

STATEMENT OF HERITAGE IMPACT

Proposed Development at Turramurra Village Turramurra Town Centre



Job No. 10131
November 2023

Heritage21
CULTURAL BUILT HERITAGE IN THE 21ST CENTURY

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Acknowledgement of Country

Heritage 21 wishes to acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and community. We pay our respects to them and their cultures and to elders both past and present.

Address and location:

Turramurra Town Centre

Statement of heritage impact for:

Development in the vicinity of heritage items and the Hillview Heritage Conservation Area

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Cover image: External view to Pacific Highway, where the development is proposed, facing west. (Source: Heritage 21, 03.03.2022)

The following table forms part of the quality management control undertaken by Heritage 21 regarding the monitoring of its intellectual property as issued.

Issue	Description	Date	Written by	Reviewed by	Issued by
1	Draft report (D1) issued for comment.	28.11.2023	EM	-	EM
2	Report issued (RI).	29.11.2023	EM	-	EM

1.0 INTRODUCTION

1.1 Background

This Statement of Heritage Impact ('SOHI' or 'report') has been prepared on behalf Rebel Property Group to form part of the submission of a planning proposal for a new development at the site at Turramurra Town Centre.

1.2 Site Identification

The subject site is located at Turramurra Town Centre which comprises the following addresses: 1364, 1370-1378, 1380-1388, 1390, 1392, 1396 Pacific Highway and 1, 1A, 3, 3A Kissing Point Road.

The site is within the boundaries of the Ku-ring-gai Local Government Area (LGA) and it comprises of the following Lots:

- Lot 1 DP 550866
- Lot 1 DP 629520
- Lot 2 DP 16463
- Lot 101 DP 714988
- Lot 1 DP 500077
- Lot 2 DP 500077
- Lot 1 DP 656233
- Lot 2 DP 502388
- Lot 1 DP 500761
- Lot 2 DP 500761
- Lot B DP 435272
- Lot A DP 391538

As depicted in Figure 1 below, the site is located on the south side of the Pacific Highway and next to the intersection with Kissing Point Road. The subject site consists of a number of contemporary commercial buildings, a car park area and a Californian bungalow, currently being used as a Doctors Surgery (1 Kissing Point Road).

The setting and topography of the site will be more fully described in Section 3.0 below.



Figure 1. Aerial view of the site, which is highlighted in yellow (Source: NSW Spatial Services, “SIX Maps,” accessed 10 March 2022 <http://maps.six.nsw.gov.au/>, annotated by Heritage 21).

1.3 Heritage Context

1.3.1 Heritage Listings

The subject site **is not** listed as an item of environmental heritage under Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 (‘KLEP’). It also is not listed on the NSW State Heritage Register, the National Heritage List, the Commonwealth Heritage List, the National Trust Register (NSW), or the former Register of the National Estate.¹

¹ The Register of the National Estate ceased as a statutory heritage list in 2007; however it continues to exist as an inventory of Australian heritage places.

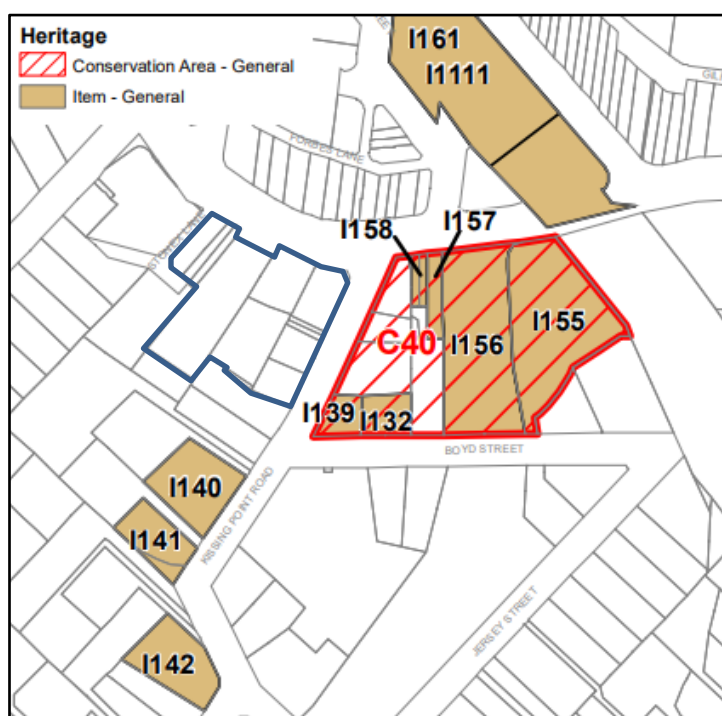


Figure 2. Detail from Heritage map HER_007. The site is outlined in blue, heritage items shaded brown and heritage conservation areas are hatched red (Source: NSW Legislation Online, <https://www.legislation.nsw.gov.au/maps>, annotated by Heritage 21).

The subject site **is not** located within the boundaries of a Heritage Conservation Area under the KLEP 2015 but is situated in the vicinity of the Hillview Heritage Conservation Area – C40 – ('HCA').

1.3.2 Heritage Items in the Vicinity

As depicted in Figure 2 above, the subject site is situated within the general vicinity of the following heritage items listed under Schedule 5 of the KLEP 2015. The details of the listings follow:

Item/HCA Name	Address	Significance	Item Number
Hillview HCA	-	Local	C40
Rohini House gates	Railway lands, Turramurra	Local	I161
Turramurra Station Group	Rohini Street	Local	I1111
Hillview Garages	1340 Pacific Highway	Local	I156
"Hillview"	1334 Pacific Highway	Local	I155
Dwelling house	8 Kissing Point Road	Local	I139
Residential flat building	2-4 Boyd Street	Local	I132
Former Commonwealth Bank building	1356 Pacific Highway	Local	I157

Commercial buildings	1358 and 1360 Pacific Highway	Local	I158
"Leppington", dwelling house	9 Kissing Point Road	Local	I140
Dwelling house	11 Kissing Point Road	Local	I141
"The Chalet", dwelling house	15 Kissing Point Road	Local	I142

Among the above heritage items in the vicinity listed above, the subject site is adjacent to or within the visual catchment of Item I132 (2-4 Boyd Street), Item I139 (8 Kissing Point Road), Item I155 (1334 Pacific Highway), Item I156 (1340 Pacific Highway), Item I157 (1356 Pacific Highway), Item I158 (1358 and 1360 Pacific Highway), Item I140 (9 Kissing Point Road), Item I141 (11 Kissing Point Road) & the Hillview HCA (C40). Accordingly, the discussion in Section 6.0 of this SOHI will discuss the potential heritage impact of the proposal on the aforementioned heritage items in the vicinity.

1.4 Purpose

The subject site is located in the vicinity of heritage items as well as the Hillview Heritage Conservation Area, all of which are listed under Schedule 5 of the KLEP 2015. Sections 5.10(4) and 5.10(5) of the KLEP 2015 require Ku-ring-gai Council to assess the potential heritage impact of non-exempt development, such as the proposed works (refer to Section 4.2), on the heritage significance of the abovementioned heritage items and heritage conservation area and, also, to assess the extent (whether negative, neutral or positive) to which the proposal would impact the heritage significance of those heritage items and heritage conservation area. This assessment is carried out in Section 6.0 below.

Accordingly, this SOHI provides the necessary information for Council to make an assessment of the proposal on heritage grounds.

1.5 Methodology

The methodology used in this SOHI is consistent with *Guidelines for preparing a statement of heritage impact* (2023) and *Assessing heritage significance* (2023) published by the NSW Department of Planning and Environment, and has been prepared in accordance with the principles contained in the 2013 edition of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*.

1.6 Limitations

- This SOHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.

- This SOHI essentially relies on secondary sources. Primary research has not necessarily been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the subject site.
- It is beyond the scope of this report to locate or assess potential or known archaeological sub-surface deposits on the subject site or elsewhere.
- It is beyond the scope of this report to assess items of movable heritage.
- Any specifics regarding views should be assessed by a view expert. Heritage 21 does not consider itself to be a view expert and any comments in this report are opinion based.
- Heritage 21 has only assessed aspects of the subject site that were visually apparent and not blocked or closed or to which access was not given or was barred, obstructed or unsafe on the day of the arranged inspection.

1.7 Copyright

Heritage 21 holds copyright for this report. Any reference to or copying of the report or information contained in it must be referenced and acknowledged, stating the full name and date of the report as well as Heritage 21's authorship.

2.0 HISTORICAL CONTEXT

2.1 Local History

The original inhabitants of what is now the suburb of Turramurra were from the Ku-ring-gai people and were known as the Terramerregal. They lived on the eastern side of the Lane Cove River.²

The first white settlement in the area can be traced back to 1822 when the first white settlers worked in the area as timber cutters.³ Throughout most of the 19th century it remained a quiet rural community changing from timber production to orcharding.⁴ The proposed introduction of the railway line from St Leonards to Hornsby resulted in the purchase of land holdings close to proposed railway stations.⁵ Turramurra was named after the Aboriginal word meaning 'big hill'.⁶ Subdivision of large blocks of land took place between 1910 and 1920 in the Turramurra and Pymble region.⁷ Many stately houses were built in Turramurra between 1895–96.

This outline of the historical development of Turramurra has been taken from Pollon, F. *The Book of Sydney Suburbs*, Harper Collins Publishers, 1990.

This suburb on the North Shore railway line has as its neighbours North Turramurra and South Turramurra, which extend north to Ku-ring-gai Chase and south to the Lane Cove River. Only a half hour drive to Cowan Creek, the district is a natural beauty spot close to the Hawkesbury River. Aboriginal tribes passing through from the Lane Cove River to Cowan Waters, by way of tracks through St Ives and Pymble, always rested near this high land which they called 'turramurra' or 'turraburra', meaning 'big hill'. When early settlers moved into the area they referred to the place as Eastern Road, and when the railway station was built in 1890 it was given that name. Less than a year later, on 14 December 1890, the suburb was officially called by the Aboriginal name Turramurra. Many of the early streets also have Aboriginal names, such as Womerah Street, Warragal Road, Nulla Nulla Street and Warrangi Street, while Eastern Road, running from the railway station north to Boundary Road commemorates that early name of the suburb.

By the 1840s the best timber in this forested area had been taken and the timber-cutters had moved to areas further from Sydney. As in many of the northern suburbs, orchards were then established, the first in the area of the present suburb by John Brodie. Brodie and Sons were also the general carriers for the area.

An interesting old home in the area is Ingleholme, built in Boomerang Street in about 1896 to a design by John Sulman (1849-1934).

² Rowland, J. *Dictionary of Sydney*, 2011, <https://dictionaryofsydney.org/entry/turramurra>

³ Rowland, J. *Dictionary of Sydney*, 2011, <https://dictionaryofsydney.org/entry/turramurra>

⁴ Staas, R, *Housing in Ku-ring-gai*, 1986 Ku-ring-gai Historical Society, pp 1-19 at pp5

⁵ Staas, R, *Housing in Ku-ring-gai*, 1986 Ku-ring-gai Historical Society, pp 1-19 at pp5

⁶ Rowland, J. *Dictionary of Sydney*, 2011, <https://dictionaryofsydney.org/entry/turramurra>

⁷ Rowland, J. *Dictionary of Sydney*, 2011, <https://dictionaryofsydney.org/entry/turramurra>

The first post office opened for business in 1890. A public school began giving instruction in May 1921 and is still operating in Kissing Point Road. Since those early days, Turramurra High School has been built at South Turramurra, making this suburb educationally self-sufficient.

