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# **HERITAGE IMPACT STATEMENT**

641-655A Pacific Highway  
Chatswood

Prepared for

**ONE GLOBAL CAPITAL**

11 March 2022

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# CONTENTS

<b>Executive Summary.....</b>	<b>1</b>
<b>1. Introduction .....</b>	<b>2</b>
1.1. Background .....	2
1.2. Site Location .....	2
1.3. Heritage Listings .....	2
1.4. Methodology .....	4
1.5. Author Identification .....	4
1.6. The Proposal.....	4
<b>2. Site Description .....</b>	<b>5</b>
2.1. Locality .....	5
2.2. The Subject Site.....	7
2.3. Chatswood South Heritage Conservation Area .....	8
<b>3. Historical Overview .....</b>	<b>10</b>
3.1. Area History .....	10
3.1.1. Chatswood South Heritage Conservation Area .....	11
3.2. Site Chronology .....	11
<b>4. Heritage Significance.....</b>	<b>14</b>
4.1. What is Heritage Significance? .....	14
4.2. Significance Assessment.....	14
4.3. Statement of Significance .....	14
4.3.1. Chatswood South Heritage Conservation Area .....	14
4.3.2. 4 Chapman Avenue Chatswood.....	14
4.3.3. 317 Mowbray Road .....	14
4.3.4. 321 Mowbray Road .....	15
4.3.5. 333 Mowbray Road .....	15
<b>5. Impact Assessment.....</b>	<b>16</b>
5.1. Statutory Controls .....	16
5.1.1. Willoughby Local Environmental Plan 2012 .....	16
5.2. Willoughby Development Control Plan 2006 .....	18
5.3. Chatswood CBD Planning & Urban Design Strategy 2036 .....	21
5.4. Heritage NSW Guidelines .....	22
<b>6. Conclusions.....</b>	<b>25</b>
<b>Disclaimer.....</b>	<b>26</b>

## FIGURES

Figure 1 Location map, subject site outlined in red. ....	2
Figure 2 Heritage map prepared by Urbis; subject site outlined in red. ....	3
Figure 3 Heritage Map showing boundaries of Chatswood South HCA. ....	3
Figure 4 Western side of Pacific Highway, view north. ....	5
Figure 5 Western side of Pacific Highway, view south-east.....	5
Figure 6 Western side of Pacific Highway, view south-east showing Metro Dive site. ....	5
Figure 7 Western side of Pacific Highway, view south-west. ....	5
Figure 8 Western side of Pacific Highway, view north-east. ....	6
Figure 9 Chatswood CBD, corner of Albert Avenue and Pacific Highway. ....	6

Figure 10 Chatswood Bowling Club from rear of subject site.....	6
Figure 11 Chatswood Bowling Club and Greens from rear of subject site.....	6
Figure 12 Chatswood Bowling Greens northern suburbs railway line from rear of subject site.....	6
Figure 13 View north-east towards Chatswood CBD from rear of subject site. ....	6
Figure 14 View of subject site from western side of Pacific Highway. ....	7
Figure 15 View of subject site from Western side of Pacific Highway.....	7
Figure 16 Rear of subject site.....	7
Figure 17 Rear of subject site.....	7
Figure 18 Rear of subject site and associated parking facilities.....	8
Figure 19 Rear of subject site from Chatswood bowling Club.....	8
Figure 20 View south, rear of subject site at right, Chatswood Bowling Club at left. ....	8
Figure 21 View north towards Chatswood CBD, rear of subject site at left, Chatswood Bowling Club at right. ....	8
Figure 22 Extract from Parish Map of Willoughby (undated).....	10
Figure 23 Extract from 1943 aerial imagery, approximate boundaries of subject site indicated.....	12
Figure 24 Extract from 1965 aerial imagery, approximate boundaries of subject site indicated.....	12
Figure 25 Extract from 1991 aerial imagery, approximate boundaries of subject site indicated.....	13

## TABLES

Table 1 Assessment against the WLEP 2012. ....	16
Table 2 Assessment against the Willoughby Development Control Plan 2006. ....	18
Table 3 Chatswood CBD Planning & Urban Design Strategy .....	21
Table 4 Heritage NSW Guidelines.....	22

# EXECUTIVE SUMMARY

Urbis has been engaged by One Global Capital to prepare the following Heritage Impact Statement (HIS) to accompany a Planning Proposal to be lodged to Willoughby Council. The subject Planning Proposal seeks to amend the following development standards under the Willoughby Local Environmental Plan (WLEP) 2012 as they relate to the land at 641-655A Pacific Highway, Chatswood:

- Rezone the site from R3 Medium Density Residential to B4 Mixed Use.
- Amend the maximum building height development standard from 12 metres to 90 metres.
- Amend the maximum floor space ratio (FSR) development standard from 0.9:1 to 6:1.
- Introduce a new clause to require a minimum non-residential FSR of 1:1.
- Identify the site on the WLEP Special Provisions Area Map such that Clause 6.8 applies. This requires development to provide affordable housing at 4% of the accountable total floor space.
- Identify the site within "Area 12" on the WLEP Special Provisions Area Map such that Clause 6.23 (Design excellence at certain sites at Willoughby) applies to the site.

The subject site does not contain any heritage items under the WLEP 2012. The site is located in the vicinity of the Chatswood South Heritage Conservation Area (HCA) which contains several individually listed heritage items of local significance under the WLEP 2012. The subject site is located west of the HCA.

The following points summarised from the Assessment of Impact (Section 5), confirm no adverse impacts to the Chatswood South HCA and relevant vicinity items. The findings in this report have been formulated with reference to the accompanying Urban Design Planning Proposal Package provided by Architectus (March 2022).

