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URBIS

HERITAGE IMPACT STATEMENT

9-11 Nelson Street,
Chatswood NSW 2067

Prepared for

THE OWNERS STRATA PLAN

16 June 2021

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EXECUTIVE SUMMARY

Urbis has been engaged to prepare the following Heritage Impact Statement (HIS) to accompany a Planning Proposal to amend the underlying planning controls of the subject site at 9-11 Nelson Street, Chatswood (subject site).

The subject site is not a listed heritage item under the *Willoughby Local Environmental Plan 2012 (WLEP 2012)* and it is not located within a heritage conservation area (HCA). It is, however located within the broader proximity of heritage items and conservation areas.

Further details of the proposed works are included in Section 0.

This HIS has been prepared to determine the potential heritage impact of the Planning Proposal on the vicinity heritage items and conservation areas.

A detailed impact assessment of the proposed works has been undertaken in Section 0 of this report. The proposed development has been assessed to have an acceptable impact on the heritage items and conservation areas in the broader locality of the subject site. Key aspects of the proposal assessment are listed below:

- No physical changes are proposed as part of this Planning Proposal. The Planning Proposal seeks to amend the underlying planning controls of the site only. Built works and new buildings will be subject to future development applications.
- The subject site is not a listed heritage item and does not contain any elements of built heritage significance. All historic improvements on the subject site were demolished in the late twentieth century and the whole of the site was redeveloped between 1986 and 1991 with the existing high density residential development. The site was cleared of historic improvements entirely and excavated to provide the existing basement carparking and residential development. The existing improvements are not required to be retained on heritage grounds. The potential future demolition of the existing site improvements in line with the amended planning controls and reference scheme herein, will have no adverse heritage impact.
- The immediate locality is characterised by various uses and built form including density, and is not defined by a consistent streetscape or setting. From a heritage perspective, the Planning Proposal and the potential future built outcome will not impact any significant streetscapes in the vicinity.
- The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site. The future development that may be facilitated by this Planning Proposal in line with the reference scheme reviewed herein, will be consistent with the uplift in density being experienced throughout the immediate vicinity and will not adversely impact, dominate or overwhelm the scale of vicinity heritage items.
- The existing curtilages of all vicinity heritage items and conservation areas will be retained, including all landscaping and significant trees. No changes to the existing heritage listings under Schedule 5 of the *WLEP2012* are proposed under this Planning Proposal.
- The future built form (in line with the reference scheme) will be visible in northern facing views towards the Mowbray House heritage item to the south. However these views are already characterised by high density background development, and the reference scheme bulk and scale is consistent with this urban character and will not have a cumulative impact on the significance of the heritage item. It is noted that the Mowbray House heritage item is encircled by the existing metro development and already sits within a highly modified visual catchment.
- Significant views associated with the C11 South Chatswood Heritage Conservation Area and inward facing and do not face towards the west towards the subject site, which is physically separated from the conservation area by a railway line. The Planning Proposal and the potential future built outcome will not have an adverse impact on existing significant views within the conservation area.

For the reasons stated above, the Planning Proposal is recommended for approval from a heritage perspective.

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INTRODUCTION

BACKGROUND

Urbis has been engaged to prepare the following Heritage Impact Statement (HIS) to accompany a Planning Proposal to amend the underlying planning controls of the subject site at 9-11 Nelson Street, Chatswood (subject site).

The subject site is not a listed heritage item under the *Willoughby Local Environmental Plan 2012 (WLEP 2012)* and it is not located within a heritage conservation area (HCA). It is, however located within the broader proximity of heritage items and conservation areas.

Further details of the proposed works are included in Section 0.

This HIS has been prepared to determine the potential heritage impact of the Planning Proposal on the vicinity heritage items and conservation areas.

METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 1999 (revised 2013).

Site constraints and opportunities have been considered with reference to relevant controls and provisions contained within the *WLEP 2012* and the Willoughby Development Control Plan (DCP) 2006.

AUTHOR IDENTIFICATION

The following report has been prepared by Annabelle Cooper (Heritage Assistant) and Ashleigh Persian (Senior Consultant). Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

SITE LOCATION

The subject site is located at 9-11 Nelson Street within the local government area (LGA) of Willoughby. The site is legally described as Strata Plan 65120.

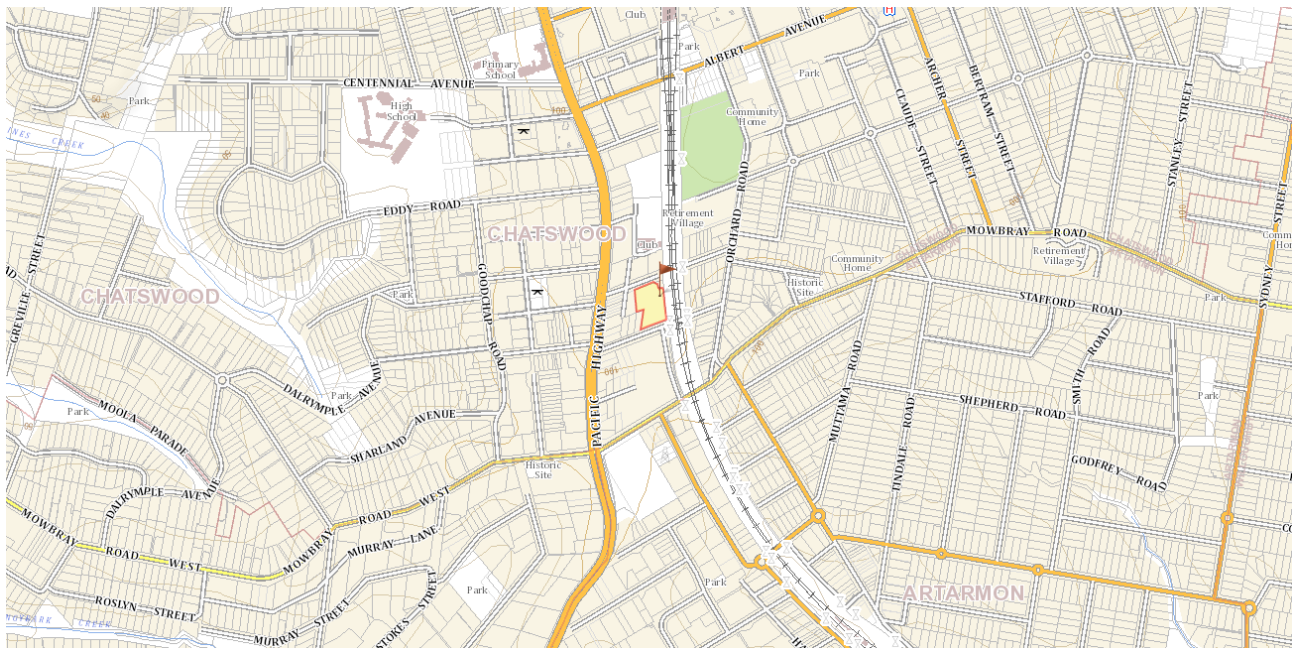


Figure 1 – Locality map with the subject site outlined in red.

Source: SIX Maps, 2020

HERITAGE LISTING

The subject site is not a listed heritage item under the *Willoughby Local Environmental Plan 2012 (WLEP 2012)* and it is not located within a heritage conservation area (HCA). It is, however located within the broader proximity of the following heritage items and conservation areas:

- C11 South Chatswood Heritage Conservation Area, located directly east of the subject site on the eastern side of the northern railway line.
- Item 96, *Mowbray House and 10 metre curtilage*, at 339 Mowbray Road located south of the subject site on the northern alignment of Mowbray Road.
- Item 147, *Terrace House including interiors*, at 8-10 Moriarty Road located south-west of the subject site.

The following diagram demonstrates the above heritage context in relation to the subject site.