The Lady Davidson Home in Bobbin Head Road was established as a tuberculosis sanatorium shortly after the beginning of the Second World War when it was found that some of the men and women in the forces were suffering from the disease.

Many fine homes have been built in this area, which has tree-lined streets of great natural beauty.

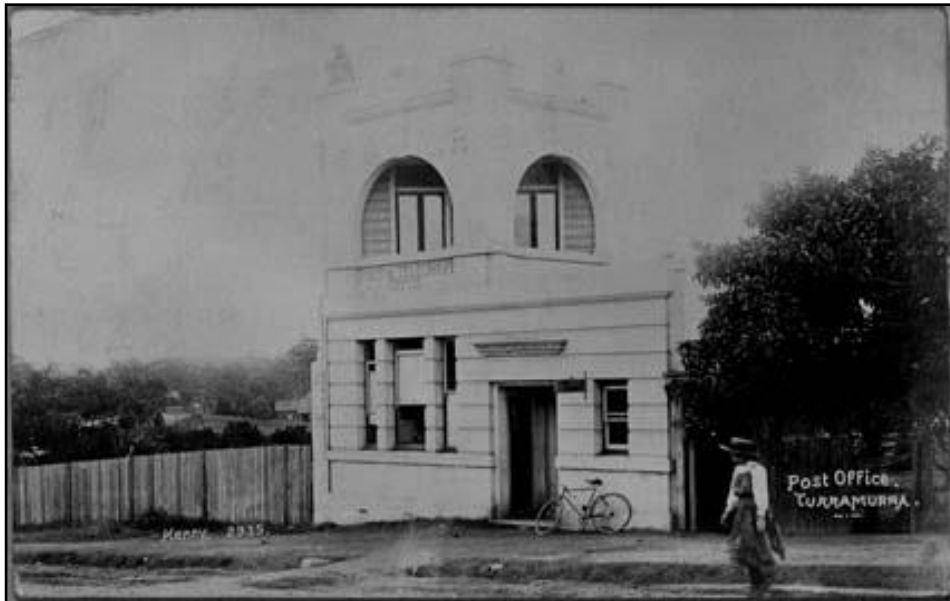


Figure 3. Turramurra Post Office, c. 1913. (Source: National Archives of Australia).

2.2 Turramurra Town Centre

The subject site was originally a part of 100 acres of Crown land granted to Thomas Boyd on 20 February 1839. According to an 1890 Certificate of Title, George Frederick Jones a St. Leonards clerk was the sole proprietor of the land where the subject site now exists (refer to Figure 4 below). After being committed to a 'hospital for insane persons' in 1895, Jones' land was subdivided and sold up until 1906.⁸

⁸ NSW Land Registry Services, 'Historical Land Records Viewer', Certificate of Title Vol. 959 Fol. 77, dated 5 February 1890, <https://hlrv.nswlrs.com.au>.

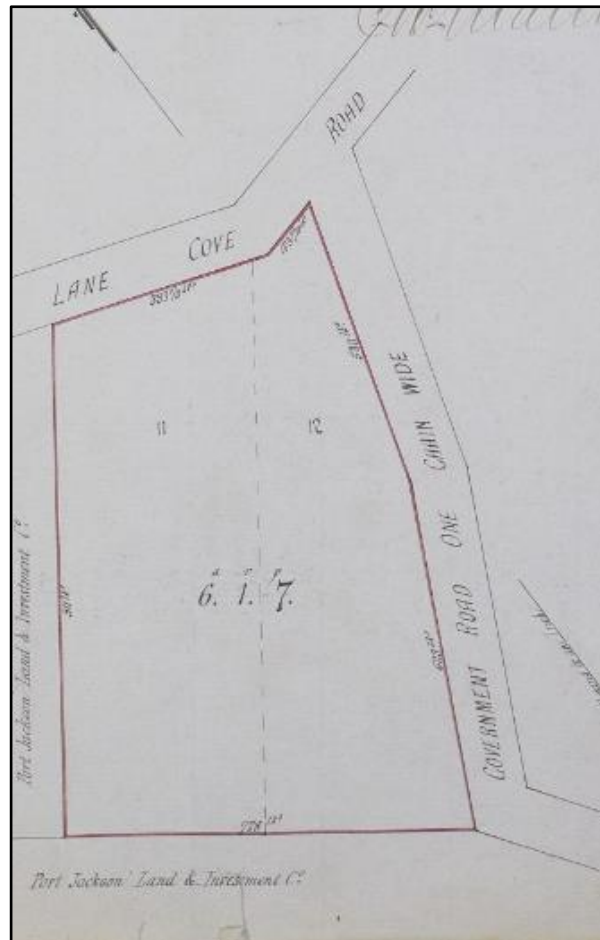


Figure 4. Certificate of Title Vol. 959 Fol. 77 to George Frederick Jones, dated 5 February 1890 (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

Using historical aerial photographs, the various stages of development for Turramurra Town Centre can be analysed. The 1943 aerial photograph of the shows several commercial buildings on the north western section of the subject site while the eastern side shows a number of residential dwellings – including 1 Kissing Point Road (as seen in Figure 5). In the 1970 aerial photograph, there is new commercial buildings and car park and entrance in the north eastern section of the site and only three dwellings (as seen in Figure 6).

Seen in the 1978 aerial photograph several smaller buildings were demolished for the construction of an additional carpark. Also constructed during this time is a new commercial building in the north eastern section of the subject site (as seen in Figure 7). Figure 8 is a 1982 aerial photograph showing an extensive commercial extension in the middle of the subject site. In the 1998 aerial photograph a large roof has been constructed to allow for undercover parking in the middle of the subject site (Figure 9 below). The dwelling south to 1 Kissing Point Road was demolished for an additional car park entrance (also Figure 9). In Figure 10, the aerial photo shows more recent commercial buildings constructed on the north western section of the subject site.



Figure 5. 1943 aerial view of the subject site which is outlined in red and yellow arrow indicating 1 Kissing Point Road. (Source: NSW Land and Property Information, 'SIX Maps', n.d., <http://maps.six.nsw.gov.au/>, annotated by Heritage 21).



Figure 6. 1970 aerial view of the subject site which is outlined in red. (Source: NSW Government, 'Historical Imagery Spatial Viewer', <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb>, annotated by Heritage 21).



Figure 7. 1978 aerial view of the subject site which is outlined in red. (Source: NSW Government, 'Historical Imagery Spatial Viewer', <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb>, annotated by Heritage 21).



Figure 8. 1982 aerial view of the subject site which is outlined in red. (Source: NSW Government, 'Historical Imagery Spatial Viewer', <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb>, annotated by Heritage 21).



Figure 9. 1998 aerial view of the subject site, which is outlined in red. (Source: NSW Government, 'Historical Imagery Spatial Viewer', <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb>, annotated by Heritage 21).



Figure 10. Aerial view of the subject site, which is outlined in red, a yellow arrow indicating 1 Kissing Point Road. (Source: NSW Land and Property Information, 'SIX Maps', n.d., <http://maps.six.nsw.gov.au/>, annotated by Heritage 21).

2.2.1 1 Kissing Point Road

A 1907 Certificate of Title shows Bridget Ann O'Brien being the sole owner of land where the dwelling on 1 Kissing Point Road would later be constructed (as seen in Figure 11). In the following years the land was mortgaged and transferred several times until 1914 when Francis Alice Dobbie and her husband, Stuart Randolph Dobbie took ownership. Sydney Sands Directory records only Stuart Dobbie residing at Kissing Point Road from 1914 to 1922 (see Figure 11 and Figure 12).

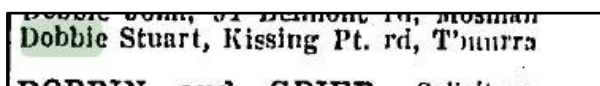


Figure 11. 1914 Stuart Dobbie residing at Kissing Point Road (Source: Sydney Sands Directory, Archives at City of Sydney).



Figure 12. 1922 Stuart Dobbie residing at Kissing Point Road (Source: Sydney Sands Directory, Archives at City of Sydney).

The land was mortgaged and transferred ownership until 1914 when Francis Alice Dobbie and Stuart R became the sole proprietor. In 1921 a part of Francis Dobbie's land was dedicated to being a Public Highway now known as the Pacific Highway.⁹ From Council Valuation Cards dating from 1921-1924 it is likely the subject dwelling on 1 Kissing Point Road was constructed in 1921 by Fanny Dobbie of a 'brick double frontage cottage, five rooms, kitchen and outhouse'.¹⁰ A 1927 Council Valuation Card

⁹ Certificate of Title Vol. 1753 Fol. 241 showing transfer of land to Francis Alice Dobbie and Stuart Randolph Dobbie on 13 February 1914 (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

¹⁰ 1921-1924 Council Valuation Card, Ku-ring-gai Council, provided by Ku-ring-gai Council Library on 17.03.2022.

shows the cottage is still under the ownership of Fanny Dobbie with the addition of a house name: *Bullaburra*.¹¹

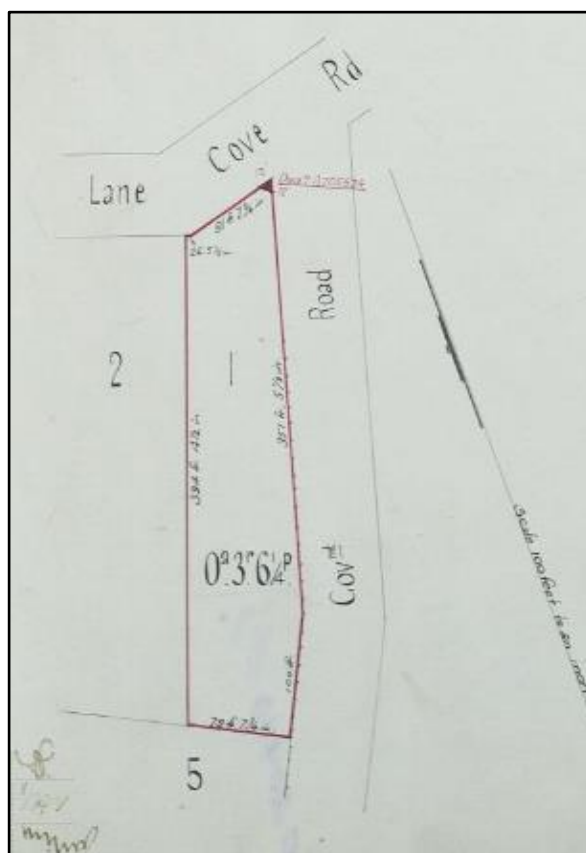


Figure 13. Certificate of Title Vol. 1753 Fol. 241 to Bridget Ann O'Brien, dated 1907 (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

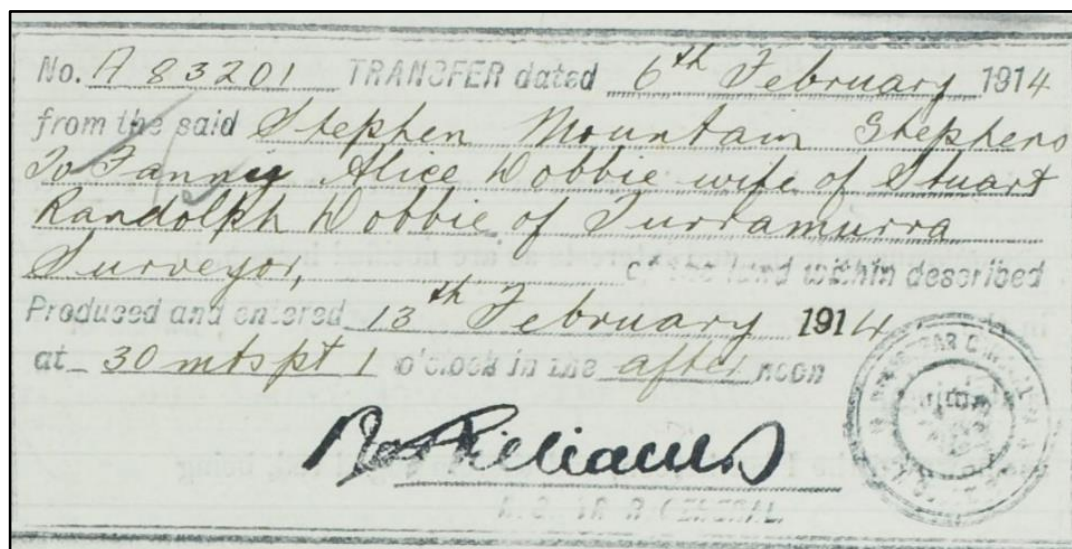


Figure 14. Certificate of Title Vol. 1753 Fol. 241 showing transfer of land to Francis Alice Dobbie and Stuart Randolph Dobbie on 13 February 1914 (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

¹¹ 1927 Council Valuation Card, Ku-ring-gai Council, provided by Ku-ring-gai Council Library on 17.03.2022.