- The subject site, located at 641-655A Pacific Highway Chatswood does not contain any heritage listed items under the WLEP 2012. A review of the site's chronology (Section 3.2) indicates the buildings located on the site are of late 20<sup>th</sup> century construction and are identified as having no potential heritage significance. The buildings located on the subject site do not maintain a visual relationship with the Chatswood South HCA or identified vicinity items. The subject site is therefore appropriate for redevelopment from a heritage perspective.
- The subject site is located between Pacific Highway (west) and the northern suburbs railway line (east). The site is located south of the Chatswood CBD and north of the Metro Dive Site. The area is undergoing rapid urban growth and change, and the location of the subject site is appropriate for intensified development. The subject site's proposal for increased density is consistent with increased density demonstrated in other sites in the immediate vicinity and surrounding area and is therefore consistent with the evolving character of the precinct.
- The northern suburbs railway line and Chatswood Bowling Club provide substantial physical separation from the Chatswood South HCA and heritage items such that even with increased density at the subject site, the aforementioned heritage items and character of the HCA will retain their existing settings. The above heritage context will remain largely unaffected as a result of the proposed amendments to the WLEP under this Planning Proposal. Visual Impact Assessment modelling provided by Architectus (View 4) confirms minimal impact the setting of heritage items.
- Principal views to and from the heritage items and fabric of the Chatswood South HCA are predominantly at street level, given their traditional low-scale typologies. The proposal will not materially impact on the identified heritage items and will not interrupt any principal view corridors to or from any of the vicinity items. As such, any resultant uplift from this Planning Proposal will not inhibit the visual curtilage or interpretation of heritage elements. Resultant uplift will not impede on the reading of dominant typologies of the Chatswood South HCA. Given the distance and separation between the HCA and the subject site, any increased uplift is considered inconsequential in maintaining the setting of heritage items.
- All future built form will be subject to Development Application. Detailed Design will provide opportunities to respond appropriately to the character of the area and immediate streetscape. Treatment of built form and podium design including scale, form, façade articulation, materiality will assist in further mitigating impacts to the heritage context and assist in transitioning between contrasting streetscapes.

For the reasons outlined above, this Planning Proposal is supported from a Heritage perspective.

# 1. INTRODUCTION

## 1.1. BACKGROUND

Urbis has been engaged by One Global Capital to prepare the following Heritage Impact Statement (HIS) to be submitted as part of a Planning Proposal for the subject site. The subject Planning Proposal seeks to amend the Willoughby Local Environmental Plan (WLEP) 2012 as it relates to the land at 641-455A. This Planning Proposal seeks to amend zoning, maximum building height and floor space ratio development standards for the site, to facilitate future mixed use residential development. Further details of the Planning Proposal are included below in Section 1.6 of this Heritage Impact Statement.

## 1.2. SITE LOCATION

The subject site is located at 641-455A Pacific Highway Chatswood, north of Gordon Avenue. The subject site is located on the western side of the railway, south-west of the Chatswood Bowling Club.

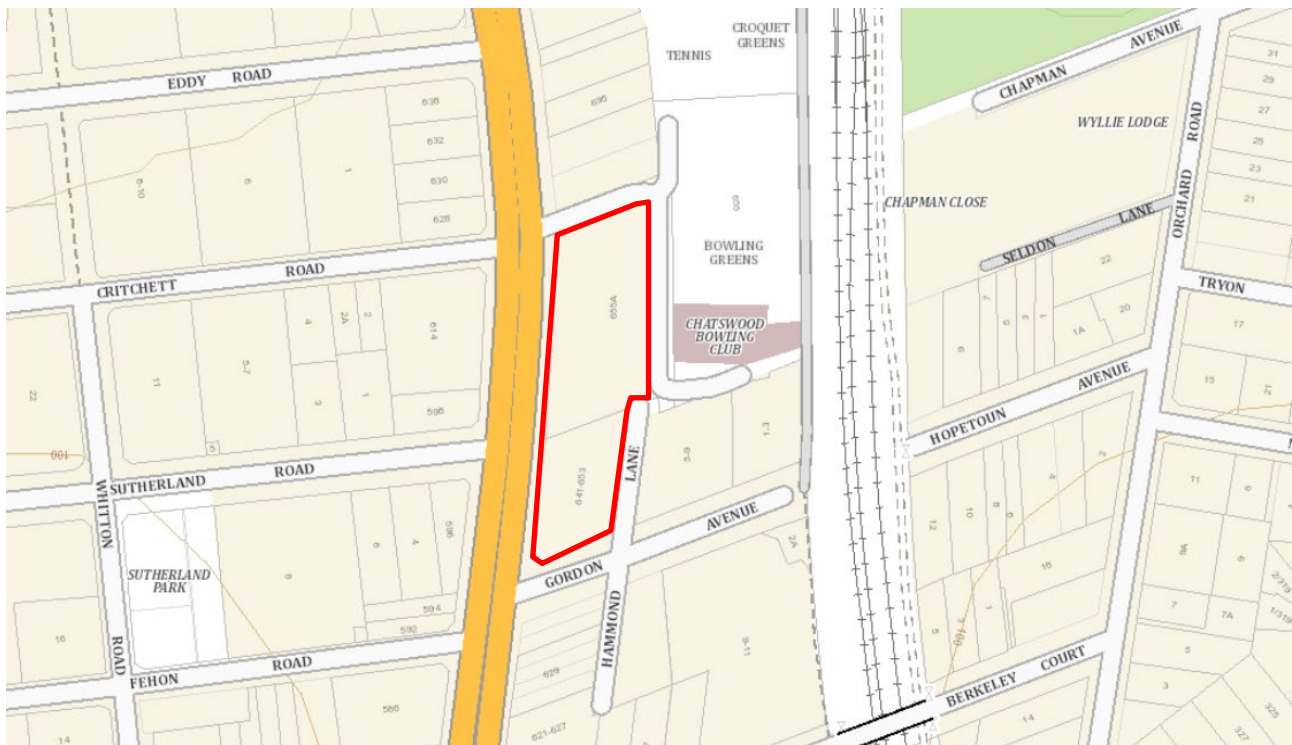


Figure 1 Location map, subject site outlined in red.

Source: SIX Maps 2022

## 1.3. HERITAGE LISTINGS

The subject site is not a listed heritage item under Schedule 5, Environmental Heritage of the Willoughby Local Environmental Plan (WLEP) 2012. It is, however, located west of the Chatswood South Heritage Conservation Area (C11) (Figure 3). The subject site is located in proximity to the following heritage items within the aforementioned conservation area as follows:

- *House (including original interiors)*, located at 4 Chapman Avenue, part of Lot 1 DP 1055517, item no. 68;
- *House (including original interiors)*, located at 333 Mowbray Road, Lot 3 DP 4031, item no. 95;
- *House (including original interiors)*, located at 321 Mowbray Road, Lot 2 DP 813 950, item no. 94; and
- *House (including original interiors)*, located at 317 Mowbray Road, Lot 1 DP 954816, item no. 93.