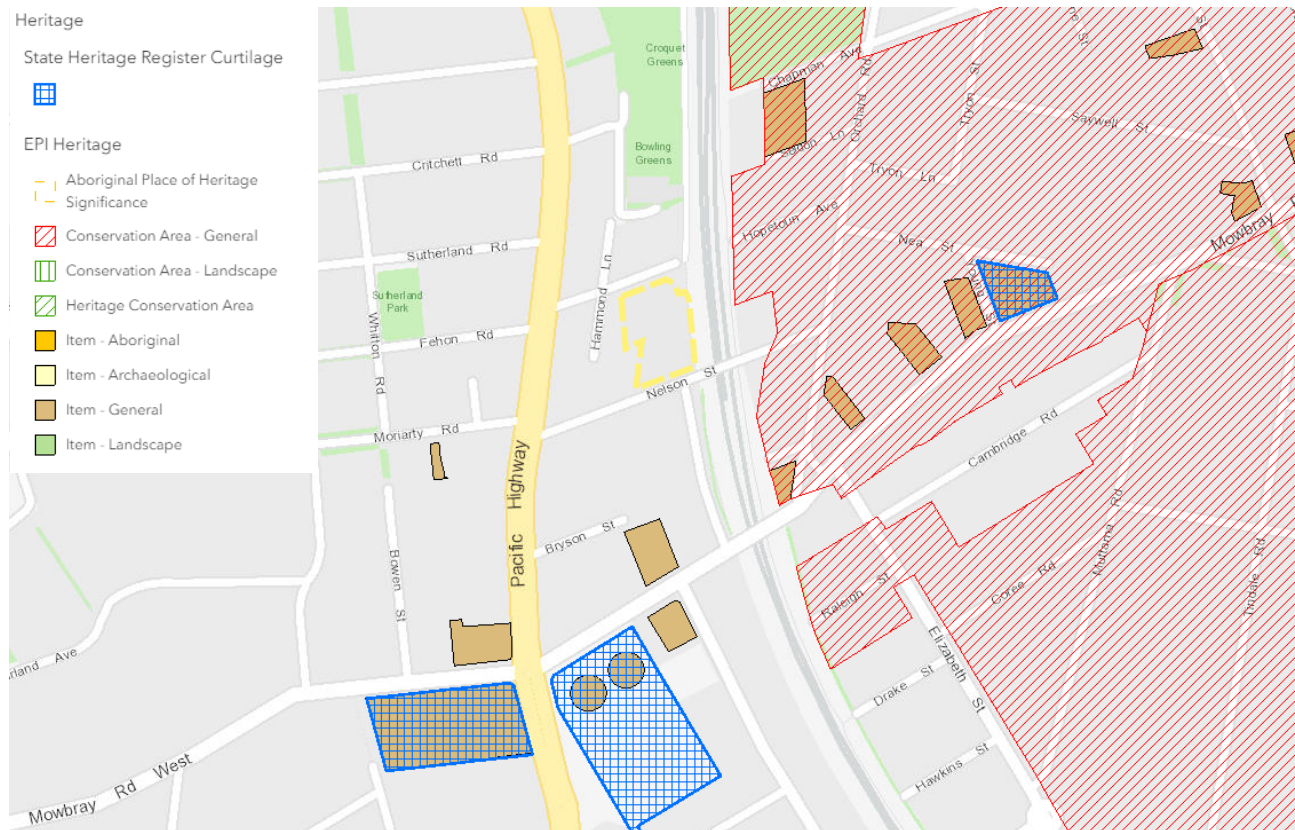


Figure 2 – Extract from heritage map showing subject site outlined in yellow.

Source: NSW Planning Portal 2020

SITE DESCRIPTION

SITE DESCRIPTION

The site is located at 9-11 Nelson Street, Chatswood and is within the Willoughby Local Government Area (LGA). The site is located on the northern side of Nelson Street, between the T1 North Shore Line railway corridor to the east and Pacific Highway to the west.

The site is broadly regular in shape with street frontages to Nelson Street and Gordon Avenue. Side boundaries to the east and west are obliquely angled. A pedestrian and cycle right-of-way runs along the eastern boundary of the site.

Nelson Street and Gordon Avenue are both no-through roads, with the vehicular bridge connecting Nelson Street to Berkeley Court to the east recently removed to allow for Sydney Metro works on the rail line.

Figure 3 Aerial photograph



Source: Urbis

The key features of the site are summarised in the following table.

Table 1 Site Description

Feature	Description
Street Address	9-11 Nelson Street, Chatswood
Legal Description	SP65120
Site Area	4,219m ²

Feature	Description
Site Dimensions	Nelson St frontage: 54.88m Gordon Ave frontage: 47.96m Depth: approximately 80m
Site Topography	Relatively flat, with a fall of approximately 2m from south to north.

EXISTING DEVELOPMENT

Existing development on the site and neighbouring sites is shown in the following photographs.



Figure 4 Existing development as viewed from Nelson Street.



Figure 5 Vehicular entrance on Nelson Street.



Figure 6 Existing development as viewed from Gordon Avenue.



Figure 7 Pocket park at the north eastern corner of the site at the end of Gordon Avenue



Figure 8 Shared path to the east of the site, looking north.



Figure 9 Looking west on Nelson Street, with Sydney Metro site to the south.



Figure 10 Commercial development on the corner of Gordon Avenue and Pacific Highway



Figure 11 Pacific Highway to the west of the site, between Gordon Avenue and Nelson Street

The site currently accommodates a three-storey residential flat building containing 45 units, two levels of basement car parking and central communal gardens.

Vehicle access to the basement is currently located on Nelson Street, while waste collection is from waste storage areas located on the Gordon Avenue frontage. Pedestrian access to the existing development is on both frontages.

There is dense established vegetation located along the western and southern boundaries, with additional mature street trees along both road frontages.

LOCALITY CONTEXT

The site is located to the south of the existing Chatswood CBD, within the extended CBD boundary as nominated by the CBD Strategy.

The existing CBD includes a vibrant mix of offices, major retail facilities and high-density residential accommodation. A modern rail and bus interchange is located in the centre of the CBD that provides direct connections to the Sydney CBD, other Strategic centres and residential areas, across Sydney. Connectivity has been heightened by the opening of the Metro Northwest in 2019 with a new platform at Chatswood Station and will be further improved by the opening of the Metro City and Southwest in 2024.

The immediate surrounds of the site are predominantly characterised by low to medium density residential development with commercial uses fronting the Pacific Highway, 100m to the west of the site.

The immediately surrounding development includes:

- **North:** Three-storey residential flat development addressed to Gordon Avenue
- **East:** T1 North Shore Line railway corridor
- **South:** Sydney Metro dive site.
- **West:** Three-storey residential flat development addressed to Nelson Street and low-rise commercial development addressed to Pacific Highway.




Figure 12 Location Plan

Source: Urbis


VICINITY HERITAGE ITEMS

The following descriptions of the vicinity heritage items has been directly sourced from the NSW State Heritage Inventory records for the items:

Table 2 Vicinity Heritage Items - descriptions

Vicinity Heritage Item	Site Description
<p>Item 96, Mowbray House and 10 metre curtilage, at 339 Mowbray Road located south of the subject site on the northern alignment of Mowbray Road.</p> 	<p><i>The site is roughly rectangular with frontages to Mowbray Road to the south and Nelson Street to the north. To the east is the North Shore rail line, and to the west is the Pacific Highway. There are currently ten buildings on the site (see site plan below): 1 Two-storey face brick and concrete occupational health facility, built c late 1950s. Aluminium framed windows. Steel roof. 2 Two-storey exposed steel-framed administration building, built c1970. Ground floor clad in brick, first floor in metal cladding and sun shading louvres. 3 Single-storey garage and workshop, built c1960. Rendered and face brick with a low-pitched metal roof, timber windows with wired glass. 4 Single-storey steel-framed industrial building, built c1960. Face brick; metal roller shutters. Large two-storey laboratory building with "H" shaped plan, built c late 1950s. Face brick; exposed concrete frame; aluminium windows and sun shading louvres; flat concrete roof. 6 Pair of semi-detached cottages, built c1910 to c1920, and with internal modifications for depot uses. Similar to 8 & 9. Federation cottage, c1910 to c1920, and with internal modifications for depot uses. Similar to 8 & 8 Federation bungalow, c1910 to c1920. Face brick; corrugated iron roof and veranda; casement windows with original joinery intact. 9 Pair of semi-detached bungalows, built c1910 to c1920, and with internal modifications for depot uses. Face brick; corrugated iron roofs and verandas; casement windows with original joinery intact. Mowbray House, two-storey brick building, built 1906 in Federation Arts and Crafts style with later c1917 ground floor addition and c1960s first floor addition and alterations. Face brick ground floor, painted roughcast stucco first floor and unusual chimneys; Marseilles tiled roof; original joinery intact.¹</i></p>