A news article from the *Commonwealth of Australia Gazette* details a 1936 certificate of naturalisation indicates an Ernest Harden had likely mortgaged the dwelling at 1 Kissing Point Road, Turrumurra (refer to Figure 15). In *The Sydney Morning Herald* in 1950, another article indicates that Thomas Sydney Champion resided in the dwelling when he died (refer to Figure 16). The dwelling was also likely mortgaged as Francis Alice Dobbie remained the main proprietor. Champion was a local member of legislation in Turrumurra and a member of the Royal Australian Historical Society (Figure 17).

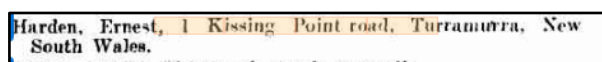


Figure 15. 'Certificates of Naturalisation' *Commonwealth of Australia Gazette* 4 June 1936 (Source: National Library of Australia).

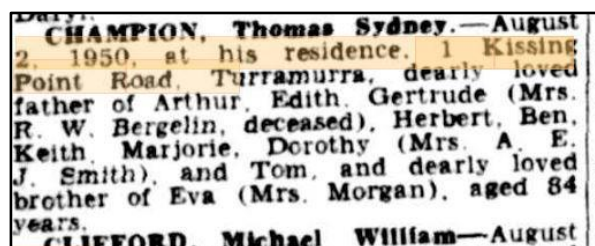


Figure 16. 'Death Notices' *Sydney Morning Herald*, 3 August 1950 (Source: National Library of Australia).

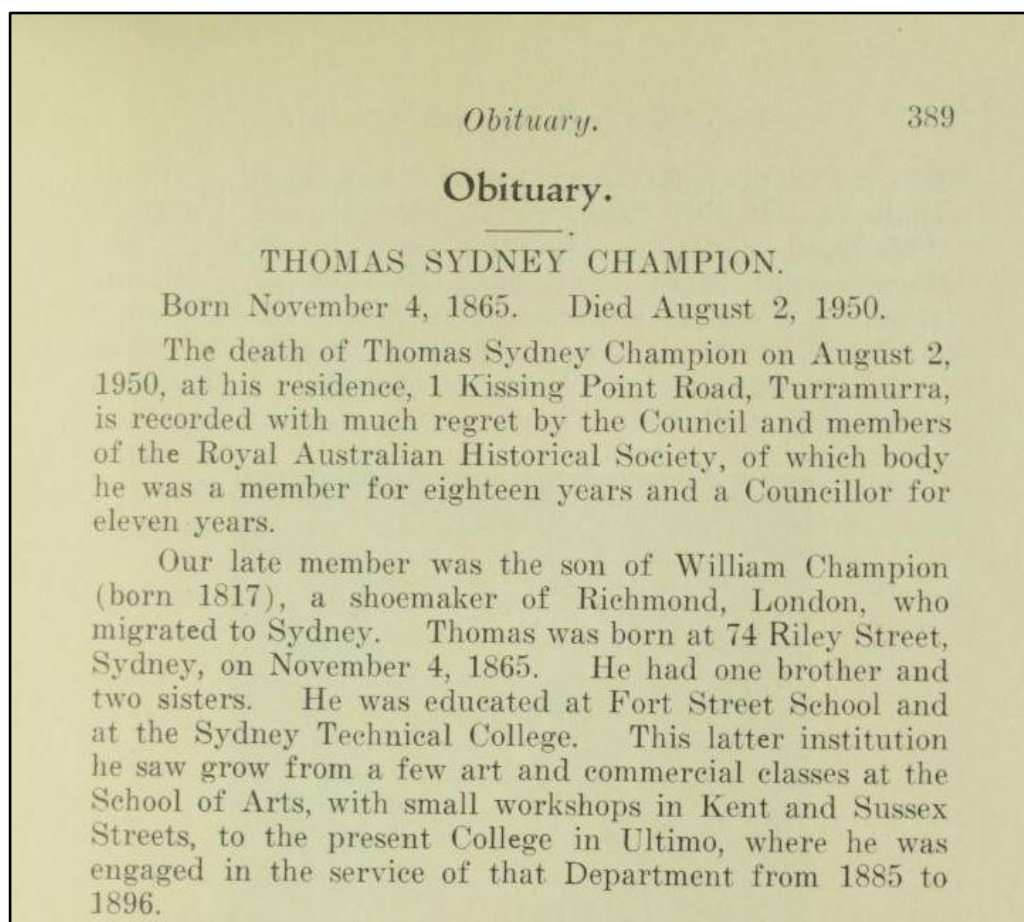


Figure 17. Royal Australian Historical Society, vol. 36, part 6, c. 1950. (Source: National Library of Australia).

The land remained in the ownership of Francis Alice Dobbie in 1950 (Figure 18 below). In 1951, the land was subdivided and transferred into the ownership to three people. 1 Kissing Point Road was transferred to Alison Cordeaux Bender on 17 April 1951 (as seen in Figure 19). This property changed ownership in 1954 when sold to John Allan McPhee who was a Railway Officer.¹² From a Council Valuation Card dated from 1962, shows that John Allan McPhee was still the owner of 1 Kissing Point Road.

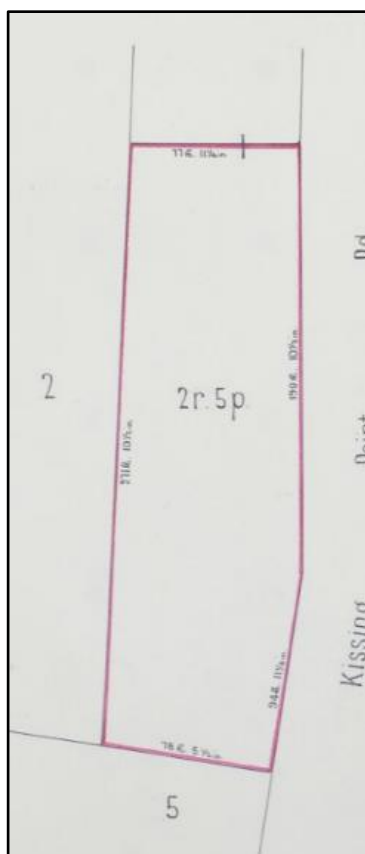


Figure 18. Certificate of Title Vol. 6232 Fol. 59 dated 7 December 1950 to Francis Alice Dobbie (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

¹² Certificate of Title Vol. 6307 Fol. 171 dated 17 April 1951 to Alison Cordeaux Bender (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

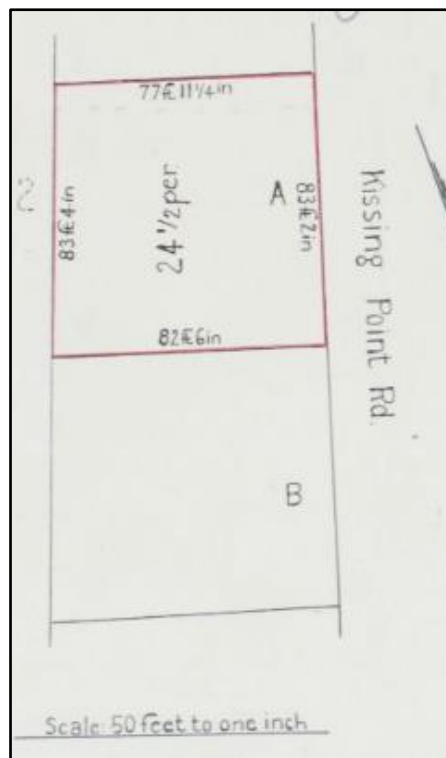


Figure 19. Certificate of Title Vol. 6307 Fol. 171 dated 17 April 1951 to Alison Cordeaux Bender (Source: Historical Land Records Viewer, available on: <https://hlrv.nswlrs.com.au/>).

The dwelling is no longer being used as a residential property and records indicate that it became a General Practice office in the 1960s-1970s (refer to 20 and Figure 22). A photograph provided by Kuring-gai Library shows the front façade of the dwelling in 1967 (see Figure 21 below).

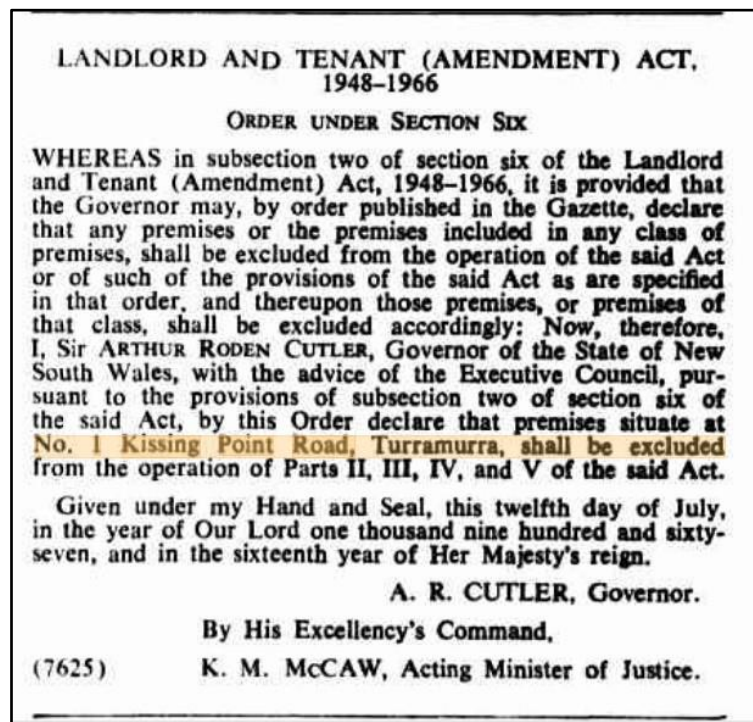


Figure 20. Government Gazette, Change of Tenancy, 1967 (Source: Trove Archives).



Figure 21. Number 1-3 Kissing Point Road dated circa. 1967 (Source: Ku-ring-gai Library Local History Collection in Photographs of Turramurra houses and buildings).