The above heritage context is demonstrated in Figure 2 prepared by Urbis.



Figure 2 Heritage map prepared by Urbis; subject site outlined in red.

Source: Urbis 2022

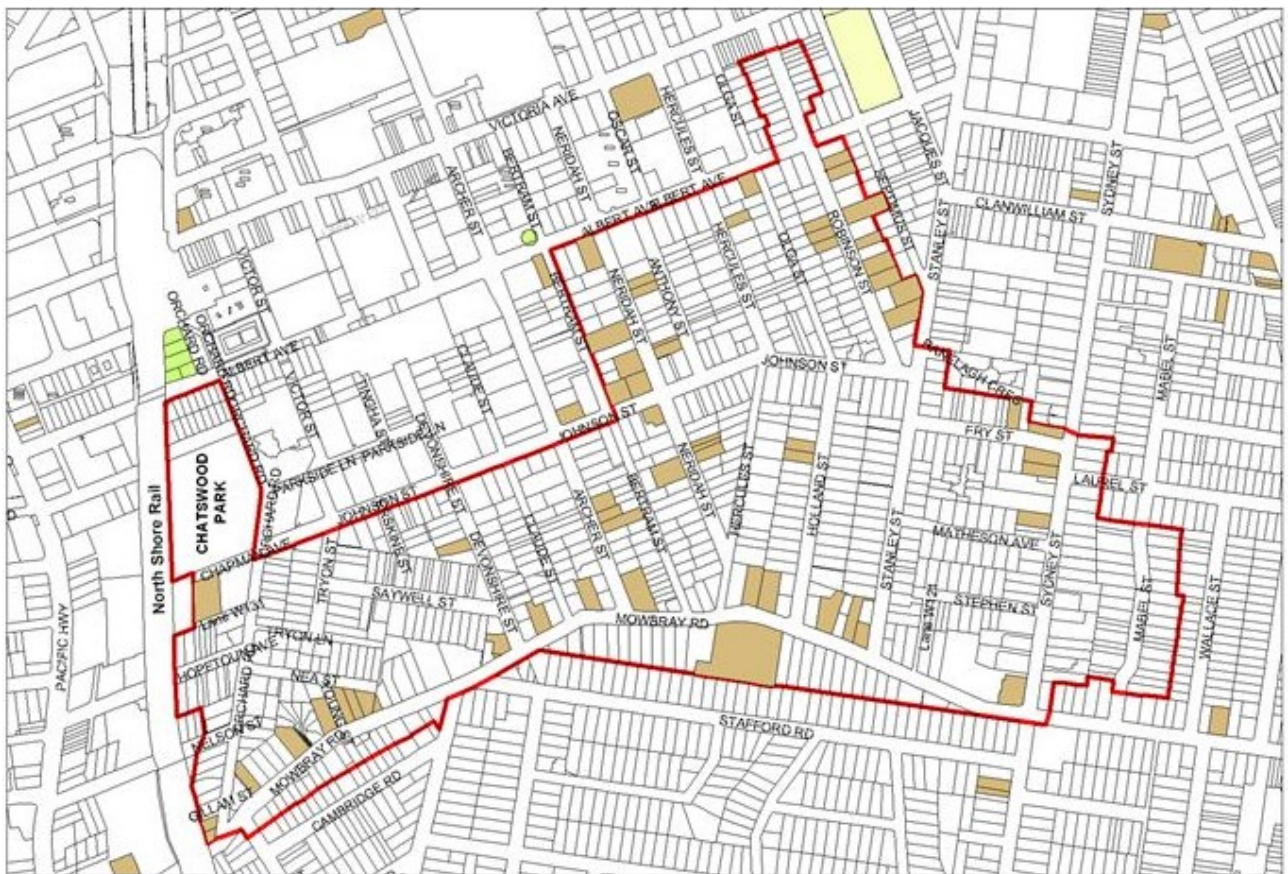


Figure 3 Heritage Map showing boundaries of Chatswood South HCA.

Source: Willoughby DCP 2006

## 1.4. 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 Willoughby Local Environmental Plan 2012 and the Willoughby DCP 2006.

## 1.5. AUTHOR IDENTIFICATION

The following report has been prepared by Annabelle Cooper (Heritage Consultant). Alexandria Cornish (Associate Director) has reviewed and endorsed its content.

Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

## 1.6. THE PROPOSAL

This Planning Proposal seeks to amend the WLEP as it relates to the subject site by way of the following:

- Rezone the site from R3 Medium Density Residential to B4 Mixed Use.
- Amend the maximum building height development standard from 12 metres to 90 metres.
- Amend the maximum floor space ratio (FSR) development standard from 0.9:1 to 6:1.
- Introduce a new clause to require a minimum non-residential FSR of 1:1.
- Identify the site on the WLEP Special Provisions Area Map such that Clause 6.8 applies. This requires development to provide affordable housing at 4% of the accountable total floor space.
- Identify the site within "Area 12" on the WLEP Special Provisions Area Map such that Clause 6.23 (Design excellence at certain sites at Willoughby) applies to the site.

It is proposed to amend the WLEP 2012 by way of the above in order to establish a new site specific DCP that will enable renewal of the site to accommodate future mixed use residential development. This Planning Proposal has been developed in alignment with the Chatswood CBD Planning & Urban Design Strategy 2036.

This Heritage Impact Statement has been prepared with reference to the following documentation:

- Urban Design Planning Proposal Report prepared by Architectus (March 2022); and
- Chatswood CBD Planning and Urban Design Strategy 2036.



## 2. SITE DESCRIPTION

### 2.1. LOCALITY

The subject site is located along Pacific Highway on the eastern side of the road, north of Gordon Avenue, Chatswood. Pacific Highway is main arterial road through Chatswood facilitating six lanes of traffic. The immediate streetscape of the subject site is largely characterised by medium density residential development concentrated along the highway with some commercial development to the south. The area is accessible to pedestrians though lacking in street activation. Public transport is limited to bus stops along Pacific Highway. Landscaping is minimal and generally comprises occasional street trees with hedging along the street frontage of several of the apartment blocks to provide screening from the highway.