¹ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2660003>

Vicinity Heritage Item	Site Description
<p>Item 147, Terrace House including interiors, at 8-10 Moriarty Road located south-west of the subject site.</p> 	<p><i>Two storey terraced houses with a gabled iron clad roof and upper level separately roofed verandah. The verandah features cast iron lace balustrading. Although the original external wall finish has been removed, the structure is relatively intact in its presentation to the street. The fence is contemporary. The property sits within a group of altered late Victorian terrace houses and workers cottages (Nos 4 - 18).²</i></p>
<p>C11 South Chatswood Heritage Conservation Area located directly east of the subject site on the eastern side of the northern railway line.</p>	<p><i>As a whole, South Chatswood has a mixed character: styles range up to California and Interwar bungalows, which are interwoven among the dominant Federation and late Victorian era buildings through the progressive resubdivision of what were often originally generous and gracious early estates.</i></p> <p><i>As well as a few modest Victorian cottages, South Chatswood is remarkable for its concentration of imposing late Victorian mansions. Along Mowbray Road, their location on a prominent ridgeline and their well established gardens (including tall, highly visible exotic species), add to the landmark qualities of the more palatial buildings.</i></p> <p><i>These typically two storey mansions and many later Federation grand villas, are usually listed as individual Heritage Items. They also have considerable significance in their own right in addition to the distinctive qualities they impart to the streetscapes.</i></p> <p><i>There is great variety in the predominant Federation style from single storey semidetached cottages to rambling grand villas and rare two storey architect-designed mansions. Some streetscapes, as in Robinson and Neridah Streets, display a highly consistent Federation character, even where the scale and siting of buildings varies.</i></p> <p><i>The streetscapes of South Chatswood are unified by the generous landscaped settings of both the modest cottages and mansions. These gardens are characterised by mature exotic shrubbery and lawns, and low fencing allowing leafy vistas to and from the houses.³</i></p>

² <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2660161>

³ Willoughby DCP 2006, H.3.12 South Chatswood Heritage Conservation Area, https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp_2016

HISTORICAL OVERVIEW

AREA HISTORY

The rocky and barren outcrops at the lower North Shore of the Sydney Harbour were inhospitable and many land grants offered in the late 18th century were not taken up. The earliest European settlers in Chatswood and Lane Cove were John Fleming, a pioneer landowner and an emancipated convict, and William Hall, who each received land allotments of approximately 25 acres.

In 1805 and 1810, Isaac Nichols (b. 1770 – d. 1819), a farmer, shipowner and public servant who arrived in New South Wales in the Admiral Barrington in October 1791, received land grants of 230 and 380 acres respectively. This land acreage included parcels of land adjacent to Lane Cove Road (present day Pacific Highway), where the subject site, Chatswood railway station and Chatswood Chase are located.⁴



Figure 13 - Extract of undated Parish of Willoughby Map.

Source: *Land and Property Information, A.O. Map 6205*

Isaac Nichols' estate was purchased by real estate speculator and Willoughby's first mayor, Richard Hayes Harnett (b.1819 – d.1902) in 1881. Alongside an earlier acquisition at the 900-acre Kings Plain Estate in 1876, Harnett owned more than 1,200 acres of land in Willoughby and Chatswood. The blue gum forest which covered the estate, was subsequently cleared for farming and grazing. In 1870, the Great Northern Hotel was constructed at the junction of Lane Cove Road and Mowbray Road to provide accommodation for merchants travelling to Hornsby. When a post office was established in 1879, the Willoughby City Council adopted the name "Chatswood," which commemorates Harnett's second wife, Charlotte Mackenzie (b. 1850 – d.1906), whom Harnett affectionately called "Chatty".⁵

Before Harnett sold a portion of his estate to the government for the construction of the North Shore Railway in 1885, ferries were the main mode of transportation across the Parramatta River from the lower North Shore to Rhodes and Circular Quay. After the completion of the original Gladesville Bridge and Iron Cove

⁴ Arthur McMartin, "Nichols, Isaac (1770-1819)," *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, accessed 14 September 2017, <http://adb.anu.edu.au/biography/nichols-isaac-2507>.

⁵ Willoughby District Historical Society Inc, "Harnett, Richard Hayes Snr (1819-1902)," accessed 14 September 2017, <http://www.willoughbydhs.org.au/History/People/Harnett.html>.

Bridge in 1881 and 1882 respectively; as well as the inauguration of the Strathfield-Hornsby Railway line in 1886 and Hornsby-St Leonard line in 1890, Chatswood's connection with the city was improved.

By the early 20th century, Chatswood had a distinctive rural character with orchards, dairy farms and Chinese market gardens. Other industries which operated in the vicinity include tanneries, brickworks, ice works and potteries.

In the 1950s, the Willoughby local government council conceived a blueprint to redevelop the business centre of the municipality at Chatswood as one of Sydney's major commercial centres. In the next five decades, intensive retail development took place at the business district east of the railway station. The municipality was proclaimed as the City of Willoughby in 1996.

SITE HISTORY

The land comprising the subject site formed part of the Chatswood North Shore Railway Estate in the late 1880s. The land between Mowbray Road and Centennial Avenue, along the trainline was slowly subdivided over the turn of the century. By 1903, the parcels of land from Gordon Road to the railway line and from Orchard Road to the railway line were under the ownership of Richard Henry Johnson of Chatswood.

Richard Henry Johnson subdivided and sold of residential parcels of land along the railway over the course of the early 19th century. By 1943, the land comprising the subject site contained single-storey residential dwellings fronting south along Nelson Street and north along Gordon Avenue.

The development between Nelson Avenue and Gordon Avenue remained largely unchanged until after 1965, sometime after which the residential housing in the eastern portion of the block was demolished. A commercial building and carpark occupied the subject lots until the early 1990s. During the early 1990s a large residential unit complex was constructed on the site. Development on the western portion of the block has changed considerably, and now comprises various commercial buildings. This shift occurred gradually from the mid-1980s onwards.

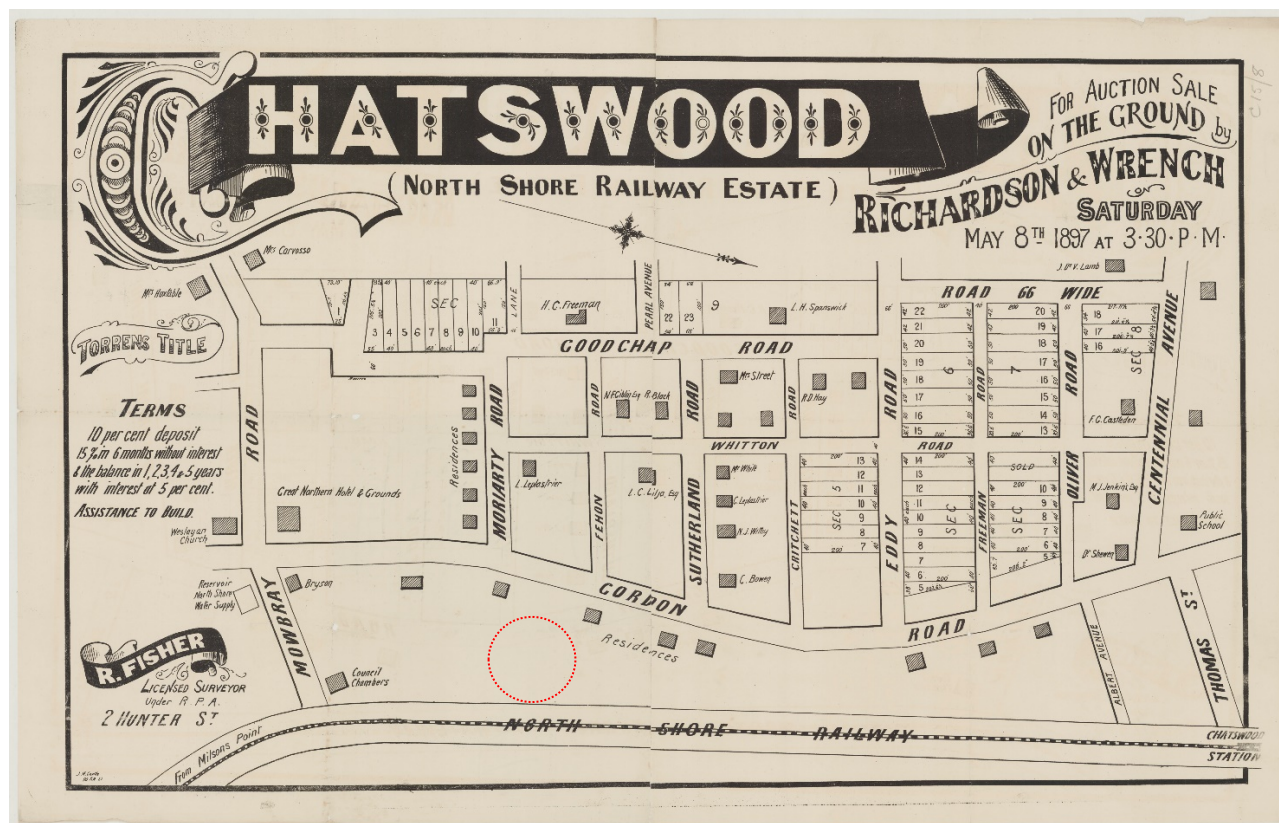


Figure 14 - North Shore Railway Estate Chatswood, 1889. Approximate location of subject site indicated in red.

