarra</p> <p>Support noted. See the main report on the values of the area and the recommended boundary changes.</p>
13	<p>Strongly support the proposal.</p> <p>As a resident I value the streetscapes with houses set in large gardens, back from the street; the aesthetic qualities of the houses themselves, with a diversity of styles and built forms; the history present even today in the historical subdivision patterns; the beautiful remnant natural topography; and the wonderful native canopy trees, in great number and size in Sheldon Forest and along the Council's roadside</p>	<p>35 Avon</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>

No	Issue/Concern	Comment
	<p>reserves</p> <p>The area corresponds with original National Trust Urban Conservation Area.</p> <p>Pymble deserves to receive heritage recognition.</p>	
15	<p>Supports the HCA.</p> <p>In the traditional garden suburbs of Kuring-gai, we treasure the traditional streetscapes and neighbourhood character with low-rise dwellings and tree-lined suburban streets. Our built and natural environment are being lost or damaged at an unprecedented rate through inappropriate development under existing planning laws and policies.</p> <p>Support the HCA to ensure that changes to properties respect heritage values and streetscapes</p>	<p>10 Arilla</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>
16	<p>Support the proposal.</p> <p>Attracted to the area by the historic character being the early to mid 20th century houses set in large gardens and the large native trees.</p> <p>Support listing of eastern side. Heritage in Pymble needs to be recognised.</p>	<p>53 Beechworth</p> <p>Support noted.,</p>
19	<p>Strongly support the proposal.</p> <p>Values the historic aesthetic quality of the area. Supports the listing of eastern side. The west area corresponds with original National Trust Urban Conservation Area. Heritage in Pymble needs to be recognised.</p>	<p>2 Allawah</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>

No	Issue/Concern	Comment
25	<p>Strongly supports the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well.</p>	<p>43 Ashmore</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>
139	<p>Local heritage character should be protected for future generations. The buildings styles and layout have their foundation in the earlier 20th century garden suburbs movement. Modifications in the area are in the main sympathetic. Recognised independent professional consultants acknowledge the heritage value of the area.</p> <p>Creating a HCA will conserve the heritage setting for already designated heritage items. The streets have a visual rhythm of modest single residences and generous gardens integrated with stands of remnant forest. The character is enhanced by the undulating topography, bush views and vistas. The distinctiveness and character create a sense of place, informing us about what was important for previous residents.</p> <p>The area wears its layers of history well because new buildings and renovations have been in keeping with the existing scale and character.</p> <p>Maintaining distinctive historic neighbourhoods like ours, alongside the Victorian terraces of Paddington and Federation bungalows of Haberfield, contributes to the quality and life of a liveable city.</p> <p>We received a letter from a group in the</p>	<p>Support noted.</p> <p>Please see comments in the main body of the report on UCA and see comments to submission 11 above.</p>

No	Issue/Concern	Comment
	<p>area urging opposition to protect property rights and house values. This is a selfish attitude that fails to acknowledge and recognise the aesthetic and amenity of our area that has evolved over many years, achieved by undertaking development of harmonious scale and character that respects the past. It is important that our neighbourhood have protection under Heritage Conservation Area designation.</p>	
145	<p>Strongly supports the proposal.</p> <p>Supports the other conservation areas proposed for Pymble.</p> <p>As President of the Pymble Action group for the Environment Inc I have previously expressed to the Council and the HRC my views and support for the HCA. My views closely align with the Perumal Murphy Alessi report.</p>	Support noted.
162	<p>Strongly supports the proposal.</p> <p>As a former resident who grew up in Pymble I strongly support the conservation area. I enjoyed the garden feel and bushland environment of Pymble and hope to move back the area one day and enjoy it once more as I did before.</p>	Support noted.
170	<p>Supports the proposal.</p> <p>Must protect what makes this area desirable. Most new builds either multi storey or incongruent with the area.</p>	Support noted.
182	<p>Strong supports for the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the</p>	<p>Support noted.</p> <p>Support noted. Please see comments in the main body of the report on UCA and See comments to submission 11</p>

No	Issue/Concern	Comment
	<p>National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well. The consultant studies make it clear the area warrants heritage protection.</p>	<p>above.</p>
213	<p>Support the proposal as it facilitates the protection of BGHF and STIF which are important unique vegetation communities of World Heritage class.</p> <p>Support protecting heritage streetscapes of Inter-war architecture.</p> <p>Disappointed the former AGL site on Suakin Street has not been included as it has historic and archaeological value.</p> <p>Concerned about the canopy height of mature BGHF trees not being appropriate in a residential context. Perhaps these could be substituted for a local species with a lower centre of gravity.</p>	<p>29a Orinoco</p> <p>BGHF and STIF are recognised on the Biodiversity map of KLEP 2015 and are protected</p> <p>The former AGL site should be investigated for historic and archaeological values as part of any future strategic heritage reviews.</p> <p>Concern over the trees is noted but is beyond the scope of this report which is assessing the heritage planning proposal. Concerns over the suitability of tree species should be taken up with Council's Operations team who have responsibility for street trees.</p>
215	<p>Supports the proposal.</p> <p>The garden, architecture and bushland setting are representative of the history, evolution of infrastructure and changing settlement patterns of the area. There are no detracting items as new architecture is designed to fit in the area.</p>	<p>Support noted.</p> <p>The area is strongly dominated by the heavily treed landscape and the bush outlooks. This camouflages what would be traditionally considered unsympathetic development e.g. the introduction of two storey rendered project homes in a street that traditionally had single storey facebrick houses. An area that has substantially been changed and the key period of development is now heavily in the minority are no longer substantially intact. While the new architecture in some instances is sympathetic, sympathetic new builds are not heritage places. For these reasons the boundary has been reviewed to include areas where the landscape is supported by contributory buildings from the key</p>

No	Issue/Concern	Comment
		development periods.
218	Supports the proposal in both east and west Pymble.	Support noted.
227	<p>Supports the proposal.</p> <p>From the residents of Euralba Estate.</p> <p>The proposal will improve and enhance the living environment for residents of Ku-ring-gai.</p>	Support noted.
34	<p>Support the proposal but want it extended.</p> <p>Would like the area to include the immediate boundaries of Sheldon Forest being Dhakkra Close, Quadrant Close and lower part of Beechworth Road, Albion and Jubilee Avenues. Area has natural and architectural heritage value. The Council planners must explain the logical reasons for excluding these areas. They are at risk from development that will denude the landscape like 1 Avon. Houses we recommend for heritage inclusion are: 5 or 6 in Albion Avenue or No 7 or 10 Dhakkara Close or 94 or 98 of Beechworth Road.</p>	<p>Support noted.</p> <p>Areas not assessed or exhibited cannot be included in this planning proposal. This area could be assessed as part of future strategic heritage reviews.</p>
234	<p>Support the proposal but not for their house.</p> <p>House is different from those in the immediate vicinity including the brick colour, window style, gable design and absence of architectural embellishments.</p> <p>The house is austere and would not suit a modern family without major modifications.</p> <p>We believe the HCA would be a severe</p>	<p>3 Mayfield Avenue</p> <p>This house is clearly present on the 1961 aerial photograph. It is a modest single storey family house with little or no change and is contributory.</p>


No	Issue/Concern	Comment
	impediment to any sale process.	
	<p>Concerned over the aircraft noise and the potential impact on the conservation area.</p> <p>The whole Ku-ring-gai area is seriously impacted by the aircraft noise. This is due to the southern wind forcing the airplanes taking the route in north shore area.</p> <p>Is there anything that can be done to share this aircraft noise load, which will be beneficial to our heritage conservation area? Especially when I read the Long Term Operating Plan (LTOP) stats, it is noted the aircraft target of 17% for North is well beaten by the actual of 34%.</p> <p>Something needs to be done through our council.</p>	<p>Aircraft pathways are out of the jurisdiction of local government. This link to Airservices Australia mentioned in your submission explains the aircraft noise sharing plan for Sydney: http://www.airservicesaustralia.com/wp-content/uploads/FINAL_Key-facts-about-noise-sharing.pdf</p> <p>In a representation to Council when questioned on aircraft noise over the Pymble the response from Airservices Australia was “whenever it is possible to do so, noise sharing will be implemented and other runway modes will be used. However sometimes the wind makes this impossible.”</p>



Rating review



Rating: N – Neutral, C – Contributory, D – Detracting


Potential HCAs reviewed

Ratings review Livingstone Avenue (midway) – not recommended to proceed


Address	HCA Review Rating	Recommended rating	Comment
54 Livingstone Ave	C	N	<p>Large double garage forward of the front building line. The main building has been rendered.</p> 
56 Livingstone Ave	C	C	Heritage Item (Victorian)
62 Livingstone Ave	N	N	House incorrectly listed. Recommended for removal from KLEP 2015.
66 Livingstone Ave	C	C	Heritage item (Federation)
70 Livingstone Ave	N	N	Unchanged
72 Livingstone Ave	C	C	1950s
76 Livingstone Ave	D	N	New
78 Livingstone Ave	C	C	Heritage item (Federation)
80 Livingstone Ave	C	C	Heritage item (Federation)



Address	HCA Review Rating	Recommended rating	Comment
88 Livingstone Ave	C	N	<p>The house has been changed including infill on the ground floor.</p> 
77A Livingstone Ave	C	N	<p>Substantial 2 storey extension to the side of the building</p> 
77 Livingstone Ave	N	N	Unchanged
75 Livingstone Ave	C	Item	Heritage item
73 Livingstone Ave	N	N	<p>Unchanged</p> <p>DA4958/96 New 2 storey dwelling, front fence and outbuilding.</p>


Address	HCA Review Rating	Recommended rating	Comment
65 Livingstone Ave	C	N	<p>The building is reasonably recent and has faux detailing sympathetically blend with the heritage item at 75 Livingstone Avenue.</p> <p>DA96/1183: New single storey dwelling with double garage</p> 
63 Livingstone Ave	C	C	Unchanged
61 Livingstone Ave	C	C	1950s
59 Livingstone Ave	C	N	<p>Building has been rendered. Has lost the fine detail of the face-brickwork.</p> 

Address	HCA Review Rating	Recommended rating	Comment
57 Livingstone Ave	C	N	<p>New render (appears online in last sale with facebrick). No house at location on 1943 aerial</p> 


Ratings review extension Pymble Avenue HCA – recommended to proceed



Address	HCA Review Rating	Recommended rating	Comment
67 Pymble Avenue	N	N	Battle-axe
65 Pymble Avenue	C	N	 <p>1988 Build – Australian Nostalgia</p>
69 Pymble Avenue	C	C	Same
71 Pymble Avenue	N	C	Interesting 1960s - had a minor extension



Address	HCA Review Rating	Recommended rating	Comment
			
73 Pymble Avenue	C	C	Same
75 Pymble Avenue	N	N	Battle-axe
77 Pymble Avenue	N	C	<p>Battle-axe</p> <p>Architecturally designed (Russell Jack) intact and representative example of post-war architecture</p> <p>Recommended for further investigation to understand cultural significance</p> 
77B Pymble Avenue	Heritage item	Heritage item	Same
77A Pymble Avenue	N	N	Same
79 Pymble Avenue	N	N	Battle-axe - same




Address	HCA Review Rating	Recommended rating	Comment
81 Pymble Avenue	C	N	<p>Building application BA95/0506 – house, tennis court and garage</p> <p>Another variant of Australian Nostalgia</p> 



Ratings review Avon Road HCA – not recommended to proceed



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
11 Avon Road		Heritage item	Heritage item	same
15 Avon Road				Battle-axe handle
17 Avon Road		C	C	<p>1960s brick bungalow, single storey, substantially intact</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
19 Avon Road		Heritage item	Heritage item	Same 
21 Avon Road		C	C	Not easily photographed from the street due to vegetation. Extant building on the 1943 aerial photograph. From the street the house is single storey, rendered with Georgian revival characteristics including timber shutters. 
23 Avon Road		C	N	The house has been rendered, the verandas, windows and other openings altered. What was probably a terracotta roof tile has been replaced with black tiles. The form of the original house is extant as seen in the 1943 aerial photograph but the loss of the detailed brickwork and general characteristics of bungalows from this period has downgraded the contributory value of this building as representing the key

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				development period. 
25 Avon Road	C	C	C	Same 
27 Avon Road	N	N	N	Same Battle-axe
29 Avon Road	C	C	N	This was a lovely intact bungalow and many of the features are still present and discernible but the two dormers prominent on the front elevation are not sympathetic additions and have a detracting impact on the building.





Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				 
31 Avon Road	C	N	N	<p>Present on the 1943 aerial, the roof form is substantially the same. The building has been rendered.</p> 
35 Avon Road	C	C	C	<p>Painted (reversible). Appears between the 1943 and 1951 aerial photograph in substantially the same form.</p>




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
37 Avon Road	N	C	N	<p>Dwelling present on 1943 aerial, however substantially changed. What was a transverse gable is now a hipped roof with a substantial projecting gable on the front elevation. Building best described as two storey faux federation.</p> <p>DA- 2012/89 Additions to create a dwelling in excess of 7 metres in hgt (1989)</p> <p>BA- 89/00220 (alts&adds)</p> <p>BA- 82/01710 (Garage)1982</p> <p>BA94/00027-Major additions and alterations</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
39 Avon Road	N	N	N	<p>Same</p> <p>Interesting 1960s building. Possibly architecturally designed. For this small area cannot be considered representative of a key development period.</p> 
41 Avon Road	N	C	N	<p>Facebrick has been painted (reversible). 1960s building that has been altered.</p> 




Ratings review Mayfield HCA – not recommended to proceed




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Mayfield Avenue	C	C	C	IW




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
3 Mayfield Avenue	N	C	C	IW 
2 Mayfield Avenue	C	C	C	Same 
4 Mayfield Avenue	N	N	N	Same 
6 Mayfield Avenue	C	C	C	Same




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Mayfield Avenue	C	C	C	Same 
10 Mayfield Avenue	C	C	C	Same 
12 Mayfield Avenue	N	C	N	Has been rendered




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
2 Arden Road	C	C	C	Same 
4 Arden Road	C	C	N	Unsympathetic dormer on front elevation. DA-1179/04/DB (ADDITIONS AND ALTERATIONS-2005) DA- 372/05/DB ADDITION TO REAR OF DWELLING-2005




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
6 Arden Road	N	ITEM	Item Not from key development period	Being considered for delisting 1950s modest single storey house. Early and not representative example of the work of Sydney Ancher. 
1 Arden Road	N	C	C	1950s 


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
3 Arden Road	N	C	N	Building has been rendered and integrated extension to the side. 
5 Arden Road	N	N	N	Same 
7 Arden Road	N	C	N	Building has been rendered and built masonry structure (not fence) forward of the front building line. 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
9 Arden Road	C	C	C	Same 
2 Linden Avenue	C	C	C	Same 
4 Linden Avenue	N	C	N	Rendered 
6 Linden Avenue	C	N	N	Altered


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Linden Avenue	N	N	N	<p>Same</p> 
10 Linden Avenue	N	N	N	<p>Same</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Linden Avenue	N	C	N	Extension forward of the front building line 
3 Linden Avenue	C	C	N	Rendered 
5 Linden Avenue	N	C	N	Altered and not representative 
7 Linden	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
Avenue				
9 Linden Avenue	C	C	C	<p>Same</p> 
11 Linden Avenue	C	C	N	<p>DA0153/15 -Alterations and additions 2016 to create a second storey. No longer representative of the key development period.</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
15 Linden Avenue	N	N	N	Same Battle-axe cannot be viewed from the street
17 Linden Avenue	C	N	N	Battle-axe
19 Linden Avenue	C	N	N	Same
21 Linden Avenue	C	N	C	C 
40 Beechworth Road	C	C	C	LATE INTERWAR BA -86/01021 (alts &adds 1986) BA -87/01758 (additions 1987) BA-86/01021A(alts& adds 1988) Potentially sits within the recommended HCA
38 Beechworth Road	N	N	N	Same
36 Beechworth Road	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
34 Beechworth Road	C	C	C	Same
32 Beechworth Road	C	C	C	Same
30 Beechworth Road	N	N	N	Same
28 Beechworth Road	C	C	C	Same
26 Beechworth Road	C	C	C	Same
24 Beechworth Road	N	C	N	N
22 Beechworth Road	N	N	N	Same
20 Beechworth Road	N	N	N	Same
18 Beechworth Road	C	C	BL	Review
2 Allawah Road	N	C	N	Rendered

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
4 Allawah Road	N	C	C	On 1951 aerial
6 Allawah Road	N	N		Same
8 Allawah Road	C	C	C	Same
11 Allawah Road	N	N	N	Same
9A Allawah Road	N	-	-	Can't access BATTLE AXE

Ratings review Myoora Street/Kimbarra Road HCA – not recommended to proceed

1 Kimbarra Road	N	N	Same
3 Kimbarra Road	C	C	Same
5 Kimbarra Road	N	N	Same
7 Kimbarra Road	C	C	Same
9 Kimbarra Road	N	N	Same
1 Myoora Street	C	C	Same

3 Myoora Street	C	C	Same
5 Myoora Street	N	N	Same
7 Myoora Street	C	C	Same
9 Myoora Street	N	N	Same
11 Myoora Street	C	N	 <p>Rendered – originally red coloured biscuit-brick</p>
15 Myoora Street	C	C	Same
17 Myoora Street	C	C	Same
31 Beechworth Road	C	N	<p>Rendered – front of the house has been altered with roof changes – difficult to photograph because of the trees</p> 

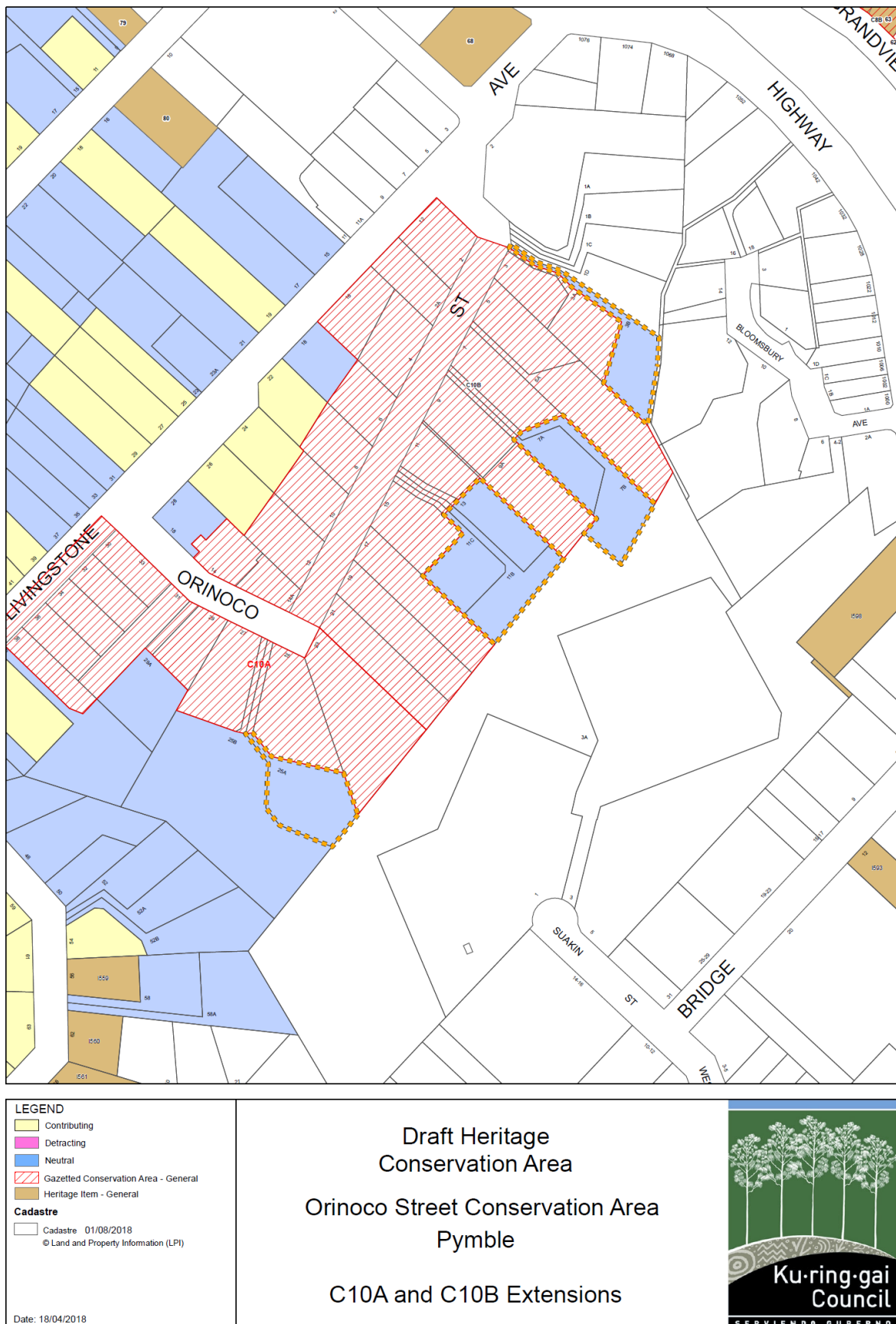
Draft Orinoco Conservation Area (C10A & C10B)

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Maps

1. Exhibited rating map



Comments

The area reviewed is the draft C11A and C11B that includes 7 properties located on battle-axe sites on Orinoco Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 1 objection was received.

Issues raised in the submissions included the unfairness of the listing as the houses do not address the street. The submissions are addressed in the submission summary table below.

In light of the public exhibition submission the area was reviewed again which included several site visits and historical research by Council officers. None of the ratings for this area changed as they were previously neutral and remain neutral. This area is not recommended to proceed as the inclusion of these neutral properties does not add to the significance of the existing heritage conservation area and there is no perceived benefit from their inclusion.

Rating review

There are no rating changes for the assessed extension to the Orinoco Conservation Area. In the exhibited map all the properties were neutral and remain neutral.

Submission summary table

No	TRIM	Issue/Concern	Comment
33	2017/282542	<p>Objects to the proposal.</p> <p>My house does not address the street, any building changes on my property would not impact on the Orinoco streetscape. This HCA only potentially disadvantages me. Why have these 7 properties been singled out?</p>	<p>The properties on the battle-axe sites were identified for inclusion as they are a new and important layer of the subdivision (of the larger West Pymble HCA not just Orinoco).</p> <p>Larger sites were re-subdivided to create these battle-axe blocks, many being downhill from Orinoco Street. The location on the hill created opportunities for architects to respond to the site with many houses having heavily treed bush outlooks. Many of these houses were designed in significant recognisable Post-war architectural styles such as those by Harry Seidler (perched above the site) and those by Russell Jack (nestled into the site). Specific to the Orinoco battle-axe sites is are the houses off Orinoco good examples of his type. These properties have been assessed as neutral and therefore the extension to the Orinoco HCA (to include the battle-axe sites) is not recommended to proceed.</p>

Submission summary table West Pymble and Orinoco Conservation Areas (C11A, C11B, C10A and C10B)

No	Issue/Concern	Comment
32, 37, 44, 47, 49, 51, 56, 80, 85, 92, 102, 143, 149, 158, 159, 204, 222, 225	<p>Supportive of both</p> <p>Values the early- to mid-20th century houses; subdivision patterns; gardens; vegetation; and streetscape. The recommendations in the Perumal Murphy Alessi and Jackson Stepowski reports are recognition of the heritage values that should be conserved and corresponds with National Trust UCAs. Supports wider Pymble HCA and supports Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see discussion on UCAs in the main report and the assessment of the draft West Pymble HCA and the Orinoco HCA in the attachments.</p> <p>The recommendation to not proceed with these areas is a reflection of the lack of representation of buildings from key historic development periods. The area is still rich in character and biodiversity, and the R2 (low residential density) zoning and protections in place for the environment will conserve this suburban character for years to come.</p>
102	<p>Supportive of both</p> <p>Same comments as submission above however also mentions Councils responsibility to protect heritage, but also to fully understand the rights and responsibilities of all citizens and human rights and how “such changes as suggested may be perceived by ordinary people as intruding upon their everyday life”</p>	<p>Support is noted.</p> <p>Please see comments above.</p> <p>The majority of submissions received were against the proposal citing loss of property rights and financial loss. These issues have been further elaborated upon in the main body of the report to further explain the costs and benefits of heritage listing.</p>
159	<p>Supportive of both</p> <p>Same comments as submission 32 however, also raises concern with high rise development and need for HCA to protect. Supports wider Pymble HCA and Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see comments for submission 32 above.</p> <p>It is agreed that Ku-ring-gai’s valued heritage should be protected, however, there is a need for robust assessment to ensure that these areas are intact and representative of Ku-ring-gai’s heritage, and as such are defensible when challenged.</p>

No	Issue/Concern	Comment
6	<p>Opposed</p> <p>Objects to the inclusion of Golfers Parade and Courallie Avenue. The area is neutral and the houses late 20th century or newer. Streetscape is not in the same league as houses along Pymble Avenue.</p>	<p>Opposition is noted.</p> <p>It is agreed that this area is mostly neutral and it is not recommended to proceed.</p>
8	<p>Opposed</p> <p>Lawley Crescent, Pymble does not show the integrity of a war period development, many houses are modern. The area should be removed.</p>	<p>Opposition is noted.</p> <p>Agreed. Lawley Crescent area is not recommended for inclusion within a heritage conservation area.</p>
24	<p>Opposed</p> <p>Puzzled by some of the classification – do you honestly think 56 Beechworth Road is worth keeping. A lovely renovated home would be better than what is there now.</p>	<p>Opposition is noted.</p> <p>56 Beechworth is not on an area recommended to proceed as a HCA and as such will not have the requirements of conservation.</p>
100	<p>Opposed</p> <p>Council allowed redevelopment near the Pacific Highway in Pymble. It would be a double standard to prevent change down the hill.</p> <p>No financial compensation for the loss of what is a huge investment.</p> <p>DAS will have time and monetary blowouts. Blanket listing will diminish the value. Existing codes and regulations are enough. Council should do everything in its power to prevent further medium and high density development in the area.</p>	<p>Opposition is noted.</p> <p>The high density zoning referred to in the submission was undertaken by the State Government. For comments on reduced house values and development restrictions please see the main body of the report. Most of this HCA is not recommended to proceed. As the submission did not provide an address this report cannot respond to the impact or not on the specific property. This report does not deal with rezoning.</p>
36	<p>Concerned about road safety.</p>	<p>Is not relevant to the current report. Submission has been forwarded to the relevant staff in Roads and Traffic.</p>

Submission summary table – Not Specified

No	Issue/Concern	Comment
55	<p>Opposed to HCA/</p> <p>The above proposal imposes unnecessary restrictions on what I can do with my property, therefore I do not agree to any extension of Heritage Conservation Area.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
122	<p>Opposed to HCA.</p> <p>Very few houses in the area proposed have anything of heritage or architectural value due to the amount of renovations, extensions and additions to the properties. These modifications have diminished their heritage significance of the area.</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p>
127	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on the owners with what they can do with their properties & living.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
128	<p>Opposed to HCA.</p> <p>It will decrease the property value and will attract less long term & stable resident due to council restrictions. No need of this proposal</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values.</p>
129	<p>Opposed to HCA.</p> <p>This proposal should come from the resident of the area who are living in it, not from people outside the area. This will restrict us as individual owner of the property, while the council has in past allowed big</p>	<p>Opposition noted.</p> <p>The request for the HCAs did come from the residents of the area. Please see the background in the report to Council GB. 15 on 6 December 2016.</p>

No	Issue/Concern	Comment
	builders to change the whole landscape of the area despite of our petitions not to do it.	
150	<p>Opposed to HCA.</p> <p>Many houses already have additions or 2nd stories which have already diminished the heritage significance of the property & surrounding area. The proposal will place unnecessary restrictions on what I can do with my property as well as potentially decrease the property value.</p>	<p>Opposition noted.</p> <p>It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
152	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Potential decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed. Many houses already have additions stories, which has diminished the heritage significance.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>
186	<p>Opposed to HCA.</p> <p>Many houses in the newly proposed HCA area already have additions, second stories, or modified with modern garages or carports and gardens. These modifications have greatly diminished the significance of the properties and surrounding area.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>

No	Issue/Concern	Comment
190	<p>Opposed to HCA.</p> <p>Concerned with decrease in property value, a lack of contributory buildings, previous modifications and additions, and a lengthy, costly and complicated Development Application process.</p> <p>Also mentions the West Pymble HCA extension is far away from Pymble train station and unlikely to attract developers. Also, Pymble residents supported the original HCA proposal; it was in the aim to prevent the approval for the major development application at 1 Avon Road Pymble.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above. Inclusion in a heritage conservation area does require a heritage impact statement for DAs which can increase length and cost. The restriction on exempt and complying development in a HCA is intended to conserve the recognised heritage values from unsympathetic change.</p> <p>There are many examples of knock-down rebuilds in the West Pymble area. The street is desired for its proximity to schools as well as the station.</p>
70	<p>Opposed to HCA.</p> <p>This restriction is absolutely unnecessary due to the following reasons: 1) Some of the houses in this area are moderated (extended or rebuilt); 2) Potential impacts on our property values and 3) It will add a lot of unnecessary works to extend my property.</p>	<p>Opposition noted.</p> <p>Please see comments to submissions 150 and 190 above.</p>
71	<p>Opposed to HCA.</p> <p>Many of the houses included in the heritage area would definitely not be classified as "heritage" properties. This proposal will limit people's ability to improve their homes for their own well being and will affect the value of their</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of</p>

No	Issue/Concern	Comment
	property.	significance.
75	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Limitations on renovations and improvement allowed will decrease in property value.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
98	<p>Opposed to HCA.</p> <p>I object to this proposal and seek further community consultation which addresses the impact on property values and appeal for prospective purchasers buying into in the area. Further, the already built new developments (high density and single dwellings) has already diminished heritage significance.</p>	<p>Opposition noted.</p> <p>This proposal has undergone community consultation through both statutory and non-statutory processes. Nearly all statistical analysis to the impacts of heritage listing on properties points to the impact being negligible. Upzoning would have a significant impact on property values however at this point in time and given the environmental constraints of some of these areas upzoning is not being considered.</p>

Attachment: Brief literature review of the effect of designation on area on house prices

International results for hedonic analysis

Numerous studies have been undertaken globally to ascertain the impact of heritage listing (designation) on property values (see Table 1). Ford (1989), Asabere and Huffman (1994a), Leichenko et al (2001), Coulson and Leichenko (2001), Deodhar (2004), Coulson and Lahr (2005), Narwold et al (2008), and Noonan (2007) all found that designated houses typically sold for a premium when compared to similar properties that were not designated. Others such as Asabere, Hachey and Grubaugh (1989), Schaffer and Millerick (1991), and Asabere and Huffman (1994b) deduced that designation typically led to a discount in the value or had mixed results including no significant price effect. Summaries of these conclusions can be found in Table 1.