The northern suburbs rail network runs through Chatswood to the east of the subject site. North-west of the subject site is the Chatswood Bowling Club. Further north-west is Chatswood Oval. Surrounding development is generally medium to high density residential. Further north of the immediate streetscape towards Chatswood station, development on the eastern side of Pacific Highway intensifies. Further south of the immediate streetscape is the Sydney Metro Dive Site, bound by Pacific Highway, Nelson Street and Mowbray Road.



Figure 4 Western side of Pacific Highway, view north.



Figure 5 Western side of Pacific Highway, view south-east.



Figure 6 Western side of Pacific Highway, view south-east showing Metro Dive site.



Figure 7 Western side of Pacific Highway, view south-west.





Figure 8 Western side of Pacific Highway, view north-east.



Figure 9 Chatswood CBD, corner of Albert Avenue and Pacific Highway.



Figure 10 Chatswood Bowling Club from rear of subject site.



Figure 11 Chatswood Bowling Club and Greens from rear of subject site.



Figure 12 Chatswood Bowling Greens northern suburbs railway line from rear of subject site.



Figure 13 View north-east towards Chatswood CBD from rear of subject site.



## 2.2. THE SUBJECT SITE

The subject site comprises two medium density residential apartment complexes fronting west onto Pacific Highway. The site is heavily landscaped along the Pacific Highway frontage with a low rise brick fence separating the complexes from the street. Hammond Lane extends along the eastern axis of the site (the rear) to the north, culminating at the southern entrance to the Chatswood Bowling Club. The buildings occupying the site are of simple brick construction with balconies overlooking Pacific Highway to the west and the Chatswood Bowling Club to the east.



Figure 14 View of subject site from western side of Pacific Highway.



Figure 15 View of subject site from Western side of Pacific Highway.



Figure 16 Rear of subject site.



Figure 17 Rear of subject site.





Figure 18 Rear of subject site and associated parking facilities.



Figure 19 Rear of subject site from Chatswood bowling Club.



Figure 20 View south, rear of subject site at right, Chatswood Bowling Club at left.



Figure 21 View north towards Chatswood CBD, rear of subject site at left, Chatswood Bowling Club at right.

## 2.3. CHATSWOOD SOUTH HERITAGE CONSERVATION AREA

The following description of the Chatswood South HCA has been reproduced from the Willoughby DCP 2006.

*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.*

*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.*

*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.*

*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.*

*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. HISTORICAL OVERVIEW

### 3.1. 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<sup>1</sup>.

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."<sup>2</sup>

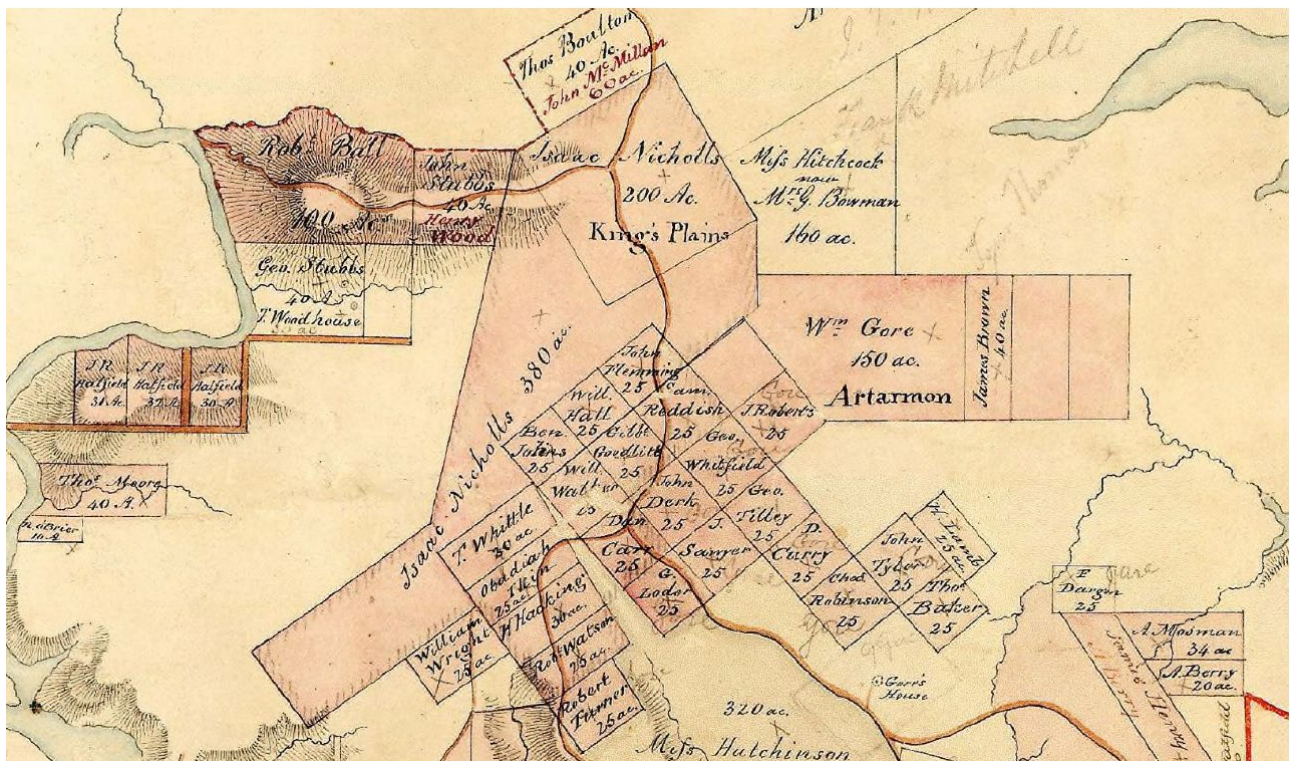


Figure 22 Extract from Parish Map of Willoughby (undated).

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

<sup>1</sup> 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>.

<sup>2</sup> Willoughby District Historical Society Inc, "Harnett, Richard Hayes Snr (1819-1902)," accessed 14 September 2017, <http://www.willoughbydhs.org.au/History/People/Harnett.html>.



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 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.

### 3.1.1. Chatswood South Heritage Conservation Area

The following historical account has been reproduced from the Willoughby DCP 2006.