Source: SLNSW

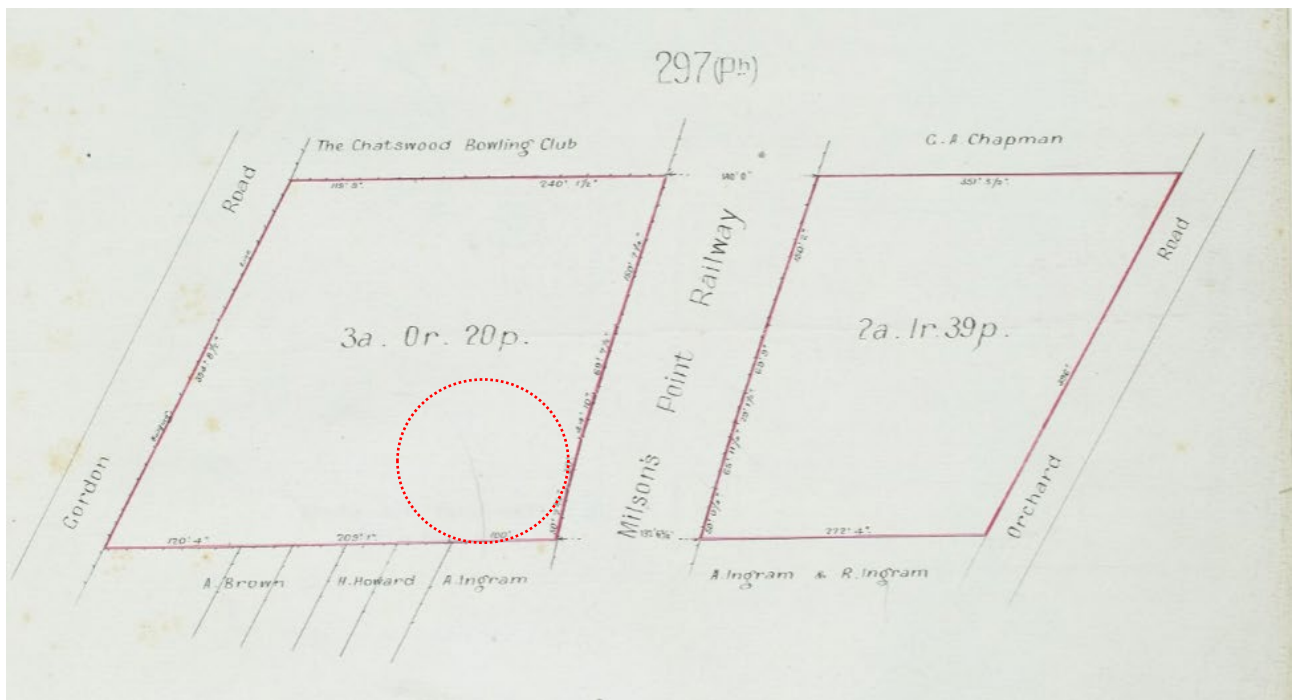


Figure 15 - Block plan from certificate of title dated 17th August 1903, land purchased by Richard Henry Johnson. Approximate location of subject site indicated.

Source: NSW HLRV, Vol: 1485 Fol:



Figure 16 – 1943 aerial imagery of Chatswood, approximate boundaries of subject site indicated.

Source: SIX Maps, 2020

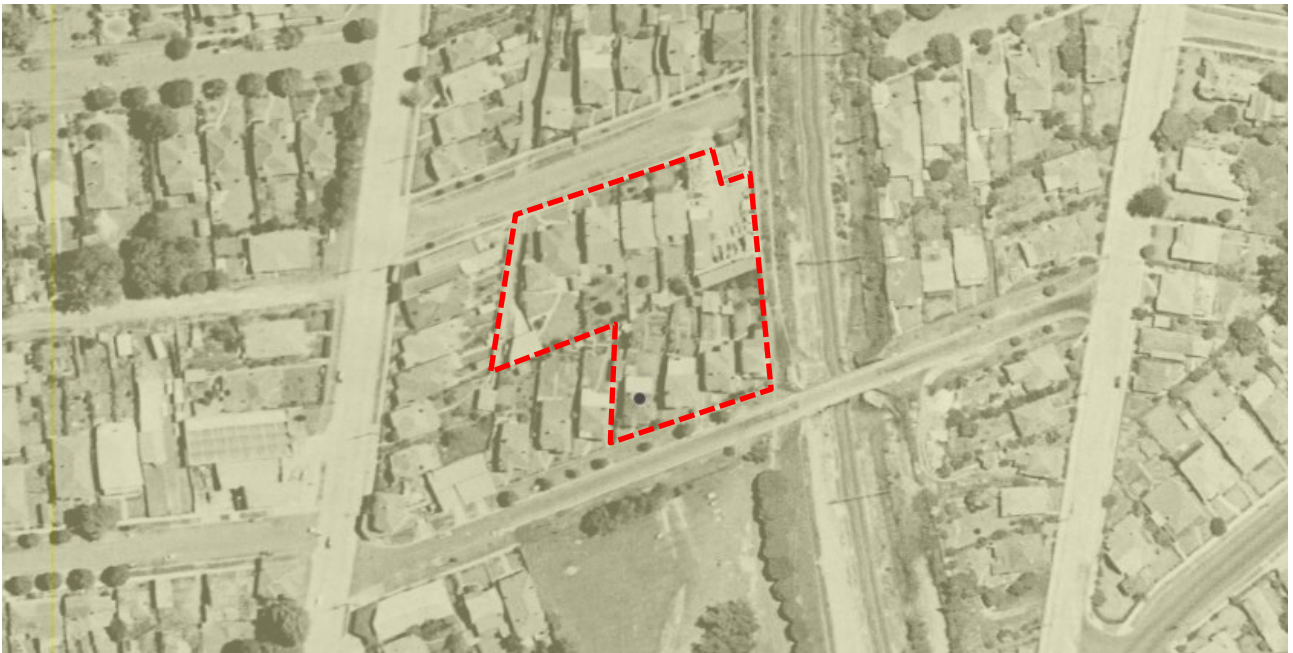


Figure 17 - 1955 aerial imagery of Chatswood, approximate boundaries of subject site indicated

Source: NSW Historical Imagery Search and Discovery



Figure 18 - 1965 aerial imagery of Chatswood, subject site indicated.

Source: NSW Historical Imagery Search and Discovery



Figure 19 - 1986 aerial imagery of Chatswood, subject site indicated.

Source: *NSW Historical Imagery Search and Discovery*



Figure 20 - 1991 aerial imagery of Chatswood, subject site indicated

Source: *NSW Historical Imagery Search and Discovery*



Figure 21 - 2004 aerial imagery of Chatswood, subject site indicated.

Source: NSW Historical Imagery Search and Discovery



Figure 22 - Current aerial imagery of Chatswood, subject site indicated.

Source: SIX Maps, 2020

HERITAGE SIGNIFICANCE

WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

ESTABLISHED HERITAGE SIGNIFICANCE – SUBJECT SITE

The subject site is not a listed heritage item and does not contain any elements of built heritage significance. All historic improvements on the subject site were demolished in the late twentieth century and the whole of the site was redeveloped between 1986 and 1991 with the existing high density residential development. The site was cleared of historic improvements entirely and excavated to provide the existing basement carparking and residential development. The existing improvements are not required to be retained on heritage grounds.