The Australian Government Productivity Commission (2006) investigated the effect heritage listing had on the value of residential single dwelling properties in Ku-ring-gai and Parramatta. The analysis found no significant effect on house prices in either area.

An Australian study by William Jeffries in 2012 reviewed the effect of heritage listing on house prices in Mosman. The review challenged the assumptions and methods of previous Australian studies including Deodhar (2004) and the Australian Productivity Commission (2006). The study hypothesized that the previous studies which employed a hedonic price methodology failed to give consideration to:

1. A variance effect – heritage listing increases the price of some properties while reducing the price of others, giving an overall outcome which is erroneous as the two outcomes:
 - a) offset each other to a neutral outcome;
 - b) result in false positive; or
 - c) result in a false negative.
2. Doesn't measure the effect on the prices of neighbouring properties.

Jeffries applied three models to the data:

- When using the hedonic price model the results were closely aligned to the findings of Deodhar and the Productivity Commission for Ku-ring-gai with an estimated increase to house prices of 17.9%. Jeffries postulated this positive outcome was the result of the types of houses which had been listed which may have been of higher quality (design, materials, setting) before listing and therefore regardless of designation, this subset may have had a higher house price compared to the overall sample.
- The difference-in-differences model estimated the average treatment effect i.e. the model assessed before and after listing prices. The results of this modelling were statistically insignificant and therefore it could not be concluded that the higher prices for heritage properties pre-existed the designation.
- The fixed effects model utilised in the calculation only those properties which had sales in both the before and after designation time periods. This analysis eliminates time-invariant observables and unobservables leaving only time-variant observables i.e. changes that occurred as a result of the changing condition (heritage listing) not the environment of the changing time (e.g. past and present macro and micro economic climates). Again, there was no statistically significant result.

Finally Jeffries tested the hypothesis that heritage listing increases the prices of some houses while decreasing the prices of others, with the overall effect being to cancel each other out to no effect. Jeffries applied the Breusch-Pagan heteroskedasticity test to the Mosman data to determine if this variance existed. Jeffries found that designation did not have a varying effect on the price of the houses that were listed or the neighbouring houses.

Results for historic precincts (hedonic modelling and repeat sales analysis)

Ford (1989), Asabere and Huffman (1994a), Coulson and Lahr (2005), and Thompson, Rosenbaum and Schmitz (2010) all used hedonic analysis to ascertain the impact of heritage listing on historic precincts or neighbourhoods and found a positive effect on houses prices.

Australian examples of the impact on property valuations and sale price from being included in a statutorily recognised heritage conservation area (heritage precincts) has tended to review the effect of listing on houses prices in country and mining towns.

Countrywide Valuers and Trevor Budge and Associates in their 1992 study of the Victorian mining town of Maldon found no adverse effect on property valuations from the heritage and planning and controls set in place as a result of heritage listing. The study concluded the planning controls had conserved the heritage character of Maldon and attracted visitors and property buyers to the town. Property values in Maldon were comparable or higher than neighbouring towns which were not included in the heritage overlay.

Penfold (1994) reviewed the impact of heritage controls on prices for four conservation areas in four Sydney local government areas: Ashfield, Burwood, North Sydney and Waverly. The study found that the statutory recognition of the conservation areas had favourable impacts on Ashfield and Burwood but made little difference to the prices in North Sydney and Waverly.

Cotteril (2007) stated in the Sinclair Knight Merz report of the impact of heritage overlays on house prices in Ballarat that “well maintained and marketed heritage listed residential properties are likely to sell at a premium...” and “....generally residential house prices are more likely to be affected by external economic factors such as interest rates and property location”.

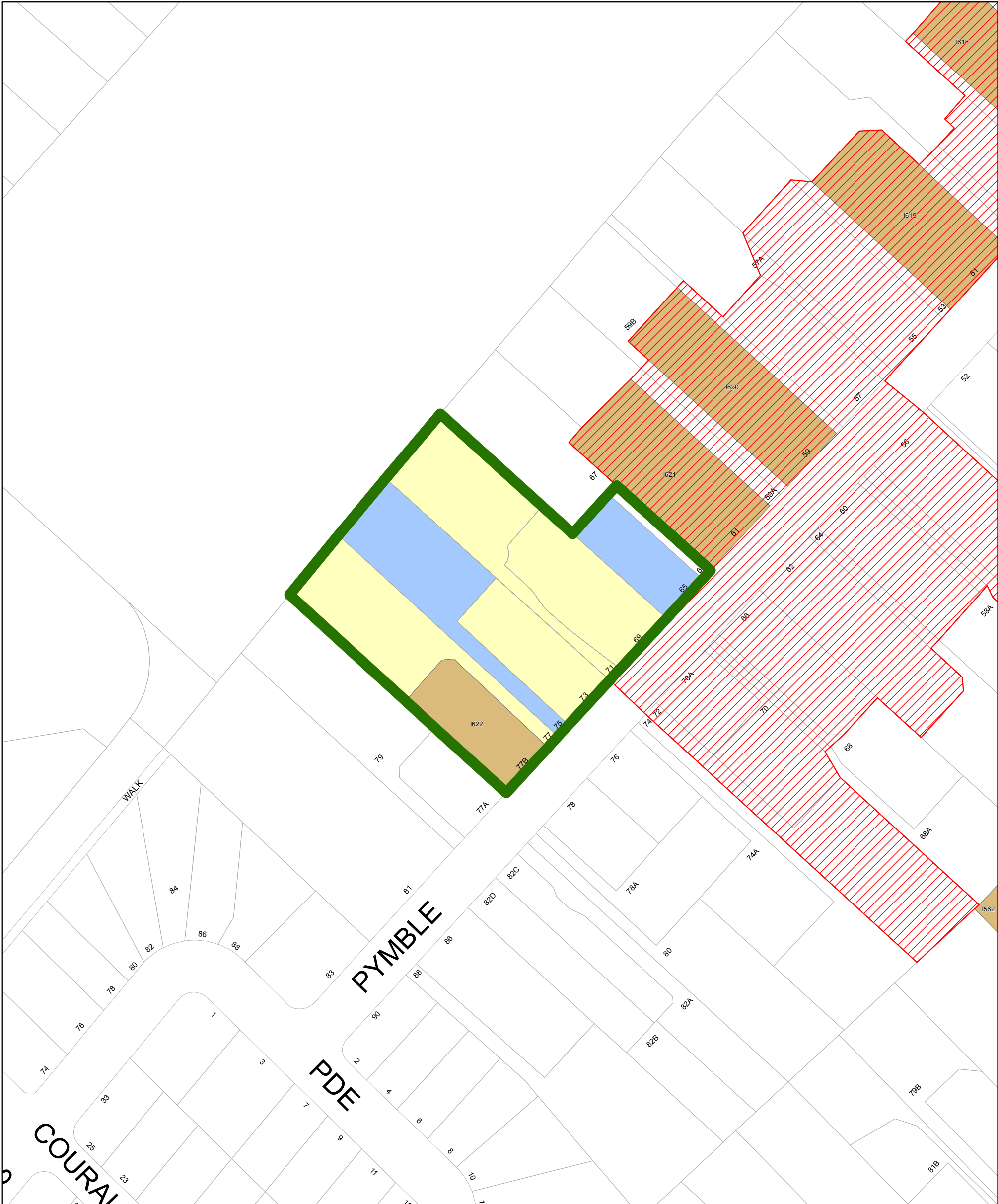
Armitage and Irons (2005) reviewed seven Australian and international studies on the effect of heritage listing on property prices. They surmised that the impact of heritage listing on property prices is marginal and generally tends to be positive, particularly in the case of placing heritage controls on entire precincts. They also note that individual cases, or outliers, do show significant upside or downside value movements. They attributed the positive effects in heritage precincts to the increased consistency and greater certainty of character in an area protected by conservation controls.

Table 1: Overview of studies**(Adapted from Lazrak, Nijkamp, Rietveld and Rouwendal (2009) and Jeffries (2012))**

Author(s)	Study	Study area	Key findings
Jeffries (2012)	Does heritage listing have an effect on property prices in Australia? Evidence from Mosman Sydney	Mosman, NSW	Cannot be concluded that heritage listing impacts house prices. A test for heteroskedacity yielded statistically insignificant results.
Zahirovic-Herbert and Chatterjee (2012)	Historic Preservation and residential property values: evidence from quantile regression	Baton Rouge, Louisiana	Results for historic districts. Buyers pay an average of approximately 6.5% for houses located in the nationally designated historic districts. Near Historic District, is a positive and indicates a 3.8% price premium for houses sold within walking distance from historic districts' boundaries'.
Moro, Mayor, Lyons and Tol (2011)	Does the housing market reflect cultural heritage? A case study of greater Dublin	Greater Dublin, Ireland	Results show that some types of cultural heritage sites, such as historic buildings, memorials, and Martello towers, provide positive spillovers to property prices while archaeological sites seem to be a negative amenity.
Thompson, Rosenbaum and Schmitz (2010)	Property values on the plains: the impact of historic designation	Nebraska, USA	Sale prices of houses in designated precincts rose \$5000 a year in comparison to houses in non-designated precincts in the years after designation.
Narwold, Sandy and Tu (2008)	The effect of historically designated houses on sale price	San Diego, USA	Historic designation of single-family residences creates a 16 percent increase in housing value which is higher than the capitalization of the property tax savings due to designation.
Noonan (2007)	The effect of landmarks and districts on sale price	Chicago, USA	Designated property has a positive effect on both itself and neighbouring properties.
Australian Government Productivity Commission (2006)	Effect of heritage listing: a hedonic study of two local government areas (on property value).	Parramatta and Ku-ring-gai, Australia	Heritage listing had no significant effect on the value of residential single dwelling properties.

Author(s)	Study	Study area	Key findings
Ruijgrok (2006)	The effect of 'authenticity', 'ensemble' and landmark designation on house prices	Tiel, Netherlands	Authenticity and façade elements accounts for 15 percent of sale prices in the Hanseatic city of Tiel.
Coulson and Lahr (2005)	The effect of district designation on appreciation rate	Memphis, Tennessee, USA	Appreciation rate were 14-23% higher when properties were in neighbourhoods which were zoned historical. Local designation is more important than national designation.
Deodhar (2004)	The effect of heritage listing on sale prices	Sydney, Australia	On average heritage listed houses commanded a 12 percent premium over non heritage listed houses. This premium is a combined value of heritage character, their architectural style elements, and their statutory listing status.
Coulson and Leichenko (2001)	The effect of designation on tax appraisal value	Abilene, Texas, USA	Local historic designation raises value 17.6 percent of designated property.
Leichenko, Coulson and Listokin (2001)	The effect of historic designation on house prices	nine different Texas cities, USA	Historical designated properties in Texas enjoy 5-20% higher appraised prices than other property.
Asabere and Huffman (1994a)	The effect of federal historic district on sales prices	Philadelphia, USA	Owner-occupied property located in national historic districts in Philadelphia sell at a premium of 26 percent.
Asabere and Huffman (1994b)	The effect of historic façade easements on sale prices	Philadelphia, USA	Condominiums with historic easements sell for about 30 percent less than comparable properties.
Asabere et al. (1994)	The sales effects of local preservation	Philadelphia, USA	Small historic apartment buildings experience a 24 percent reduction in price compared to non-locally certified properties.
Moorhouse and Smith (1994)	The effect of architecture on original purchase price	Boston, USA	Architecture design was valued with a premium.

Author(s)	Study	Study area	Key findings
Schaeffer and Millerick (1991)	The impact of historic district on sale prices	Chicago, USA	Properties with national historic designation have a premium and local historic designation have a discount over non designated properties. Properties near a historic district may enjoy positive externalities.
Asabere, Hachey and Grubaugh (1989)	The effect of architecture and historic district on home value	Newburyport, Massachusetts, USA	Historical architectural styles have positive premiums. The historic district of Newburyport does not have positive external effects.
Ford (1989)	The price effects of local historic districts	Baltimore, Maryland, USA	Historic districts do have higher prices than non-historical districts.
Vandell and Lane (1989)	The effect of design quality on rent and vacancy behaviour on the office market	Boston and Cambridge, USA	Design quality has a positive premium of 22 percent on rents but there is a weak relationship between vacancy behaviour and design quality.
Hough and Kratz (1983)	The effect of architectural quality on office rents	Chicago, USA	Tenants are willing to pay a premium to be in new architecturally significant office building, but apparently see no benefits associated with old office



- Legend
- Contributing
 - Detracting
 - Neutral
 - Gazetted Conservation Area - General
 - Heritage Item - General
 - Boundary of recommended HCA extension

Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Avenue Conservation Area
Pymble
C11

Recommended extension to C11

Date: 20/06/2018



NOTICE OF RESCISSION

CONSIDERATION OF SUBMISSIONS ON THE DRAFT HERITAGE CONSERVATION AREAS: ATHOL CONSERVATION AREA, LANOSA CONSERVATION AREA, MONA VALE ROAD CONSERVATION AREA, PYMBLE HEIGHTS CONSERVATION AREA AND FERN WALK CONSERVATION AREA

Notice of Rescission from Councillors Spencer, Clarke and Kelly dated 20 August 2018

We, the undersigned, hereby move rescission of the following motion of the Ordinary Meeting of Council of 26 June 2018:

That Council does proceed with the inclusion of the Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.

Should the above rescission be resolved, we further intend to move:

- A. That those who made a submission be notified of Council's resolution.

RECOMMENDATION:

That the above Notice of Rescission as printed be adopted.

Councillor Cedric Spencer
Councillor for Wahroonga Ward

Councillor Callum Clarke
Councillor for Comenarra Ward

Councillor Peter Kelly
Councillor for Gordon Ward

NOTICE OF RESCISSION

MONA VALE ROAD HCA

Notice of Rescission from Councillors Spencer, Clarke and Kelly dated 13 September 2018

We, the undersigned, hereby move rescission of the following motion of the Ordinary Meeting of Council of 26 June 2018:

That Council does proceed with the inclusion of the Mona Vale Road Conservation Area (as exhibited) in the adopted Planning Proposal.

Should the above rescission be resolved, we further intend to move:

- A. That those who made a submission be notified of Council's resolution.

RECOMMENDATION:

That the above Notice of Rescission as printed be adopted.

Councillor Cedric Spencer
Councillor for Wahroonga Ward

Councillor Callum Clarke
Councillor for Comenarra Ward

Councillor Peter Kelly
Councillor for Gordon Ward

FINALISATION OF PLANNING PROPOSAL FOR NEW AND EXTENDED HERITAGE CONSERVATION AREAS IN WAHROONGA, TURRAMURRA, PYMBLE AND GORDON

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	For Council to make a determination in relation to the final composition of the Planning Proposal to include new and extended heritage conservation areas in the <i>Ku-ring-gai Local Environmental Plan 2015</i> (KLEP 2015) and the <i>Ku-ring-gai Local Environmental Plan (Local Centres) 2012</i> (KLEP LC 2012) to progress its finalisation.
BACKGROUND:	<p>A Planning Proposal was prepared to include new and expanded heritage conservation areas in the KLEP 2015 and the KLEP LC 2012. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Council considered this matter at its meetings of 8 May 2018, 12 June 2018, 26 June 2018, 14 August 2018, 28 August 2018 and 25 September 2018.</p> <p>Legal advice has been received concluding that to date Council has made definitive resolutions in relation to 5 of the 11 areas only at these meetings. Further resolutions are required for the remaining 6 draft HCAs; being Gilroy Road, Mahratta, Lanosa Estate, Fernwalk, West Pymble and Orinoco.</p> <p>A determination in relation to the remaining 6 draft HCAs is now required to progress the Planning Proposal to finalisation.</p>
COMMENTS:	Legal advice has been obtained concluding that Council has not made a determination as to how to proceed in relation to 6 out of 11 draft HCAs. A final determination on these matters to finalise the Planning Proposal is now required.
RECOMMENDATION:	That Council formalises its position in relation to the following 6 draft HCA; Gilroy Road, Mahratta, Lanosa Estate, Fernwalk, West Pymble and Orinoco in order to finalise the planning proposal; and further that Council determines the process by which it wishes to finalise the Planning Proposal.

PURPOSE OF REPORT

For Council to make a determination in relation to the final composition of the Planning Proposal to include new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012) to progress its finalisation.

BACKGROUND

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on Schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017; and subsequent extension on 5 April 2018. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. The timeframe for completion of the LEP amendment, as set by the Department, is 2 November 2018.

Council on 8 May 2018 considered the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

Council resolved on 8 May 2018:

- A. *That given the short timeframe provided to make decisions that impact over 800 properties, and the significant impact that these decisions could have on the character of Ku-ring-gai, that Council should defer the matter and spread the decision making across the next three (3) council meetings.*

Council on 12 June 2018 considered the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Telegraph Road Conservation Area, Gilroy Road Conservation Area, Mahratta Conservation Area and Hillview Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

Council resolved (in part):

1. *That Council resolves to adopt the Planning Proposal to list the Telegraph Road Heritage Conservation Area as statutorily exhibited during the period 15/09/2017 – 23/10/2017.*
2. *That Council resolved not to adopt the Planning Proposal to list the **Gilroy Road Heritage Conservation Area** as identified in Attachment A7 in schedule 15 and the heritage map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.*
3. *That Council resolved not to adopt the Planning Proposal to list the **Mahratta Heritage Conservation Area** as identified in Attachment A7 in schedule 15 and the heritage map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.*
4. *That Council resolves to adopt the Planning Proposal to list the **Hillview Heritage Conservation Area** as statutorily exhibited during the period 15/09/2017 – 23/10/2017.*

Council on 26 June 2018 considered the submissions received during the public exhibition of the Planning Proposal to include several new and extended heritage conservation areas being Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fernwalk Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

Council resolved (in part):

1. *That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area **Athol Conservation Area** as identified in **Attachment A9** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.*
2. *That Council does proceed with the inclusion of the **Mona Vale Road Conservation Area** (as exhibited) in the adopted Planning Proposal.*
3. *That Council does proceed with the inclusion of the **Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area** (as exhibited) in the adopted Planning Proposal.*

Council on 14 August 2018 considered the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012). No decision was taken in respect of the matter and it remains in abeyance. A copy of this report is included at **Attachment A1**.

Council on 28 August 2018 considered a Rescission Motion to rescind the following motion of the Ordinary Meeting of Council on 26 June 2018:

That Council does not proceed with the inclusion of the Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.

The Motion was successful in relation to the Lanosa Conservation Area and the Fernwalk Conservation Area; the Motion was lost for the Pymble Heights Conservation Area.

Following consideration of the Rescission Motion, Council considered a further report on the finalisation of the planning proposal which included recommendations for three specific heritage conservation areas (West Pymble, Orinoco and Pymble Heights). An amended Motion was considered but lost. No decision was taken in respect of the matter and it remains in abeyance.

Council on 25 September 2018 considered a Rescission Motion to rescind the following motion of the Ordinary Meeting of Council of 26 June 2018:

That Council does proceed with the inclusion of the Mona Vale Road Conservation Area (as exhibited) in the adopted Planning Proposal.

Item GB.9

S11437

The Original Motion was amended as follows:

- A. *That Council rescinds the part of its decision of the Ordinary Meeting of Council of 26 June 2018 to include 3 Mona Vale Road to 1a Bromley Avenue Pymble and 78 Mona Vale Road to 96 Mona Vale Road Pymble within the Mona Vale Conservation Area and the adopted Planning Proposal.*
- B. *That Council does not proceed with the Mona Vale Road Conservation Area as exhibited except for the properties from 98 Mona Vale Road to 102 Mona Vale Road Pymble and 55a Mona Vale Road to 117 Mona Vale Road Pymble, however, excluding Strathwood Court.*
- C. *That those who made a submission be notified of Council's resolution.*

The amended Motion was carried.

COMMENTS

Legal Advice

Confidential legal advice on Council's decision making in relation to the planning proposal has been obtained and is included as **Confidential Attachment A2** to this report. This advice opines that Council has only properly determined 5 of the 11 draft HCAs contained in the original planning proposal by means of definitive resolutions to progress the listing of these areas. In respect of the remaining 6 draft HCAs, the advice states that no formal resolutions have been made.

By way of explanation, the legal advice considers that when Council has considered motions in the context of an exhibited pp to list or not list HCAs which have subsequently been lost, Council has not made a further decision in relation to these areas and, therefore, actual resolutions in relation to these areas have not been made. The advice states that a resolution (supported by the majority) which specifically indicates whether a draft conservation area is to be listed or not is required so that specific and clear decisions have been made in relation to each draft heritage conservation area. As a consequence of the failure of decision making to date to achieve this objective, the advice concludes that Council has not, at this stage, fulfilled its functions of determining the planning proposal as a whole.

Council has made decisions in relation to 5 of the draft HCAs, being Telegraph Road, Hillview, Athol, Mona Vale Road and Pymble Heights. Accordingly, this report does not discuss these areas and Council's decision making in relation to these areas will be reflect in the final planning proposal.

The advice further concludes that, once Council has determined the final composition of the planning proposal, it also needs to determine the process by which is wishes to finalise the plan. This report is recommending that, given the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council's delegation be returned to the Department to finalise the proposal. This will then allow the Department to direct these complicated amendments to Parliamentary Counsel. Accordingly, to formalise the final composition of the Planning Proposal, Council will need to pass specific resolutions in relation to the following areas:

Item GB.9

S11437

1. Draft HCA: Gilroy Road, Turramurra (as shown in Attachment A3)
Decision making to date: Recommendation to list not supported
Council position: If it is not to list as a Heritage Conservation Area then a motion to this effect.
2. Draft HCA: Mahratta extension, Wahroonga (as shown in Attachment A4)
Decision making to date: Recommendation to list not supported
Council position: If it is not to list as a Heritage Conservation Area then a motion to this effect.
3. Draft HCA: Lanosa Estate, Pymble (as shown in Attachment A5)
Decision making to date: Recommendation not to list not supported; resolution to list was rescinded on 28 August 2018
Council position: Unclear
4. Draft HCA: Fernwalk extension, Pymble (as shown in Attachment A6)
Decision making to date: Recommendation not to list not supported; resolution to list was rescinded on 28 August 2018.
Council position: Unclear.
5. Draft HCA: West Pymble, Pymble (as shown in Attachment A7)
Decision making to date: Recommendation to list amended not supported; decision in abeyance
Council position: If it is to list as a Heritage Conservation Area then a motion to this effect.
6. Draft HCA: Orinoco extension, Pymble (as shown in Attachment A8)
Decision making to date: Recommendation not to list not supported; decision in abeyance
Council position: If it is not to list as a Heritage Conservation Area then a motion to this effect.

Pursuant to the legal advice, if Council wishes to finalise the planning proposal it needs to formally resolve its position in relation to the above draft HCAs. Should Council fail to make formal resolutions for any or all of the above areas, they would remain as draft HCAs (as afforded under the provisions of the EP&A Act 1979), as progression of the planning proposal to finalisation would not be possible. In practical terms, this would mean owners would be required to submit heritage impacts statements as part of development applications for works and the ability of owners to utilise the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 would be limited.

The NSW Department of Planning & Environment sets timeframes for planning proposals via conditions contained within Gateway determinations. Council should be aware that the timeframe currently applying to the relevant Gateway determination for this planning proposal requires completion of this matter by 2 November 2018. This timeframe has already been subject to a six month extension. Should Council fail to meet this timeframe, the NSW Department of Planning & Environment may seek to determine the planning proposal on behalf of Council.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

The report considered by Council on 14 August 2018 addressed governance matters relating to the preparation and implementation of planning proposals. It noted that Council was issued with plan-making delegation under Section 2.4 (previous s.23) of the EP&A Act 1979 to finalise the Planning Proposal. This authorises to exercise the functions of the Greater Sydney Commission under Section 3.36 (previous s59) of the Act. This includes both:

- requesting that the legal instrument (the LEP) is drafted by Parliamentary Counsel's Office (PCO), and
- the actual making of the LEP once an Opinion has been issued by PCO that the plan can be legally made.