**23103. BARBER, Peter, 1 Kissing Point Road, Turramurra
2074. M.B., Ch.B., Manchester, 1974.**

Figure 22. Government Gazette, List of Approved Medical Practitioners, 1974. (Source: Trove Archives).

Refer to Appendix A for a record of the Ku-ring-gai Council Valuation Cards.

3.0 PHYSICAL EVIDENCE

3.1 The Setting

The site is located at Turramurra Town Centre at the addresses specified in Section 1.2. The suburb of Turramurra is located 24 kilometres northwest of the Sydney Central Business District.

The setting of the subject site is a commercial area situated along the Pacific Highway. It is surrounded by a low-density residential area, including a number of heritage items and a heritage conservation area. The Granny Springs Bushland Reserve is adjacent to the subject site, located to the southwest.

3.2 Physical Description

The subject site consists of a commercial precinct including a shopping centre and a number of businesses. The site fronts Pacific Highway, with vehicular access provided from Kissing Point Road from the east and Duff Street from the West. The site has onsite parking, including an external parking area and an enclosed area.

The buildings on the subject site are distinctly contemporary, with the exception of the bungalow at 1 Kissing Point Road, currently being used as a doctors surgery. The Californian bungalow at 1 Kissing Point Road is one-storey brick masonry dwelling with a roughcast render finish. The roof form is hipped and covered with terracotta tiles and capping. A masonry chimney with terracotta corbels protrudes from the south-eastern portion of the roof. The dwelling presents an open portico with masonry columns to Kissing Point Road, which provides primary access into the dwelling. The fenestration to the dwelling involves timber framed, double-sash windows to the side elevations and large casement window on the primary elevation.

3.3 Condition and Integrity

The external condition of the buildings on the site was inspected. All of the contemporary buildings retain legibility as later addition buildings and are generally in good to fair condition. The current form of the building at 1 Kissing Point Road has retained legibility of the original scale and character of the house. It is in generally good condition, with some general wear and tear.

The internal condition of all the buildings on the site were not inspected. The internal images of 1 Kissing Point Road, provided by the Client on 21 March 2022, indicate that little significant fabric remains.

3.4 Images

The following photographs have been taken by Heritage 21 at the site inspection undertaken on 3 March 2022, unless stated otherwise.



Figure 23. External view to Pacific Highway, facing east.



Figure 24. External view to Pacific Highway, facing west.



Figure 25. External view to Pacific Highway, facing west, the location of the subject site indicated in red.



Figure 26. External view to Kissing Point Road, facing north.



Figure 27. External view to Kissing Point Road, facing south.



Figure 28. External view to the subject site, featuring the ramp down to the car park from Kissing Point Road.



Figure 29. External view to the external car park on the subject site.

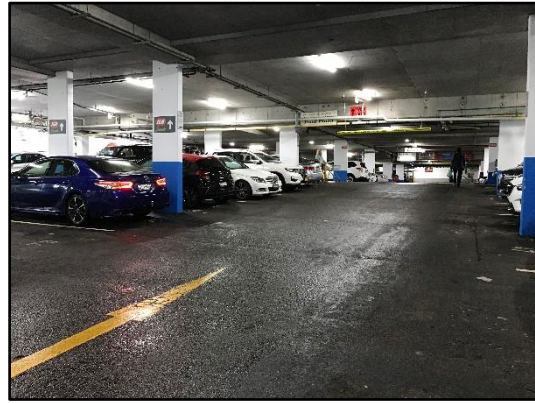


Figure 30. Internal view to the enclosed car park on the subject site.



Figure 31. External view to the rear access road on the site. Note the Granny Springs Bushland Reserve on the left.



Figure 32. External view to the Granny Springs Bushland Reserve, facing south.



Figure 33. External view to the existing commercial shopping centre on the subject site, from Pacific Highway, facing south.



Figure 34. External view to the commercial shopfronts on the subject site, facing east from Pacific Highway.



Figure 35. External view to the bungalow at 1 Kissing Point Road, currently being used a Doctors Surgery on the subject site.



Figure 36. External view to the bungalow at 1 Kissing Point Road, currently being used a Doctors Surgery on the subject site.

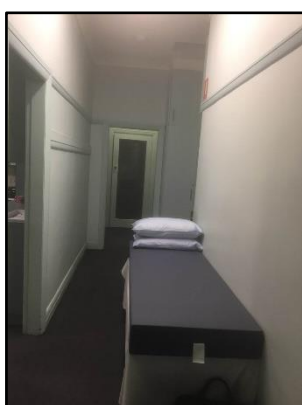


Figure 37. Internal view to the bungalow at 1 Kissing Point Road (Image provided by Client on 21.03.2022).

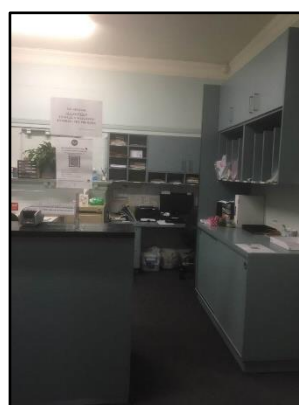


Figure 38. Internal view to the bungalow at 1 Kissing Point Road (Image provided by Client on 21.03.2022).

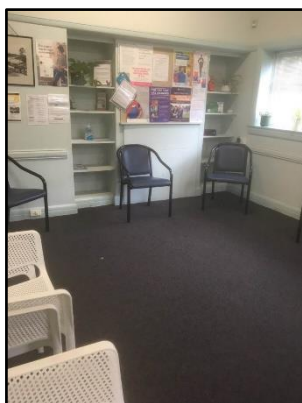


Figure 39. Internal view to the bungalow at 1 Kissing Point Road (Image provided by Client on 21.03.2022).



Figure 40. Internal view to the bungalow at 1 Kissing Point Road (Image provided by Client on 21.03.2022).



Figure 41. External view to Item I140, 'Leppington' dwelling at 9 Kissing Point Road.



Figure 42. External view to Item I140, 'Leppington' dwelling at 9 Kissing Point Road.



Figure 43. External view to Item I141, dwelling at 11 Kissing Point Road.



Figure 44. External view to the Hillview HCA, from the subject site, facing east.



Figure 45. External view to Pacific Highway, featuring heritage items I157 in red and I158 in blue.



Figure 46. External view of Item I157, Former Commonwealth Bank, 1356 Pacific Highway.



Figure 47. External view to Item I156, Hillview Garages, 1340 Pacific Highway.



Figure 48. External view to I153, 'Hillview', 1334 Pacific Highway, featuring the primary façade.



Figure 49. External view to auxiliary building located at 1334 Pacific Highway.



Figure 50. External view to Item I153, 'Hillview', 1334 Pacific Highway, featuring the secondary façade.



Figure 51. External view to Item I132, Residential Flat Building, 2-4 Boyd Street.



Figure 52. External view to Item I139, dwelling, 8 Kissing Point Road.

4.0 HERITAGE SIGNIFICANCE

In order to assess the impact of the proposed works on the heritage significance of the subject site, the Hillview HCA (in the vicinity of the subject site), and heritage items in the vicinity of the site, it is necessary to first ascertain the heritage significance of these places. Accordingly, Statements of Significance for the subject site (refer to Section 4.2), 1 Kissing Point Road (refer to Section 4.3) the Hillview HCA (refer to Section 4.1.1), and heritage items in the vicinity (refer to Section 4.1.2) are provided below. The significance of these places, will form part of our considerations in the assessment of heritage impact, undertaken in Section 6.0 below.

4.1 Established Significance

4.1.1 The Hillview HCA (C40)

The following Statement of Significance is available for the heritage conservation area on the Ku-Ring-Gai Council's website:

The whole of the Hillview Conservation Area is significant within Ku-ring-gai as a precinct that displays values such as a mature landscape setting, varied topography that creates vistas and distant views framed by trees and a predominant built form that contributes in scale and form to the streetscape. The Hillview Heritage Conservation Area displays a layering of history of the North Shore. The precinct is an historical record of the growth of the North Shore, its attractiveness as a retreat from the inner city of Sydney and the building of the Railway which encouraged this growth. The current subdivision pattern of Hillview and surrounding properties display the continued investment by smaller business owners and wealthy businessmen.

The buildings within Hillview are significant examples of Federation style architecture from the earlier Queen Anne Federation style with elaborate and decorative details to the simpler garage building. The dominant siting of Hillview for display and to experience panoramic views enhances the architectural significance of these buildings. The mature trees and garden setting partially retained today also contribute to the setting and aesthetic significance of the Hillview complex.¹³

4.1.2 Heritage Items in the Vicinity

There are no available Statements of Significance for the heritage items in the vicinity on the State Heritage Inventory. However, the following draft Statements of Significance have been provided to Heritage 21 from Ku-Ring-Gai Council for a number of these heritage items. Statements of Significance have not yet been prepared for the remaining items.

¹³ Hillview Conservation Area – C40, <https://www.krg.nsw.gov.au/Planning-and-development/Heritage/Heritage-conservation-areas>, Viewed on 11 March 2022

“Hillview” – 1334 Pacific Highway – Item I155

The complex including the original c 1890s cottage, the later alterations to it, the 1913 guesthouse and later alterations to it and the various landscape elements including the stone fence along the Pacific Highway, the iron gates (now relocated), the terraced gardens and entrance drive are an excellent and rare example of a grand private guest house, built on the Upper North Shore following the opening of the railway line. The prominent hilltop setting of the house and the spectacular views towards the city and harbour (now partially lost through tree growth) add to the significance of the property.

Hillview Garages – 1340 Pacific Highway – Item I156

The garages are associated with the adjoining “Hillview” complex but are themselves significant as they have maintained their setting and relationship to the main house and the site. The garages are unusually grand for this type of service building and were intended to house the owners Rolls Royce cars and driver. The garages are indicative of the grand stature of the place and the aspirations of its former wealthy owners. The two-storey form of the garage is significant as an unusually grand example of a garage with attached dwelling. As part of the complex, the garages have State significance.

Residential Flat Building – 2-4 Boyd Street – Item I132

No 2 – 4 Boyd Street, has heritage significance as a good example of a Federation period semidetached dwelling house, a type that is common in many parts of Sydney, but rare in Kuring-gai. It is one of only 3 three known examples of the type. Others are at 26 – 26 A Merrivale Road, Pymble and 724- 726 Pacific Highway, Gordon.