ESTABLISHED STATEMENTS OF SIGNIFICANCE – VICINITY HERITAGE ITEMS

The following descriptions of the vicinity heritage items has been directly sourced from the NSW State Heritage Inventory records for the items:

Table 3 Vicinity Heritage Items – established statements of significance

Vicinity Heritage Item	Site Description
Item 96, Mowbray House and 10 metre curtilage, at 339 Mowbray Road located south of the subject site on the northern alignment of Mowbray Road.	<i>The Sydney Electricity Northern Establishment Depot site as a whole has historical and social significance for its history of use for educational, local government and regional authority occupants since 1874. Mowbray House has considerable aesthetic significance as an intact and pleasant example of an Arts and Crafts style building. It has historical significance as an important school building serving the community for over 50 years. It has associations with prominent former pupils e.g. Gough Whitlam. The group of former residential cottages have some architectural significance as typical modest Federation cottages but only Building 8 has sufficient significance and to merit listing as a heritage item.⁶</i>
Item 147, Terrace House including interiors, at 8-10 Moriarty Road located south-west of the subject site.	<i>Number 8 & 10 Moriarty Road appear to have been built as a pair of terrace buildings and have a traditional street elevation typical of the late Victorian period, and represent the earliest phase of development in the area. The terrace represents the earliest phase of the residential development of the local government area.⁷</i>
C11 South Chatswood Heritage Conservation Area located directly east of the subject site on the eastern side of the northern railway line.	<i>South Chatswood Heritage Conservation Area is a good example of early North Shore residential development. Much of the dwelling stock retains its original detailing and distinctive architectural features. Most retain the original scale and basic form, which, apart from the two storey mansions, is predominantly single storey. The Mowbray Road streetscape is significant as one of Willoughby's earliest streets and</i>

⁶ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2660003>

⁷ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2660161>

Vicinity Heritage Item	Site Description
	<p><i>most important routes, and because of this significance it displays a range of substantial and high quality residences from the early phase of development of the area, complemented by later development of the Interwar Period. The Heritage Conservation Area displays a high level of amenity and originality in its development as an early residential suburb up to the Second World War.⁸</i></p>

⁸ Willoughby DCP 2006, H.3.12 South Chatswood Heritage Conservation Area, https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp_2016

THE PROPOSAL

DESCRIPTION OF PLANNING PROPOSAL

This Planning Proposal seeks to enable the redevelopment of the site to support a high-density mixed-use development that responds to the site's strategic location and context and aligns with the CBD Strategy. The planning proposal seeks to achieve this outcome through amendments to the *WLEP 2012* to allow for the following:

- Amending the land use zoning control applicable to the site under *WLEP 2012* from R2 Low Density Residential to B4 Mixed Use.
- Amending the maximum height control from 12m to 90m.
- Amending the maximum FSR control from 0.9:1 to 6:1.

The *WLEP 2012* amendments above will facilitate the delivery of the concept building discussed below.

INDICATIVE CONCEPT

A number of built form options were tested in order to determine the optimum outcome for the site that is suitable for its context and aligns with the recommendations of the CBD Strategy as well as the requirements of the Apartment Design Guide (ADG).

A two-tower Reference Scheme is presented in the Urban Design Report as being the option that is most consistent with the CBD Strategy. The reference scheme is described in detail in the following sections of this report.

The Urban Design Report also presents a single-tower Alternative Scheme which has some minor inconsistencies with the CBD Strategy but offers other benefits in terms of ADG performance. Refer to the Urban Design Report for more information on the Alternative Scheme.

In summary, the reference scheme comprises the following key components:

- Two-storey podium indicatively comprising the following uses:
 - Bulky Goods use
 - Gym
 - Small Retail/Café/Speciality Use
- Two residential towers above, comprising 18 and 25 storeys with a maximum height of 90m
- Indicative yield of 258 apartments
- 1,837sqm of communal open space above podium and on tower rooftops
- Activated interface with Nelson Street, Gordon Avenue and the pedestrian/cycle path to the east.

The following sections demonstrate that the proposed land use, height and FSR sought under this Planning Proposal can be accommodated on the site within a built form that is consistent with the CBD Strategy and does not significantly impact surrounding development, heritage view corridors or the road network and is therefore suitable for the site.

LAND USES AND DISTRIBUTION

The mix of land uses proposed within the reference scheme include:

- Residential
- Two podium levels of commercial uses including bulky goods, indoor recreation (gym) and retail uses

The proposed land uses are distributed as follows.

Table 4 Land use distribution

Land Use	GFA Distribution
Residential Towers	20,807 sqm (5:1 FSR)
Commercial Podium	
Bulky Goods	2,520 sqm
Indoor Recreation	1,665 sqm
Small Retail/Café/Speciality	450 sqm
Total	4,635 sqm (1:1 FSR)
Total GFA/FSR	25,441 sqm (6:1 FSR)

BUILT FORM AND SITE LAYOUT

The typical floor plan and potential building massing of the proposal is shown below for reference.