When a delegated Planning Proposal is revised following exhibition, Council is to forward a copy of the revised proposal to the Department under Section 3.35(2) (previous 58(2)) of the Act. In circumstances where substantial changes are made to a Planning Proposal after exhibition, a new Gateway Determination and further consultation may be required before the LEP is made.

The report recommended that, should the final Planning Proposal be substantially different from the original planning proposal and given the added complexity and conflicting issues surrounding the multiple HCAs, Council's delegation be returned to the Department to finalise the proposal. This will then allow the Department to direct these complicated amendments to Parliamentary Counsel.

RISK MANAGEMENT

This report provides discussion regarding the risks associated with Council's decision making to date and matters arising should Council fail to make final decisions in relation to this matter.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions. Submitters have been additionally notified when their relevant HCA was considered by Council as part of further reporting. This report is recommending that all submitters be notified of the report's outcomes.

The recommendations of Council officers have been considered by Council's Heritage Reference Committee.

INTERNAL CONSULTATION

Briefings were held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018; Tuesday, 12 June 2018; Tuesday, 26 June 2018 and Tuesday, 14 August 2018. A further briefing is scheduled for 30 October 2018.

Where relevant Consultation with other Departments of Council has taken place.

SUMMARY

The public exhibition process for the planning proposal to include new and extended HCAs in the KLEP 2015 and the KLEP LC 2012 has concluded. Legal advice obtained concludes that Council needs to make determinations in relation to these 6 draft HCAs. A final determination as to the progression of the Planning Proposal is now required in order for Council to finalise this matter. Council also need to determine the process by which it wishes to finalise the Planning Proposal.

RECOMMENDATION:

- A. That if Council intends to not include the draft Gilroy Road HCA in the final planning proposal then a motion to this effect should be passed.
- B. That if Council intends to not include the draft Mahratta HCA extension in the final planning proposal then a motion to this effect should be passed.
- C. That if Council intends to not include the draft Lanosa Estate HCA in the final planning proposal then a motion to this effect should be passed. If Council does intend to list the draft Lanosa Estate HCA in the final planning proposal then a motion to that effect should be passed
- D. That if Council intends to not include the draft Fernwalk HCA extension in the final planning proposal then a motion to this effect should be passed. If Council does intend to list the draft Fernwalk HCA extension in the final planning proposal then a motion to that effect should be passed
- E. That if Council does intend to list the draft West Pymble HCA with the proposed amended boundaries as shown at **Attachment A7** in the final planning proposal then a motion to that effect should be passed.

Item GB.9

S11437

- F. That if Council intends to not include the draft Orinoco HCA extension in the final planning proposal then a motion to that effect should be passed.
- G. Due to the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the planning proposal.
- H. That those who made a submission be notified of Council's resolution.

Maxine Bayley
Strategic Planner Heritage

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:		OMC 14 August 2018	2018/240304
A1		Confidential legal advice on resolutions	<i>Confidential</i>
A2		Map - Draft Gilroy Road Heritage Conservation Area	2018/301964
A3		Map - Draft Mahratta Heritage Conservation Area extension	2018/302045
A4		Map - Draft Lanosa Estate Heritage Conservation Area	2018/302046
A5		Map - Draft Fernwalk Heritage Conservation Area	2018/302047
A6		Map - Draft West Pymble Heritage Conservation Area	2018/302048
A7		Map - Draft Orinoco Heritage Conservation Area extension	2018/302049
A8			

CONSIDERATION OF SUBMISSIONS ON THE DRAFT WEST PYMBLE CONSERVATION AREA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND:

A Planning Proposal was prepared to include several heritage conservation areas for KLEP 2015 and the KLEP LC 2012. The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. This report provides an overview of the outcomes of the public exhibition.

COMMENTS:

A total of 175 submissions were received on these two draft conservation areas during the public exhibition of the Planning Proposal. The submissions have been reviewed and the Planning Proposal has been revised.

RECOMMENDATION:

That Council proceeds with a heritage listing for the amended Pymble Avenue Conservation Area. The larger West Pymble Conservation Area is not recommended to proceed nor is the extension to the Orinoco Conservation Area.

PURPOSE OF REPORT

For Council to consider the submissions received during the public exhibition of the Planning Proposal to include two new heritage conservation areas being West Pymble Conservation Area and an extension to Orinoco Conservation Area in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

BACKGROUND

On 6 December 2016 Council resolved to prepare and submit a Planning Proposal to the Department of Planning and Environment (the Department) for Gateway Determination to include several heritage conservation areas on schedule 5 and the Heritage Map of KLEP 2015 and KLEP LC 2012. The Department issued a Gateway Determination to allow exhibition on 2 May 2017.

The Planning Proposal was placed on public exhibition between 15 September 2017 and 23 October 2017. Owners were notified by a letter which included a map of the affected area, and a brochure briefly explaining the proposal, the process and the community's opportunity to make comment.

A report on the submissions was presented at the Ordinary Council meeting of 8 May 2018. Following representations from members of the community the Council resolved to defer the report to three subsequent meetings to provide more time for Councillors to consider the recommendations and undertake their own assessments.

This report provides an overview of the outcomes of the public exhibition for the West Pymble Conservation Area and the proposed extension to the Orinoco Conservation Area.

COMMENTS

Heritage conservation areas conserve the heritage values of an area, rather than a particular item. These are areas in which the historic origins and relationships between various elements create a cohesive sense of place that is worth keeping. These elements can include the buildings, gardens, landscape, views and vistas.

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing cultural significance and contribution values can be found in **Attachment A1**

Common themes from the community submissions

Council received 175 community submissions for the heritage conservation area peer review for the HCAs being considered by this report, several of these were duplicates sent by mail and electronically. In addition 3 submissions were received that were in support of all the HCAs that were exhibited as part of the peer review.

Overview of submission numbers on these HCAs:

	Against	For	Unclear
Orinoco	2	1	
West Pymble	63	17	1
Both HCAs	68	21	2
Total	133 (76%)	39 (22%)	3 (2%)

For these HCAs, 133 submissions were against the proposal, 39 submissions were for the proposal and 3 submissions were unclear as to whether they were for or against. A summary of the submissions for each of the heritage conservation area can be found in **Attachments A3 to A5**, and submissions that were made for all HCAs (i.e. not a specific area) can be found in **Attachment A6**.

Common themes from the submissions were:

- Implications of inclusion in a heritage conservation area;
- support for protecting the local area from increased residential density;
- impact on house prices from reduced demand;
- objection to blanket listing;
- The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh.

A discussion of these common themes can be found in **Attachment A2**. A literature review on the effects of heritage listing in designated areas can be found in **Attachment A7**.

Review of the maps and proposed HCAs

Following the exhibition period Council staff reviewed the submissions, and then once again reviewed the proposed heritage conservation areas taking into consideration the information gleaned from the submissions, changes on the ground (demolitions and/or new developments including alterations and additions) and Council held records (such as historical photographs, Council reports, property files and development applications).

Below is a summary of the Council officer's recommendation for each heritage conservation area. Further information for each of the heritage conservation areas can be found in **Attachments A3 – A4** which includes comments, summary of submissions, revised ratings and revised mapping.

Summary of heritage conservation area recommendations

Type (new/extension)	Proposed name	#	LEP	Consultant	Recommendation
Extension	West Pymble	C11A – C11B	LCLEP KLEP	PMA	Proceed amended
Extension	Orinoco	C10A – C10B	LCLEP	SJS and PMA	Not proceed

Map of the extension to the Pymble Avenue Conservation Area recommended to proceed can be found at **Attachment A8**.

Explanation of heritage conservation area recommendations

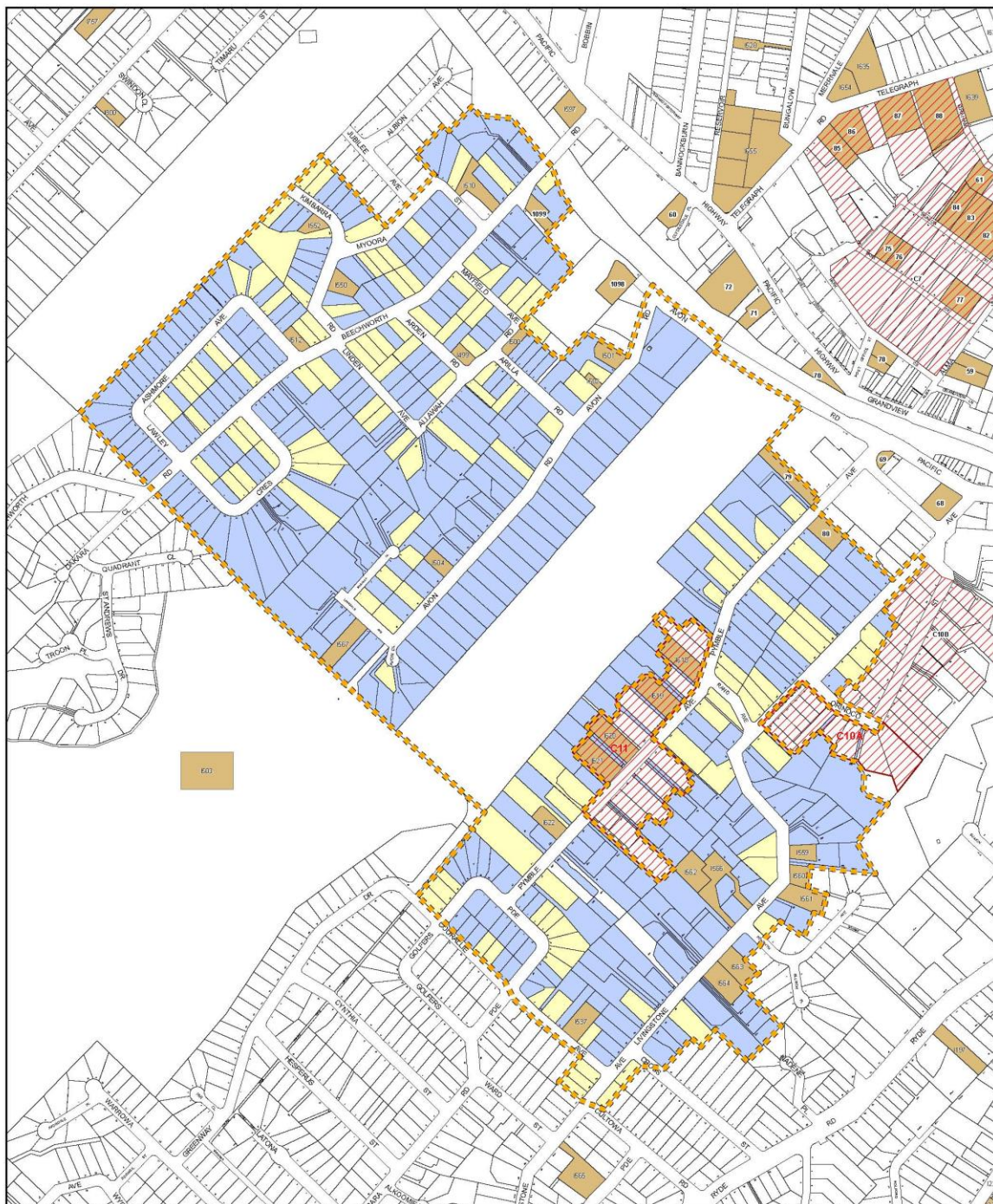
1. West Pymble Conservation Area – Pymble (C11A and C11B)(see Attachment A3)

Recommendation: Proceed amended

The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”.

It is agreed the large areas of neutral properties do not warrant inclusion within a heritage conservation area.

Instead several potential small HCAs were reviewed and reassessed more closely where clusters of contributory buildings were indicated on the exhibited map. As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area (C11) be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack.



LEGEND

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastre

- Cadastre 02/08/2018
- © Land and Property Information (LPI)

Date: 18/04/2018

**Draft Heritage
Conservation Area**

West Pymble Conservation Area

Pymble

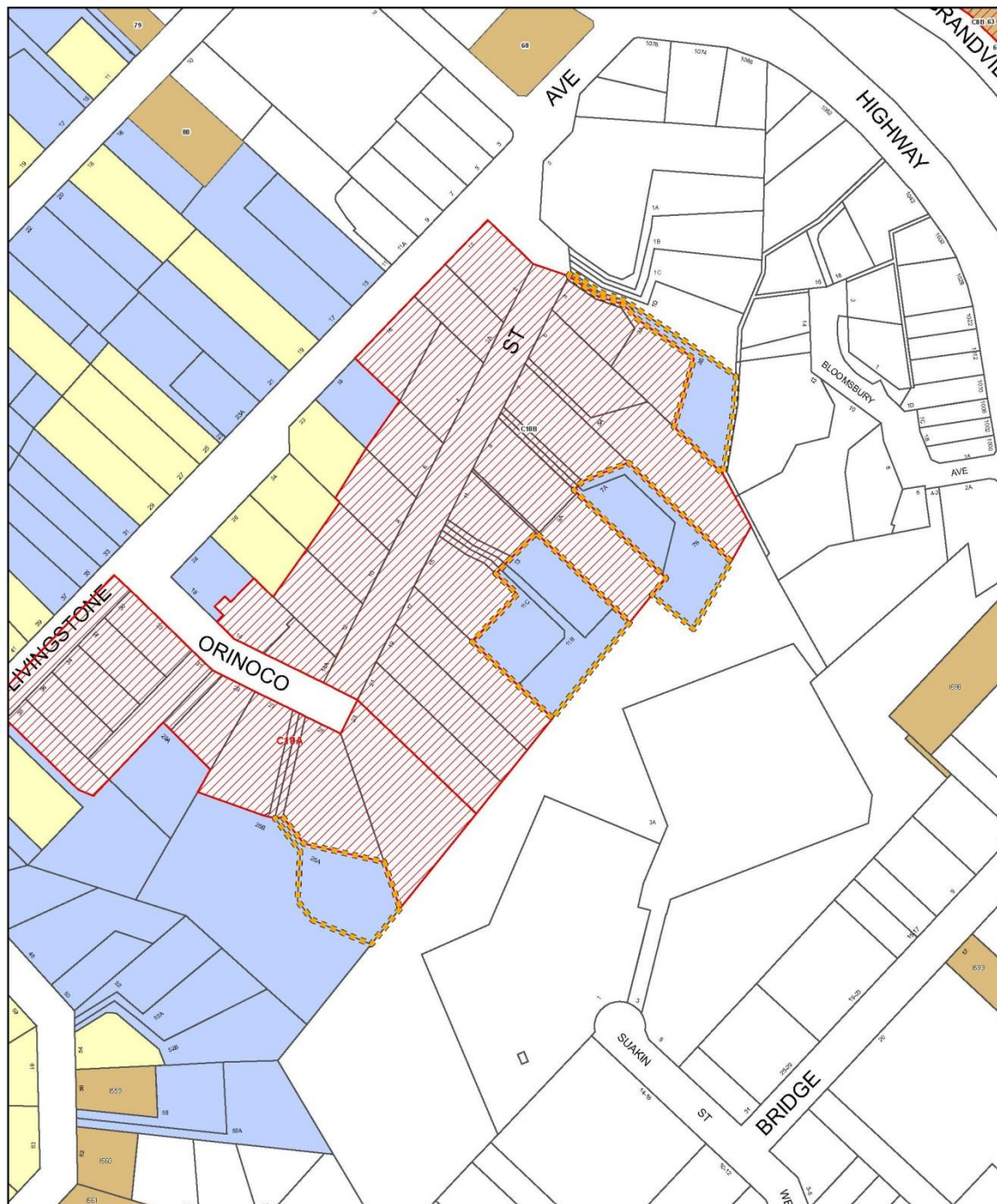
C11A and C11B Extensions



2. Orinoco Street Conservation Area (C10A and C10B)(see A4)

Recommendation: Do not proceed

The exhibited map of this extension to the Orinoco Street Conservation Area ***rated all the properties as neutral*** and all of these properties were battle-axe lots. These properties, following review, remained neutral. This area is not recommended to proceed as there is no gain to the HCA from the inclusion of this group non-historical buildings. This extension to the conservation area is not recommended to proceed.



<p>LEGEND</p> <ul style="list-style-type: none"> Contributing Detracting Neutral Gazetted Conservation Area - General Heritage Item - General <p>Cadastral</p> <ul style="list-style-type: none"> Cadastral 01/08/2018 © Land and Property Information (LPI) <p>Date: 18/04/2018</p>	<p>Draft Heritage Conservation Area</p> <p>Orinoco Street Conservation Area</p> <p>Pymble</p> <p>C10A and C10B Extensions</p>	
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INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Strategies, Plans and Processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets	Implement, monitor and review Ku-ring-gai's heritage planning provisions	Identify gaps in existing strategies and plans

GOVERNANCE MATTERS

This report addresses issues of heritage protection in line with Council's recently gazetted LEPs. The process for the preparation and implementation of the Planning Proposal to implement the new Heritage Conservation Area is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

Council was issued with plan-making delegation under Section 2.4 (previous s.23) of the EP&A Act 1979 to finalise the Planning Proposal. This authorises to exercise the functions of the Greater Sydney Commission under Section 3.36 (previous s59) of the Act. This includes both:

- requesting that the legal instrument (the LEP) is drafted by Parliamentary Counsel's Office (PCO), and
- the actual making of the LEP once an Opinion has been issued by PCO that the plan can be legally made.

When a delegated planning proposal is revised following exhibition, Council is to forward a copy of the revised proposal to the Department under Section 3.35(2) (previous 58(2)) of the Act. In circumstances where substantial changes are made to a planning proposal after exhibition, a new Gateway determination and further consultation may be required before the LEP is made.

Given the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, it is recommended that Council's delegation be returned to the Department to finalise the proposal. This will then allow the department to direct these complicated amendments to Parliamentary Counsel.

RISK MANAGEMENT

This report provides the level of detail and the justification, including preliminary community consultation.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There is a community expectation that places of heritage significance within the Ku-ring-gai Council local government area will be identified and protected.

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

The Planning Proposal was exhibited from 15 September 2017 until 23 October 2017. It was advertised on Council's website and in the North Shore Times and Hornsby Advocate. Letters and an explanatory brochure were forwarded to the owners of affected properties inviting submissions. In some cases Council staff undertook additional site inspections of the proposed heritage conservation areas with the local residents to enable staff to fully comprehend their submissions.

The recommendations by Council officers were also considered by Council's Heritage Reference Committee. There were no objections raised to the recommendations regarding the draft heritage conservation areas contained within this report.

INTERNAL CONSULTATION

A briefing was held for Councillors on the Heritage Conservation Area program on Tuesday, 29 May 2018 and a further Councillor briefing session was scheduled prior to this report to the Council meeting of 14 August 2018.

This report has been referred to the relevant sections of Council and the Council's Heritage Reference Committee for comment.

SUMMARY

This report considers the community submissions to a planning proposal to list one additional heritage conservation area being West Pymble Conservation Area. Based on the assessment of the submissions and further detailed heritage assessment an amended heritage conservation area is recommended to proceed being the amended Pymble Avenue Conservation Area.

RECOMMENDATION:

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the Environmental Planning and Assessment Act to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

Andreana Kennedy
Heritage Specialist Planner

Craig Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1	Attachment 1 - Determining factors in assessing the significance of heritage conservation areas and contribution ratings	2018/169572
	A2	Attachment 2 - Common themes from the submissions	2018/169578
	A3	Attachment 3 - West Pymble Conservation Area - C11A & C11B	2018/175995
	A4	Attachment 4 - Orinoco Conservation Area - C10A & C10B	2018/175971
	A5	Attachment 5 - Submission summary table - West Pymble and Orinoco	2018/176063
	A6	Attachment 6 - Submission summary table - Not Specified	2017/343501
	A7	Attachment 7 - Brief literature review of the effect of designation on area on house prices	2018/109311
	A8	Attachment 8 - extension to Pymble Avenue HCA - recommended to proceed	2018/176329

Determining factors in assessing the significance of heritage conservation areas

In undertaking the heritage conservation area review, Council is acknowledging the unique and valuable heritage character of Ku-ring-gai. Those areas which are recommended by this report represent the best heritage streetscapes within Ku-ring-gai. The determining factors in assessing which heritage conservation areas should be included in the Ku-ring-gai Principal Local Environmental Plan include:

- **Cultural significance** – as assessed by the heritage consultant Architectural Projects Pty Ltd. This assessment reviewed the intactness of heritage conservation areas that were previously recommended by the 2006 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh and/ or the Godden Mackay Logan Urban Conservation Area studies (2001-2005).
- **Submissions** – issues raised in the submissions are addressed in **Attachments A3 to A8**. The public submissions covered a variety of topics including support or objecting against the findings of the HCA review, factual corrections, concerns regarding incorrect assessment of contributory values and the financial impacts of inclusion in a heritage conservation area.
- **Proximity to gazetted Heritage Conservation Areas** – where the proposed HCA is adjacent to an existing HCA the extension completes and/or further conserves those conservation areas already gazetted.
- **Other planning considerations** under the Ku-ring-gai Local Environmental Plans and associated Development Control Plans, including issues such as the management of fire prone areas and interaction with interface zones of areas with medium or high residential density.

Contribution ratings

Assessments of heritage conservation areas ascribe contribution values to the buildings within the conservation area. The methodology applied in the assessment process of potential heritage conservation areas includes reviewing previous studies and historical data, undertaking additional new historical research, engaging in detailed fieldwork including walking the study areas and assessing the properties as contributory, neutral or uncharacteristic. This methodology was developed by the City of Sydney to review and determine the integrity of several of its heritage conservation areas and is considered best practise.

The description for each ranking is:

- | | |
|-------------------|---|
| 1. Contributory - | Key historical period layer, highly or substantially intact
Key historical period layer, altered, yet recognisable and reversible |
| 2. Neutral - | Key historical period layer, altered in form, unlikely to be reversed;
New sympathetic layer or representative of a new layer |
| 3. Detracting - | Not from a key historical period layer
Uncharacteristic (in either scale or materials/details)
New uncharacteristic development
Other uncharacteristic development |

Common themes from the submissions

Implications of inclusion in a heritage conservation area

There are both costs and benefits to inclusion in a heritage conservation area, both to the individual and to the community. Protecting a conservation area has the benefit of conserving for current and future generations the aesthetic and social qualities which give the area its cultural value and make it a great place to live. Other benefits include certainty as to the types of development that occur in a conservation area. The character of the area is required to be retained; therefore development which is out of character or out of scale to the area is unlikely to gain development approval.

New dwellings and demolitions in conservation areas are not complying development for the purpose of the Exempt and Complying Development Codes. As such these developments would require development applications and be the subject of neighbour notification, giving the community opportunity to comment on development in their local area. Heritage items or places within heritage conservation areas that are deemed as meeting the criteria for being heritage restricted under section 14G of the *Valuation of Land Act, 1916* may be eligible for a heritage restricted valuation for the purposes of land tax.

Restrictions that result from inclusion in a heritage conservation area include additional development controls such as additions being located to the rear and not visible, or at the least not visually dominant, from the street. Demolition for new builds on contributory sites may not be supported. Additional storeys on single storey buildings are generally not supported. Lot subdivision or amalgamation may not be supported. Rendering and painting of original face brick and other previously unpainted surfaces is not permissible. Development applications may need to include a heritage impact statement prepared by a heritage professional recognised by the NSW Heritage Office. As stated previously, it is recommended Council undertake a review of how its requirements and practices can reduce the administrative costs of heritage listing.

Ku-ring-gai Council does run a heritage home grant program. Owners of contributory buildings wanting to undertake conservation works are eligible to apply. Last year grants were given for roof repairs, window restoration and face-brick repointing. Applicants can apply for up to \$5,000 based on a \$ for \$ allocation.

Support for protecting the local area from increased residential density

Several submissions inferred that Council's creation of heritage conservation areas was a bid to protect large areas from rezoning for increased residential density. The study areas were originally defined in the 1996 study *Housing in NSW Between the Wars* prepared for the National Trust (NSW) by Robertson and Hindmarsh.

Several of these areas, known as Urban Conservation Areas, were reviewed by the consultants Godden Mackay Logan between 2001 and 2005. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Those conservation areas assessed by Godden Mackay Logan as being of cultural significance were included in draft Local Environmental Plans and referred to the Department of Planning for review and gazettal. These LEPs were not gazetted. There has been a long history at Ku-ring-gai and a desire expressed by the community for the creation of heritage conservation areas to recognise and protect Ku-ring-gai's unique garden suburbs. The up-zoning of low density residential areas and the loss of heritage has been of concern to many residents in these areas. The outcome of creating heritage conservation areas will be to conserve Ku-ring-gai's local heritage. The aim of the heritage conservation area is to identify and conserve the best heritage streetscapes within Ku-ring-gai, it is not a mechanism to stop development.

Impact on house prices from reduced demand

It was a large concern from the majority of objectors that inclusion within a heritage conservation area would reduce house prices as fewer people would be interested in buying these properties, therefore reducing demand and reducing price. There are many factors affecting house prices in Sydney however demand to live in premium suburbs with access to schools and public transport (particularly the train line) remains strong. Suburbs such as Wahroonga and Roseville who have many individual listings and heritage conservation areas still achieved record prices for house sales following heritage designation. However, this is an observation and understanding the effect of change on prices requires modelling and statistical assessment.

A summary of studies reviewing the impact of heritage listing on house prices can be found in **Attachment A10**. While the results of these studies vary it has been generally found that locational factors such as proximity to schools and public transport, and household attributes such as number of bedrooms and car parking spaces have a greater influence on price than heritage listing.

Objection to blanket listing

The “blanket” approach as referred to in several submissions is consistent with heritage practice across NSW where areas with historical significance that have many contributing elements are given protection to ensure their conservation into the future. Non-contributing elements are included as they fall within this boundary and their unmanaged change could have a negative impact on the heritage values of the contributing elements. No area is without change. Change is an inevitable consequence of time. Inclusion within the boundary of the HCA will mean that future change will be managed to conserve and enhance the HCA. Inclusion within a HCA does not mean a property is now preserved and nothing will ever change again, it means that future changes will need to have consideration for conserving the heritage values that contribute to the overall significance of the heritage conservation area.

The National Trust (NSW) study Housing in NSW Between the Wars 1996 prepared by Robertson and Hindmarsh

The earliest conservation area review of Ku-ring-gai was undertaken by Robertson and Hindmarsh in 1996 and reported in the study *Housing in NSW Between the Wars* prepared for the National Trust (NSW). The areas of heritage significance identified by Robertson and Hindmarsh were known as Urban Conservation Areas (UCAs). These Urban Conservation Areas were the focus of subsequent heritage conservation area reviews. The reviews are as follows:

- Between 2001 and 2005 several of these Urban Conservation Areas were reviewed by the consultants Godden Mackay Logan. The Godden Mackay Logan studies provided statements of significance, detailed histories and refined boundaries for the Urban Conservation Areas they reviewed. Due to state government policy at the time none of these areas were gazetted.
- In 2008 Paul Davies Heritage Consultants further reviewed those Urban Conservation Areas located within the Town Centres boundaries. As a result of this work 14 Heritage Conservation Areas were gazetted on 25 May 2010.
- Between 2009 and 2010 the areas outside the Town Centres were assessed by Paul Davies Pty Ltd (areas north of Ryde Road and Mona Vale Road) and Architectural Projects (areas south of Ryde Road and Mona Vale Road). From these assessments a further 28 heritage conservation areas were gazetted on 5 July 2013.
- Between 2013 and 2018 a further 3 heritage conservation areas have been gazetted in separate planning proposals.