*In 1840, Governor Sir George Gipps proclaimed a grant of 160 acres to James Blackett and Richard Read, in trust for Maria Brown. This land was bounded roughly by the Artamon Estate to the south, Victoria Avenue to the north, Stanley Street to the east and Devonshire Street to the west. The area east of Stanley Street was part of an earlier 1825 Crown Grant to Richard Archbold. This land was bought and subdivided by William Lithgow and put up for sale in 1854 with limited success.*

*Urban development commenced in earnest in the 1870's. With the news of the impending arrival of the railway, the 1880's was a decade of vigorous land subdivision in Chatswood. High class building activity flourished in the area. Richard Hayes Harnett's "Willoughby Park" Estate which extended from Mowbray Road to Victoria Avenue and from Devonshire Street to Stanley Street was offered for sale in 1884. Development occurred on a succession of major streets crossing Johnson Street: Devonshire, Archer, Neridah, Hercules, and Robinson. The allotments were divided into generous blocks, and were developed with residences in the late Victorian, Federation and California Bungalow styles. The lesser streets in between (Claude, Bertram, Anthony, Oscar, Olga, and Septimus) provided service and rear lane access. The area west of Devonshire Street included "Mackenzie's Subdivision" (Nea and Orchard Road), "Orchard Road Estate" (Orchard Road, Tryon, and Johnson Street) and Saywell's "Willoughby Heights Estate" which were all subdivided in the 1880's.*

*After World War 1, a further wave of building activity added to this stock of grand Federation homes set on large allotments. Bales Park, formerly Central Park, is an important focus for the South Chatswood precinct. Planned by Council in 1928 on the site of a Chinese market garden, land was resumed for the park in 1930 and in the 1950's. In the 1940's and 1950's many rear gardens were subdivided and developed. In the 1950's, the town centre was proposed to extend east to Neridah Street and south to Albert Avenue.*

*The National Trust of Australia (NSW) recognised the importance of the area by classifying it as an Urban Conservation Area in 1982.*

## 3.2. SITE CHRONOLOGY

By 1943 the subject site contained 4 single freestanding dwellings at the southern portion of the site, whilst the northern portion of the site contained approximately 5 tennis courts likely associated with the bowling greens to the east and north-east of the site. The dwellings fronted west onto Pacific Highway. The existing street pattern had already partially been established by this time with a small laneway (now Hammond Lane) extending behind the dwellings providing access to the tennis courts and bowling greens. The rail line and Pacific Highway were well established by this time.

By 1965, the northern-most section of the site had been resumed and redeveloped as a carpark with access off Pacific Highway, which would later form the northern arm of Hammond Lane. The tennis courts had also

been redeveloped to form part of the bowling greens. The four dwellings and southern streetscape had undergone minimal change by this time.

By 1991 the four dwellings at the southern section of the site had been demolished and the land redeveloped as the existing residential apartment complex. The bowling green and carpark to the north of the apartment complex remained unchanged.

By 2004 the bowling green and carpark at the northern section of the site had been demolished and redeveloped as the existing, second residential apartment complex that forms part of the site today. Part of the northern carpark was retained to form the northern arm of Hammond Lane extending along the eastern axis (rear) of the apartment complexes, connecting with the southern arm of Hammond Lane with access onto Gordon Avenue. The bowling greens thus remained accessible via Hammond Lane from Pacific Highway.



Figure 23 Extract from 1943 aerial imagery, approximate boundaries of subject site indicated.

Source: NSW Historical Imagery



Figure 24 Extract from 1965 aerial imagery, approximate boundaries of subject site indicated.

Source: NSW Historical Imagery



Figure 25 Extract from 1991 aerial imagery, approximate boundaries of subject site indicated.

*Source: NSW Historical Imagery*

## 4. HERITAGE SIGNIFICANCE

### 4.1. 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.

### 4.2. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local.

The existing residential apartment buildings on the site were constructed in the early 1990s and 2000s, and are generic examples of their typology. The buildings and site are not considered to meet any of the 7 criteria for heritage listing and thus no formal significance assessment has been provided in this HIS.

### 4.3. STATEMENT OF SIGNIFICANCE

#### 4.3.1. Chatswood South Heritage Conservation Area

The following statement of significance for the Chatswood South HCA has been reproduced from the Willoughby Council DCP 2006.

*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 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.*

#### 4.3.2. 4 Chapman Avenue Chatswood

The following statement of significance has been reproduced from the State Heritage Register Inventory Sheet for 4 Chapman Avenue Chatswood, item no. 68.

*'Pasadena' at 4 Chapman Avenue, adjacent, is an important Federation house set in a mature garden, which remains in close to original condition with aesthetic significance for its architectural style and detailing as well as its setting<sup>3</sup>.*

#### 4.3.3. 317 Mowbray Road

The following statement of significance has been reproduced from the State Heritage Register Inventory Sheet for 317 Mowbray Road, Chatswood item no. 93.

*Loretto has local significance as a good example of a late Victorian house. It has aesthetic significance for its contribution to the character of the streetscape. As a rare Victorian house in the area, it represents an early historical phase of development in the West Ward<sup>4</sup>.*

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<sup>3</sup> NSW State Heritage Register Inventory Sheet, 4 Chapman Avenue Chatswood, Statement of Significance.

<sup>4</sup> NSW State Heritage Register Inventory Sheet, 317 Mowbray Road Chatswood, Statement of Significance.

#### 4.3.4. 321 Mowbray Road

The following statement of significance has been reproduced from the State Heritage Register Inventory Sheet for 312 Mowbray Road, Chatswood item no. 94.

*Glen View has local significance as a good example of an early Federation house. This house has aesthetic significance for its contribution to the streetscape and the historic character of the Conservation Area. Historically, Glen View is representative of one of the earliest phases of residential development in the area<sup>5</sup>.*

#### 4.3.5. 333 Mowbray Road

The following statement of significance has been reproduced from the State Heritage Register Inventory Sheet for 333 Mowbray Road, Chatswood item no. 95.

*'Llandilo' provides an aesthetic contribution to the streetscape and the South Chatswood Conservation Area. Historically, it represents one of the earliest phases of residential development along Mowbray Road<sup>6</sup>.*

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<sup>5</sup> NSW State Heritage Register Inventory Sheet, 321 Mowbray Road Chatswood, Statement of Significance.