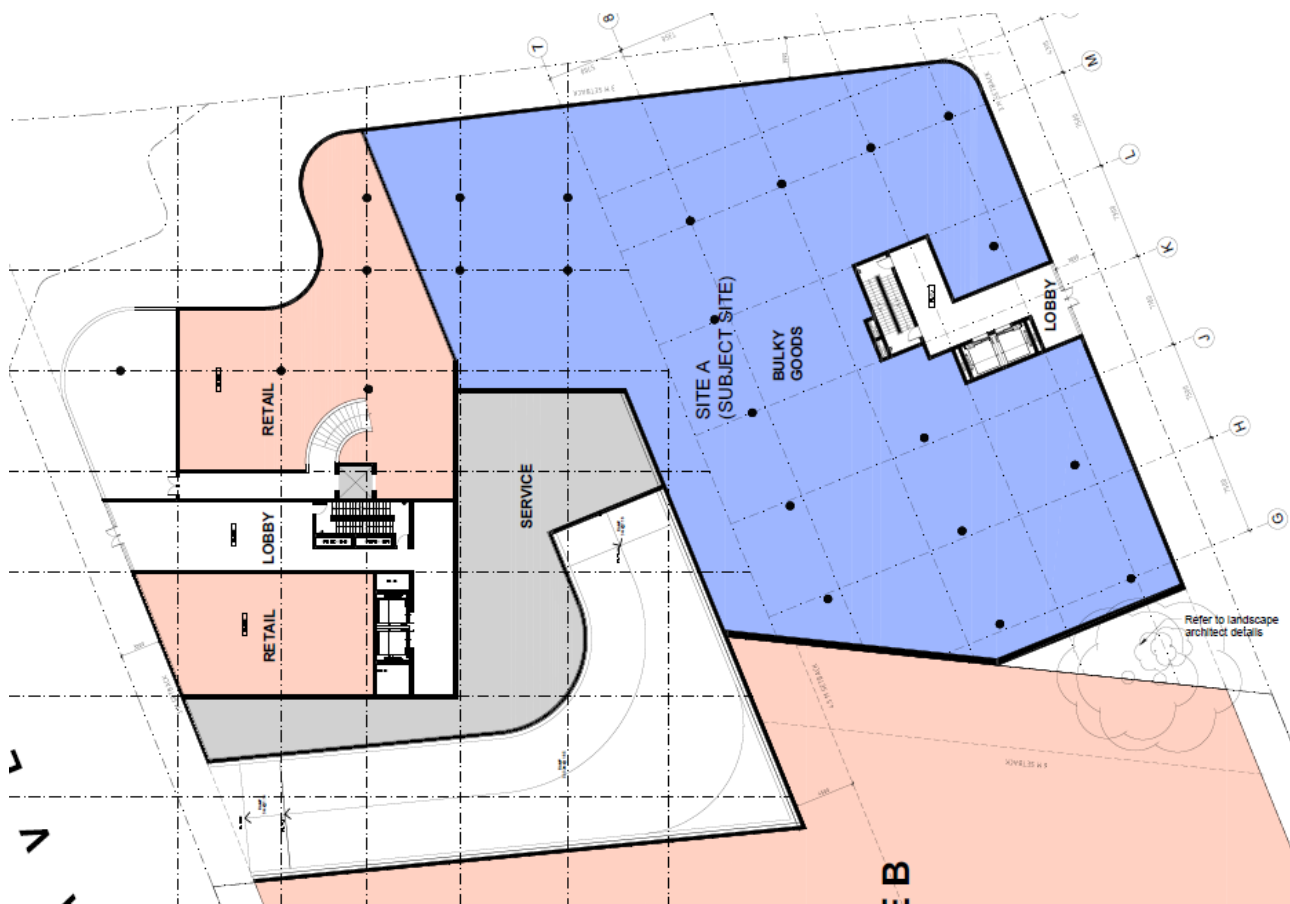


Figure 23 Proposed ground floor layout

Source: PBD Architects, 27.11.2020



Figure 24 Typical floor plan

Source: PBD Architects, 27.11.2020

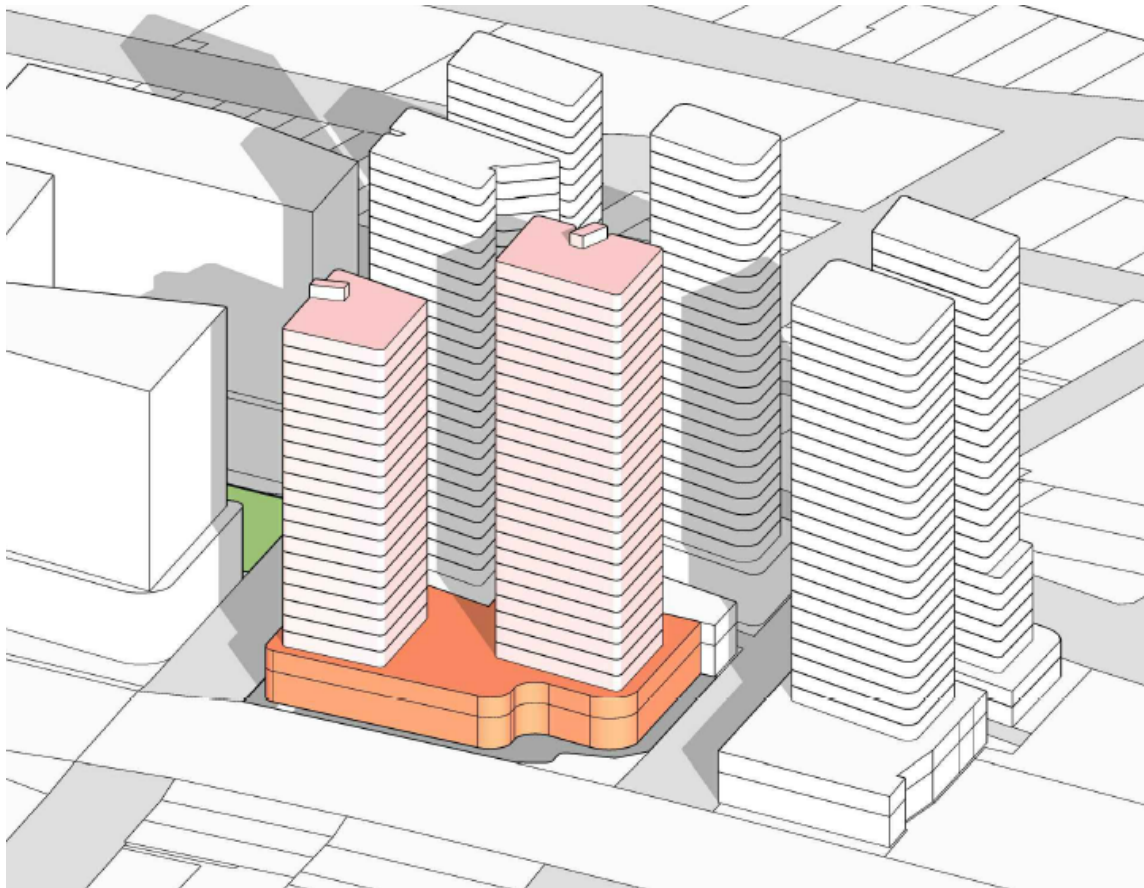


Figure 25 Proposed massing envelope

Source: PBD Architects

MAPPING

The Planning Proposal seeks to amend the following WLEP 2012 Maps:

- Land Zoning Map Sheet LZN_004;
- Height of Buildings Map Sheet HOB_004; and,
- Floor Space Ratio Map Sheet FSR_004.

The proposed amendments to the *WLEP 2012* maps are provided in the figures below.