The difference between the Robertson and Hindmarsh report and all the heritage conservation area assessments in Ku-ring-gai that followed is the Robertson and Hindmarsh study did not

undertake individual assessments of the contributory values of the buildings within their recommended conservation areas. Instead their assessment highlighted areas that had known subdivisions and development “between the wars” and was not an assessment of intactness of the built historical layer of the key development periods.

A heritage conservation area is more than a pattern drawn on a map and translated into a property boundary. In Ku-ring-gai it is the history of settlement and change and tells an important story of how the people in Ku-ring-gai lived in the past and how they live now. In Ku-ring-gai a heritage conservation area demonstrates the relationship between heritage landscapes and the historic built environment in response to socio-demographic and population change. Where significant change has occurred and the historic layer has been lost or compromised, a potential conservation area may have lost its integrity and no longer reach the threshold for inclusion as a statutorily recognised heritage conservation area.

The work by Robertson and Hindmarsh was highly valued for its time and moving forward provides an important framework for research and understanding. Best practice heritage today requires that there be a level of intactness to understand the historical layers. This is not just buildings but also landscape and other cultural values. For these reasons merely being in the historic Urban Conservation Area is not reason enough for inclusion. This report and the heritage reports undertaken by consultants for Ku-ring-gai endeavours to understand the level of intactness and the history of change to include those areas that best represent the history and heritage of Ku-ring-gai.

Draft West Pymble Conservation Area (C11A & C11B)

Contents

Maps..... 2

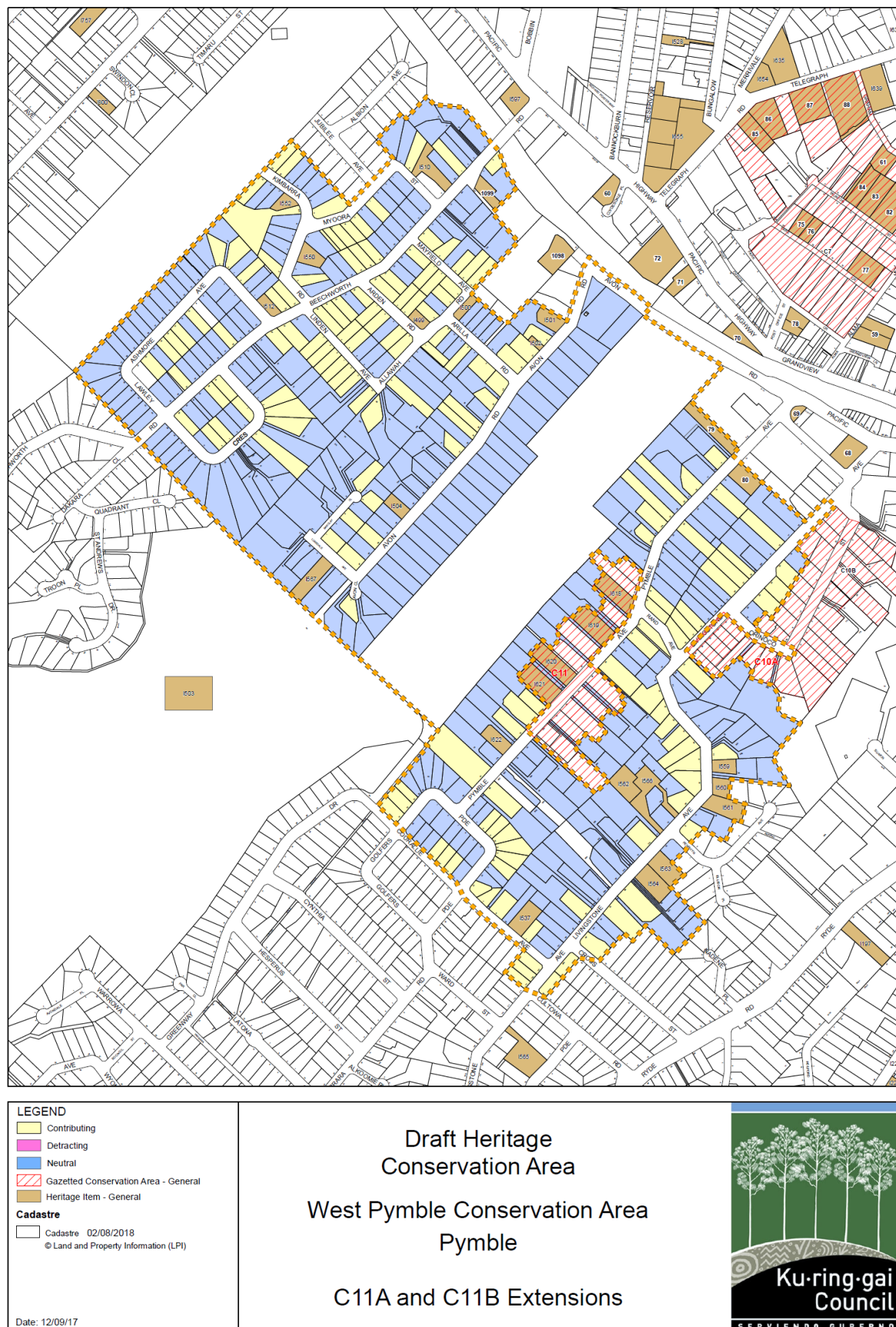
Comments 9

Submission summary table 12

Rating review 39

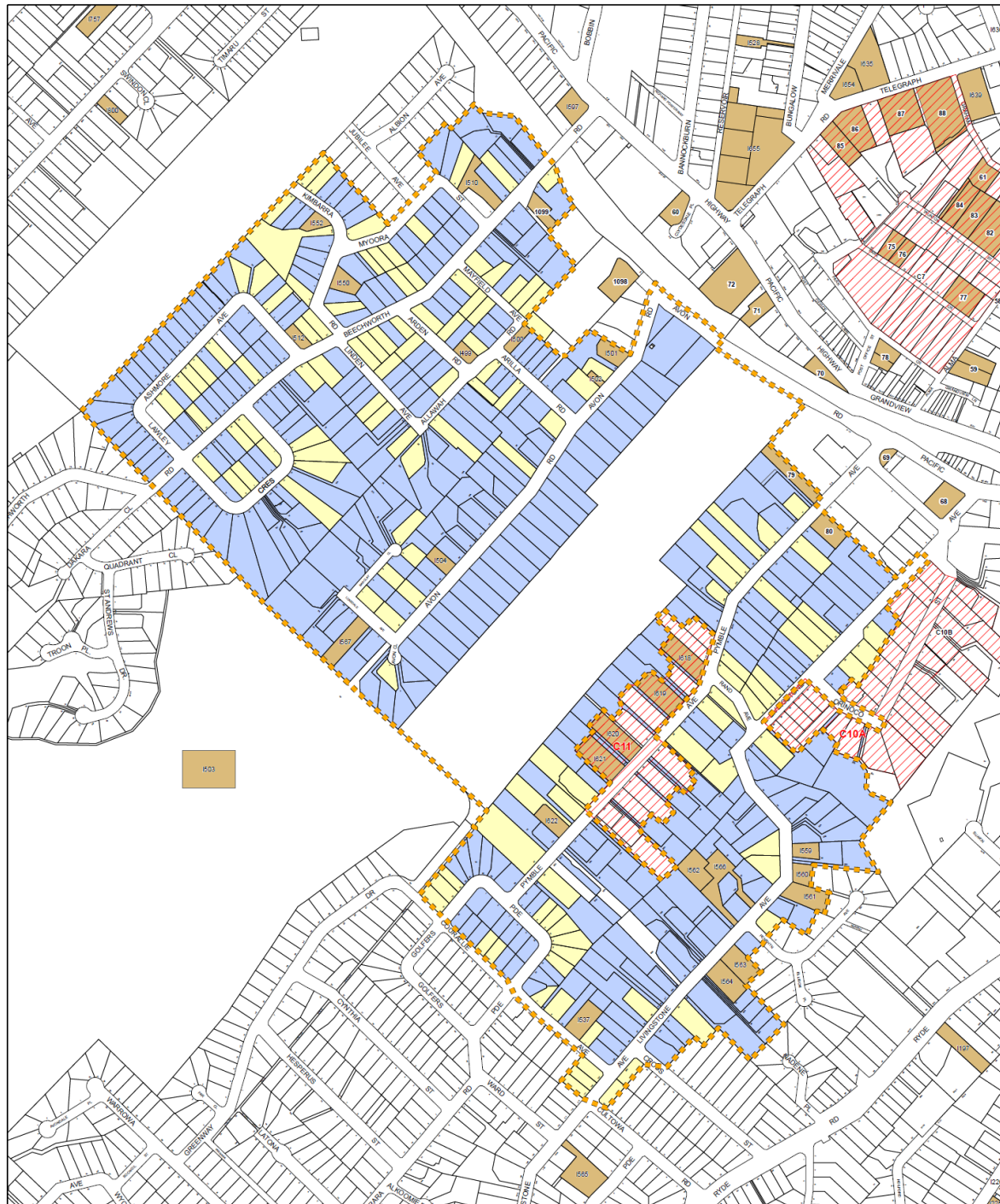
Maps

1. Exhibited rating map



2. Revised rating maps

2.1 Draft West Pymble HCA



LEGEND

- Contributing
- Detracting
- Neutral
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastral

- Cadastral 02/08/2018
- © Land and Property Information (LPI)

Date: 18/04/2018

Draft Heritage
Conservation Area

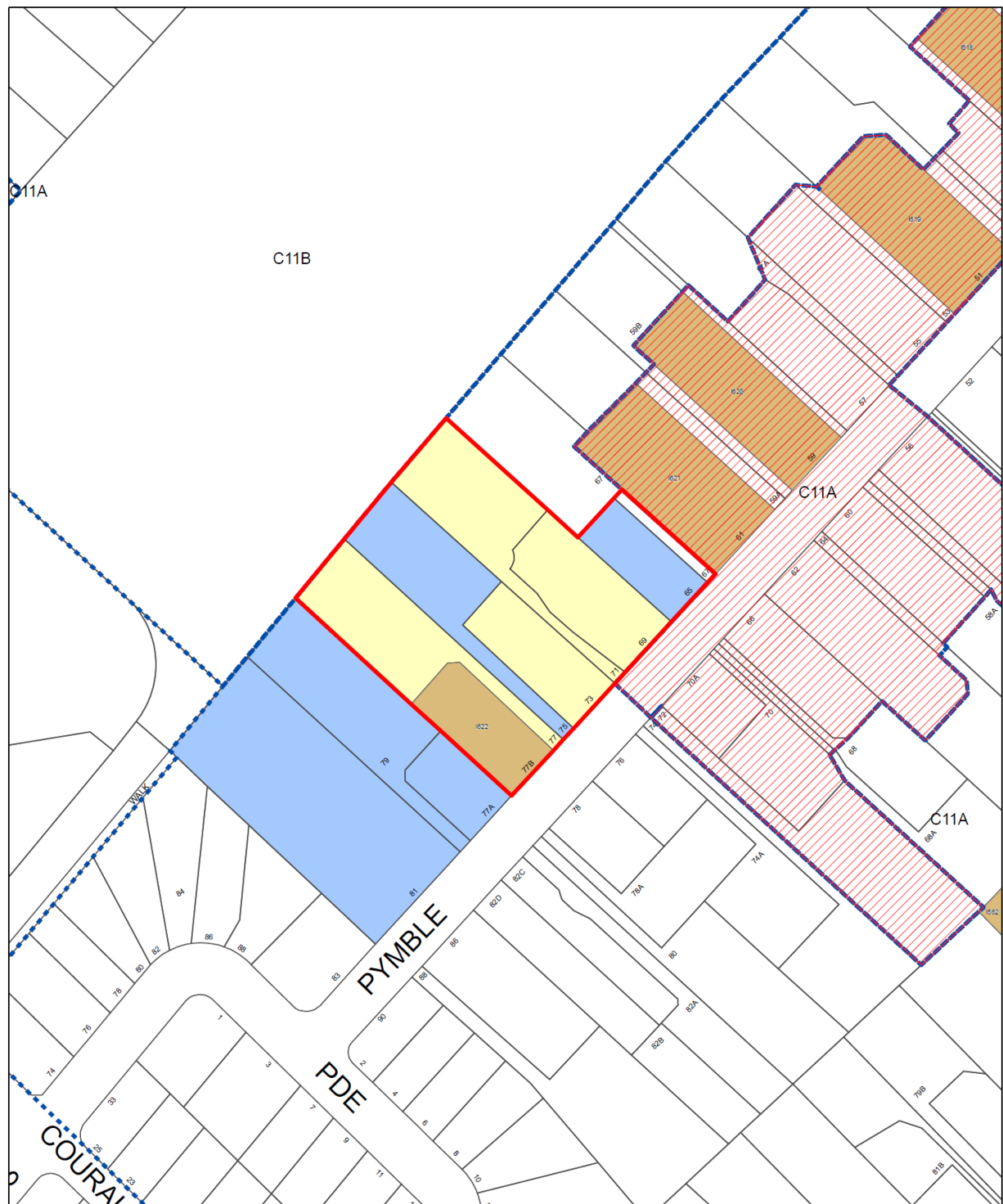
West Pymble Conservation Area

Pymble

C11A and C11B Extensions



2.3 Draft Pymble Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date: 18/04/2018

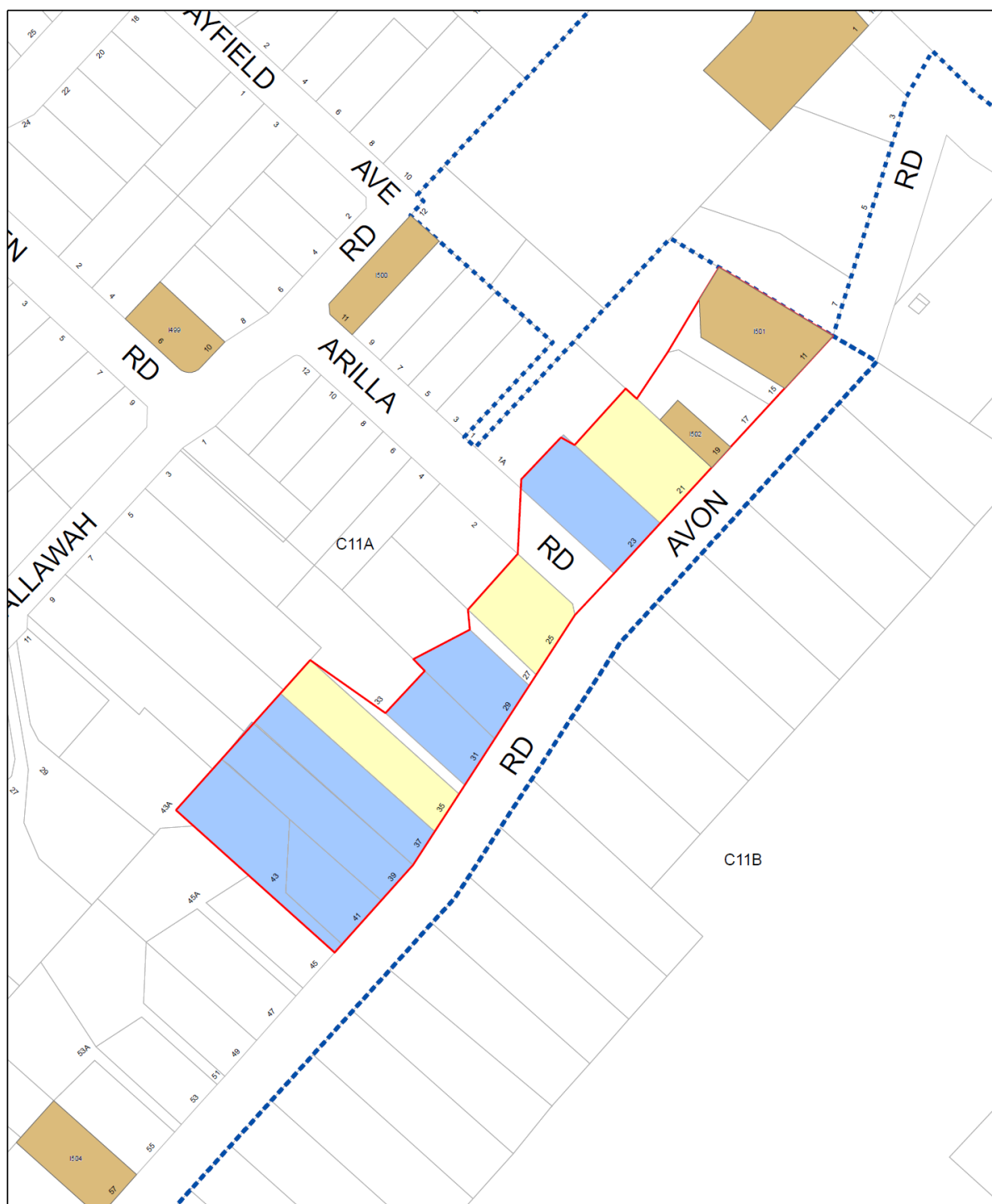
Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Avenue Conservation Area
Pymble
C11

Contribution Rating Map
Recommendation
Recommended extension to C11



2.4 Draft Avon Road, Pymble HCA



Legend	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Revised HCA Boundary

Date: 17/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

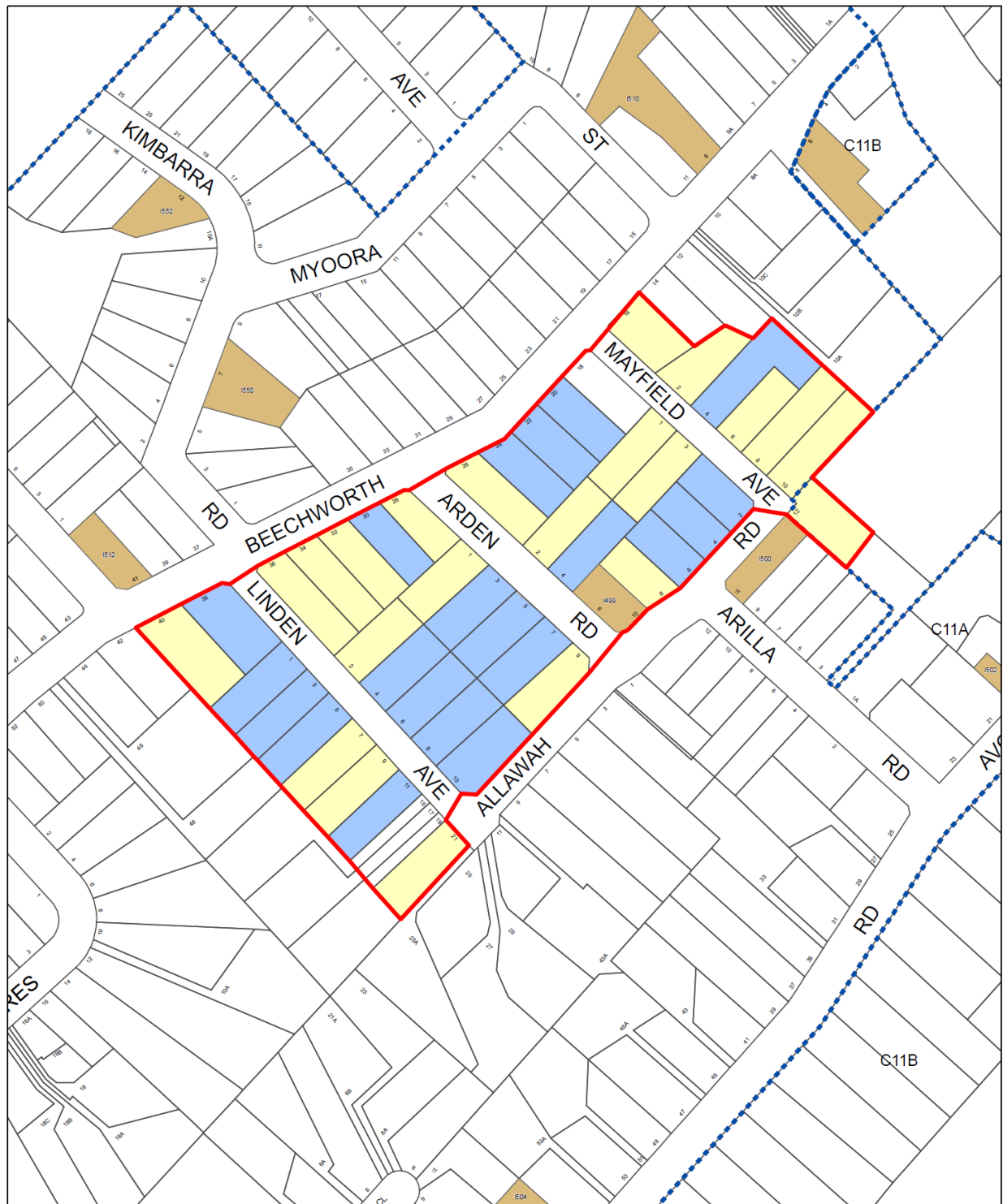
Avon Road
Pymble

C11

Contribution Rating Map
Recommendation -
Not recommended to proceed



2.5 Draft Mayfield Avenue, Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date:18/04/2018

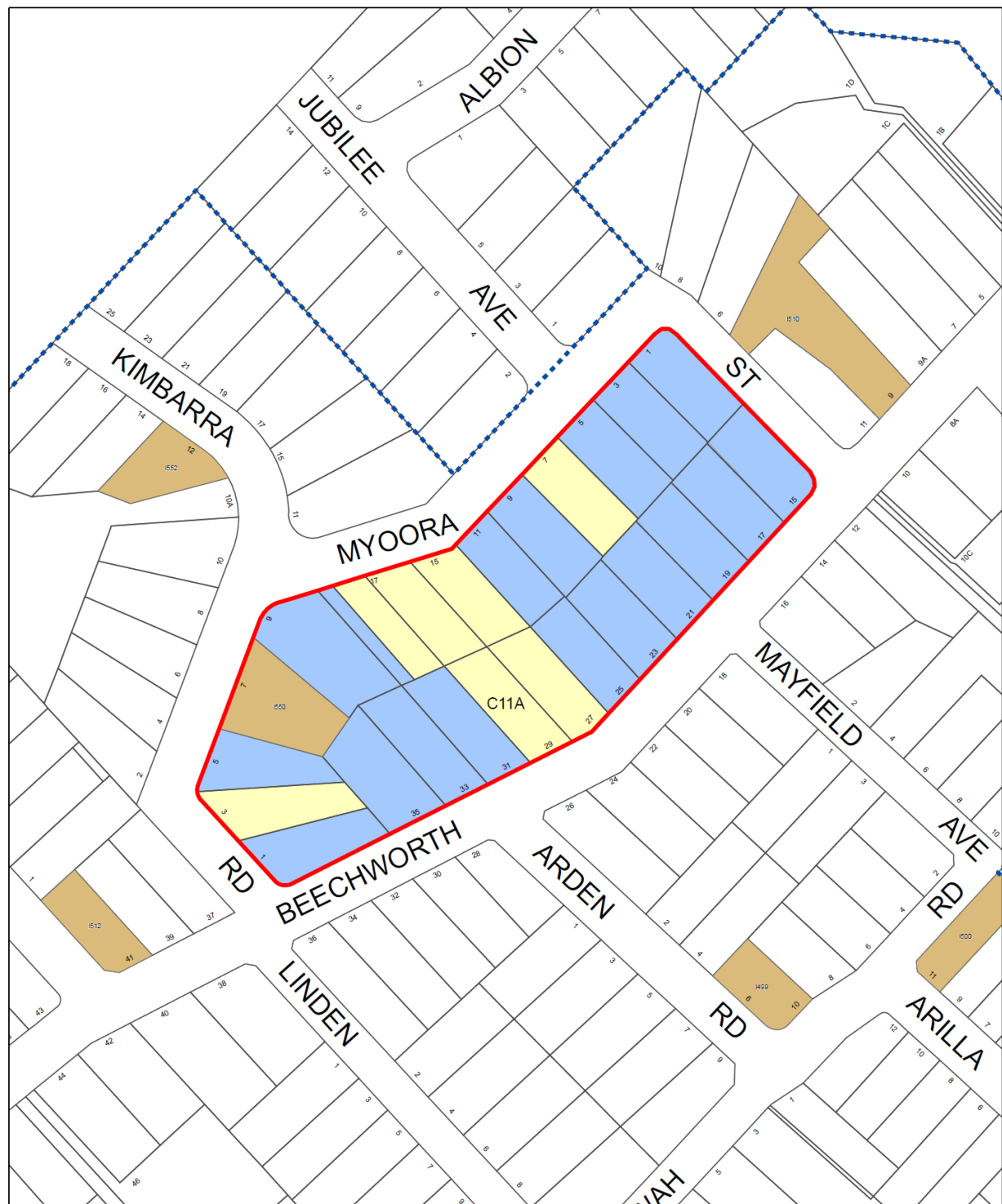
Draft Heritage Conservation Area
Area Review - Feb 2018

Mayfield Avenue Conservation Area
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



2.6 Draft Myoora Street/Kimbarra Street Pymble HCA



LEGEND	
	Contributing
	Detracting
	Neutral
	Gazetted Conservation Area - General
	Heritage Item - General
	Original Proposed HCA Boundary
	Boundary of reviewed HCA

Date:18/04/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Myoora Street/Kimbarra Street
Pymble
C11

Contribution Rating Map
Recommendation
Not recommended to proceed



Comments

The area reviewed is the draft C11A and C11B that includes 512 properties located in Pymble on the west side of North Shore Railway Line (see exhibited rating map above).

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 82 submissions were received.

Issues raised in the submissions included the unfairness of blanket restrictions, support for what was previously recognised as an urban conservation area, restrictions on development and reduced house prices. These issues are addressed in the main report and the submission summary table below.

In light of the public submissions the area was reviewed again which included several site visits and historical research by Council officers. The wider area of West Pymble Conservation Area was rejected as a potential HCA due to the predominance of neutral properties in large clusters and the large number of submissions who believed this to be an “unjustified blanket listing”. Instead several

potential small HCAs were reviewed and reassessed more closely. These areas can be seen in maps above (maps 2.2 – 2.6) and were:

- Livingstone Avenue, Pymble

On Livingstone Avenue (Nos. 55-79 and 54-88) 21 properties were reviewed. Following the review the ratings of six properties were changed from contributory to neutral. The reasons for the change of rating included misidentification (a more recent building with faux features identified as an earlier build), render of original facebrick and unsympathetic additions (including garages forward of the front building line). Many of the neutral properties were on the edges of the reviewed area which when removed reduced the size of any potential proceeding HCA. In addition, 62 Livingstone Avenue which is listed as a heritage item is being removed from the heritage list as it is a recent build constructed on land subdivided from a heritage item. It is not recommended this portion of Livingstone Avenue proceed to inclusion as a heritage conservation area.