4.2 The Subject Site**4.2.1 Assessment of Significance**

In order to make an assessment of whether or not the proposed development to the subject site would have either a negative, neutral or positive impact upon the significance of the subject place, it is necessary first to ascertain the significance of the subject site. The assessment is based upon criteria specified by the NSW Office of Environment and Heritage.¹⁴

This assessment pertains to the subject site, excluding 1 Kissing Point Road which has been assessed separately below in Section 4.3

¹⁴ NSW Office of Environment and Heritage, ‘Statements of Heritage Impact’ (Heritage Office and Department of Urban Affairs & Planning, 1996), NSW Heritage Manual, <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

Criterion	Assessment
<p>A. Historical Significance</p> <p><i>An item is important in the course, or pattern, of NSW's (or the local area's) cultural or natural history.</i></p>	<p>The subject site contains a number of commercial buildings and is illustrative of contemporary development in the area. Whilst the historical imagery indicates that the subject site originally contained residential dwellings, these have been removed.</p> <p>As such, the subject site does not demonstrate historical significance at a local level or state level.</p>
<p>B. Associative Significance</p> <p><i>An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's (or the local area's) cultural or natural history.</i></p>	<p>There is no known significant human occupation or any event, person or group of importance that lived on the site or was associated with it since its construction.</p> <p>As such, the subject site does not meet the criterion for associative significance at a local or state level.</p>
<p>C. Aesthetic Significance</p> <p><i>An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in NSW (or the local area).</i></p>	<p>The subject site contains contemporary commercial buildings which do not display any positive or sensory visual appeal.</p> <p>As such, the subject buildings do not meet the criterion for aesthetic significance at a local or state level.</p>
<p>D. Social Significance</p> <p><i>An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.</i></p>	<p>To our knowledge, the subject site has no known association with an identifiable group in the area or was used by a particular community for social, cultural or spiritual purposes.</p> <p>Therefore, it does not meet the criterion for social significance at a local or state level.</p>
<p>E. Technical/Research Significance</p> <p><i>An item has potential to yield information that will contribute to an understanding of NSW's (or the local area's) cultural or natural history.</i></p>	<p>There is no evidence to suggest that the existing buildings demonstrates construction techniques other than those commonly employed at the time. There is no evidence to suggest that there is archaeological potential for the site.</p> <p>The subject site therefore does not meet the requirements of this criterion at a local or state level.</p>
<p>F. Rarity</p> <p><i>An item possesses uncommon, rare or endangered aspects of NSW's (or the local area's) cultural or natural history.</i></p>	<p>Contemporary commercial buildings are not rare in Sydney and there are numerous examples in the Turramurra area alone.</p> <p>Accordingly, the subject item does not attain the requisite standard of significance under this criterion, at a local or state level.</p>

Criterion	Assessment
G. Representativeness <i>An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or cultural or natural environments.</i>	<p>The subject site contains contemporary commercial buildings which are not representative of a unique architectural style.</p> <p>Therefore, the subject site does not fulfill the criteria for representativeness at a local or state level.</p>

Notwithstanding the historical development of the subject site, there is no evidence to suggest that the subject site and existing structures located at the proposed Turramurra Village, demonstrates any of the criteria against which heritage significance is assessed.

4.3 1 Kissing Point Road

4.3.1 Assessment of Significance

In order to make an assessment of whether or not the proposed development to the building located at 1 Kissing Point Road would have either a negative, neutral or positive impact upon the significance of the subject place, it is necessary first to ascertain the significance of the subject site. The assessment is based upon criteria specified by the NSW Office of Environment and Heritage.¹⁵

Criterion	Assessment
A. Historical Significance <i>An item is important in the course, or pattern, of NSW's (or the local area's) cultural or natural history.</i>	<p>The subject building at 1 Kissing Point Road illustrates historical development during the Inter-War period. However, there is no indication that the site is associated with significant historical events in the area.</p> <p>As such, the subject site does not demonstrate historical significance at a local level or state level.</p>
B. Associative Significance <i>An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's (or the local area's) cultural or natural history.</i>	<p>There is no known significant human occupation or any event, person or group of importance that lived on the site or was associated with it since its construction.</p> <p>As such, the subject site does not meet the criterion for associative significance at a local or state level.</p>
C. Aesthetic Significance <i>An item is important in demonstrating aesthetic</i>	<p>The subject building at 1 Kissing Point Road is an example of Inter-War period architecture in the Californian Bungalow architectural style. It features typical aesthetic characteristics of this style through its use of form</p>

¹⁵ NSW Office of Environment and Heritage, 'Statements of Heritage Impact' (Heritage Office and Department of Urban Affairs & Planning, 1996), NSW Heritage Manual, <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

Criterion	Assessment
<i>characteristics and/or high degree of creative or technical achievement in NSW (or the local area).</i>	<p>and materials. However, the subject building is not aesthetically distinctive nor is it associated with any creative or technical innovation or achievement. There is also very little evidence of remaining internal significant fabric.</p> <p>As such, the subject building does not meet the criterion for aesthetic significance at a local or state level.</p>
<p>D. Social Significance</p> <p><i>An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.</i></p>	<p>The subject building has been used a medical facility since c.1970s. However, despite the community using the building for amenity reasons, to our knowledge, the subject site has no known association with an identifiable group in the area or was used by a particular community for social, cultural or spiritual purposes.</p> <p>Therefore, it does not meet the criterion for social significance at a local or state level.</p>
<p>E. Technical/Research Significance</p> <p><i>An item has potential to yield information that will contribute to an understanding of NSW's (or the local area's) cultural or natural history.</i></p>	<p>There is no evidence to suggest that the existing building demonstrates construction techniques other than those commonly employed at the time. There is no evidence to suggest that there is archaeological potential for the site.</p> <p>The subject site therefore does not meet the requirements of this criterion at a local or state level.</p>
<p>F. Rarity</p> <p><i>An item possesses uncommon, rare or endangered aspects of NSW's (or the local area's) cultural or natural history.</i></p>	<p>The subject site is an Inter-War period building in the Californian Bungalow Style. It is not the only example of its type within the Ku-Ring-Gai Council local government area.</p> <p>Accordingly, the subject building does not demonstrate rare significance at a local level or state level.</p>
<p>G. Representativeness</p> <p><i>An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or cultural or natural environments.</i></p>	<p>The subject building is an intact example of Inter-War residential buildings in the Californian Bungalow architectural style within the area.</p> <p>As such, the subject building does demonstrate representativeness significance at the local level.</p>

4.3.2 Statement of Cultural Significance

The subject site located at 1 Kissing Point Road, Turramurra is an intact example of Inter-War residential buildings in the Californian Bungalow architectural style within the Ku-Ring-Gai Local Government Area. As such, it does demonstrate representativeness significance at the local level.

However, the subject building is not associated with any significant historical events, cannot be associated with any significant human occupation, is not aesthetically distinctive nor is it associated with any creative or technical innovation or achievement, does not have an association with an identifiable group, nor demonstrates construction techniques other than those commonly employed at the time and it is not considered to be rare as there multiple examples of its type within the Ku-Ring-Gai Local Government Area.

5.0 WORKS PROPOSED

5.1 Proposal Description

The planning proposal seeks to amend the existing planning controls which would support the redevelopment of the site. The proposed controls are supported by a reference scheme which would deliver the following:

- Demolition of existing buildings on the subject site;
- Construction of a mixed-used contemporary building incorporating specialty retail, supermarkets, workplace hubs and residential apartments;
- Construction of a new, two-way traffic public street connecting Kissing Point Road and Duff Street;
- Removal of trees to accommodate development; and
- Construction of a new urban park and area.

The Design Report, prepared DKO Architecture, dated October 2023, provides the following Design Statement concerning the proposed development.

The Turramurra Village will provide the impetus for this revitalisation. Within this local centre context, the site presents an ideal opportunity to revitalise the area by expanding the precinct through a mixed-use development that incorporates speciality retail, supermarkets, workplace hubs, lifestyle-based living, and the improvement of Granny Springs Reserve via an integrated public space expansion.

The assessment in the following pages considered the reference scheme as a test case of future development of the site. Any future development would be subject to a separate Development Application which would need to be supported by a separate consideration of heritage impacts and further assessment and consideration by Council.

5.2 Background

5.2.1 Considerations of Alternatives

Heritage 21 was not involved in the design process of the proposed development.

5.3 Drawings

Our assessment of the proposal is based on the following drawings by DKO Architecture dated September, 2023 and received by Heritage 21 on 31 October 2023. These are reproduced below for reference only; the full set of drawings accompanying the planning proposal should be referred to for any details.