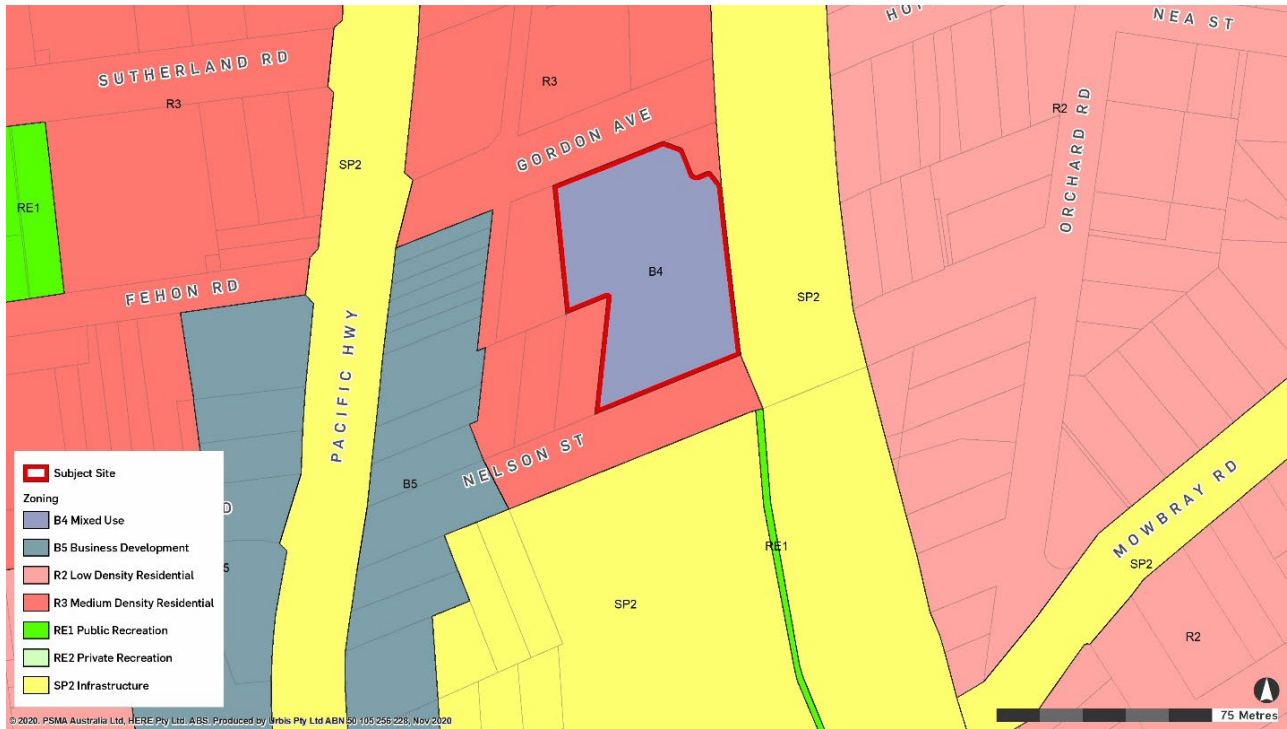


Figure 26 Proposed Land Zoning Map
Source: Urbis



Figure 27 Proposed Height of Building Map
Source: Urbis

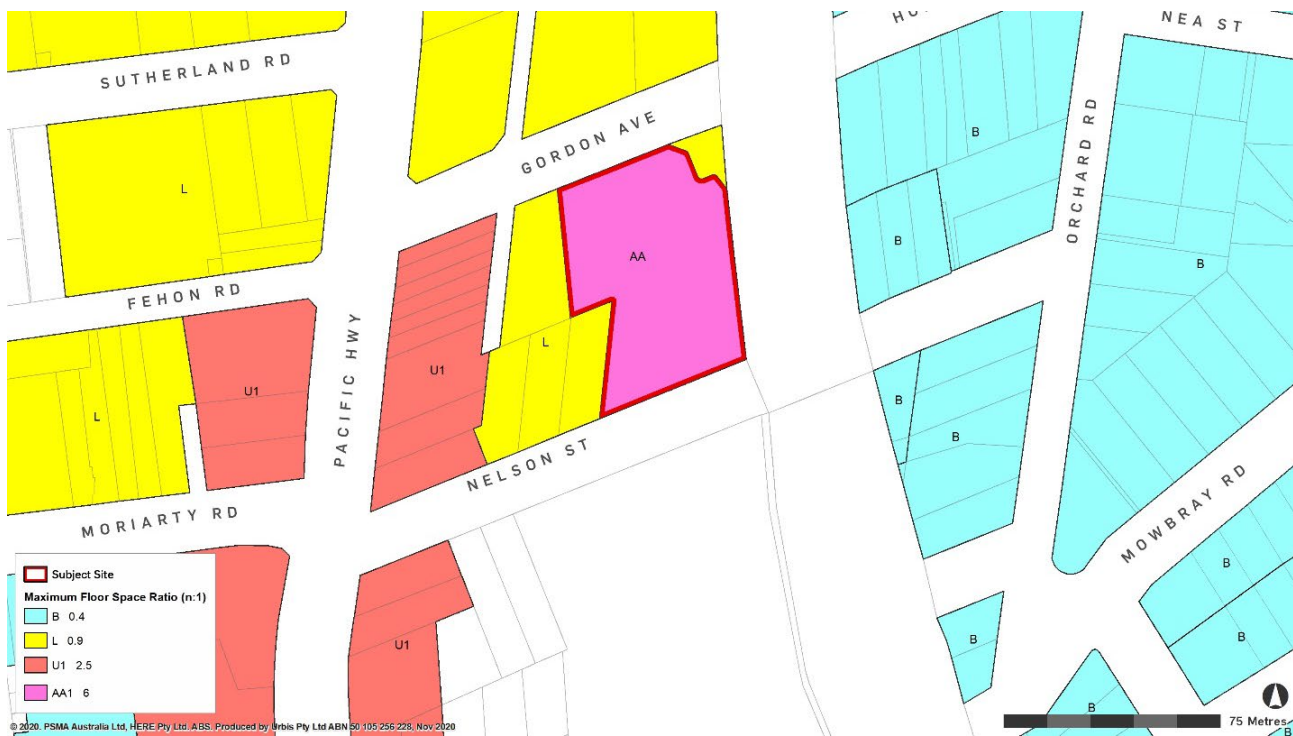


Figure 28 Proposed Floor Space Ratio Map
Source: Urbis

IMPACT ASSESSMENT

Below, the potential impact of the proposal is assessed against the applicable heritage-related statutory and non-statutory planning controls which relate to the site and the proposed development.

WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012

The table below provides an assessment of the proposal against the relevant provision for heritage conservation as found in the *WLEP 2012*.

Table 5 – Assessment against the WLEP 2012

Clause	Response
<p>(2) Requirement for consent</p> <p><i>Development consent is required for any of the following:</i></p> <p>(e) <i>erecting a building on land:</i></p> <p>(i) <i>on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p>(ii) <i>on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance ...</i></p>	<p>The subject property is not heritage listed but is located in the broader vicinity of heritage items and conservation areas.</p>
<p>(4) Effect of proposed development on heritage significance</p> <p><i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i></p>	<p>A detailed heritage impact assessment has been included in the following sections of this report.</p>
<p>(5) Heritage assessment</p> <p><i>The consent authority may, before granting consent to any development:</i></p> <p>(a) <i>on land on which a heritage item is located, or</i></p> <p>(b) <i>on land that is within a heritage conservation area, or</i></p> <p>(c) <i>on land that is within the vicinity of land referred to in paragraph (a) or (b),</i></p> <p><i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i></p>	<p>This HIS has been prepared to assist the consent authority in their determination and to assess the potential heritage impacts of the proposal on the heritage items and conservation area in the broader vicinity.</p>

WILLOUGHBY DEVELOPMENT CONTROL PLAN 2006

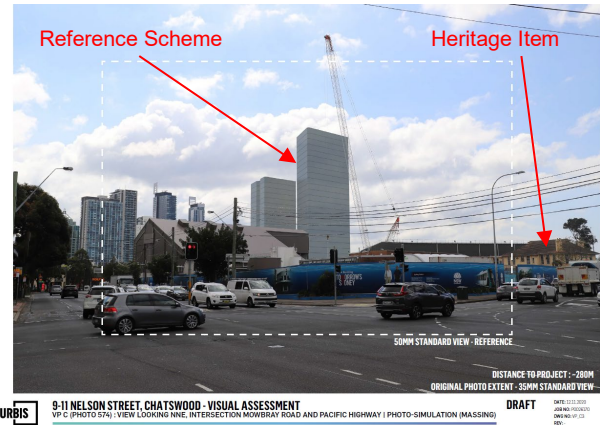
The table below assesses the proposal against the relevant objective and provisions for heritage conservation as found in the Willoughby DCP 2006.

Table 6 – Assessment against the Willoughby Development Control Plan 2006

Provision	Response
PART H - HERITAGE ITEMS AND CONSERVATION AREAS	
<p><i>H.2.1 Planning and Design Principles</i></p> <p><u>A. Setting</u></p> <p>An adequate curtilage including landscaping, fencing and any significant trees, are to be retained;</p>	<p>The existing curtilages of all vicinity heritage items and conservation areas will be retained, including all landscaping and significant trees. No changes to the existing heritage listings under Schedule 5 of the WLEP2012 are proposed under this Planning Proposal.</p>
<p>The established landscape character of the locality including height of canopy and density of boundary landscape plantings should be retained in any new development;</p>	<p>No physical changes are proposed as part of this Planning Proposal. The Planning Proposal seeks to amend the underlying planning controls of the site only. Built works and new buildings will be subject to future development applications.</p> <p>The immediate locality is characterised by various uses and built form including density, and is not defined by a consistent landscape setting. The reference scheme reviewed herein as a potential built heritage outcome for the place, will have no adverse heritage impacts on the setting of the subject property or the immediate locality.</p>
<p>Development in the vicinity of a Heritage Item should respect the visual curtilage of that Item;</p>	<p>The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site so that future development facilitated by this Planning Proposal, and in line with the reference scheme reviewed herein, will not adversely impact the visual curtilage of these heritage items and areas.</p> <p>The reference scheme will be visible in northern facing views towards the Mowbray House heritage item to the south. However these views are already characterised by high density background development, and the reference scheme bulk and scale is consistent with this urban character and will not have a cumulative impact on the significance of the heritage item. It is noted that the Mowbray House heritage item is encircled by the existing metro development and already sits within a highly modified visual catchment.</p>

Provision	Response
<p>New developments must respect the existing significance of the streetscape and the vicinity; and</p>	<p>The immediate locality is characterised by various uses and built form including density, and is not defined by a consistent streetscape or setting. From a heritage perspective, the Planning Proposal and the potential future built outcome will not impact any significant streetscapes in the vicinity.</p>
<p>View protection of vistas.</p>	<p>See above discussion regarding the marked lack of visual impact on views to and from heritage items. The Planning Proposal and the potential future built outcome will not have an adverse impact on existing heritage views and vistas.</p>
<p><u>B. Scale</u></p> <p>The scale (including height, bulk, density and number of storeys) of the new work must relate visually to the scale of adjacent buildings which are Heritage Items or are located in a Heritage Conservation Area. In this regard, unless it can be clearly demonstrated that greater scale would be appropriate in the individual circumstances, new buildings and additions are to be of the same scale as the surrounding development;</p>	<p>The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site. The future development that may be facilitated by this Planning Proposal in line with the reference scheme reviewed herein, will be consistent with the uplift in density being experienced throughout the immediate vicinity and will not adversely impact, dominate or overwhelm the scale of vicinity heritage items.</p>
<p>New buildings must not visually dominate, compete with or be incompatible with the scale of existing buildings of heritage significance or contributory value either on the site or in the vicinity of the proposal.</p>	<p>See above.</p>

Response



Significant views associated with the C11 South Chatswood Heritage Conservation Area and inward facing and do not face towards the west towards the subject site, which is physically separated from the conservation area by a railway line. The Planning Proposal and the potential future built outcome will not have an adverse impact on existing significant views within the conservation area.

Provision	Response
<p><u>C. Massing and Form</u></p> <p>New buildings should not visually dominate, compete with or be incompatible with the form of existing buildings of heritage significance or contributory value either on the site or in the vicinity of the proposal.</p>	See above.
<p><u>H.2.6 Infill Development</u></p> <p>Infill can be contemporary in design however, the scale, form and detail of the infill must not detract from the scale, form, unity, cohesion and predominant character of the building and development (i.e. streetscape/landscape elements) around it;</p>	The final built form including design, scale, detailing and materiality will be subject to future development applications. No physical changes are proposed as part of this Planning Proposal. The Planning Proposal seeks to amend the underlying planning controls of the site only. Built works and new buildings will be subject to future development applications.
Infill development in the vicinity of a Heritage Item must respect the visual curtilage of that item;	See above discussion regarding visual curtilage.
Infill development must not visually dominate, compete with or be incompatible with the scale (size, height and bulk) of existing buildings either on the site or in the vicinity of the proposal;	See above.
Infill development must be sited to correspond with the existing pattern of relationships between buildings and their sites. Front boundary setbacks are to be equivalent to those of neighbouring buildings. Side setbacks must be consistent with existing patterns;	The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site. The future development that may be facilitated by this Planning Proposal in line with the reference scheme reviewed herein, will not have any impact on the boundary setbacks of vicinity heritage items at all.
Infill design is to be integrated into the established character of the area and heritage buildings. Incorporating basic design elements such as the characteristic roof form and massing of the original development, proportions of windows, doors and verandahs;	The final built form including design, scale, detailing and materiality will be subject to future development applications. No physical changes are proposed as part of this Planning Proposal. The Planning Proposal seeks to amend the underlying planning controls of the site only. Built works and new buildings will be subject to future development applications.
Infill design must not visually dominate, compete with or be incompatible with the form of existing buildings of significance, either on the site or in the vicinity of heritage items;	See above regarding future design.
New development must use materials and colours similar to or compatible with that of original buildings in the locality;	See above regarding future design.