- Pymble Avenue, Pymble

The area reviewed on Pymble Avenue (nos. 65-81) includes 10 properties. On review two properties ratings were changed from contributory to neutral as the houses were more recently built examples of Australian Nostalgia and had been mistaken for buildings from an earlier period. Two properties on battle-axe sites were changed from neutral to contributory. Both of these properties were good examples of Post-war architecture and a significant period of development for Pymble Avenue. The extension is recommended to proceed as good representative examples of houses from the 1930s through to the 1960s and a positive addition to the existing heritage conservation area.

- Avon Road, Pymble

On Avon Road (Nos 11-41) Pymble 14 properties were reviewed for inclusion within an HCA. This area was of interest due to the number of extant buildings as identified on the 1943 aerial photograph running along Avon Road. On closer inspection the ratings of 4 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick, unsympathetic additions and a misidentification of more recent building (faux Federation) for one from a much earlier period. There is a small group of contributory buildings from 11-21 Avon Road that includes two heritage items, however, this small group if included would be alone and not be an extension of an existing HCA and as such is not recommended to proceed.

- Mayfield Avenue, Pymble (including Arden Road, Linden Avenue, Beechworth Avenue and Allawah Road)

The area reviewed includes Linden Avenue, Arden Road and Mayfield Avenue and is bounded to the north by Beechworth Road and to the south by Allawah Road. It was evident on the 1943 aerial photograph that a high number of houses had already been built. As opposed to other areas in the draft West Pymble HCA that were undeveloped. On reviewing the ratings 11 properties changed from contributory to neutral. The main reason for the change in ratings was rendering of original facebrick and unsympathetic additions including integrated garages forward of the original front building line of the house and second storey additions. As a result of the rating changes the area is predominantly neutral buildings. This area is not recommended to proceed.

- Myoora Street/Kimbarra Road Pymble

The area reviewed included 27-31 Beechworth Road, 1-17 Myoora Street and 1-9 Kimbarra Road for inclusion within an HCA. These streets were of interest due to the presence of representative examples of 1950s and 1960s houses. On closer inspection the ratings of 2 properties were changed from contributory to neutral. The reasons for the change included rendered face-brick and unsympathetic additions. The change in ratings resulted in a very small proposed area interspersed with clusters of neutral buildings. This area is not recommended to proceed.

Overall recommendation:

As a result of this reassessment it is recommended that the Pymble Avenue Conservation Area be extended to include 65-77B Pymble Avenue. This extension includes development from the 1930s through to the 1960s. This is considered an important period of development with a further subdivision to existing lots during the post-war period. One of the more recent builds is an exceptional example of the work of renowned architect Russell Jack it is recommended this be investigated for individual listing.

Properties recommended for further investigation to understand their cultural significance include:

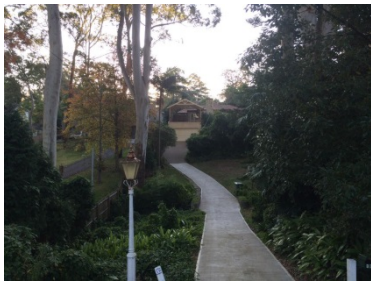
- 4 Avon Close Pymble (architect Harry Seidler)
- 8 Barclay Close Pymble (architecturally designed Post-war housing)
- 77 Pymble Avenue Pymble (architect Russell Jack)

The revised statement of significance for the extended Pymble Avenue Conservation Area is:



Pymble Avenue Heritage Conservation Area is historically significant as a portion of Richard's Wall's 1824 land grant which became the Pymble Station Estate subdivision of 47 one-acre residential lots on either side of Pymble Avenue, advertised for sale between 1893 and 1910, developed in the Federation to inter-war period, with substantial one and two storey houses, often architect-designed. Post-war subdivision of these lots resulted in many battle-axe sites which provided opportunities for architects of this time including Russell Jack. The area is of aesthetic significance for its group of fine, Federation to post-war period houses in generous garden settings within a spectacular mature blue gum high forest streetscape.

Submission summary table


No	Issue/Concern	Comment
1	New and approved development in the area. Does not see the sense in heritage listing new places. Should exclude the block containing Beechworth Road and Mayfield Avenue and list only the places of heritage significance.	<p>Please see comments on area listings in main body of the report.</p> <p>It is not recommended to proceed with most of Beechworth Avenue, the exception being numbers 16, and 18. Please see recommendations on the Mayfield HCA in the main body of the report.</p>
3	Concerns of the impact on proposed DA for a new house. The house was built in the 1980s. Already paid for the new design which was designed without giving consideration to heritage and a redesign would cost considerable expense.	<p>94A Livingstone Avenue Pymble: DA0540/17 submitted Nov 5.</p> <p>The DA for the property has been submitted and is being considered by Development Assessment. As the existing house is a recent build then a new house can be considered onsite assuming the design is contextual and responsive to the values of the draft heritage area. Further guidance will be given by the Development Assessment team when they assess the DA.</p>
4 28	Property at 17 Livingstone Avenue when combined with the neighbours at number 15 is a significant development opportunity due to its size and proximity to rail and the Pacific Highway. 15 and 17 should be turned into R4 to accommodate more people living in the area near significant employment lands like St Leonards. Sacrificing a bit of Pymble's environment will protect untouched forests further out.	<p>Any proposal to proceed with the HCA should consider an interface between zonings such as R4 (high residential density) and R2 (low residential density). In this case the zoning is R4 against E4 (Environmental Living). The E4 zoning reflects the high environmental value of these sites, not in isolation but as a group. This includes the riparian zone of the creek. In response to these environmentally sensitive sites and the E4 zoning the maximum height of buildings on the adjoining R4 site has been limited to 11.5m.</p> <p>In determining appropriate zoning Council is required to consider the impact on affectations such as heritage and the environment. This study is with</p>

No	Issue/Concern	Comment
		regards to the heritage values of the site. The built heritage value of this property is limited and the rating should remain as neutral. It is not recommended these houses be included within an HCA.
7	<p>Does not support the proposal.</p> <p>Property (55 Pymble Avenue) is not heritage it is Inter-war in age, a housing style prevalent throughout Sydney. There will be impact on the property owner's collateral worth as a result of the listing. Council should compensate on the loss of value based upon independent valuation.</p>	The house is within an existing HCA and is not part of this review.
12	<p>Does not support the proposal.</p> <p>On their block in Lawley Crescent there are many new builds and in other areas old shabby houses that need to be upgraded. These affect the character of the area.</p>	It is agreed that the majority of Lawley Crescent is not contributory or worthy of inclusion in the HCA. Please refer to the reviewed HCA boundary in the main body of the report.
20 21	<p>Against the proposal.</p> <p>Property at 19 Livingstone Avenue is not contributory due to the unsympathetic addition of a garage and pergola forward of the front building line, constructed in 2001. The heritage requirements for further development are onerous. How will the changes affect my development potential and future zoning changes as the site is highly suitable for upzoning due to its size and proximity to Pymble Station.</p>	<p>Opposite Orinoco HCA.</p>  <p>The house is present on the 1943 aerial. There is an unsympathetic covered patio over a garage. DA for garage construction was 1989. The pergola was added later.</p> <p>The site is E4 (environmental living). This zoning reflects the high environmental values of the site and</p>

No	Issue/Concern	Comment
		<p>immediate area and has been assessed as not appropriate for upzoning.</p> <p>The constraints on this site are not just heritage. Future development would require a merit based development assessment that considers all factors affecting the site.</p>
22	Objects to the proposal.	Noted
27	<p>Strongly supports the conservation areas.</p> <p>We value the aesthetic quality of the early to mid 20th century houses and the historical subdivision patterns and original natural topography that are evident. We value the streetscapes of the area with the houses set in substantial gardens and set back from the street; and overlaid with large canopy native trees.</p> <p>The CA approved by Council covers the wider area recommended by Perumal Murphy Alessi. This is correct in our view. First, it corresponds with the original National Trust proposed CA 18. Secondly, the key heritage concept now reflected in the CA is the over-arching local environmental context of the garden suburbs movement. Smaller, fragmented CAs would miss the point. The wider CA now approved is the right way to go.</p> <p>Unlike the southern suburbs of Ku-ring-gai, Pymble and areas north have received little or no heritage recognition. However it is clear from the Jackson-Stepowski and Perumal Murphy Alessi studies that this area of Pymble west of the highway warrants heritage recognition.</p>	<p>The support is noted. The area does have a unique mature canopy with bush outlooks and a character of large houses set in substantial gardens. At issue is what of this is heritage. A conservation area has many elements and layers not just buildings but also the setting and the landscape. West Pymble certainly has a unique landscape which is highly valued by the community. The overwhelming outcome of this public consultation, and is reflected in the contribution rating mapping, is that many of the houses are not contributory and the community do not understand why there should be additional development controls on house design when in many streets the architecture is not valued. If tree preservation is the issue than there are other mechanisms for protecting these trees. The National Trust Urban Conservation Area was based on the review by Robertson and Hindmarsh in their study Housing Between the Wars.</p>

No	Issue/Concern	Comment
40	<p>Objects to the proposal.</p> <p>House (15 Courallie Avenue, Pymble) should be neutral because the house is small and only a few windows to the street; the financial disadvantage through loss of value; and there are many new houses in the street.</p>	 <p>The substantial garage forward of the front building line is detracting. From historic aerials it is not original and it is recommended the house be rated as neutral.</p>
48	<p>Objects to the proposal.</p> <p>Want to demolish the building to build a more accessible home.</p>	<p>Objection noted.</p>  <p>House (66 Beechworth Road, Pymble) is 1960s Georgian Revival constructed before 1968. While the house is considered contributory as representative example of the 1960s development layer this part of the HCA is not recommended to proceed.</p>
52	<p>Opposes the proposal.</p> <p>House zoned E4 (Environmental Living) immediately adjoining R4. Not consistent with Council's interface policy.</p> <p>Believes there should be a more balanced approach to conservation that allows developmental growth along the rail corridor. A balanced approach between development and the environment would encourage owners to grow trees rather than protect the trees that are there. The population issues and the need to house the growing community should take</p>	<p>15 Livingstone</p> <p>Please see comments in submission 4 above regarding interface.</p> <p>The other comments take issue with the zoning of the site and not with heritage and that is not the subject of this report. Please contact Council's customer service if you wish to further discuss zoning issues.</p>

No	Issue/Concern	Comment
	precedence over protection of species.	
54	<p>Against the proposal.</p> <p>The recommendations do not have sufficient evidence to back them up.</p> <p>How do you justify a blanket listing that doesn't fit the Heritage Council's definition of heritage listing. Why make homes comply to restrictions for a listing that has nothing to do with them. This review smacks of laziness.</p> <p>Majority of the homes are either new or rebuilds. How is there one rule for homeowners and one rule for developers, the developers being allowed to demolish heritage homes and build high-rises. The eclectic mix of homes from the post-war to now are not significant to the people of NSW.</p> <p>Furthermore, I am concerned that one of the Principals of PMA Heritage who were commissioned to put the report together has now been questioned on his integrity for council decisions made in the Canterbury Bankstown Council in 2016.</p> <p>Prefer individual listings over places that truly deserve to blanket listing.</p>	<p>The Heritage Council provide advice and recommendations to the government on State heritage matters. With the exception of certain interim heritage orders, local heritage falls under the legislative jurisdiction of the Environmental Planning and Assessment Act.</p> <p>Please see comments on blanket listing in the main body of the report.</p> <p>Review of the ICAC website could not find any past or current investigations with regards to these comments on integrity associated with PMA, and with the little information given by the submitter no further comment can be made in response.</p> <p>The preference for individual listing is noted.</p>
60	<p>Against the proposal.</p> <p>Houses at 82, 82A, 86, 86A Livingstone Avenue were only built ten years ago and should not be included. These are unnecessary restrictions that will devalue the properties.</p>	<p>New seniors living on rear lots not facing street.</p> <p>It is agreed that recent developments on these battle-axe sites should not be included within any future HCA.</p>
61	<p>Need to be able to build garages and carports front of the building line to make the house more marketable.</p> <p>Preserve the area by monitoring</p>	<p>A carport in front of the building line may be permissible with development approval. The trees are protected by Council's LEP but trees permitted to be removed under a complying</p>


No	Issue/Concern	Comment
	number of trees being cut down.	development do not fall under the jurisdiction of Council.
65	<p>Strongly against the proposal.</p> <p>Do not want further restrictions that could impede future development. Against blanket listings. Are they going to be required to revert the house to the original and not allowed to park on their own driveway.</p>	<p>22 Golfers Parade. Building is a 1950s house (appeared after 1951 aerial photograph) that appears to be rendered and modified with garages added forward of the front building at a later date.</p> <p>For information on development controls for properties in a HCA please refer to the Ku-ring-gai Development Control Plan which is available on Council's webpage.</p> <p>Recommend changing from contributory to neutral.</p> 
66	<p>Strongly object to the proposal.</p> <p>Against extra restrictions, it's a disincentive to improve the property.</p>	<p>Objection noted.</p> <p>There are many properties in HCAs in Ku-ring-gai in prestige areas that are highly sought after and extremely well maintained homes.</p>
67	<p>Strongly opposes the proposal. The communicated information was misleading and lacked transparency. The map sent with the letters did not indicate the rating.</p> <p>There are many more neutral houses in the area than contributory. A few isolated houses does not constitute a heritage zone.</p> <p>If Council care about character it should have given more thought to the development permitted along the rail</p>	<p>The map that was sent was to notify that a proposal was on exhibition and those within the boundary were urged to look at the exhibition material available online, in Wahroonga and Gordon libraries, and at Council's customer service centre. The letters and maps were sent to several thousand residents. The A4 size did not allow for clear presentation of detail which is why it was a location map only and the exhibition paper maps which included the rating were sized A3. The use of the A4 map was logistical to</p>


No	Issue/Concern	Comment
	<p>corridor and the Pacific highway.</p> <p>Concerned Council is responding to pressure from a small group and not listening to the concerns of the wider community.</p> <p>Better to spend money on infrastructure and services than this flawed study.</p> <p>Council should be providing housing choice on these large sites rather than heritage listing them.</p> <p>Our house (56 Beechworth) is in extensive need of renovation and the most cost effective method would be knock down and rebuild. With the restrictions I will be unable to make the changes needed and that I want.</p> <p>I will suffer financial loss, as houses that are neutral and able to be knocked will be more appealing to prospective buyers.</p> <p>No redeeming features make the house contributory.</p> <p>It is discriminatory to impose the maintenance of the whole block on a minority of owners.</p>	<p>allow Council's folding machines to prepare the mailout.</p> <p>It is agreed the area is under represented by contributory buildings. Please see the amended boundary maps above.</p> <p>The budget is determined by the elected Councillors and senior management to best meet community expectations and Council obligations. The recognition and management of heritage is an obligation of Council supported by many in the Ku-ring-gai community.</p> <p>The house is a simple 1950s single storey house. The facebrick has been painted; there have been changes to several openings including doors and windows on the facade. The house is contributory but it is not in a setting of similar vernacular buildings and therefore not recommended for inclusion in the HCA.</p> <p>For other comments please see the main body of the report.</p>
68	<p>Protests against the proposal. Did not receive the information leaflet.</p> <p>A contribution rating map should have been included with the letter to provide transparency and make owners fully aware of the impact of the proposal.</p> <p>Council's correspondence on the matter is duplicitous, unethical, a disgrace, a contravention of Schedule 6A – Code of Conduct (s. 440 Local Government act 1993), by conducting:</p> <p>Conduct that is detrimental to the</p>	<p>On contribution rating map see comments in response to submission 67.</p> <p>It is unfortunate that the information leaflet was not in the envelope. However, in addition to the in-letter leaflet, a digital version was also made available on the website, and a printed version in the paper exhibition folders which were available at Turramurra and Gordon libraries and Council's customer service.</p> <p>The exhibition material including the</p>



No	Issue/Concern	Comment
	<p>pursuit of the charter of the Council</p> <p>Improper or unethical conduct</p> <p>Abuse of power and other misconduct</p> <p>Action causing, comprising or involving any of the following...(c) prejudice in the provision of the service to the community</p> <p>Our house was built on spec in post-war primarily with lime mortar due to the shortage of cement. Broad brush heritage restraints are prejudicial to redevelopment. Our property's rating should be changed to neutral.</p>	<p>letter, leaflet, and map and the overall community consultation were prepared consistent with the requirements of the NSW Department of Planning and Environment's document "A guide to preparing local environmental plans" and the requirements of the Gateway Determination. Most specific to your claims is the requirement to "indicate the land affected by the planning proposal" which was achieved with the map included in the letter.</p> <p>House (42 Beechworth Road) first appears on the 1951 aerial photograph. It is a simple brick bungalow featuring a gable with weather board cladding. It is not recommended to change the rating.</p>
73	<p>Vehemently objects to the proposal.</p> <p>Recently purchased and there was no indication of the proposal. How can Council blanket list areas with no forewarning. The listing places unnecessary restriction on the property.</p> <p>The property has been previously changed and many of the houses around Lawley Crescent are altered. The character of the area being the trees and its bushy outlook can be retained with current development controls. If the proposal goes ahead Council should compensate owners for the loss.</p>	<p>32 Lawley Crescent</p> <p>Council did undertake consultation with the home owners prior to the statutory exhibition. The previous owner's choice in not disclosing this information is a private issue. Council also placed notification on its website that Council had resolved to pursue the Planning Proposal.</p> <p>Rendered single storey bungalow, extensive interior renovations and changes to the rear. Property is neutral. It is not intended to pursue a HCA in this area.</p>
74	<p>Objects to the proposal.</p> <p>Unnecessary restriction and will devalue the property.</p>	<p>Noted.</p> <p>Please see comments in the main body of the report.</p>
77	<p>Does not agree with the planning proposal.</p>	<p>Noted.</p>



No	Issue/Concern	Comment
78	Does not agree with the planning proposal.	Noted.
81	<p>Against the process.</p> <p>Places unnecessary restrictions, will devalue the property and limit opportunity for improvements. Against blanket listing. Already many unsympathetic high rise apartment developments.</p>	<p>Objected noted.</p> <p>Please see main body of report for response to comments.</p>
84	<p>Concerned about ability to undertake future development and the impact on value given their significant investment.</p> <p>Draconian heritage restriction would have prevented post-war homes being built 60- years ago. The process of renewal and change of the built environment needs to be allowed to continue.</p> <p>There are two conflicting reports being the Paul Davies Pty Ltd and Perumal Murphy Alessi. Why has Council gone with the report with wider heritage restrictions?</p> <p>Many of the houses are neutral. The blanket restriction is unfair and unwarranted.</p> <p>Council should consult with owners as the first step not the last.</p>	<p>See comments in main body of report on house values and development.</p> <p>Heritage conservation is not preservation. Managed change can still occur when the identified cultural significance is retained. Many homes in heritage conservation areas have undertaken renovation works to alter the houses for modern living. New builds may also be permissible with approval where the new building can be shown not to have a degrading effect upon the HCA.</p> <p>The Perumal Murphy Alessi Report is the most recent report and it is the one on exhibition. This does not ignore or negate the assessments of either the Paul Davies Pty Ltd or the Sue Jackson-Stepowski heritage reviews. These are being reviewed along with the community's submissions to assist in determining the final HCA boundaries.</p> <p>It is agreed that many of the houses are neutral and the current boundary needs to be reassessed.</p> <p>Council did undertake non-statutory consultation with the community twice before this statutory exhibition.</p>




No	Issue/Concern	Comment
86	<p>Opposed to the proposal.</p> <p>Creates greater restrictions and reduce the property value.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments n restrictions and property values.</p>
<p>87</p> <p>89</p> <p>131</p>	<p>Object to the proposal.</p> <p>Less competition means lower price.</p> <p>It will affect all properties because lower quality properties will drive down the price of already renovated properties.</p> <p>Much of the area is neutral and many houses have additions diminishing the heritage significance.</p> <p>Many of those who supported this plan in the past were worried about high rise development but this is no longer of concern due to a change in government and law.</p> <p>The Development Control Plan for HCAs is too strict and will increase the cost and length of approvals.</p>	<p>It has not been the experience in Ku-ring-gai that conservation areas result in house price reductions. Other factors like the strong desire to live near schools and the train line tend to drive real estate prices. Also inclusion in a heritage area does not equate to zero alterations or additions. Properties continue to be renovated and maintained. Many of Ku-ring-gai's highest real estate prices for single dwellings have been for houses in conservation areas.</p> <p>It is agreed that the high number of neutral properties will require the boundary of the HCA to be amended.</p> <p>This report is dealing with current submissions not historic zonings.</p> <p>DAs for HCAs will require a comment or report on the heritage impact depending on the type of development, this will</p>
93	<p>Opposed to the proposal.</p> <p>It will devalue the property and impose restrictions on future changes which is unfair.</p>	<p>Opposition noted.</p> <p>Please see main body of report for response to comments.</p>
94	<p>Purchased the house with the intent of demolition. Feel that Council has misled them as there was nothing in the 149 certificate and they have received no other notifications of Council's intention to heritage list the property.</p> <p>Cannot see that there house is heritage</p>	<p>As per schedule 4 of the Environmental Planning and Assessment Regulations, the specified content of the 149 certificate is to include only those planning proposals that have been exhibited as per the requirements of the Environmental Planning and Assessment Act 1979. The previous</p>

No	Issue/Concern	Comment
	<p>as it was built during a period with a shortage of materials which has led to poor quality. Against the broad-brush approach to heritage. Instead should focus of individual places of value.</p> <p>Heritage listing will decrease the appeal of the area, which will fall into disrepair, decreasing the value.</p>	<p>exhibitions of the Heritage Reports were non statutory exhibitions. Council has provided a link on the heritage conservation area page to the <i>Local Plan Making Tracking Page</i> of the Department of Planning and Environment. This page identifies if a Gateway Determination has been requested i.e. once Council has resolved to pursue a heritage conservation area but before the statutory exhibition.</p> <p>The property (29 Beechworth Road) is a representative example of an Inter-war house and is contributory. However, many of the houses in this area are not contributory and it is not recommended that this property be included in the HCA.</p>
96	<p>The houses in this area are not old enough for heritage. The house has a variety of styles and not a consistent architectural character. The restriction will reduce the house price. The development controls are onerous and expensive, increasing the cost of change.</p>	<p>Age is not the only indicator of heritage significance. The properties in this area are of varying ages from around 1900 to now. This property (53 Livingstone Avenue) has been altered with a second storey extension over the northern wing and a carport added to the front attached to the building. It is recommended to change threatening from contributory to neutral.</p> 
97	<p>Object to the proposal.</p> <p>More than 50% of the draft area has undergone change with new builds and extensive renovation.</p> <p>The burden of maintaining the</p>	<p>It is agreed that in pockets the area has undergone extensive change.</p> <p>Within a conservation area all properties, new or old, are required to give consideration to the development controls for heritage conservation</p>


No	Issue/Concern	Comment
	<p>character is borne by a disproportionate minority. The constraints of conservation and the cost of renovation rather than rebuild would cause financial disadvantage.</p> <p>Listed houses could find themselves in the shadow of large new houses not burdened by the conservation constraints.</p> <p>The criterion for allocating ratings on specific houses lacks transparency and appears arbitrary.</p> <p>Our property at 24 Ashmore Avenue has undergone extensive change and none of the original exterior walls remaining. The rating should be changed to neutral.</p> <p>22 Ashmore Avenue has not undergone maintenance over the years and was in a state of disrepair before we purchased it in 2012. It is not in a state to be rented or retained.</p> <p>We have always maintained the character of the street by improving planting, avoiding building fences and maintaining setbacks. We support Council in protecting the character but in a way that requires all residents to contribute equitably.</p>	<p>areas. The HCA Development Control Plan objectives are to conserve the heritage values and permit development that enhances these values. Over scaled development that dwarfs existing dwellings would be discouraged and generally not approved.</p> <p>Please see the original report for definitions or the frequently asked questions. Generally, a contributory building is from a key development period, in this instance from the Federation to the Post-war period, and its front facade is generally intact, and any new development does not degrade or mask this significance.</p> <p>22 Ashmore would be assessed as contributory to the Post-war development period but this section of the HCA is not recommended to proceed.</p> 
99	<p>Objects to the proposal.</p> <p>Existing restrictions on development are already cumbersome. Additional restrictions will add additional costs to development.</p> <p>Many houses have changed. Mine at 19 Linden Avenue Pymble has had walls removed, rooms added and roof replaced. There is unsympathetic new build next door. The streetscape is</p>	<p>19 Linden Avenue Pymble is not rated as contributory, it is rated as neutral. The building next door is also rated neutral.</p> <p>The trees are recognised on the Biodiversity map of KLEP 2015 and are protected.</p>


No	Issue/Concern	Comment
	<p>impacted by the potholes in the street. Trees are already protected by the TPO.</p> <p>Street trees have been hacked to protect powerlines. The trees should be removed and replaced with shrubs to complement the gardens.</p>	
105	<p>Objects to the proposal.</p> <p>Area is no longer heritage due to the number or rebuilds and redevelopment.</p> <p>Proposal will place unnecessary restrictions and reduce vale.</p> <p>House is 40 years old and needs renewing. The cost of home improvements may have increased by 50%.</p>	<p>Objection noted.</p> <p>This area is not recommended to proceed. The house at 8 Barclay Close Pymble however is an interesting example of architecturally designed Post-war housing and should be further investigated.</p>   <p>Council does offer Heritage Home Grants to assist owners with conservation works of heritage places.</p>
107	<p>Against the proposal.</p> <p>Against blanket preservation as there are many new builds with new buildings and landscaping.</p> <p>Difficult to protect the streetscape and preserve the visual and topographical aspects of the area.</p>	<p>79 Pymble Avenue</p> <p>House on the site in the 1943 aerial photograph but the roof form has been altered. The property is correctly rated as neutral.</p> <p>Please see main report on property prices and blanket listing. This lot is</p>

No	Issue/Concern	Comment
	<p>Battle-axe sites with no assessment should not be included.</p> <p>Any property with external renovations should be excluded.</p> <p>Increased approval times will decrease demand to live in the area and reduce property values.</p>	<p>recommended to not be in the HCA.</p> 
113	<p>Strongly against the proposal.</p> <p>Concerned our property was included without proper consultation or due process.</p> <p>Our building at 72 Livingstone Avenue is of no heritage significance as in a state of disrepair. Constructed in the 1950s it has not been maintained and has issues with tree roots, termites and mould. The mould is endangering my family's health.</p> <p>We have a CDC for demolition that was issued in October 2017.</p> <p>We want to be removed from the HCA.</p>	<p>Objection noted.</p> <p>Has a non-complying CDC, certifier based it upon an out of date 149 certificate. The house was already in a draft HCA when the CDC for demolition was issued and should be invalidated.</p> <p>The house is a modest mostly intact 1950s bungalow. It is representative of an important key development period for the draft HCA.</p> 
114	<p>Strongly object to the proposal.</p> <p>It interferes with the use and maintenance of an owner's private property. Area has significantly changed with demolitions, rebuilds and renovations. What heritage is there?</p> <p>The timing of the exhibition after the Council election prevented it from being an election issue. In the past Council has spent millions of dollars unsupported by ratepayers trying to stop high rise development. I suspect this proposal has the same motivation.</p>	<p>27 Livingstone</p> <p>Heritage listing does not change the zoning it remains R2 low density residential. Many people in Ku-ring-gai live in heritage homes and have undertaken contemporary renovations to meet the demands of modern life.</p> <p>The timing of the exhibition was due to conflicting work demands of Council staff and other exhibitions.</p>