<sup>6</sup> NSW State Heritage Register Inventory Sheet, 333 Mowbray Road Chatswood, Statement of Significance.

## 5. 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.

### 5.1. STATUTORY CONTROLS

#### 5.1.1. 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 1 Assessment against the WLEP 2012.

Clause	Response
<p><b>(1) Objectives</b></p> <p><i>The objectives of this clause are as follows:</i></p> <p><i>(a) to conserve the environmental heritage of the City of Willoughby,</i></p> <p><i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p><i>(c) to conserve archaeological sites,</i></p> <p><i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance</i></p>	<p>The subject Planning Proposal seeks to alter the development standards of the WLEP 2012 as they relate to the land comprising the subject site, located at 641-655A Pacific Highway Chatswood.</p> <p>The subject site does not contain any listed heritage items under Schedule 5, Environmental Heritage of the WLEP 2012. The subject site is located in the vicinity of the Chatswood South HCA and several locally listed heritage items.</p> <p>This HIS has been prepared with reference to the indicative building envelope provided by Architectus. All future works will be subject to future Development Applications.</p> <p>The proposed amendments to the WLEP 2012 under this Planning Proposal are assessed to have no material impact on the Chatswood South HCA or identified vicinity items. The subject site is appropriate for redevelopment from a heritage perspective.</p>
<p><b>(2) Requirement for consent</b></p> <p><i>Development consent is required for any of the following:</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p> <p><i>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to</i></p>	<p>The subject Planning Proposal seeks to amend multiple development standards under the WLEP 2012 to facilitate increased density on the site. This Heritage Impact Assessment has assessed potential heritage impacts based on an indicative building envelope provided by Architectus. No physical works are required as part of this scheme. All future built works will be subject to the relevant requirements under a Development Application.</p> <p>This HIS has been prepared to assess potential impacts to the Chatswood South HCA and various identified vicinity items as a result of the proposed amendments to the WLEP 2012.</p>



Clause	Response
<p><i>anything inside the item that is specified in Schedule 5 in relation to the item,</i></p> <p><i>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</i></p> <p><i>(d) disturbing or excavating an Aboriginal place of heritage significance,</i></p> <p><i>(e) 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><i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</i></p> <p><i>(f) subdividing 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><i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</i></p>	
<p><b>(4) Effect of proposed development on heritage significance</b></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>This HIS has been prepared to allow the consent authority, Willoughby City Council, in determining potential heritage impacts as a result of the proposed amendments to the WLEP 2012 as it relates to the subject site. The detailed assessment carried out in succeeding sections of this report concludes that the proposed amendments would have no material impacts to the Chatswood South HCA and identified heritage items.</p>
<p><b>(5) Heritage assessment</b></p> <p><i>The consent authority may, before granting consent to any development:</i></p> <p><i>(a) on land on which a heritage item is located, or</i></p> <p><i>(b) on land that is within a heritage conservation area, or</i></p> <p><i>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</i></p>	

Clause	Response
<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>	

## 5.2. 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 2012*.

Table 2 Assessment against the Willoughby Development Control Plan 2006.

Provision	Response
<b><u>H.1.2 Aims</u></b>	
<b><i>b. to ensure that the significance of Heritage Items is identified and retained;</i></b>	
	The subject site does not contain any identified heritage items and is not located within a Heritage Conservation Area under the WLEP 2012. Proposed changes to the WLEP 2012 under this Planning Proposal do not materially impact heritage items in the vicinity of the subject site or the fabric of the Chatswood South HCA. The significance of identified heritage items and the Chatswood South HCA remains unchanged as a result of this Planning Proposal.
<b><i>c. to ensure that the heritage significance, special streetscape and landscape character of Heritage Conservation Areas is maintained;</i></b>	
	The subject site is not located within the boundaries of the Chatswood South HCA, and it does not relate to or form part of any special streetscape. The subject site is appropriately separated from the Chatswood South HCA by the northern suburbs rail network and the Chatswood Bowling Club. No heritage items are to be materially impacted as a result of this Planning Proposal. Any future uplift will be subject to Development Application and will require thorough design development to historic streetscape character is appropriately referenced in new built form.
<b><i>e. to ensure that new sustainable development respects the context and is sympathetic in terms of form, scale, character, bulk, orientation and setback, fabric, colours and textures and does not mimic or adversely affect the significance of Heritage Items and Heritage Conservation Areas and their settings;</i></b>	
	Given the subject site does not form part of the Chatswood HCA and maintains no meaningful visual relationship with the HCA, it is inappropriate that sites identified for increased density respond to single and double storey development of the HCA. Any future uplift will be inconsequential in relating to historic streetscapes. Future Development Applications will require consideration of the transition from high density areas to the HCA. Podium design will provide an opportunity for new development to respond to existing development by way of façade articulation, materiality and form.
<b><i>f. to encourage a sustainable high quality of design for any new development in achieving compatibility with the heritage significance of individual Heritage Items and Heritage Conservation Areas;</i></b>	

Provision	Response
All future built form will be subject to development standards under Development Application. A thorough and considered Design Development and Detailed Design phase will ensure high quality built form that reflects the existing streetscape character.	
<b><i>g. to provide controls for the development of land within the vicinity of Heritage Items and Heritage Conservation Areas.</i></b>	
This HIS has been prepared to assist the consent authority in their determination as to potential heritage impacts as a result of this Planning Proposal. This HIS has addressed heritage related controls and provisions contained within the WLEP 2012, the Willoughby DCP 2006, the NSW Heritage Guidelines and the vision for Chatswood outlined in the Chatswood CBD Planning and Urban Design Strategy.	
<b><u>Planning and Design Principles</u></b>	
<b>Setting</b>	
v. Development in the vicinity of a Heritage Item should respect the visual curtilage of that Item;	<p>There are no heritage items located within the boundaries of the subject site. the subject site has no visual relationship with vicinity items and does not stylistically relate to the Chatswood South HCA.</p> <p>The proposed amendments under this Planning Proposal are assessed to have no material impact on the heritage significance of identified vicinity items or the Chatswood South HCA.</p> <p>The subject site is located along Pacific Highway and the northern suburbs railway line at Chatswood. Pacific Highway facilitates 6 lanes of traffic, with Chatswood Station located north of the subject site within the Chatswood CBD. The physical separation from lower density development and location along a major arterial road and transport corridor render the site an appropriate location for increased density.</p> <p>The location of the Sydney Metro Dive Site south of the subject site further compounds the opportunity for intensified development.</p> <p>Detailed Design, facilitated through subsequent Development Applications, will provide opportunity for new development to respond appropriately to contrasting streetscapes. Treatment of built form, including scale, façade articulation and materiality will enable delivery of appropriate height transitions to mediate impact on the identified vicinity items and neighbouring HCAs.</p> <p>The identified vicinity items and fabric of the Chatswood South HCA does not rely on the subject site to be interpreted. Additionally, the Chatswood South HCA and identified vicinity items remain thoroughly separated from</p>