HERITAGE NSW GUIDELINES

The proposed works are addressed in relation to relevant questions posed in Heritage NSW's (former Heritage Office/Heritage Division) 'Statement of Heritage Impact' guidelines.

Table 7 - Heritage NSW Guidelines

Clause	Discussion
The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:	<p>No physical changes are proposed as part of this Planning Proposal. The Planning Proposal seeks to amend the underlying planning controls of the site only. Built works and new buildings will be subject to future development applications.</p> <p>The subject site is not a listed heritage item and does not contain any elements of built heritage significance. All historic improvements on the subject site were demolished in the late twentieth century and the whole of the site was redeveloped between 1986 and 1991 with the existing high density residential development. The site was cleared of historic improvements entirely and excavated to provide the existing basement carparking and residential development. The existing improvements are not required to be retained on heritage grounds. The potential future demolition of the existing site improvements in line with the amended planning controls and reference scheme herein, will have no adverse heritage impact.</p> <p>The immediate locality is characterised by various uses and built form including density, and is not defined by a consistent streetscape or setting. From a heritage perspective, the Planning Proposal and the potential future built outcome will not impact any significant streetscapes in the vicinity.</p> <p>The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site. The future development that may be facilitated by this Planning Proposal in line with the reference scheme reviewed herein, will be consistent with the uplift in density being experienced throughout the immediate vicinity and will not adversely impact, dominate or overwhelm the scale of vicinity heritage items.</p> <p>The existing curtilages of all vicinity heritage items and conservation areas will be retained, including all landscaping and significant trees. No changes to the existing heritage listings under Schedule 5 of the WLEP2012 are proposed under this Planning Proposal.</p>

Clause	Discussion
	<p>The reference scheme will be visible in northern facing views towards the Mowbray House heritage item to the south. However these views are already characterised by high density background development, and the reference scheme bulk and scale is consistent with this urban character and will not have a cumulative impact on the significance of the heritage item. It is noted that the Mowbray House heritage item is encircled by the existing metro development and already sits within a highly modified visual catchment.</p> <p>Significant views associated with the C11 South Chatswood Heritage Conservation Area and inward facing and do not face towards the west towards the subject site, which is physically separated from the conservation area by a railway line. The Planning Proposal and the potential future built outcome will not have an adverse impact on existing significant views within the conservation area.</p>
<p>The following aspects of the proposal could detrimentally impact on heritage significance.</p> <p>The reasons are explained as well as the measures to be taken to minimise impacts:</p>	<p>There are no aspects of the proposal that would have an unacceptable impact on the vicinity heritage items and conservation areas.</p>
<p>The following sympathetic solutions have been considered and discounted for the following reasons:</p>	<p>Not applicable.</p>
<p>Demolition of a building or structure</p> <p>Have all options for retention and adaptive re-use been explored?</p> <p>Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?</p> <p>Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?</p> <p>Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?</p>	<p>The subject site is not a listed heritage item and does not contain any elements of built heritage significance. All historic improvements on the subject site were demolished in the late twentieth century and the whole of the site was redeveloped between 1986 and 1991 with the existing high density residential development. The site was cleared of historic improvements entirely and excavated to provide the existing basement carparking and residential development. The existing improvements are not required to be retained on heritage grounds. The potential future demolition of the existing site improvements in line with the amended planning controls and reference scheme herein, will have no adverse heritage impact.</p>
<p>New development adjacent to a heritage item</p> <p>How does the new development affect views to, and from, the heritage item?</p>	<p>The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site. The future development that may be facilitated by this Planning Proposal in line with the reference scheme reviewed herein, will be consistent with the uplift in</p>

Clause	Discussion
<p>What has been done to minimise negative effects?</p> <p>How is the impact of the new development on the heritage significance of the item or area to be minimised?</p> <p>Why is the new development required to be adjacent to a heritage item?</p> <p>How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?</p> <p>Is the development sited on any known, or potentially significant archaeological deposits?</p> <p>If so, have alternative sites been considered? Why were they rejected?</p> <p>Is the new development sympathetic to the heritage item?</p> <p>In what way (e.g. form, siting, proportions, design)?</p> <p>Will the additions visually dominate the heritage item?</p> <p>How has this been minimised?</p> <p>Will the public, and users of the item, still be able to view and appreciate its significance?</p>	<p>density being experienced throughout the immediate vicinity and will not adversely impact, dominate or overwhelm the scale of vicinity heritage items.</p> <p>The existing curtilages of all vicinity heritage items and conservation areas will be retained, including all landscaping and significant trees. No changes to the existing heritage listings under Schedule 5 of the WLEP2012 are proposed under this Planning Proposal.</p> <p>The reference scheme will be visible in northern facing views towards the Mowbray House heritage item to the south. However these views are already characterised by high density background development, and the reference scheme bulk and scale is consistent with this urban character and will not have a cumulative impact on the significance of the heritage item. It is noted that the Mowbray House heritage item is encircled by the existing metro development and already sits within a highly modified visual catchment.</p> <p>Significant views associated with the C11 South Chatswood Heritage Conservation Area and inward facing and do not face towards the west towards the subject site, which is physically separated from the conservation area by a railway line. The Planning Proposal and the potential future built outcome will not have an adverse impact on existing significant views within the conservation area.</p>

CONCLUSION AND RECOMMENDATIONS

A detailed impact assessment of the proposed works has been undertaken in Section 0 of this report. The proposed development has been assessed to have an acceptable impact on the heritage items and conservation areas in the broader locality of the subject site. Key aspects of the proposal assessment are listed below:

- No physical changes are proposed as part of this Planning Proposal. The Planning Proposal seeks to amend the underlying planning controls of the site only. Built works and new buildings will be subject to future development applications.
- The subject site is not a listed heritage item and does not contain any elements of built heritage significance. All historic improvements on the subject site were demolished in the late twentieth century and the whole of the site was redeveloped between 1986 and 1991 with the existing high density residential development. The site was cleared of historic improvements entirely and excavated to provide the existing basement carparking and residential development. The existing improvements are not required to be retained on heritage grounds. The potential future demolition of the existing site improvements in line with the amended planning controls and reference scheme herein, will have no adverse heritage impact.
- The immediate locality is characterised by various uses and built form including density, and is not defined by a consistent streetscape or setting. From a heritage perspective, the Planning Proposal and the potential future built outcome will not impact any significant streetscapes in the vicinity.
- The vicinity heritage items and heritage conservation areas are substantially distanced from the subject site. The future development that may be facilitated by this Planning Proposal in line with the reference scheme reviewed herein, will be consistent with the uplift in density being experienced throughout the immediate vicinity and will not adversely impact, dominate or overwhelm the scale of vicinity heritage items.
- The existing curtilages of all vicinity heritage items and conservation areas will be retained, including all landscaping and significant trees. No changes to the existing heritage listings under Schedule 5 of the *WLEP2012* are proposed under this Planning Proposal.
- The future built form (in line with the reference scheme) will be visible in northern facing views towards the Mowbray House heritage item to the south. However these views are already characterised by high density background development, and the reference scheme bulk and scale is consistent with this urban character and will not have a cumulative impact on the significance of the heritage item. It is noted that the Mowbray House heritage item is encircled by the existing metro development and already sits within a highly modified visual catchment.
- Significant views associated with the C11 South Chatswood Heritage Conservation Area and inward facing and do not face towards the west towards the subject site, which is physically separated from the conservation area by a railway line. The Planning Proposal and the potential future built outcome will not have an adverse impact on existing significant views within the conservation area.

For the reasons stated above, the Planning Proposal is recommended for approval from a heritage perspective.

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