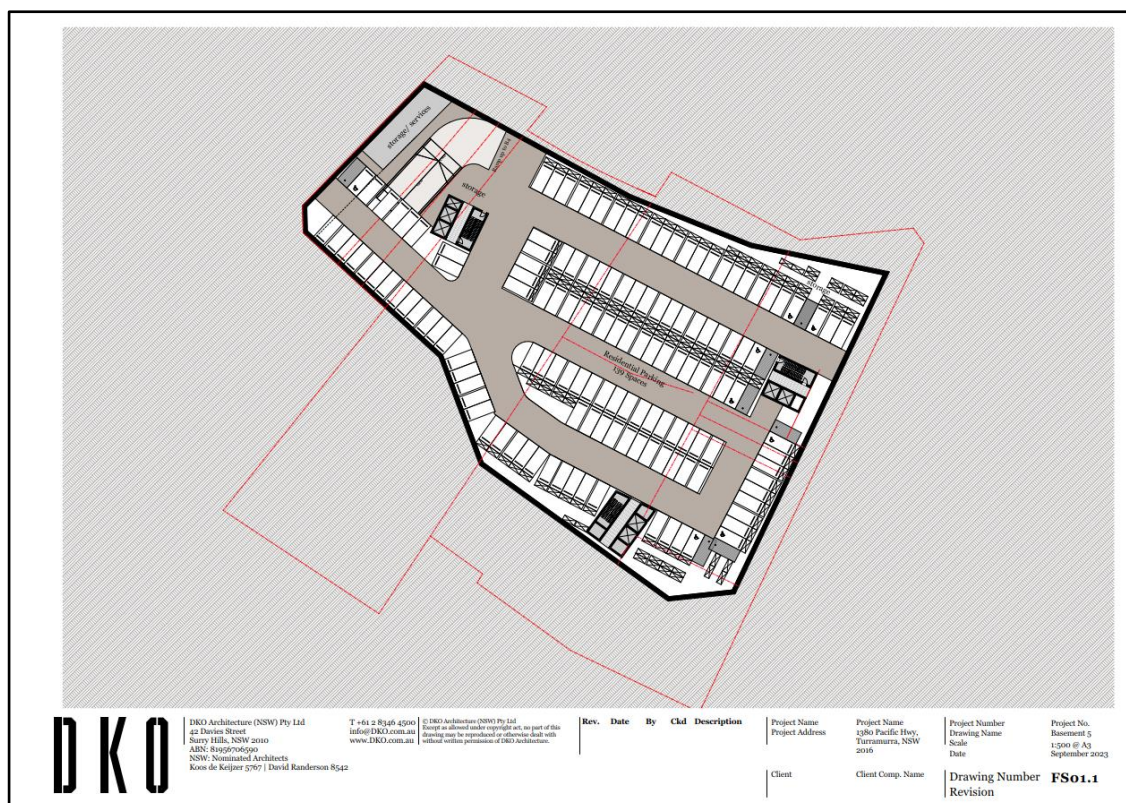


Figure 53. Basement 5

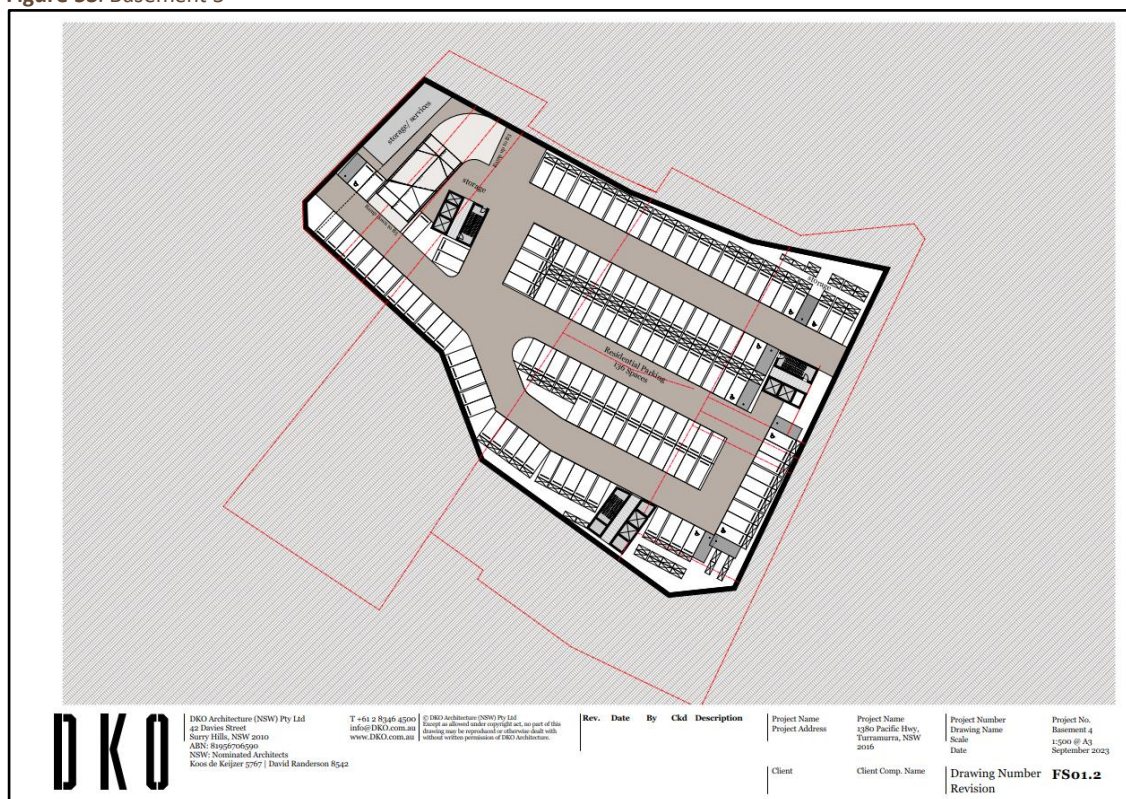


Figure 54. Basement 4

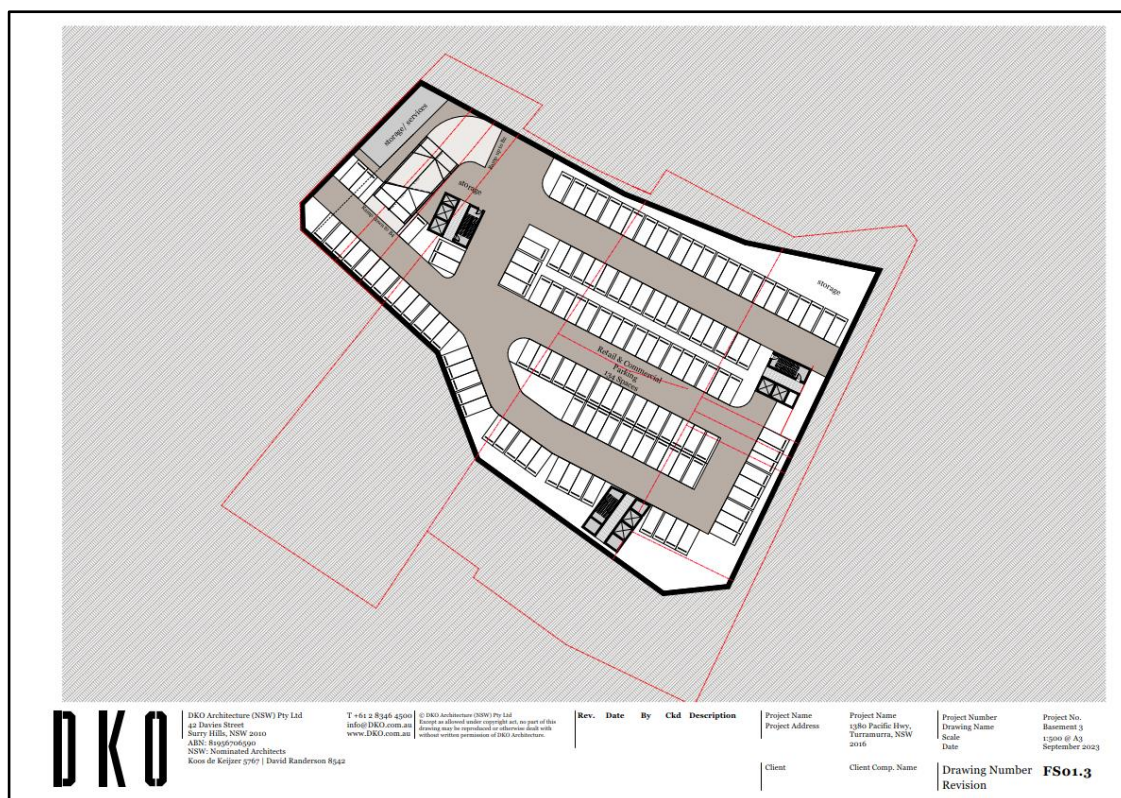


Figure 55. Basement 3

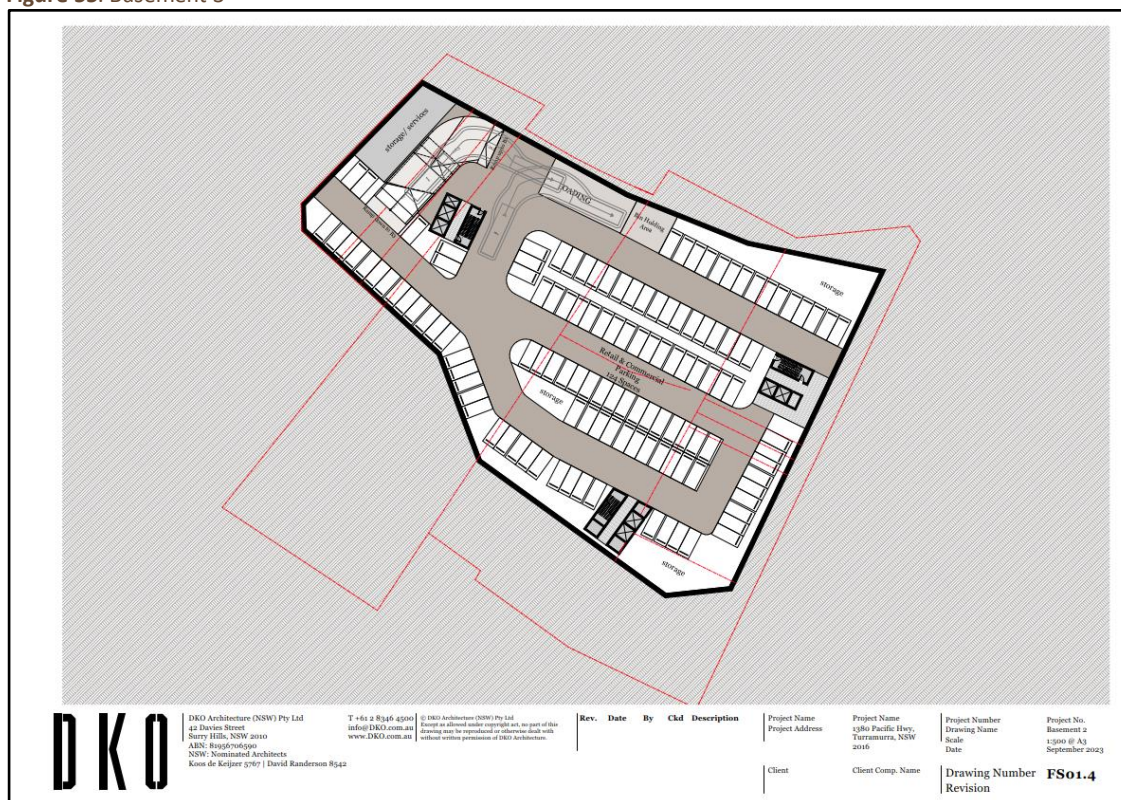


Figure 56. Basement 2

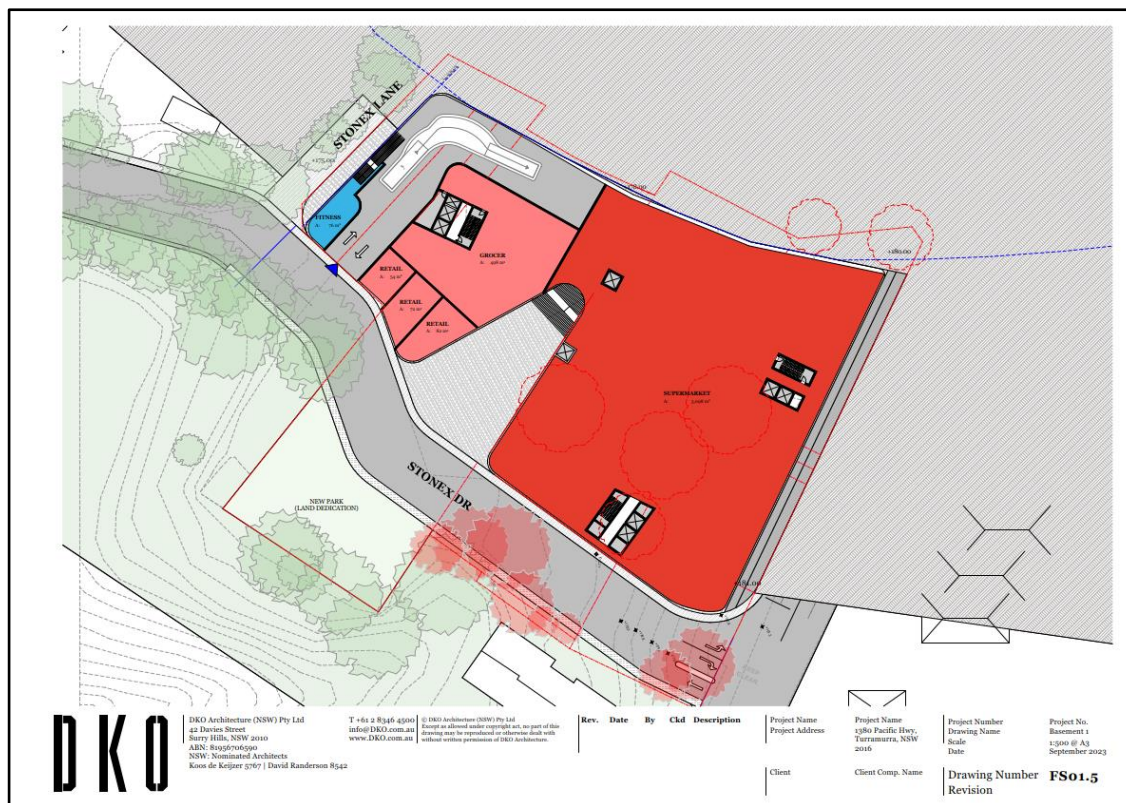


Figure 57. Basement 1