Provision	Response
<b>vi. New developments must respect the existing significance of the streetscape and the vicinity; and</b>	<p>the proposed envelope by way of the Chatswood Bowling Club and associated facilities and the northern suburbs rail network. The visual curtilage of the Chatswood South HCA and identified vicinity items will not be directly adversely impacted as a result of this Planning Proposal.</p> <p>The subject site does not contain any heritage items and is not located within the boundaries of the Chatswood South HCA. The subject site does not retain any visual relationship to the identified vicinity items or the fabric of the Chatswood South HCA. Interpretation of vicinity items and streetscape of the HCA largely occurs at street level; the proposed uplift for the subject site therefore inconsequential in understanding and appreciating the above heritage context. Notwithstanding the above, future Detailed Design will provide opportunities to respond to the existing heritage context through considered podium design, height transitions, site permeability, façade articulation and materiality.</p>
<b>vii. View protection of vistas.</b>	<p>The Chatswood Bowling Club and associated facilities, and the northern suburbs rail network provides substantial physical distance between the subject site and the Chatswood HCA, thus mitigating any additional impacts to significant views and vistas associated with the heritage context. Principal views to and from heritage items are predominantly at street level. Uplift beyond the visual curtilage of the heritage context will therefore be largely inconsequential.</p> <p>Visual Impact Assessment modelling prepared by Architectus (March 2021) indicates proposed massing and visual impact from the north-eastern edge of the Chatswood South HCA (north-east of the subject site) (View 4 – Visual Impact Assessment provided by Architectus). Though proposed uplift will be visible from the HCA which will result in visual impact to the setting of the HCA, any resultant uplift is considered to have no impact on the street level reading of heritage items.</p>
<b>Scale</b>  <b>iii. New buildings must not visually dominate, compete with or be incompatible with the scale of existing</b>	<p>The subject site does not contain any heritage items under the WLEP 2012 and does not form part of the Chatswood South HCA. The site does not visually relate</p>

Provision	Response
buildings of heritage significance or contributory value either on the site or in the vicinity of the proposal.	to any of the identified heritage items or the character of the Chatswood South HCA. Interpretation of the identified heritage items largely occurs at street level and does not rely on the subject site. Any uplift on the site would bare no visual relationship to the items or the fabric of the HCA. There is no requirement that the proposed uplift response to the form and scale of single-storey vicinity items. Detailed Design under future Development Applications will provide opportunities to respond to the existing development context through podium design, permeability, façade articulation and materiality.
<b>Massing and Form</b>  ii. 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;	

## 5.3. CHATSWOOD CBD PLANNING & URBAN DESIGN STRATEGY 2036

Table 3 Chatswood CBD Planning & Urban Design Strategy

Clause	Discussion
<p>The Chatswood CBD Strategy aims to establish a strong framework to guide future private and public development as the CBD grows over the next 20 years. It aims to provide capacity for future growth, achieve exceptional design and a distinctive, resilient and vibrant CBD. The Strategy will inform changes to Willoughby LEP and DCP to create a CBD of exceptional urban design, easy pedestrian linkages and good public domain, where local character and heritage are embraced, and the greening of the centre is achieved. Concepts and Controls have been developed to address the following:</p>	
<b>Transition to heritage items from centres</b>	<p>Given the location of the subject site along 2 major transport corridors, positioned south of the Chatswood CBD and north of the Sydney Metro site, the subject site has been identified as having attributes appropriate for accommodating substantial uplift as the suburb transitions to increased density.</p> <p>The proposed amendments to the WLEP 2012 under this Planning Proposal are assessed to have no material impact on identified vicinity items. The subject site does not contain any listed heritage items and does not form part of the Chatswood South HCA. All identified vicinity items are to be retained and their significance is to remain unchanged as a result of this Planning Proposal.</p> <p>Future development as a result of this Planning Proposal will alter the broader setting of vicinity items and Chatswood South HCA, however it is acknowledged that even with this change, heritage values associated with the existing streetscape will remain intact. Interpretation of identified vicinity items does not rely on the subject site. The visual curtilage of heritage items and the</p>

Clause	Discussion
	<p>Chatswood HCA is principally at street level, and is to remain unimpacted as a result of this Planning Proposal.</p> <p>VIA reference to be included.</p> <p>Detailed Design under future Development Applications will ensure future built form responds appropriately to the existing development and where appropriate may rely on existing streetscape character as podium markers.</p> <p>Measures including scale, building forms, façade articulation and materiality will further assist in facilitating appropriate height transitions from higher density areas to the Chatswood South HCA.</p> <p>For the reasons included above, and outlined throughout this assessment, this Planning Proposal is found to have no adverse impact on the heritage context of 641-655A Pacific Highway Chatswood.</p>

## 5.4. 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 4 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>The subject site does not contain any identified heritage items under the WLEP 2012 and is not located within the boundaries of an HCA. It is, however, located in proximity to the Chatswood South HCA and several identified heritage items. The proposed amendments to the WLEP 2012 under this Planning Proposal would see no material impact to heritage items within the vicinity of the subject site. Outcomes as a result of this Planning Proposal would ensure all heritage items are retained and their interpretation unchanged. The proposed uplift at the subject site will alter the broader setting of the HCA in facilitating increased density. While there will be some disparity in scale as the suburb transitions uplift beyond the existing development located along Pacific Highway is inconsequential to the heritage context which is physically separated from the subject site by the northern suburbs railway network. The heritage values of the Chatswood South HCA are to be retained and celebrated and do not rely on neighbouring high density development to be interpreted.</p>
The following aspects of the proposal could detrimentally impact on heritage significance.	
The reasons are explained as well as the measures to be taken to minimise impacts:	
The following sympathetic solutions have been considered and discounted for the following reasons:	