No	Issue/Concern	Comment
		
117	Do not agree with the proposal.	90 Livingstone Noted.
118	Totally opposes the proposal. It has no common sense. It will decrease the value of knock-down rebuild sites like my small modest house which has been labelled contributory and is absolute nonsense.	31 Beechworth Road Small rendered bungalow. Yard is heavily treed. On 1943 aerial, hipped roof with a projecting bay. Rating should be amended to neutral. This are is not recommended to proceed.
121	Objects to the proposal. Unnecessary restrictions that will decrease value of their house. Have invested a lot of money in the house and do not want to lose it. The house has a second storey extension and is not heritage.	7 Arilla Road Pymble  This is a heavily altered house and the rating was neutral so not considered to contribute to the heritage layer. This are is not recommended to proceed.
130	Property should not be in a HCA as: There is no architectural consistency Applying HCA rules will discourage upkeep No heritage significance House is less than 20 years old. Boundary of HCA should stop at the	84 Golfers Parade This house and both neighbours are new two storey builds  It is agreed that the boundary should be


No	Issue/Concern	Comment
	bottom of Pymble Avenue. Individual houses with significance can be listed as items.	altered and this property not included. Potential individual items should be recommended for further assessment.
132	<p>Against the proposal.</p> <p>It will devalue the property and impact on their ability to downsize. Council's current rules are sufficient.</p>	<p>93 Livingstone Avenue</p> <p>See comments in the main body of the report on property value and regulations..</p>
142	<p>Opposed to the proposal.</p> <p>Opposed to the extension of the Heritage Conservation Area to include Golfers Parade Pymble. The proposed Conservation Area is unnecessarily large. The inclusion of Golfers Parade adds no material heritage benefit with many of the houses being built or modified within the last 20 years. Those not modified are no different to others in the area.</p> <p>Proposed restrictions are onerous. House already modified. It will devalue the house due to a reduced number of buyers.</p>	<p>The history of Golfers Parade is that it was part of a residential subdivision that was undertaken by Avondale Golf Course after WW2 in the 1950s. This is interesting in the course of development of the area but the fact that many of the houses are altered with new buildings and unsympathetic renovations has led to more neutral rather than contributory builds. It is recommended that this portion of the HCA not proceed.</p> <p>Please also see comments in the main body of the report.</p>
153	<p>Objects to the proposal.</p> <p>Own house is less than 20 years old.</p>	Objection noted.
154	<p>Object to the proposal.</p> <p>House has been extensively altered, lost historical roots. Nearly every building in Myoora Street has been substantially changed.</p>	<p>10 Myoora Street</p> <p>The house has been altered. It is not contributory. Listed as neutral on the map. Myoora Street is not recommended to proceed as an HCA.</p>
167	<p>Strong objection to the proposal.</p> <p>Concerned about the loss of property value and increased maintenance costs.</p> <p>Doesn't meet criteria for listing. House has been altered and changed. House</p>	1 Courallie Avenue Pymble


No	Issue/Concern	Comment
	<p>has maintenance, structural, tree and pest issues.</p> <p>We will lose our rights to extend the house providing for housing choice.</p>	 <p>Please see the main body of the report regarding house value, renovation potential and housing choice.</p> <p>House is a modest 1950s bungalow. Does have a more recent garage built behind the front building line. The building is considered to be contributory to a 1950s development layer but this street is not recommended for inclusion in the HCA.</p> <p>Please also see comments in the main body of the report.</p>
169	<p>Against the proposal.</p> <p>Impact house value and ability to extend. While they do value the leafy streetscape Council should find a better way to protect the character of the area like preventing inappropriate development like the high rise apartments.</p>	<p>Objection noted.</p> <p>Please see comments in the main body of the report on property value and development.</p>
173	<p>Object to the proposal. Residents not adequately notified about the restrictions. Many houses already have additions or second stories. These modifications have diminished the heritage significance of the properties and the surrounding area.</p>	<p>The supporting material directed readers to view Council's development Control Plan and the Exempt and Complying SEPP. Both outline the requirements for development of heritage properties.</p>
174	<p>Strongly oppose.</p> <p>Existing regulations already control what can be done on private properties and are sufficient. It is important that development is controlled in this great</p>	<p>Opposition noted.</p> <p>The aim of heritage controls is to conserve heritage values, it is not regulation for regulations sake. Council's DCP allows development with</p>

No	Issue/Concern	Comment
	area but not over-controlled.	approval in conservation areas that facilitates the modernisation of family while conserving the cultural values of an area.
175	<p>Strongly object to the proposal.</p> <p>Having lived in an area where the average age was over 100 years I find it hard to accept the house at 39 Livingstone Avenue can be heritage. Plans to change the zoning should have been included in the 2015 149 certificate. It wasn't fair not include this on the certificate.</p> <p>It is the natural environment that is worth conserving. We own the house and not Council and there should not be further restrictions to the existing restrictions being riparian and E4.</p> <p>We have chosen to not pay a property at a higher price than it sold because of the heritage restrictions.</p> <p>The proposal does not balance my rights as a property owner.</p>	<p>39 Livingstone Avenue Pymble</p>  <p>Please see the main body of the report on "what is heritage". See comments in submission 84 above re 149 certificates.</p> <p>There are development controls on all properties, some fall under the SEPP, other Council's DCP. Properties that are assessed as having heritage values can still be renovated; the additional development controls require new addition so alterations conserve those heritage values.</p>
187	<p>Against the proposal.</p> <p>Limit ability to change house and garden as we move into retirement. Changes such as the high rise development are not appropriate but these can be prevented without further onerous protections.</p> <p>Strongly request Council retain the current planning rules.</p>	<p>52 Pymble Avenue.</p> <p>The house was constructed in the 1950s, and has limited aesthetic contribution to the key development layer and is considered borderline.</p>
188	<p>Object to the proposal.</p> <p>No new restriction, existing rules allow sympathetic redevelopment.</p>	<p>Objection noted.</p> <p>See main body of the report on restrictions.</p>

No	Issue/Concern	Comment
193	<p>Object to the proposal.</p> <p>Unnecessary restrictions with little regard to what is heritage.</p> <p>2 out of the 3 heritage experts who have undertaken assessment do not support the heritage listing.</p> <p>Those properties that have heritage value have already been identified. Many new owners have bought unaware of the potential listing. HCA will reduce future property values and improvements.</p> <p>Current rules allow sympathetic redevelopment.</p>	<p>33 Avon Road.</p> <p>See main body of the report on restrictions, redevelopment and notification.</p> <p>The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
205	<p>Object to the proposal</p> <p>Area is already changed with addition and second storeys on many houses.</p> <p>Allowing further changes like subdivision will benefit the community.</p> <p>Council should concentrate on footpaths.</p>	<p>It is agreed that many houses are changed. The boundary of the HCA should be reviewed to better reflect where the clusters of heritage places are supported by a contributing setting.</p>
206	<p>Request proposal does not proceed.</p> <p>Pymble is a highly sought after area with a variety of housing. Planning the future of the area can be achieved without broad-brush restrictions. Being unable to subdivide and make changes will make the area less desirable for families. Our own house is battle-axe and it is difficult to understand the heritage value given the recent changes and housing diversity.</p>	<p>See comments in main report on listing and restrictions.</p>
211	<p>Object to the proposal.</p> <p>Own an existing item. Support preservation and sympathetic</p>	<p>Objection noted.</p> <p>Please see comments under submission 205.</p>

No	Issue/Concern	Comment
	<p>renovation of genuine heritage places that are pre WWII. Including unworthy houses in a blanket listing makes a mockery of those places worth listing like several in the Orinoco HCA.</p> <p>Council application of the rules is inconsistent will only be worse with more places and cost more to ratepayers.</p>	
216	<p>Objects to the proposal.</p> <p>Majority of the houses in the area do not contribute to heritage.</p> <p>A local real estate agent told me it would limit the number of buyers and therefore the price. I should be able to determine how to redevelop my home within the existing rules to make it an attractive and sellable asset.</p> <p>Support preserving the Blue Gum High Forest. However the listing based upon subjective interpretations of taste, age and history is restrictive. Will the high rise towers be listed next?</p>	<p>Objection noted.</p> <p>See comments in submission 205 above and in the main report on house sales and redevelopment.</p> <p>See submission 99 on trees.</p>
219	<p>Strongly object to the proposal.</p> <p>Insufficient communication just putting ads in the paper and having a notice on the Council website. Council wasted money having someone randomly allocate different categories to houses. Council should notify residents of the restriction not the sanitised online version. While bureaucrats and are only interested in the list possible notice we hope Councillors will ensure each resident is fully notified.</p> <p>Previous submission was inadequate and misleading so it has been attached again. Understand Councillors only received a summary; they should take</p>	<p>In addition to the website and local paper advertisements, every homeowner was sent a letter which included a map and an explanatory brochure.</p> <p>The online exhibition included a link to the Development Control Plan which are the actual restrictions that would be applied to any Development Application.</p> <p>The summary of submissions is provided to the Councillors as well as a full copy of all submissions i.e. the submitted letters. This and the previous submission will be made available to</p>

No	Issue/Concern	Comment
	<p>the time to read the letters themselves.</p> <p>The assertion there is no property value loss is untrue. With 40 years' experience as a solicitor I know prospective buyers are put off if a property is in a conservation area.</p> <p>Question the consultant's qualifications. Nothing in her public information about her qualifications. Inconsistent nomination of ratings. Recent house has been categorised as contributory, pre 1950 is not. There is nothing heritage about our house to make it contributory. No external wall is original.</p> <p>Consider the full consequences of the proposal from Council's clerks and consider the consequences on home owners.</p>	<p>the Councillors.</p> <p>Please see the main body of the report with regards to property values.</p> <p>Council has confirmed Luisa Alessi's qualifications as an architect and her experience in several firms working as a heritage architect.</p> <p>While the house is representative of a certain 1960s aesthetic, this area is not recommended to proceed as a HCA.</p>
223	<p>Object to the proposal.</p> <p>Don't need blanket listing and unnecessary restrictions. Vast majority of houses don't have heritage value.</p> <p>Our rated contributory property will decrease our property value. It will lead to uncertainty. Development restrictions should remain the same.</p>	<p>2 Arilla is not contributory. Substantially modified with extended ridge line and dominant oversized dormers.</p>  <p>Area not recommended to proceed into the HCA.</p>
235	<p>Our 1950s house is built on clay and has many cracks. Many houses have been demolished and others of superior design in their place. Placing restrictions will lead to the building suffering further damage.</p>	<p>6 Myoora</p> <p>Classic red brick 1950s bungalow with cladded gable. It is contributory but this area not recommended to proceed to the HCA.</p>

No	Issue/Concern	Comment
		
10	<p>Support the proposal.</p> <p>It is a wonderful idea to protect our heritage.</p>	Support noted.
11	<p>Strongly support the conservation area.</p> <p>Values the area mid 20th century aesthetic, the historical subdivision patterns, natural topography and large canopy native trees.</p> <p>Agree with the larger HCA area as it corresponds with the original National Trust Urban Conservation Area 18. Includes the environmental context of the garden suburbs movement, smaller fragmented HCAs less effective at protecting these values.</p> <p>Compared to southern Ku-ring-gai the north area has little heritage and what we have should be recognised and protected.</p>	<p>23 Kimbarra</p> <p>Support noted. See the main report on the values of the area and the recommended boundary changes.</p>
13	<p>Strongly support the proposal.</p> <p>As a resident I value the streetscapes with houses set in large gardens, back from the street; the aesthetic qualities of the houses themselves, with a diversity of styles and built forms; the history present even today in the historical subdivision patterns; the beautiful remnant natural topography; and the wonderful native canopy trees, in great number and size in Sheldon Forest and along the Council's roadside</p>	<p>35 Avon</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>

No	Issue/Concern	Comment
	<p>reserves</p> <p>The area corresponds with original National Trust Urban Conservation Area.</p> <p>Pymble deserves to receive heritage recognition.</p>	
15	<p>Supports the HCA.</p> <p>In the traditional garden suburbs of Kuring-gai, we treasure the traditional streetscapes and neighbourhood character with low-rise dwellings and tree-lined suburban streets. Our built and natural environment are being lost or damaged at an unprecedented rate through inappropriate development under existing planning laws and policies.</p> <p>Support the HCA to ensure that changes to properties respect heritage values and streetscapes</p>	<p>10 Arilla</p> <p>Support noted.</p> <p>See comments to submission 11 above.</p>
16	<p>Support the proposal.</p> <p>Attracted to the area by the historic character being the early to mid 20th century houses set in large gardens and the large native trees.</p> <p>Support listing of eastern side. Heritage in Pymble needs to be recognised.</p>	<p>53 Beechworth</p> <p>Support noted.,</p>
19	<p>Strongly support the proposal.</p> <p>Values the historic aesthetic quality of the area. Supports the listing of eastern side. The west area corresponds with original National Trust Urban Conservation Area. Heritage in Pymble needs to be recognised.</p>	<p>2 Allawah</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>

No	Issue/Concern	Comment
25	<p>Strongly supports the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well.</p>	<p>43 Ashmore</p> <p>Support noted. Please see comments in the main body of the report on UCA.</p>
139	<p>Local heritage character should be protected for future generations. The buildings styles and layout have their foundation in the earlier 20th century garden suburbs movement. Modifications in the area are in the main sympathetic. Recognised independent professional consultants acknowledge the heritage value of the area.</p> <p>Creating a HCA will conserve the heritage setting for already designated heritage items. The streets have a visual rhythm of modest single residences and generous gardens integrated with stands of remnant forest. The character is enhanced by the undulating topography, bush views and vistas. The distinctiveness and character create a sense of place, informing us about what was important for previous residents.</p> <p>The area wears its layers of history well because new buildings and renovations have been in keeping with the existing scale and character.</p> <p>Maintaining distinctive historic neighbourhoods like ours, alongside the Victorian terraces of Paddington and Federation bungalows of Haberfield, contributes to the quality and life of a liveable city.</p> <p>We received a letter from a group in the</p>	<p>Support noted.</p> <p>Please see comments in the main body of the report on UCA and see comments to submission 11 above.</p>

No	Issue/Concern	Comment
	<p>area urging opposition to protect property rights and house values. This is a selfish attitude that fails to acknowledge and recognise the aesthetic and amenity of our area that has evolved over many years, achieved by undertaking development of harmonious scale and character that respects the past. It is important that our neighbourhood have protection under Heritage Conservation Area designation.</p>	
145	<p>Strongly supports the proposal.</p> <p>Supports the other conservation areas proposed for Pymble.</p> <p>As President of the Pymble Action group for the Environment Inc I have previously expressed to the Council and the HRC my views and support for the HCA. My views closely align with the Perumal Murphy Alessi report.</p>	Support noted.
162	<p>Strongly supports the proposal.</p> <p>As a former resident who grew up in Pymble I strongly support the conservation area. I enjoyed the garden feel and bushland environment of Pymble and hope to move back the area one day and enjoy it once more as I did before.</p>	Support noted.
170	<p>Supports the proposal.</p> <p>Must protect what makes this area desirable. Most new builds either multi storey or incongruent with the area.</p>	Support noted.
182	<p>Strong supports for the proposal.</p> <p>Values the aesthetics, the streetscape and the historic subdivision. Supports the boundary as it aligns with the</p>	<p>Support noted.</p> <p>Support noted. Please see comments in the main body of the report on UCA and See comments to submission 11</p>

No	Issue/Concern	Comment
	<p>National trust UCA and the wider philosophy of the garden suburb. Support Pymble East HCAs as well. The consultant studies make it clear the area warrants heritage protection.</p>	<p>above.</p>
213	<p>Support the proposal as it facilitates the protection of BGHF and STIF which are important unique vegetation communities of World Heritage class.</p> <p>Support protecting heritage streetscapes of Inter-war architecture.</p> <p>Disappointed the former AGL site on Suakin Street has not been included as it has historic and archaeological value.</p> <p>Concerned about the canopy height of mature BGHF trees not being appropriate in a residential context. Perhaps these could be substituted for a local species with a lower centre of gravity.</p>	<p>29a Orinoco</p> <p>BGHF and STIF are recognised on the Biodiversity map of KLEP 2015 and are protected</p> <p>The former AGL site should be investigated for historic and archaeological values as part of any future strategic heritage reviews.</p> <p>Concern over the trees is noted but is beyond the scope of this report which is assessing the heritage planning proposal. Concerns over the suitability of tree species should be taken up with Council's Operations team who have responsibility for street trees.</p>
215	<p>Supports the proposal.</p> <p>The garden, architecture and bushland setting are representative of the history, evolution of infrastructure and changing settlement patterns of the area. There are no detracting items as new architecture is designed to fit in the area.</p>	<p>Support noted.</p> <p>The area is strongly dominated by the heavily treed landscape and the bush outlooks. This camouflages what would be traditionally considered unsympathetic development e.g. the introduction of two storey rendered project homes in a street that traditionally had single storey facebrick houses. An area that has substantially been changed and the key period of development is now heavily in the minority are no longer substantially intact. While the new architecture in some instances is sympathetic, sympathetic new builds are not heritage places. For these reasons the boundary has been reviewed to include areas where the landscape is supported by contributory buildings from the key</p>

No	Issue/Concern	Comment
		development periods.
218	Supports the proposal in both east and west Pymble.	Support noted.
227	<p>Supports the proposal.</p> <p>From the residents of Euralba Estate.</p> <p>The proposal will improve and enhance the living environment for residents of Ku-ring-gai.</p>	Support noted.
34	<p>Support the proposal but want it extended.</p> <p>Would like the area to include the immediate boundaries of Sheldon Forest being Dhakkra Close, Quadrant Close and lower part of Beechworth Road, Albion and Jubilee Avenues. Area has natural and architectural heritage value. The Council planners must explain the logical reasons for excluding these areas. They are at risk from development that will denude the landscape like 1 Avon. Houses we recommend for heritage inclusion are: 5 or 6 in Albion Avenue or No 7 or 10 Dhakkara Close or 94 or 98 of Beechworth Road.</p>	<p>Support noted.</p> <p>Areas not assessed or exhibited cannot be included in this planning proposal. This area could be assessed as part of future strategic heritage reviews.</p>
234	<p>Support the proposal but not for their house.</p> <p>House is different from those in the immediate vicinity including the brick colour, window style, gable design and absence of architectural embellishments.</p> <p>The house is austere and would not suit a modern family without major modifications.</p> <p>We believe the HCA would be a severe</p>	<p>3 Mayfield Avenue</p> <p>This house is clearly present on the 1961 aerial photograph. It is a modest single storey family house with little or no change and is contributory.</p>


No	Issue/Concern	Comment
	impediment to any sale process.	
	<p>Concerned over the aircraft noise and the potential impact on the conservation area.</p> <p>The whole Ku-ring-gai area is seriously impacted by the aircraft noise. This is due to the southern wind forcing the airplanes taking the route in north shore area.</p> <p>Is there anything that can be done to share this aircraft noise load, which will be beneficial to our heritage conservation area? Especially when I read the Long Term Operating Plan (LTOP) stats, it is noted the aircraft target of 17% for North is well beaten by the actual of 34%.</p> <p>Something needs to be done through our council.</p>	<p>Aircraft pathways are out of the jurisdiction of local government. This link to Airservices Australia mentioned in your submission explains the aircraft noise sharing plan for Sydney: http://www.airservicesaustralia.com/wp-content/uploads/FINAL_Key-facts-about-noise-sharing.pdf</p> <p>In a representation to Council when questioned on aircraft noise over the Pymble the response from Airservices Australia was “whenever it is possible to do so, noise sharing will be implemented and other runway modes will be used. However sometimes the wind makes this impossible.”</p>



Rating review



Rating: N – Neutral, C – Contributory, D – Detracting


Potential HCAs reviewed

Ratings review Livingstone Avenue (midway) – not recommended to proceed


Address	HCA Review Rating	Recommended rating	Comment
54 Livingstone Ave	C	N	<p>Large double garage forward of the front building line. The main building has been rendered.</p> 
56 Livingstone Ave	C	C	Heritage Item (Victorian)
62 Livingstone Ave	N	N	House incorrectly listed. Recommended for removal from KLEP 2015.
66 Livingstone Ave	C	C	Heritage item (Federation)
70 Livingstone Ave	N	N	Unchanged
72 Livingstone Ave	C	C	1950s
76 Livingstone Ave	D	N	New
78 Livingstone Ave	C	C	Heritage item (Federation)
80 Livingstone Ave	C	C	Heritage item (Federation)



Address	HCA Review Rating	Recommended rating	Comment
88 Livingstone Ave	C	N	<p>The house has been changed including infill on the ground floor.</p> 
77A Livingstone Ave	C	N	<p>Substantial 2 storey extension to the side of the building</p> 
77 Livingstone Ave	N	N	Unchanged
75 Livingstone Ave	C	Item	Heritage item
73 Livingstone Ave	N	N	<p>Unchanged</p> <p>DA4958/96 New 2 storey dwelling, front fence and outbuilding.</p>


Address	HCA Review Rating	Recommended rating	Comment
65 Livingstone Ave	C	N	<p>The building is reasonably recent and has faux detailing sympathetically blend with the heritage item at 75 Livingstone Avenue.</p> <p>DA96/1183: New single storey dwelling with double garage</p> 
63 Livingstone Ave	C	C	Unchanged
61 Livingstone Ave	C	C	1950s
59 Livingstone Ave	C	N	<p>Building has been rendered. Has lost the fine detail of the face-brickwork.</p> 

Address	HCA Review Rating	Recommended rating	Comment
57 Livingstone Ave	C	N	<p>New render (appears online in last sale with facebrick). No house at location on 1943 aerial</p> 


Ratings review extension Pymble Avenue HCA – recommended to proceed



Address	HCA Review Rating	Recommended rating	Comment
67 Pymble Avenue	N	N	Battle-axe
65 Pymble Avenue	C	N	 <p>1988 Build – Australian Nostalgia</p>
69 Pymble Avenue	C	C	Same
71 Pymble Avenue	N	C	Interesting 1960s - had a minor extension



Address	HCA Review Rating	Recommended rating	Comment
			
73 Pymble Avenue	C	C	Same
75 Pymble Avenue	N	N	Battle-axe
77 Pymble Avenue	N	C	<p>Battle-axe</p> <p>Architecturally designed (Russell Jack) intact and representative example of post-war architecture</p> <p>Recommended for further investigation to understand cultural significance</p> 
77B Pymble Avenue	Heritage item	Heritage item	Same
77A Pymble Avenue	N	N	Same
79 Pymble Avenue	N	N	Battle-axe - same




Address	HCA Review Rating	Recommended rating	Comment
81 Pymble Avenue	C	N	<p>Building application BA95/0506 – house, tennis court and garage</p> <p>Another variant of Australian Nostalgia</p> 



Ratings review Avon Road HCA – not recommended to proceed



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
11 Avon Road		Heritage item	Heritage item	same
15 Avon Road				Battle-axe handle
17 Avon Road		C	C	<p>1960s brick bungalow, single storey, substantially intact</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
19 Avon Road		Heritage item	Heritage item	Same 
21 Avon Road		C	C	Not easily photographed from the street due to vegetation. Extant building on the 1943 aerial photograph. From the street the house is single storey, rendered with Georgian revival characteristics including timber shutters. 
23 Avon Road		C	N	The house has been rendered, the verandas, windows and other openings altered. What was probably a terracotta roof tile has been replaced with black tiles. The form of the original house is extant as seen in the 1943 aerial photograph but the loss of the detailed brickwork and general characteristics of bungalows from this period has downgraded the contributory value of this building as representing the key

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				development period. 
25 Avon Road	C	C	C	Same 
27 Avon Road	N	N	N	Same Battle-axe
29 Avon Road	C	C	N	This was a lovely intact bungalow and many of the features are still present and discernible but the two dormers prominent on the front elevation are not sympathetic additions and have a detracting impact on the building.





Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				 
31 Avon Road	C	N	N	<p>Present on the 1943 aerial, the roof form is substantially the same. The building has been rendered.</p> 
35 Avon Road	C	C	C	<p>Painted (reversible). Appears between the 1943 and 1951 aerial photograph in substantially the same form.</p>




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
37 Avon Road	N	C	N	<p>Dwelling present on 1943 aerial, however substantially changed. What was a transverse gable is now a hipped roof with a substantial projecting gable on the front elevation. Building best described as two storey faux federation.</p> <p>DA- 2012/89 Additions to create a dwelling in excess of 7 metres in hgt (1989)</p> <p>BA- 89/00220 (alts&adds)</p> <p>BA- 82/01710 (Garage)1982</p> <p>BA94/00027-Major additions and alterations</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
39 Avon Road	N	N	N	<p>Same</p> <p>Interesting 1960s building. Possibly architecturally designed. For this small area cannot be considered representative of a key development period.</p> 
41 Avon Road	N	C	N	<p>Facebrick has been painted (reversible). 1960s building that has been altered.</p> 




Ratings review Mayfield HCA – not recommended to proceed




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Mayfield Avenue	C	C	C	IW




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
3 Mayfield Avenue	N	C	C	IW 
2 Mayfield Avenue	C	C	C	Same 
4 Mayfield Avenue	N	N	N	Same 
6 Mayfield Avenue	C	C	C	Same




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Mayfield Avenue	C	C	C	Same 
10 Mayfield Avenue	C	C	C	Same 
12 Mayfield Avenue	N	C	N	Has been rendered




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
2 Arden Road	C	C	C	Same 
4 Arden Road	C	C	N	Unsympathetic dormer on front elevation. DA-1179/04/DB (ADDITIONS AND ALTERATIONS-2005) DA- 372/05/DB ADDITION TO REAR OF DWELLING-2005




Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
6 Arden Road	N	ITEM	Item Not from key development period	Being considered for delisting 1950s modest single storey house. Early and not representative example of the work of Sydney Ancher. 
1 Arden Road	N	C	C	1950s 


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
3 Arden Road	N	C	N	<p>Building has been rendered and integrated extension to the side.</p> 
5 Arden Road	N	N	N	<p>Same</p> 
7 Arden Road	N	C	N	<p>Building has been rendered and built masonry structure (not fence) forward of the front building line.</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
9 Arden Road	C	C	C	Same 
2 Linden Avenue	C	C	C	Same 
4 Linden Avenue	N	C	N	Rendered 
6 Linden Avenue	C	N	N	Altered


Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
8 Linden Avenue	N	N	N	<p>Same</p> 
10 Linden Avenue	N	N	N	<p>Same</p> 

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
1 Linden Avenue	N	C	N	Extension forward of the front building line 
3 Linden Avenue	C	C	N	Rendered 
5 Linden Avenue	N	C	N	Altered and not representative 
7 Linden	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
Avenue				
9 Linden Avenue	C	C	C	<p>Same</p> 
11 Linden Avenue	C	C	N	<p>DA0153/15 -Alterations and additions 2016 to create a second storey. No longer representative of the key development period.</p> 



Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
15 Linden Avenue	N	N	N	Same Battle-axe cannot be viewed from the street
17 Linden Avenue	C	N	N	Battle-axe
19 Linden Avenue	C	N	N	Same
21 Linden Avenue	C	N	C	C 
40 Beechworth Road	C	C	C	LATE INTERWAR BA -86/01021 (alts &adds 1986) BA -87/01758 (additions 1987) BA-86/01021A(alts& adds 1988) Potentially sits within the recommended HCA
38 Beechworth Road	N	N	N	Same
36 Beechworth Road	C	C	C	Same

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
34 Beechworth Road	C	C	C	Same
32 Beechworth Road	C	C	C	Same
30 Beechworth Road	N	N	N	Same
28 Beechworth Road	C	C	C	Same
26 Beechworth Road	C	C	C	Same
24 Beechworth Road	N	C	N	N
22 Beechworth Road	N	N	N	Same
20 Beechworth Road	N	N	N	Same
18 Beechworth Road	C	C	BL	Review
2 Allawah Road	N	C	N	Rendered

Address	Sue Jackson-Stepowski assessment	Luisa Alessi assessment	Reviewed assessment	Comments
				
4 Allawah Road	N	C	C	On 1951 aerial
6 Allawah Road	N	N		Same
8 Allawah Road	C	C	C	Same
11 Allawah Road	N	N	N	Same
9A Allawah Road	N	-	-	Can't access BATTLE AXE

Ratings review Myoora Street/Kimbarra Road HCA – not recommended to proceed

1 Kimbarra Road	N	N	Same
3 Kimbarra Road	C	C	Same
5 Kimbarra Road	N	N	Same
7 Kimbarra Road	C	C	Same
9 Kimbarra Road	N	N	Same
1 Myoora Street	C	C	Same

3 Myoora Street	C	C	Same
5 Myoora Street	N	N	Same
7 Myoora Street	C	C	Same
9 Myoora Street	N	N	Same
11 Myoora Street	C	N	 <p>Rendered – originally red coloured biscuit-brick</p>
15 Myoora Street	C	C	Same
17 Myoora Street	C	C	Same
31 Beechworth Road	C	N	<p>Rendered – front of the house has been altered with roof changes – difficult to photograph because of the trees</p> 

Draft Orinoco Conservation Area (C10A & C10B)

Contents

Maps 2

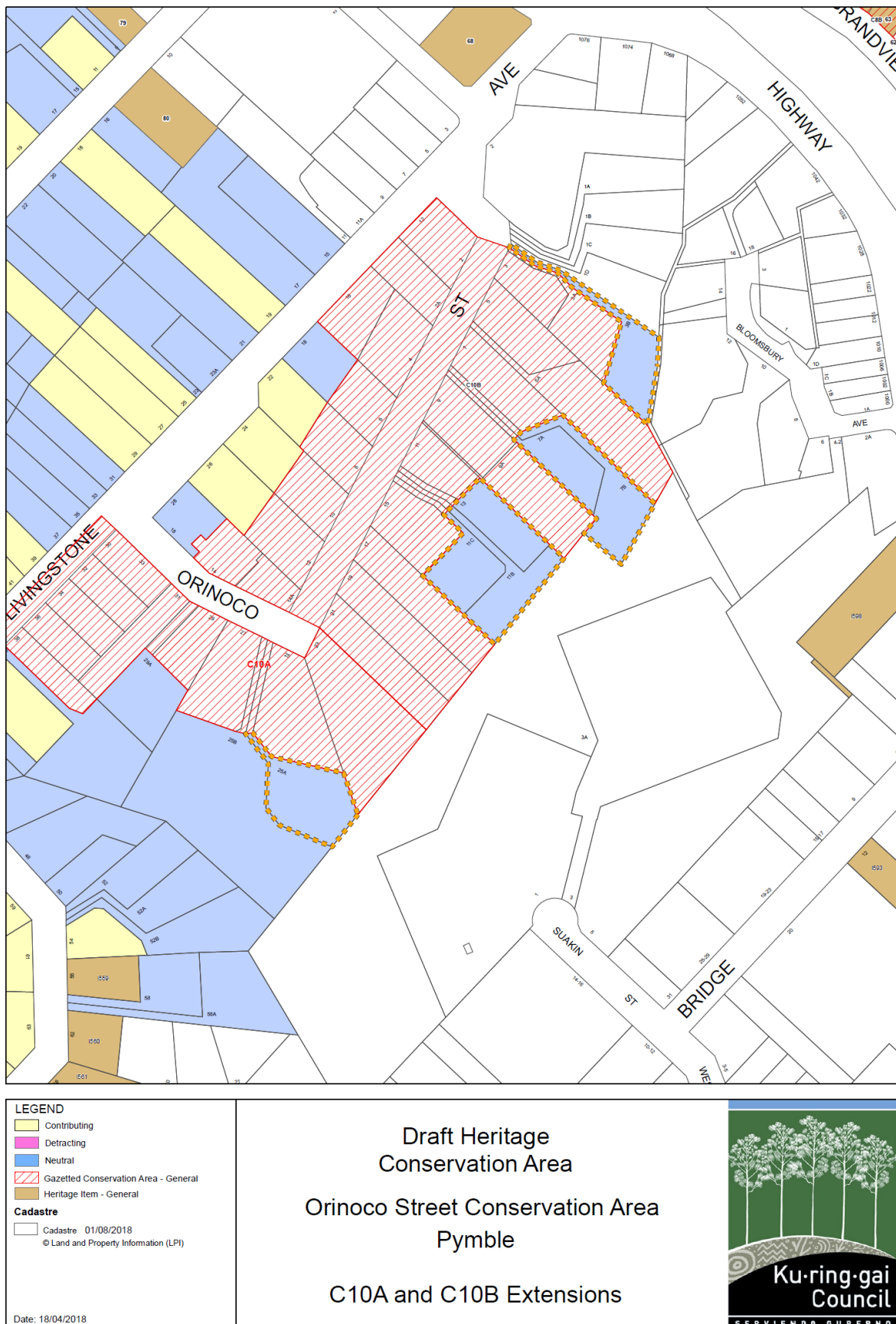
Comments 3

Rating review 4

Submission summary table 4

Maps

1. Exhibited rating map



Comments

The area reviewed is the draft C11A and C11B that includes 7 properties located on battle-axe sites on Orinoco Street Pymble.

The area was identified for listing as a Heritage Conservation Area by Perumal Murphy Alessi in 2015 as part of the larger Pymble West Heritage Conservation Area. The statement of significance prepared to support the listing states:

The Pymble West study area is of local historic, aesthetic and technological significance retaining streetscapes of good, high quality and mostly intact, representative examples of single detached houses from the Federation, Inter-war, Post War and early late Twentieth Century architectural periods constructed following the late 19th and early 20th century subdivisions and establishment of the North Shore Railway line in 1890. The street alignments and subdivision patterns significantly reflect the early boundary lines and connections between the early estates and what is now the Pacific Highway and railway corridor and were also influenced by the natural topography and elements which have contributed to the pattern and stages of development. The predominant early 20th century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and 1930s. The early patterns generally remain discernible, however, are now overlaid with subsequent land amalgamations and subdivisions which reflect the ongoing growth and development of the area. The built context is enhanced by the natural topography, rises and inclines, creeks, reserves and remnant Blue Gum Forest which provides a significant backdrop and also by the street proportions, grassed verges, street trees and individual garden settings which greatly contribute to the visual and aesthetic character of the area. The topography and layout of the area, also watercourses and remnant Blue Gum forest significantly provide evidence of the early character of the area.

As a result of the statutory public exhibition process, 1 objection was received.

Issues raised in the submissions included the unfairness of the listing as the houses do not address the street. The submissions are addressed in the submission summary table below.

In light of the public exhibition submission the area was reviewed again which included several site visits and historical research by Council officers. None of the ratings for this area changed as they were previously neutral and remain neutral. This area is not recommended to proceed as the inclusion of these neutral properties does not add to the significance of the existing heritage conservation area and there is no perceived benefit from their inclusion.

Rating review

There are no rating changes for the assessed extension to the Orinoco Conservation Area. In the exhibited map all the properties were neutral and remain neutral.

Submission summary table

No	TRIM	Issue/Concern	Comment
33	2017/282542	<p>Objects to the proposal.</p> <p>My house does not address the street, any building changes on my property would not impact on the Orinoco streetscape. This HCA only potentially disadvantages me. Why have these 7 properties been singled out?</p>	<p>The properties on the battle-axe sites were identified for inclusion as they are a new and important layer of the subdivision (of the larger West Pymble HCA not just Orinoco).</p> <p>Larger sites were re-subdivided to create these battle-axe blocks, many being downhill from Orinoco Street. The location on the hill created opportunities for architects to respond to the site with many houses having heavily treed bush outlooks. Many of these houses were designed in significant recognisable Post-war architectural styles such as those by Harry Seidler (perched above the site) and those by Russell Jack (nestled into the site). Specific to the Orinoco battle-axe sites is are the houses off Orinoco good examples of his type. These properties have been assessed as neutral and therefore the extension to the Orinoco HCA (to include the battle-axe sites) is not recommended to proceed.</p>

Submission summary table West Pymble and Orinoco Conservation Areas (C11A, C11B, C10A and C10B)

No	Issue/Concern	Comment
32, 37, 44, 47, 49, 51, 56, 80, 85, 92, 102, 143, 149, 158, 159, 204, 222, 225	<p>Supportive of both</p> <p>Values the early- to mid-20th century houses; subdivision patterns; gardens; vegetation; and streetscape. The recommendations in the Perumal Murphy Alessi and Jackson Stepowski reports are recognition of the heritage values that should be conserved and corresponds with National Trust UCAs. Supports wider Pymble HCA and supports Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see discussion on UCAs in the main report and the assessment of the draft West Pymble HCA and the Orinoco HCA in the attachments.</p> <p>The recommendation to not proceed with these areas is a reflection of the lack of representation of buildings from key historic development periods. The area is still rich in character and biodiversity, and the R2 (low residential density) zoning and protections in place for the environment will conserve this suburban character for years to come.</p>
102	<p>Supportive of both</p> <p>Same comments as submission above however also mentions Councils responsibility to protect heritage, but also to fully understand the rights and responsibilities of all citizens and human rights and how “such changes as suggested may be perceived by ordinary people as intruding upon their everyday life”</p>	<p>Support is noted.</p> <p>Please see comments above.</p> <p>The majority of submissions received were against the proposal citing loss of property rights and financial loss. These issues have been further elaborated upon in the main body of the report to further explain the costs and benefits of heritage listing.</p>
159	<p>Supportive of both</p> <p>Same comments as submission 32 however, also raises concern with high rise development and need for HCA to protect. Supports wider Pymble HCA and Orinoco C10A and C10B.</p>	<p>Support is noted.</p> <p>Please see comments for submission 32 above.</p> <p>It is agreed that Ku-ring-gai’s valued heritage should be protected, however, there is a need for robust assessment to ensure that these areas are intact and representative of Ku-ring-gai’s heritage, and as such are defensible when challenged.</p>

No	Issue/Concern	Comment
6	<p>Opposed</p> <p>Objects to the inclusion of Golfers Parade and Courallie Avenue. The area is neutral and the houses late 20th century or newer. Streetscape is not in the same league as houses along Pymble Avenue.</p>	<p>Opposition is noted.</p> <p>It is agreed that this area is mostly neutral and it is not recommended to proceed.</p>
8	<p>Opposed</p> <p>Lawley Crescent, Pymble does not show the integrity of a war period development, many houses are modern. The area should be removed.</p>	<p>Opposition is noted.</p> <p>Agreed. Lawley Crescent area is not recommended for inclusion within a heritage conservation area.</p>
24	<p>Opposed</p> <p>Puzzled by some of the classification – do you honestly think 56 Beechworth Road is worth keeping. A lovely renovated home would be better than what is there now.</p>	<p>Opposition is noted.</p> <p>56 Beechworth is not on an area recommended to proceed as a HCA and as such will not have the requirements of conservation.</p>
100	<p>Opposed</p> <p>Council allowed redevelopment near the Pacific Highway in Pymble. It would be a double standard to prevent change down the hill.</p> <p>No financial compensation for the loss of what is a huge investment.</p> <p>DAS will have time and monetary blowouts. Blanket listing will diminish the value. Existing codes and regulations are enough. Council should do everything in its power to prevent further medium and high density development in the area.</p>	<p>Opposition is noted.</p> <p>The high density zoning referred to in the submission was undertaken by the State Government. For comments on reduced house values and development restrictions please see the main body of the report. Most of this HCA is not recommended to proceed. As the submission did not provide an address this report cannot respond to the impact or not on the specific property. This report does not deal with rezoning.</p>
36	<p>Concerned about road safety.</p>	<p>Is not relevant to the current report. Submission has been forwarded to the relevant staff in Roads and Traffic.</p>

Submission summary table – Not Specified

No	Issue/Concern	Comment
55	<p>Opposed to HCA/</p> <p>The above proposal imposes unnecessary restrictions on what I can do with my property, therefore I do not agree to any extension of Heritage Conservation Area.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
122	<p>Opposed to HCA.</p> <p>Very few houses in the area proposed have anything of heritage or architectural value due to the amount of renovations, extensions and additions to the properties. These modifications have diminished their heritage significance of the area.</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p>
127	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on the owners with what they can do with their properties & living.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on restrictions.</p>
128	<p>Opposed to HCA.</p> <p>It will decrease the property value and will attract less long term & stable resident due to council restrictions. No need of this proposal</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values.</p>
129	<p>Opposed to HCA.</p> <p>This proposal should come from the resident of the area who are living in it, not from people outside the area. This will restrict us as individual owner of the property, while the council has in past allowed big</p>	<p>Opposition noted.</p> <p>The request for the HCAs did come from the residents of the area. Please see the background in the report to Council GB. 15 on 6 December 2016.</p>

No	Issue/Concern	Comment
	builders to change the whole landscape of the area despite of our petitions not to do it.	
150	<p>Opposed to HCA.</p> <p>Many houses already have additions or 2nd stories which have already diminished the heritage significance of the property & surrounding area. The proposal will place unnecessary restrictions on what I can do with my property as well as potentially decrease the property value.</p>	<p>Opposition noted.</p> <p>It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of significance.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
152	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Potential decrease in property value or future attractiveness due to uncertainty and limitations on renovations and improvements allowed. Many houses already have additions stories, which has diminished the heritage significance.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>
186	<p>Opposed to HCA.</p> <p>Many houses in the newly proposed HCA area already have additions, second stories, or modified with modern garages or carports and gardens. These modifications have greatly diminished the significance of the properties and surrounding area.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above.</p>

No	Issue/Concern	Comment
190	<p>Opposed to HCA.</p> <p>Concerned with decrease in property value, a lack of contributory buildings, previous modifications and additions, and a lengthy, costly and complicated Development Application process.</p> <p>Also mentions the West Pymble HCA extension is far away from Pymble train station and unlikely to attract developers. Also, Pymble residents supported the original HCA proposal; it was in the aim to prevent the approval for the major development application at 1 Avon Road Pymble.</p>	<p>Opposition noted.</p> <p>Please see comments to submission 150 above. Inclusion in a heritage conservation area does require a heritage impact statement for DAs which can increase length and cost. The restriction on exempt and complying development in a HCA is intended to conserve the recognised heritage values from unsympathetic change.</p> <p>There are many examples of knock-down rebuilds in the West Pymble area. The street is desired for its proximity to schools as well as the station.</p>
70	<p>Opposed to HCA.</p> <p>This restriction is absolutely unnecessary due to the following reasons: 1) Some of the houses in this area are moderated (extended or rebuilt); 2) Potential impacts on our property values and 3) It will add a lot of unnecessary works to extend my property.</p>	<p>Opposition noted.</p> <p>Please see comments to submissions 150 and 190 above.</p>
71	<p>Opposed to HCA.</p> <p>Many of the houses included in the heritage area would definitely not be classified as "heritage" properties. This proposal will limit people's ability to improve their homes for their own well being and will affect the value of their</p>	<p>Opposition noted.</p> <p>Conservation area not specified in submission so unable to respond. It is agreed that broadly where areas have unsympathetic additions or new builds this erodes the heritage layer and the level of</p>

No	Issue/Concern	Comment
	property.	significance.
75	<p>Opposed to HCA.</p> <p>Unnecessary restrictions on what I can do with my property. Limitations on renovations and improvement allowed will decrease in property value.</p>	<p>Opposition noted.</p> <p>Please see the main body of the report for comments on property values and restrictions.</p>
98	<p>Opposed to HCA.</p> <p>I object to this proposal and seek further community consultation which addresses the impact on property values and appeal for prospective purchasers buying into in the area. Further, the already built new developments (high density and single dwellings) has already diminished heritage significance.</p>	<p>Opposition noted.</p> <p>This proposal has undergone community consultation through both statutory and non-statutory processes. Nearly all statistical analysis to the impacts of heritage listing on properties points to the impact being negligible. Upzoning would have a significant impact on property values however at this point in time and given the environmental constraints of some of these areas upzoning is not being considered.</p>

Attachment: Brief literature review of the effect of designation on area on house prices

International results for hedonic analysis

Numerous studies have been undertaken globally to ascertain the impact of heritage listing (designation) on property values (see Table 1). Ford (1989), Asabere and Huffman (1994a), Leichenko et al (2001), Coulson and Leichenko (2001), Deodhar (2004), Coulson and Lahr (2005), Narwold et al (2008), and Noonan (2007) all found that designated houses typically sold for a premium when compared to similar properties that were not designated. Others such as Asabere, Hachey and Grubaugh (1989), Schaffer and Millerick (1991), and Asabere and Huffman (1994b) deduced that designation typically led to a discount in the value or had mixed results including no significant price effect. Summaries of these conclusions can be found in Table 1.

The Australian Government Productivity Commission (2006) investigated the effect heritage listing had on the value of residential single dwelling properties in Ku-ring-gai and Parramatta. The analysis found no significant effect on house prices in either area.

An Australian study by William Jeffries in 2012 reviewed the effect of heritage listing on house prices in Mosman. The review challenged the assumptions and methods of previous Australian studies including Deodhar (2004) and the Australian Productivity Commission (2006). The study hypothesized that the previous studies which employed a hedonic price methodology failed to give consideration to:

1. A variance effect – heritage listing increases the price of some properties while reducing the price of others, giving an overall outcome which is erroneous as the two outcomes:
 - a) offset each other to a neutral outcome;
 - b) result in false positive; or
 - c) result in a false negative.
2. Doesn't measure the effect on the prices of neighbouring properties.

Jeffries applied three models to the data:

- When using the hedonic price model the results were closely aligned to the findings of Deodhar and the Productivity Commission for Ku-ring-gai with an estimated increase to house prices of 17.9%. Jeffries postulated this positive outcome was the result of the types of houses which had been listed which may have been of higher quality (design, materials, setting) before listing and therefore regardless of designation, this subset may have had a higher house price compared to the overall sample.
- The difference-in-differences model estimated the average treatment effect i.e. the model assessed before and after listing prices. The results of this modelling were statistically insignificant and therefore it could not be concluded that the higher prices for heritage properties pre-existed the designation.
- The fixed effects model utilised in the calculation only those properties which had sales in both the before and after designation time periods. This analysis eliminates time-invariant observables and unobservables leaving only time-variant observables i.e. changes that occurred as a result of the changing condition (heritage listing) not the environment of the changing time (e.g. past and present macro and micro economic climates). Again, there was no statistically significant result.

Finally Jeffries tested the hypothesis that heritage listing increases the prices of some houses while decreasing the prices of others, with the overall effect being to cancel each other out to no effect. Jeffries applied the Breusch-Pagan heteroskedasticity test to the Mosman data to determine if this variance existed. Jeffries found that designation did not have a varying effect on the price of the houses that were listed or the neighbouring houses.

Results for historic precincts (hedonic modelling and repeat sales analysis)

Ford (1989), Asabere and Huffman (1994a), Coulson and Lahr (2005), and Thompson, Rosenbaum and Schmitz (2010) all used hedonic analysis to ascertain the impact of heritage listing on historic precincts or neighbourhoods and found a positive effect on houses prices.

Australian examples of the impact on property valuations and sale price from being included in a statutorily recognised heritage conservation area (heritage precincts) has tended to review the effect of listing on houses prices in country and mining towns.

Countrywide Valuers and Trevor Budge and Associates in their 1992 study of the Victorian mining town of Maldon found no adverse effect on property valuations from the heritage and planning and controls set in place as a result of heritage listing. The study concluded the planning controls had conserved the heritage character of Maldon and attracted visitors and property buyers to the town. Property values in Maldon were comparable or higher than neighbouring towns which were not included in the heritage overlay.

Penfold (1994) reviewed the impact of heritage controls on prices for four conservation areas in four Sydney local government areas: Ashfield, Burwood, North Sydney and Waverly. The study found that the statutory recognition of the conservation areas had favourable impacts on Ashfield and Burwood but made little difference to the prices in North Sydney and Waverly.

Cotteril (2007) stated in the Sinclair Knight Merz report of the impact of heritage overlays on house prices in Ballarat that “well maintained and marketed heritage listed residential properties are likely to sell at a premium...” and “....generally residential house prices are more likely to be affected by external economic factors such as interest rates and property location”.

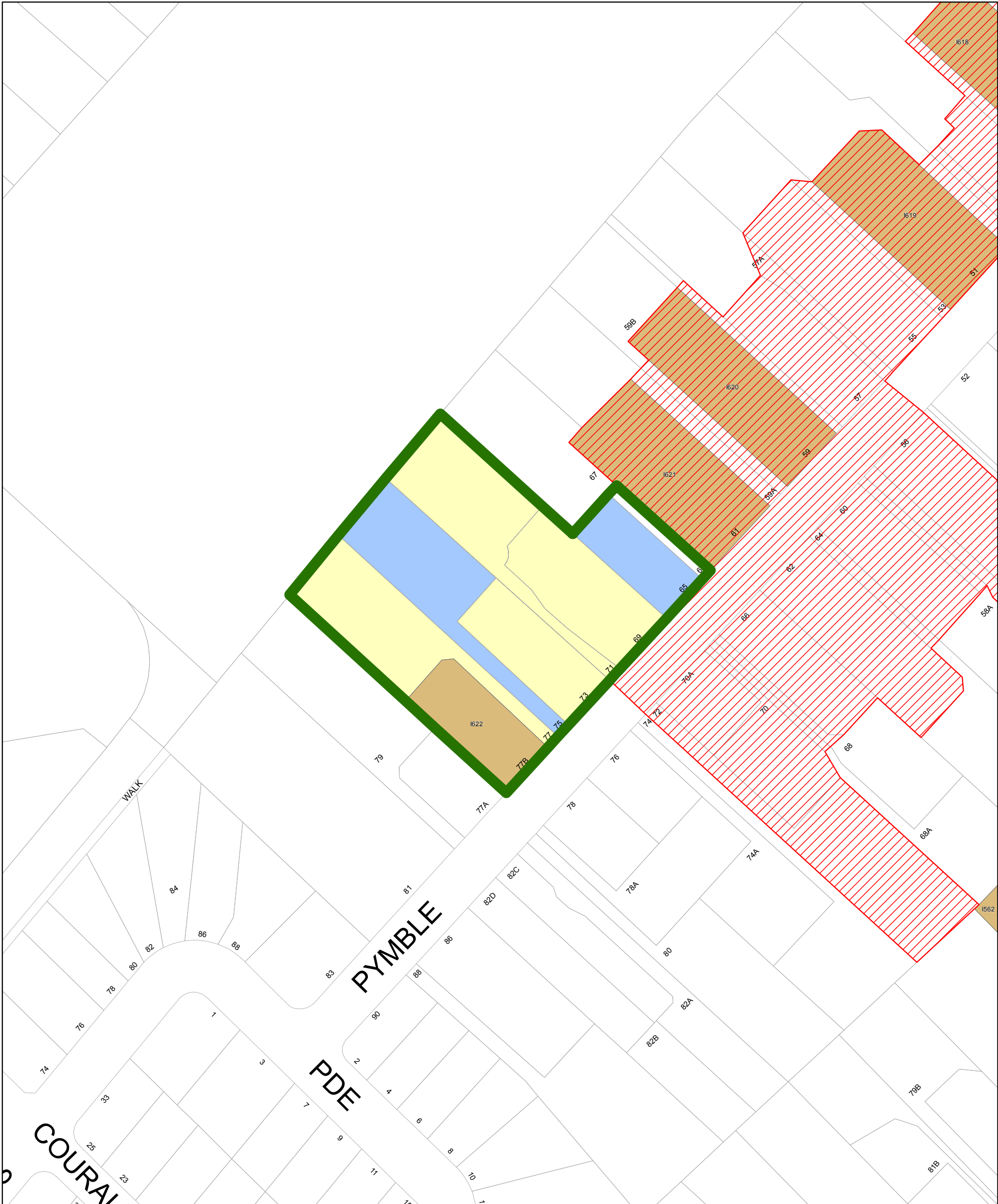
Armitage and Irons (2005) reviewed seven Australian and international studies on the effect of heritage listing on property prices. They surmised that the impact of heritage listing on property prices is marginal and generally tends to be positive, particularly in the case of placing heritage controls on entire precincts. They also note that individual cases, or outliers, do show significant upside or downside value movements. They attributed the positive effects in heritage precincts to the increased consistency and greater certainty of character in an area protected by conservation controls.

Table 1: Overview of studies**(Adapted from Lazrak, Nijkamp, Rietveld and Rouwendal (2009) and Jeffries (2012))**

Author(s)	Study	Study area	Key findings
Jeffries (2012)	Does heritage listing have an effect on property prices in Australia? Evidence from Mosman Sydney	Mosman, NSW	Cannot be concluded that heritage listing impacts house prices. A test for heteroskedacity yielded statistically insignificant results.
Zahirovic-Herbert and Chatterjee (2012)	Historic Preservation and residential property values: evidence from quantile regression	Baton Rouge, Louisiana	Results for historic districts. Buyers pay an average of approximately 6.5% for houses located in the nationally designated historic districts. Near Historic District, is a positive and indicates a 3.8% price premium for houses sold within walking distance from historic districts' boundaries'.
Moro, Mayor, Lyons and Tol (2011)	Does the housing market reflect cultural heritage? A case study of greater Dublin	Greater Dublin, Ireland	Results show that some types of cultural heritage sites, such as historic buildings, memorials, and Martello towers, provide positive spillovers to property prices while archaeological sites seem to be a negative amenity.
Thompson, Rosenbaum and Schmitz (2010)	Property values on the plains: the impact of historic designation	Nebraska, USA	Sale prices of houses in designated precincts rose \$5000 a year in comparison to houses in non-designated precincts in the years after designation.
Narwold, Sandy and Tu (2008)	The effect of historically designated houses on sale price	San Diego, USA	Historic designation of single-family residences creates a 16 percent increase in housing value which is higher than the capitalization of the property tax savings due to designation.
Noonan (2007)	The effect of landmarks and districts on sale price	Chicago, USA	Designated property has a positive effect on both itself and neighbouring properties.
Australian Government Productivity Commission (2006)	Effect of heritage listing: a hedonic study of two local government areas (on property value).	Parramatta and Ku-ring-gai, Australia	Heritage listing had no significant effect on the value of residential single dwelling properties.