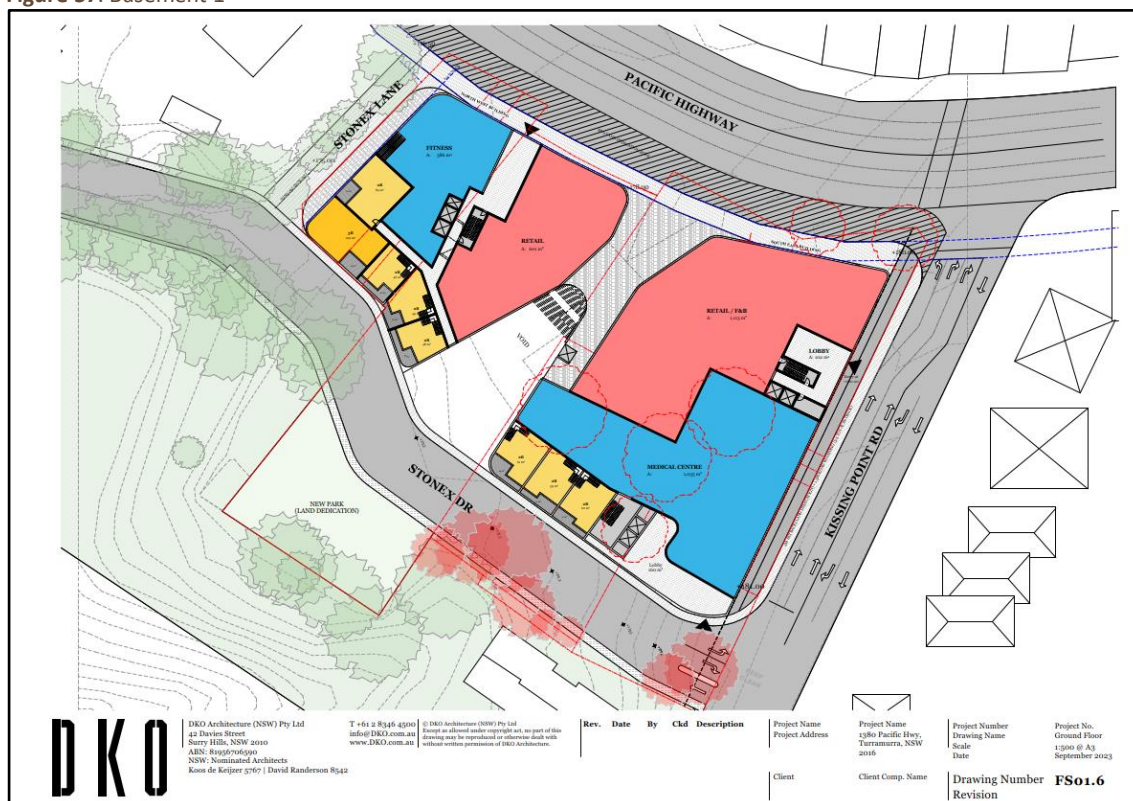


Figure 58. Ground Floor



Figure 59. Level 1



Figure 60. Level 2



Figure 61. Level 3



Figure 62. Level 4-6



Figure 63. Level 7



Figure 64. Level 8

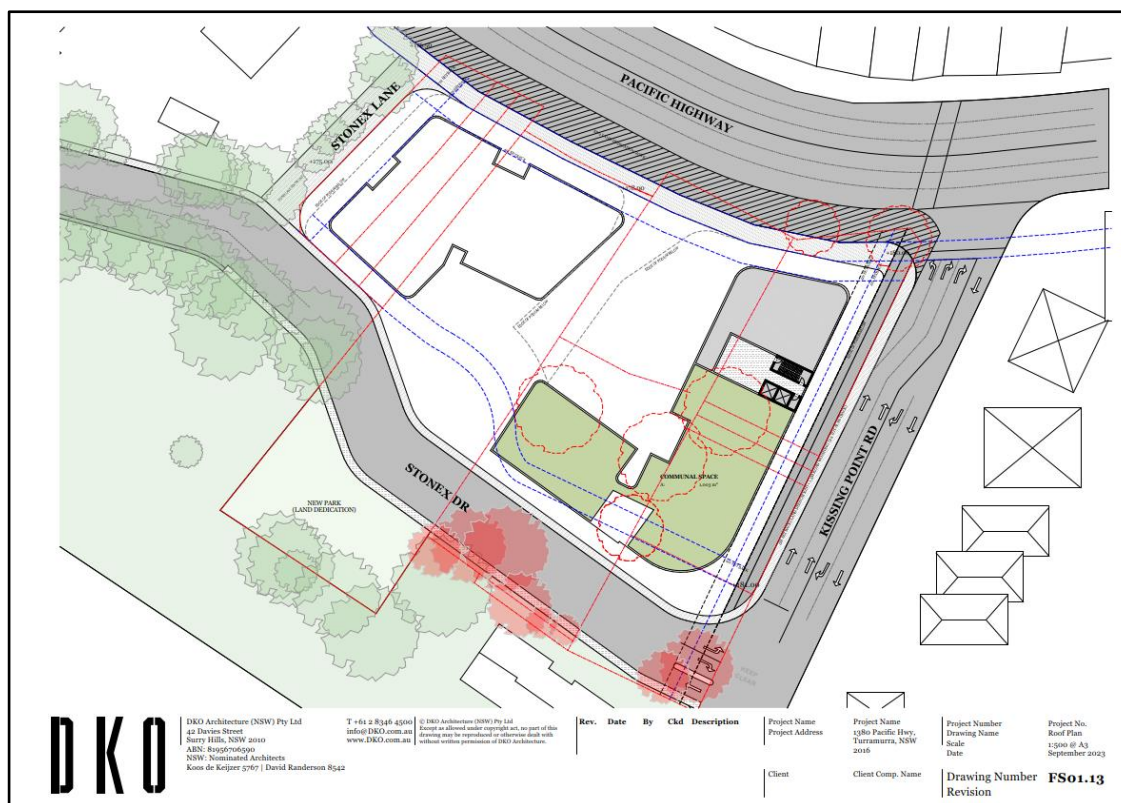


Figure 65. Roof Plan

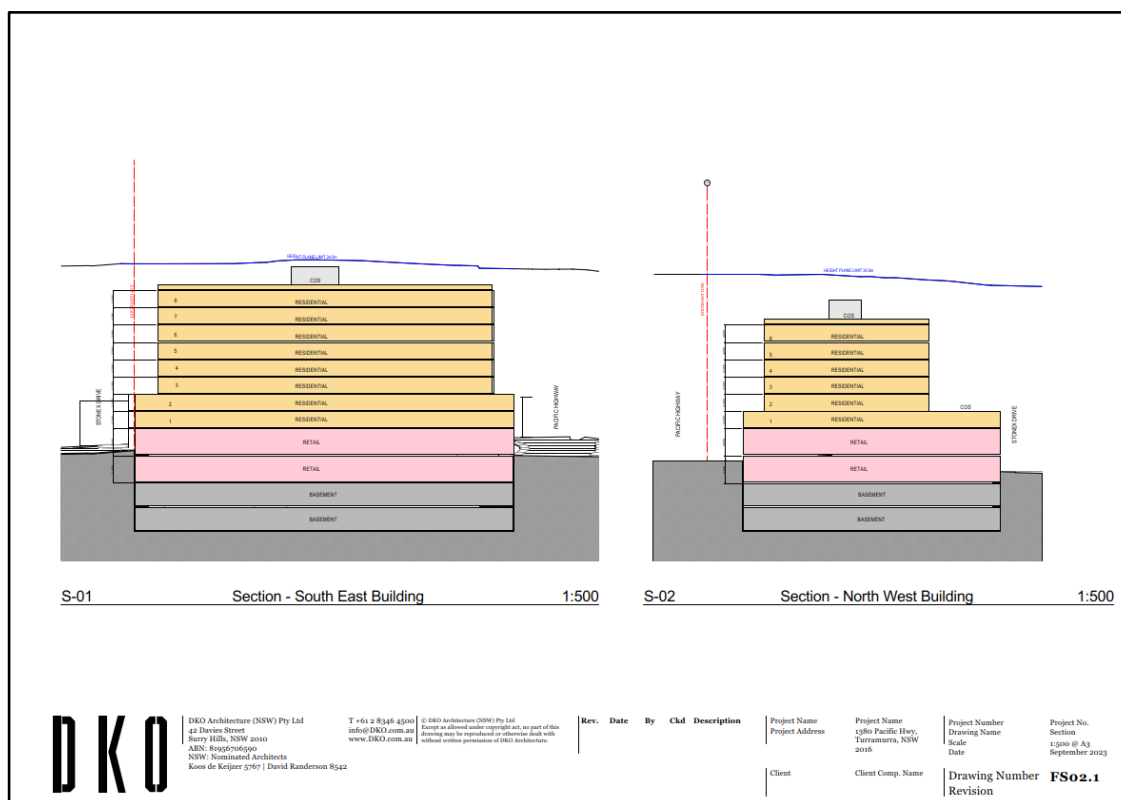


Figure 66. Section