Clause	Discussion
	<p>Given the subject site's location along two major transport corridors and the separation provided by the northern suburbs railway line the subject site is an appropriate location for intensified development without incurring adverse impact to the character of the Chatswood South HCA. The location of the Chatswood Bowling greens provides additional separation between the HCA and the subject site and further compounds the opportunity for increased density.</p> <p>Detailed Design under future Development Applications will provide opportunity to address how future built form will respond to the existing streetscape character including the Chatswood South HCA. Measures including scale, form, façade articulation and materiality will further assist in developing appropriate height transitions from higher density areas to HCAs. Podium design will provide opportunity to mitigate key issues affecting the character of the Chatswood South HCA and the ability to incorporate particular design responses that reflect the surrounding built form.</p>
<p><b>New development adjacent to a heritage item</b></p> <p>How does the new development affect views to, and from, the heritage item?</p> <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>The subject site does not contain any heritage items under the WLEP 2012 and is not located within an HCA. The subject site is located in the vicinity of the locally listed Chatswood South HCA (C11) and several identified vicinity items under the WLEP 2012, Schedule 5, Environmental Heritage, as follows:</p> <ul style="list-style-type: none"> <li>▪ <i>House (including original interiors)</i>, located at 4 Chapman Avenue, part of Lot 1 DP 1055517, item no. 68;</li> <li>▪ <i>House (including original interiors)</i>, located at 333 Mowbray Road, Lot 3 DP 4031, item no. 95;</li> <li>▪ <i>House (including original interiors)</i>, located at 312 Mowbray Road, Lot 2 DP 813 950, item no. 94; and</li> <li>▪ <i>House (including original interiors)</i>, located at 317 Mowbray Road, Lot 1 DP 954816, item no. 93.</li> </ul> <p>This Planning Proposal seeks to amend the WLEP by way of the following:</p> <ul style="list-style-type: none"> <li>▪ Increase maximum building height from 12 m to 90 m;</li> </ul>

Clause	Discussion
<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>	<ul style="list-style-type: none"> <li>▪ Amend zoning from R3 Medium Density Residential to B4 Mixed Use;</li> <li>▪ Increase FSR from 0.9:1 to 6:1;</li> <li>▪ Introduce a new clause to require a minimum non-residential FSR of 1:1.</li> <li>▪ Provision of affordable housing at 4% of the accountable total floor space;</li> <li>▪ Identify the site within “Area 12” on the WLEP Special Provisions Area Map such that Clause 6.23 (Design excellence at certain sites at Willoughby) applies to the site.</li> </ul> <p>The subject site is located along two major transport corridors, south of the Chatswood CBD, and is identified as an opportunity for intensified mixed use development. The Chatswood South HCA remains physically separated from the subject site by the northern suburbs railway line. Any uplift as a result of this Planning Proposal will impact the broader setting of the HCA, however as the suburb of Chatswood evolves, intensified development is anticipated in line with the Chatswood CBD Planning &amp; Urban Design Strategy 2036.</p> <p>Visual curtilage of heritage items is principally interpreted at street level and does not rely on the subject site. Any uplift on the subject site would therefore be inconsequential in understanding the heritage context of the site. The subject site has no visual relationship with single and double-storey vicinity items. Increased density is appropriately located along major transport corridors, away from the HCA.</p> <p>Detailed Design under future Development Applications will allow for a considered response to surrounding built form where existing streetscape character, including that of the HCA, may inform podium design.</p> <p>There would be no material impact to identified vicinity items as a result of this Planning Proposal.</p>

## 6. CONCLUSIONS

The subject site does not contain any heritage items under the WLEP 2012. The site is located in the vicinity of the Chatswood South Heritage Conservation Area (HCA) which contains several individually listed heritage items of local significance under the WLEP 2012.

The following points summarised from the Assessment of Impact (Section 5), confirm there will be no adverse impact on the heritage significance of the Chatswood South HCA and identified vicinity items as a result of the proposed amendments to the WLEP 2012 under this Planning Proposal.

- The subject site, located at 641-655A Pacific Highway Chatswood does not contain any heritage listed items under the WLEP 2012. A review of the site's chronology (Section 3.2) indicates the buildings located on the site are of late 20<sup>th</sup> century construction and are identified as having no potential heritage significance. The buildings located on the subject site do not maintain a visual relationship with the Chatswood South HCA or identified vicinity items. The subject site is therefore appropriate for redevelopment from a heritage perspective.
- The subject site is located between Pacific Highway (west) and the northern suburbs railway line (east). The site is located south of the Chatswood CBD and north of the Metro Dive Site. The area is undergoing rapid urban growth and change, and the location of the subject site is appropriate for intensified development. The subject site's proposal for increased density is consistent with increased density demonstrated in other sites in the immediate vicinity and surrounding area and is therefore consistent with the evolving character of the precinct.
- The northern suburbs railway line and Chatswood Bowling Club provide substantial physical separation from the Chatswood South HCA and heritage items such that even with increased density at the subject site, the aforementioned heritage items and character of the HCA will retain their existing settings. The above heritage context will remain largely unaffected as a result of the proposed amendments to the WLEP under this Planning Proposal.
- Principal views to and from the heritage items and fabric of the Chatswood South HCA are predominantly at street level, given their traditional low-scale typologies. The proposal will not materially impact on the identified heritage items and will not interrupt any principal view corridors to or from any of the vicinity items. As such, any resultant uplift from this Planning Proposal will not inhibit the visual curtilage or interpretation of heritage elements. Resultant uplift will not impede on the reading of dominant typologies of the Chatswood South HCA. Given the distance and separation between the HCA and the subject site, any increased uplift is considered inconsequential in maintaining the setting of heritage items. Visual Impact Assessment modelling provided by Architectus (View 4) confirms minimal impact the setting of heritage items.
- All future built form will be subject to Development Application. Detailed Design will provide opportunities to respond appropriately to the character of the area and immediate streetscape. Treatment of built form and podium design including scale, form, façade articulation, materiality will assist in further mitigating impacts to the heritage context and assist in transitioning between contrasting streetscapes.

For the reasons outlined above, this Planning Proposal is supported from a Heritage perspective.

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**APPENDIX A**

**APPENDIX**