Author(s)	Study	Study area	Key findings
Ruijgrok (2006)	The effect of 'authenticity', 'ensemble' and landmark designation on house prices	Tiel, Netherlands	Authenticity and façade elements accounts for 15 percent of sale prices in the Hanseatic city of Tiel.
Coulson and Lahr (2005)	The effect of district designation on appreciation rate	Memphis, Tennessee, USA	Appreciation rate were 14-23% higher when properties were in neighbourhoods which were zoned historical. Local designation is more important than national designation.
Deodhar (2004)	The effect of heritage listing on sale prices	Sydney, Australia	On average heritage listed houses commanded a 12 percent premium over non heritage listed houses. This premium is a combined value of heritage character, their architectural style elements, and their statutory listing status.
Coulson and Leichenko (2001)	The effect of designation on tax appraisal value	Abilene, Texas, USA	Local historic designation raises value 17.6 percent of designated property.
Leichenko, Coulson and Listokin (2001)	The effect of historic designation on house prices	nine different Texas cities, USA	Historical designated properties in Texas enjoy 5-20% higher appraised prices than other property.
Asabere and Huffman (1994a)	The effect of federal historic district on sales prices	Philadelphia, USA	Owner-occupied property located in national historic districts in Philadelphia sell at a premium of 26 percent.
Asabere and Huffman (1994b)	The effect of historic façade easements on sale prices	Philadelphia, USA	Condominiums with historic easements sell for about 30 percent less than comparable properties.
Asabere et al. (1994)	The sales effects of local preservation	Philadelphia, USA	Small historic apartment buildings experience a 24 percent reduction in price compared to non-locally certified properties.
Moorhouse and Smith (1994)	The effect of architecture on original purchase price	Boston, USA	Architecture design was valued with a premium.

Author(s)	Study	Study area	Key findings
Schaeffer and Millerick (1991)	The impact of historic district on sale prices	Chicago, USA	Properties with national historic designation have a premium and local historic designation have a discount over non designated properties. Properties near a historic district may enjoy positive externalities.
Asabere, Hachey and Grubaugh (1989)	The effect of architecture and historic district on home value	Newburyport, Massachusetts, USA	Historical architectural styles have positive premiums. The historic district of Newburyport does not have positive external effects.
Ford (1989)	The price effects of local historic districts	Baltimore, Maryland, USA	Historic districts do have higher prices than non-historical districts.
Vandell and Lane (1989)	The effect of design quality on rent and vacancy behaviour on the office market	Boston and Cambridge, USA	Design quality has a positive premium of 22 percent on rents but there is a weak relationship between vacancy behaviour and design quality.
Hough and Kratz (1983)	The effect of architectural quality on office rents	Chicago, USA	Tenants are willing to pay a premium to be in new architecturally significant office building, but apparently see no benefits associated with old office



- Legend
- Contributing
 - Detracting
 - Neutral
 - Gazetted Conservation Area - General
 - Heritage Item - General
 - Boundary of recommended HCA extension

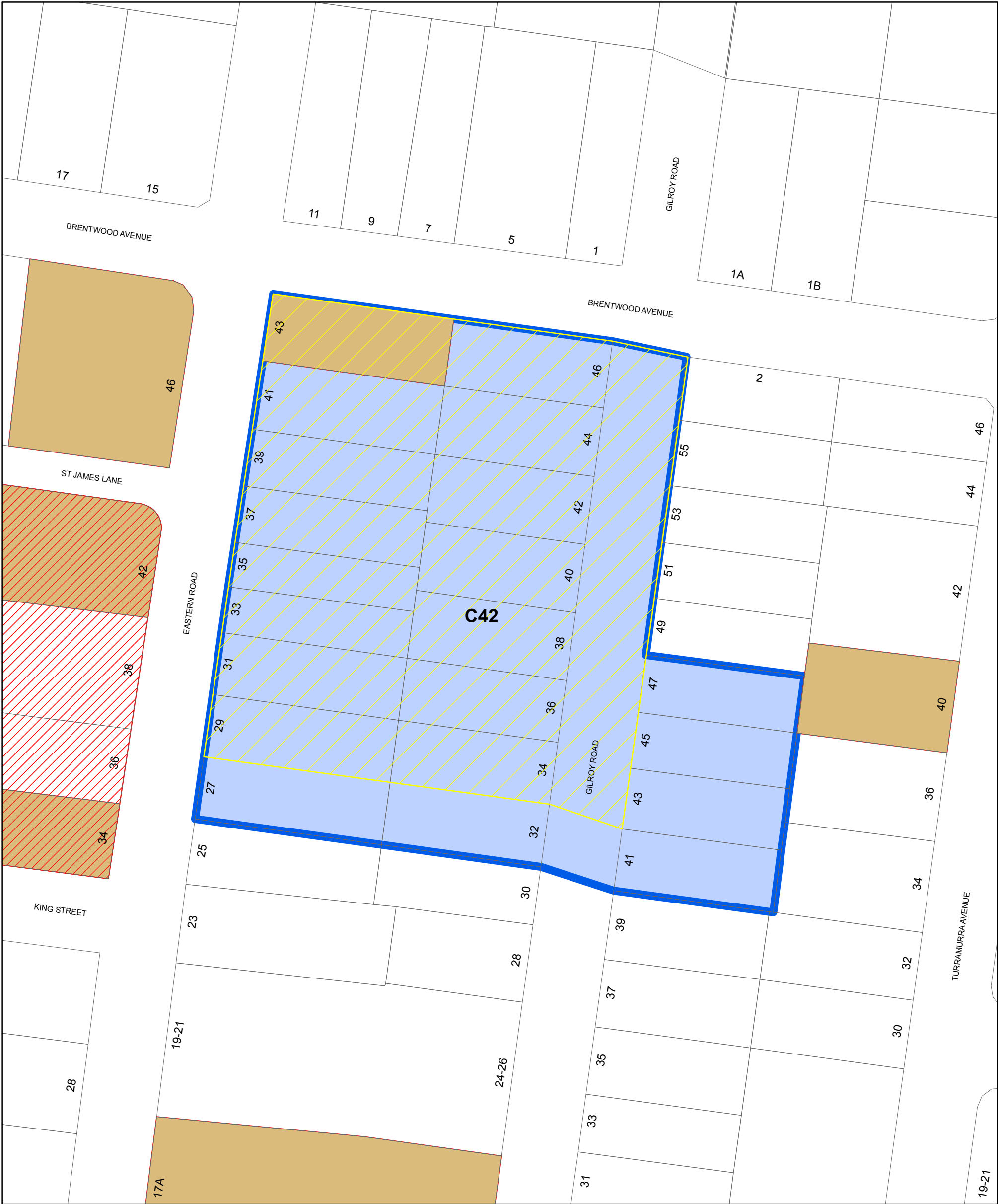
Date: 20/06/2018

Draft Heritage Conservation Area
Area Review - Feb 2018

Pymble Avenue Conservation Area
Pymble
C11

Recommended extension to C11





Legend

- Exhibited Area - Proposed HCA
- Recommended to Proceed by Council Officers
- Gazetted Conservation Area - General
- Heritage Item - General

Cadastral

- Cadastre 05/10/2018
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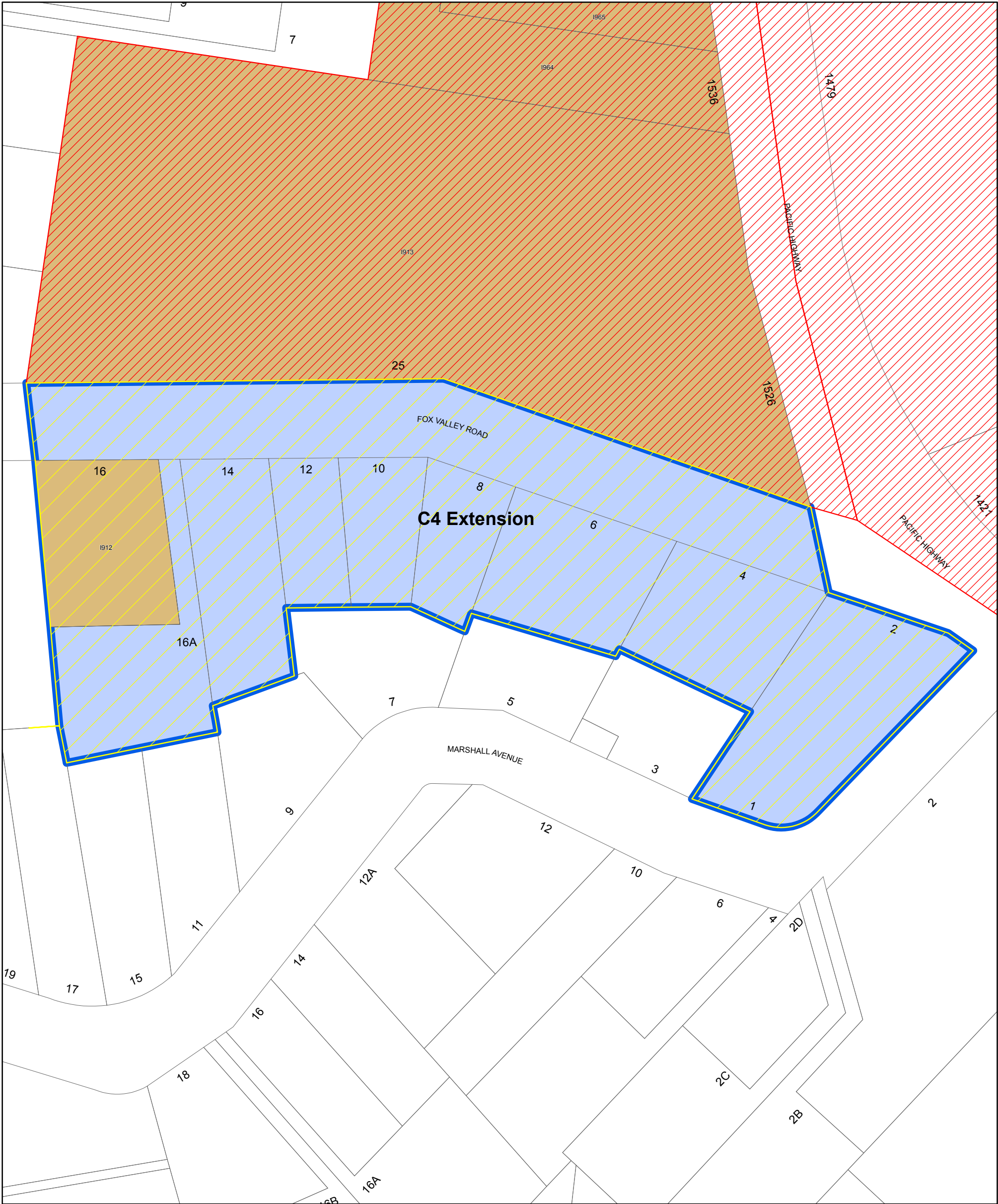
Date: 5/10/2018

**Draft Heritage
Conservation Area**





**Gilroy Road Conservation Area
Turramurra**

C42 (KLEP(LC) 2012)







Legend

-  Exhibited Area - Proposed HCA
-  Recommended to Proceed by Council Officers
-  Gazetted Conservation Area - General
-  Heritage Item - General

Cadastral

-  Cadastre 05/10/2018
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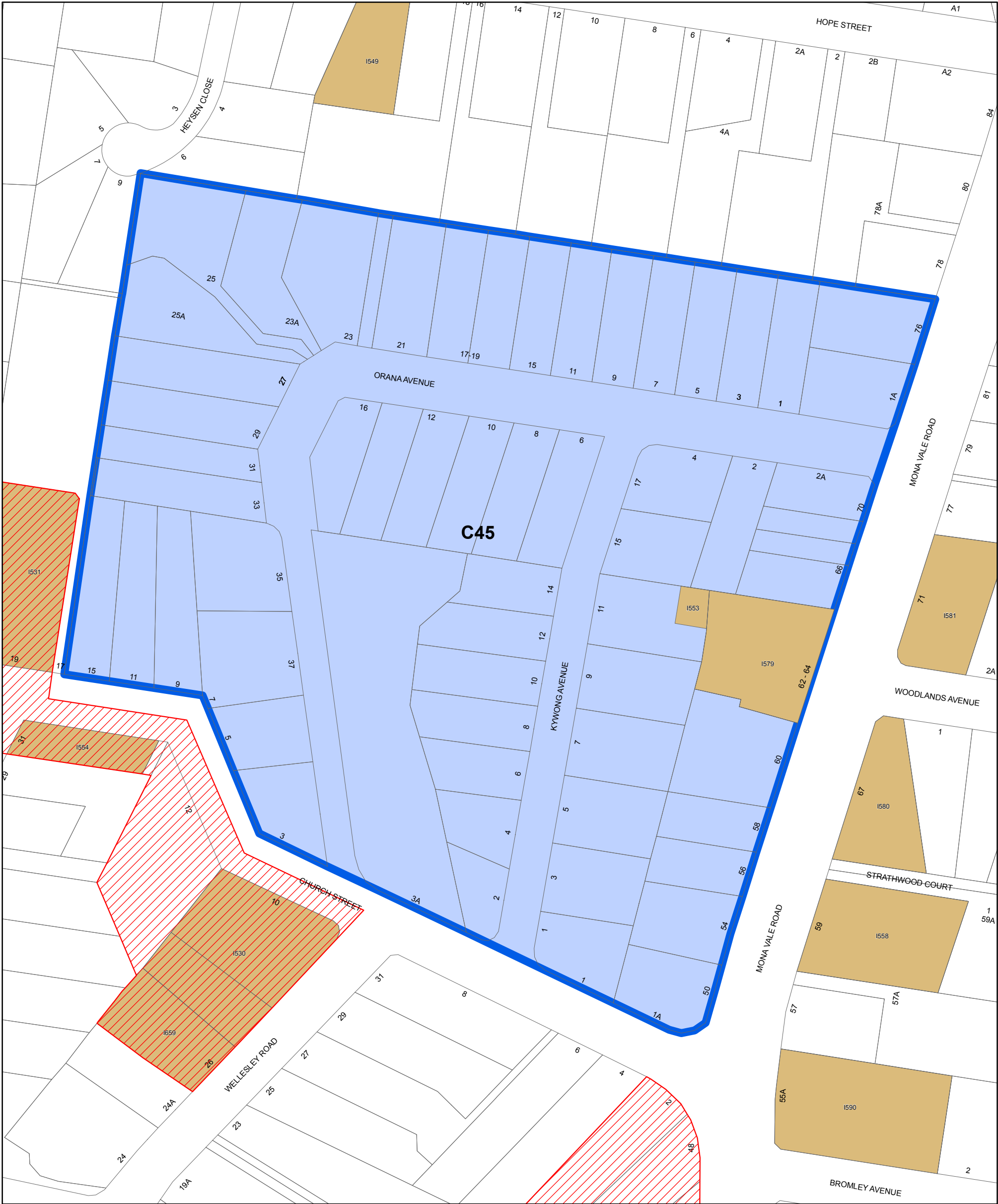
Date: 5/10/2018

Draft Heritage Conservation Area





Mahratta Conservation Area Wahroonga

C4 extension (KLEP 2015)






Legend

-  Exhibited Area - Proposed HCA
-  Recommended to Proceed by Council Officers
-  Gazetted Conservation Area - General
-  Heritage Item - General

Cadastral

 Cadastre 05/10/2018
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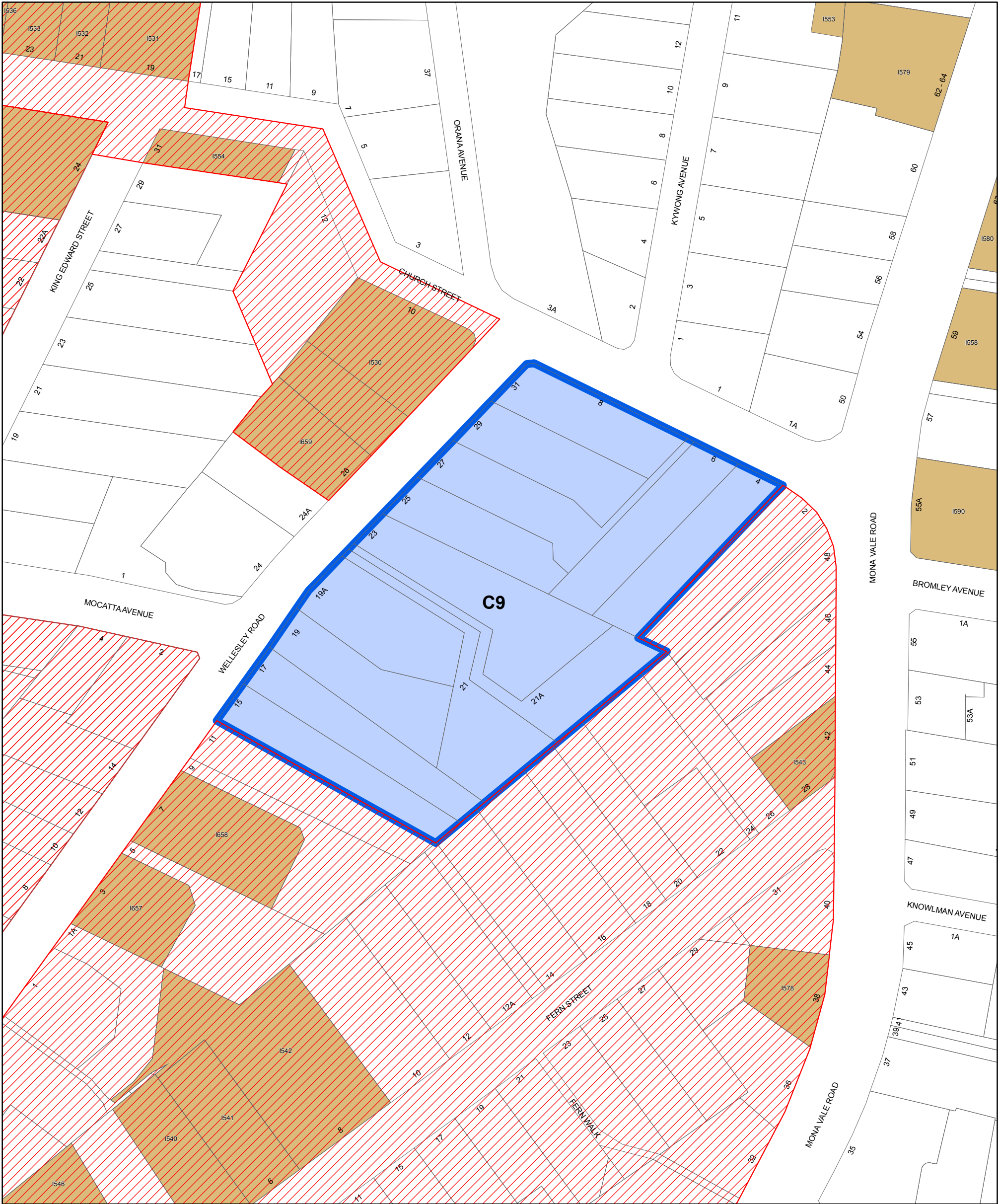
Date: 5/10/2018

Draft Heritage Conservation Area





Lanosa Estate Conservation Area Pymble

C45 (KLEP 2015)






Legend

-  Exhibited Area - Proposed HCA
-  Recommended to Proceed by Council Officers
-  Gazetted Conservation Area - General
-  Heritage Item - General

Cadastre

 Cadastre 05/10/2018
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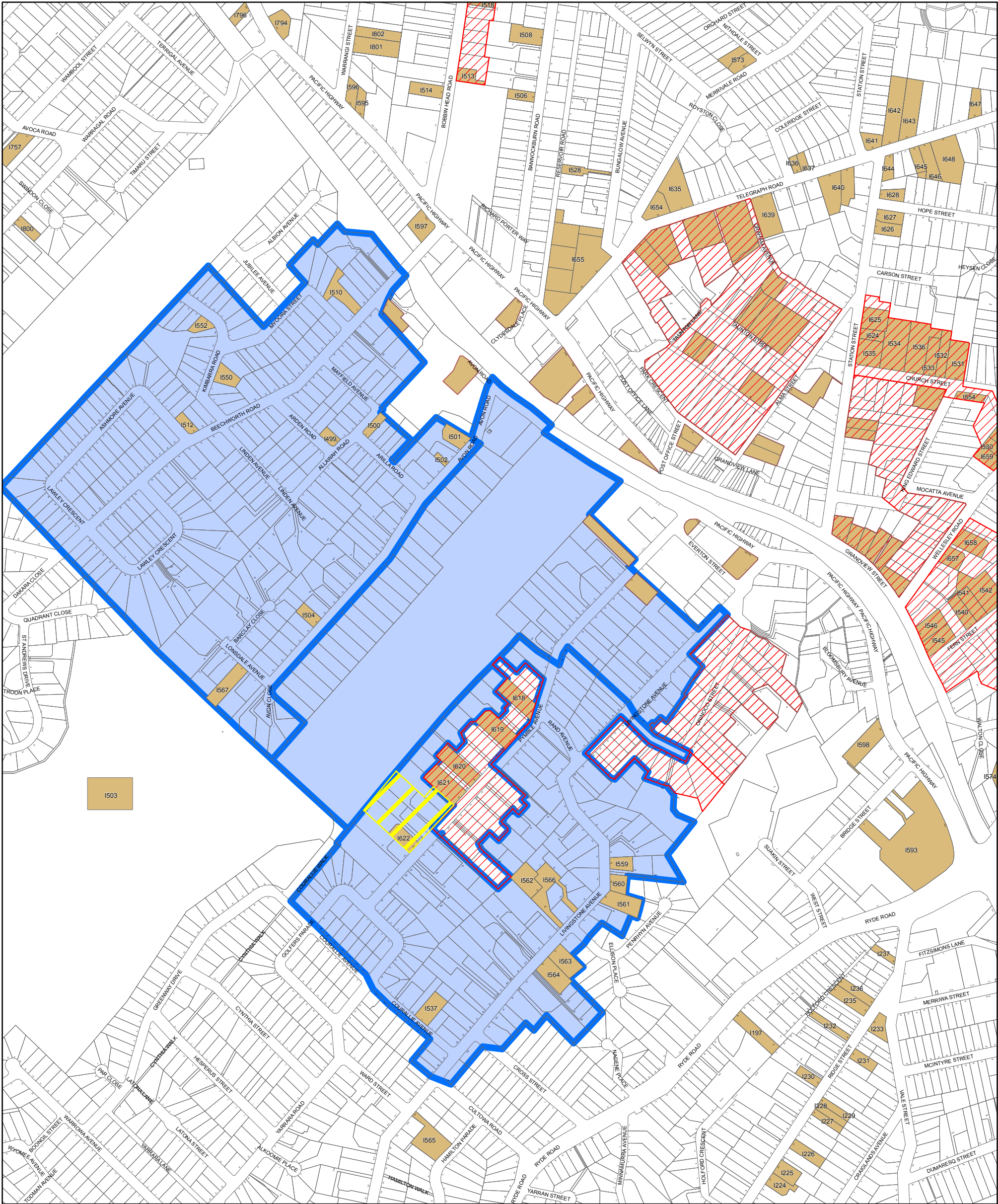
Date: 5/10/2018

Draft Heritage
Conservation Area





Fernwalk Conservation Area
Pymble

C9 extension (KLEP 2015)






Legend

-  Exhibited Area - Proposed HCA
-  Recommended to Proceed by Council Officers
-  Gazetted Conservation Area - General
-  Heritage Item - General

Cadastre

-  Cadastre 05/10/2018
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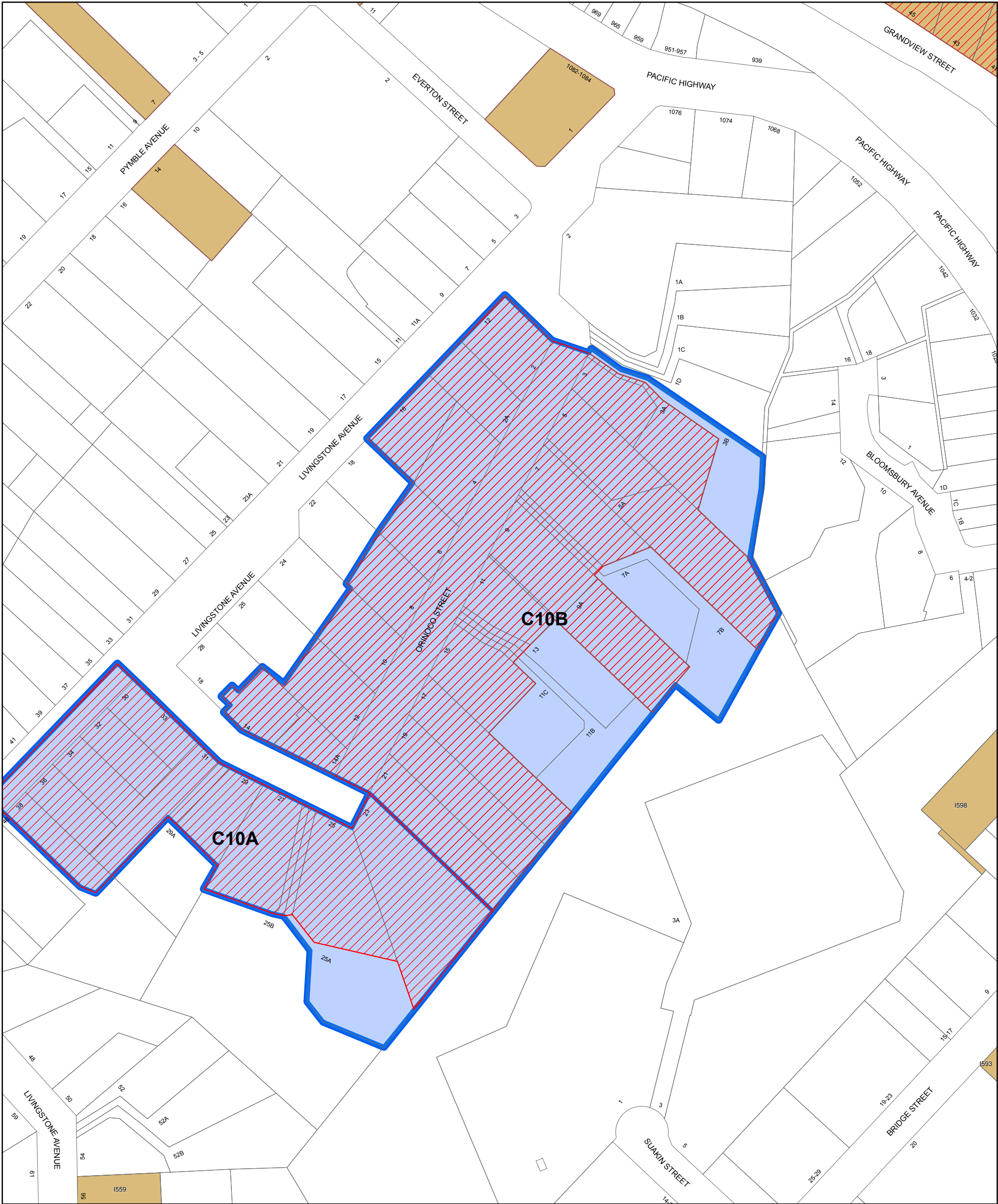
Date: 5/10/2018

Draft Heritage
Conservation Area





West Pymble Conservation Area
Pymble

C11A extension (Klep 2015) &
C11B (KLEP(LC)2012)






Legend

-  Exhibited Area - Proposed HCA
-  Recommended to Proceed by Council Officers
-  Gazetted Conservation Area - General
-  Heritage Item - General

Cadastre

-  Cadastre 05/10/2018
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Date: 5/10/2018

Draft Heritage Conservation Area

Orinoco Street Conservation Area Pymble

C10A extension (KKLEP 2015) &
C10B extension (KLEP(LC)2012)