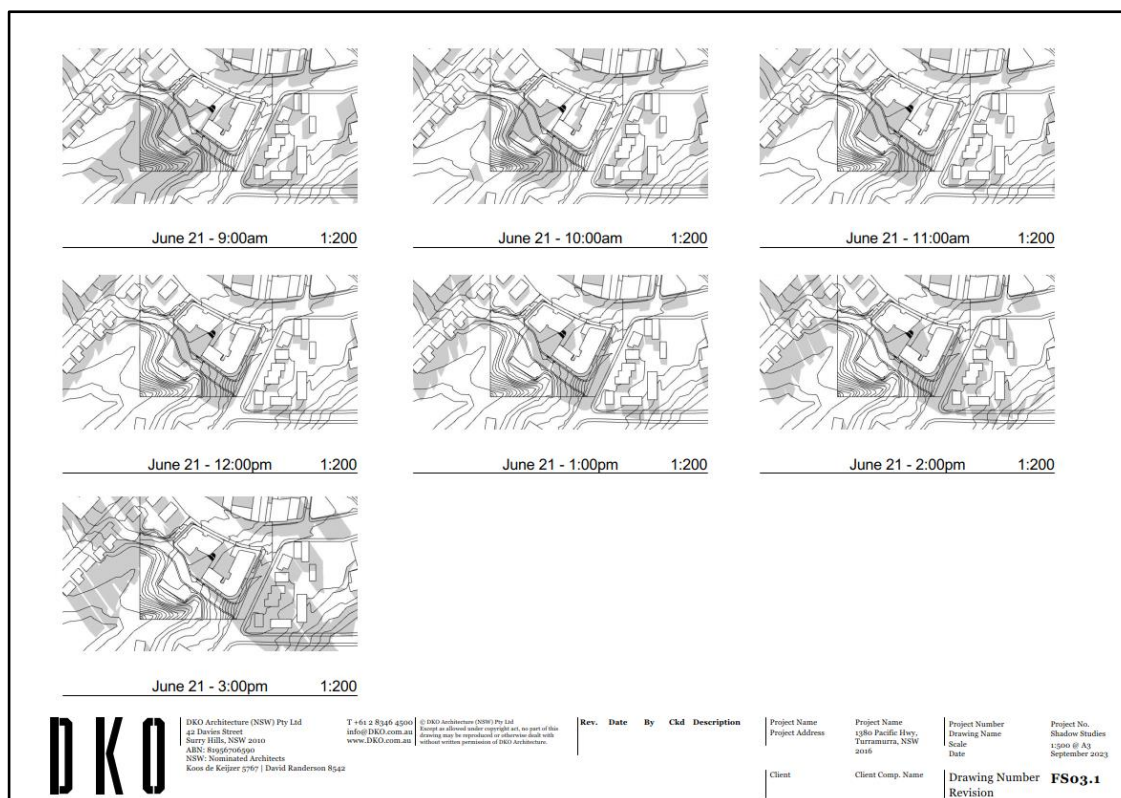


Figure 67. Shadow Studies

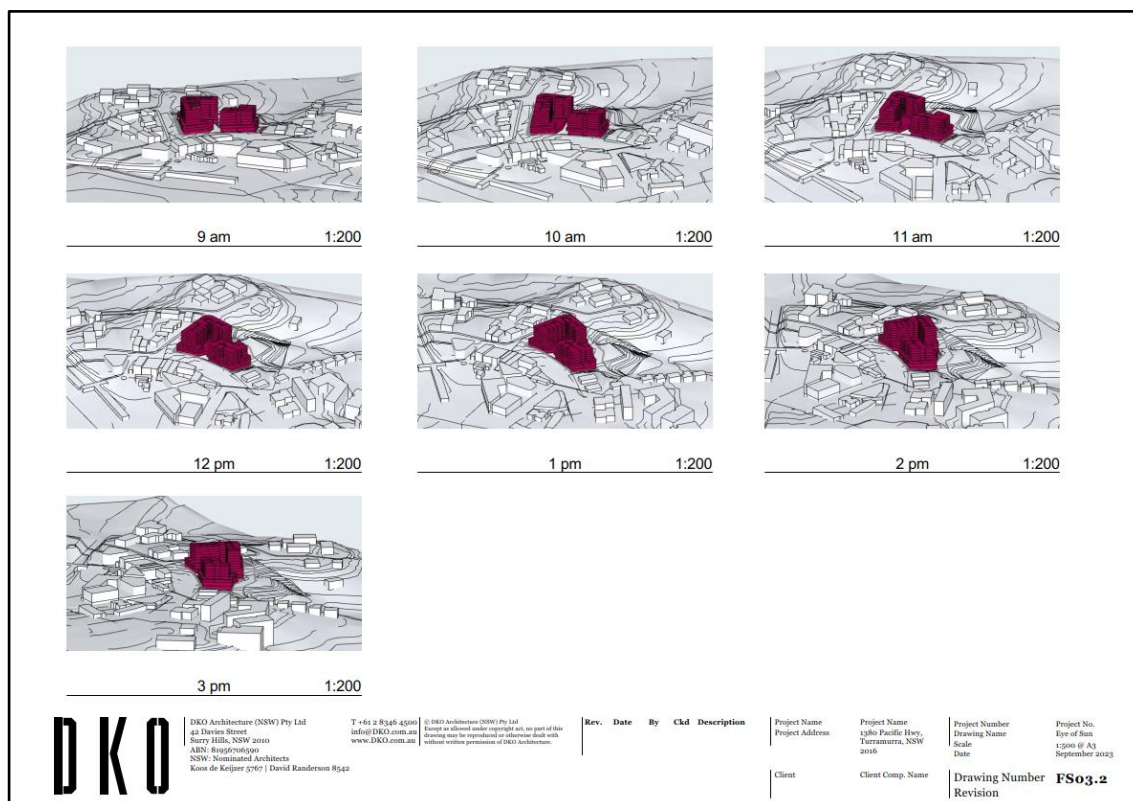


Figure 68. Eye of Sun

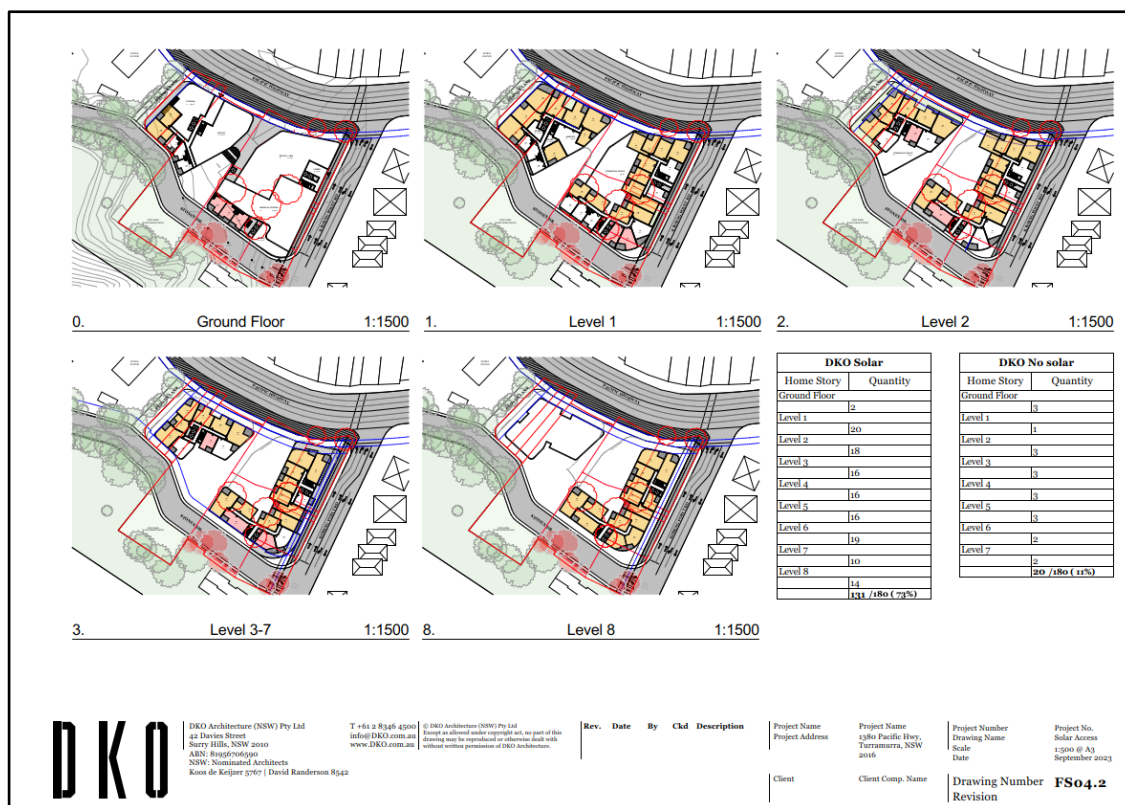


Figure 69. Solar Access

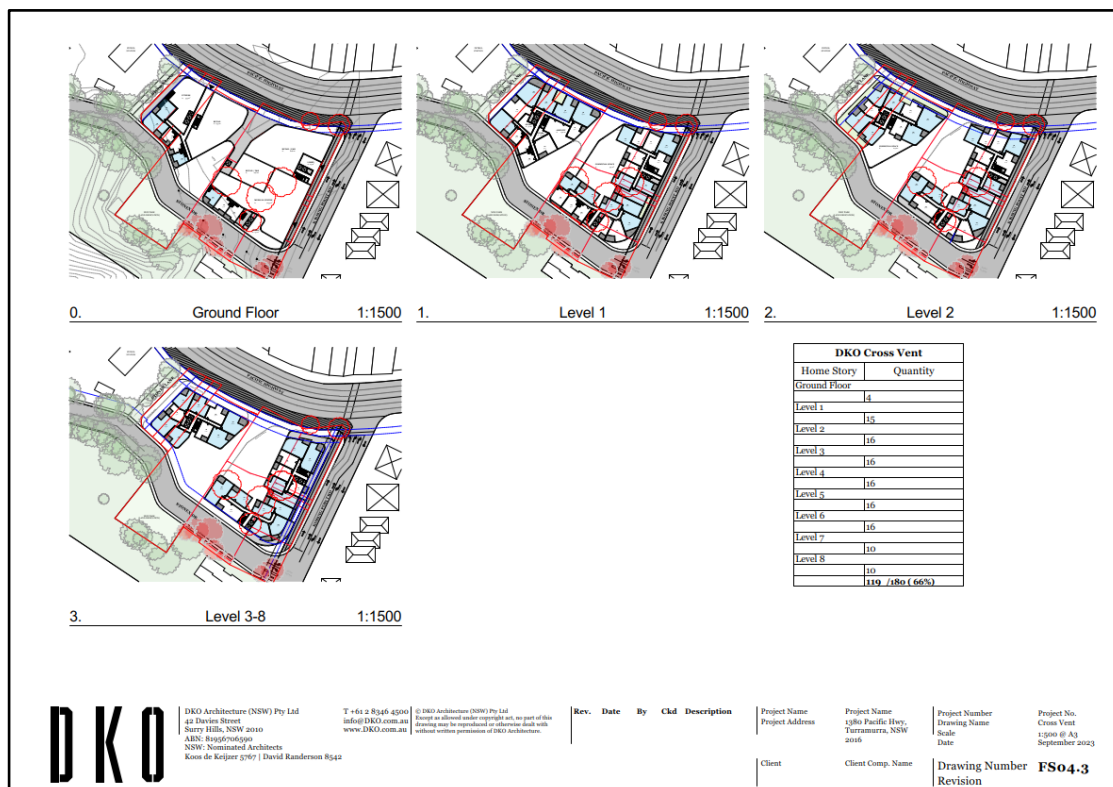


Figure 70. Cross Vent

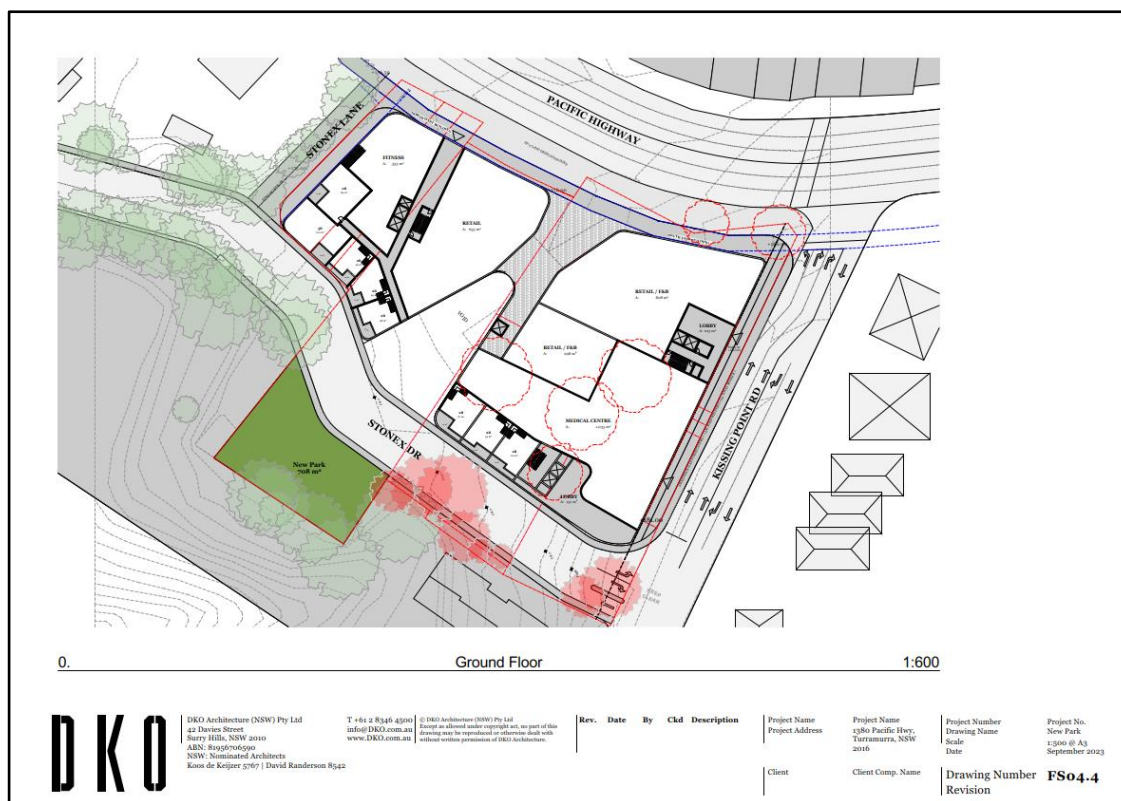


Figure 71. New Park

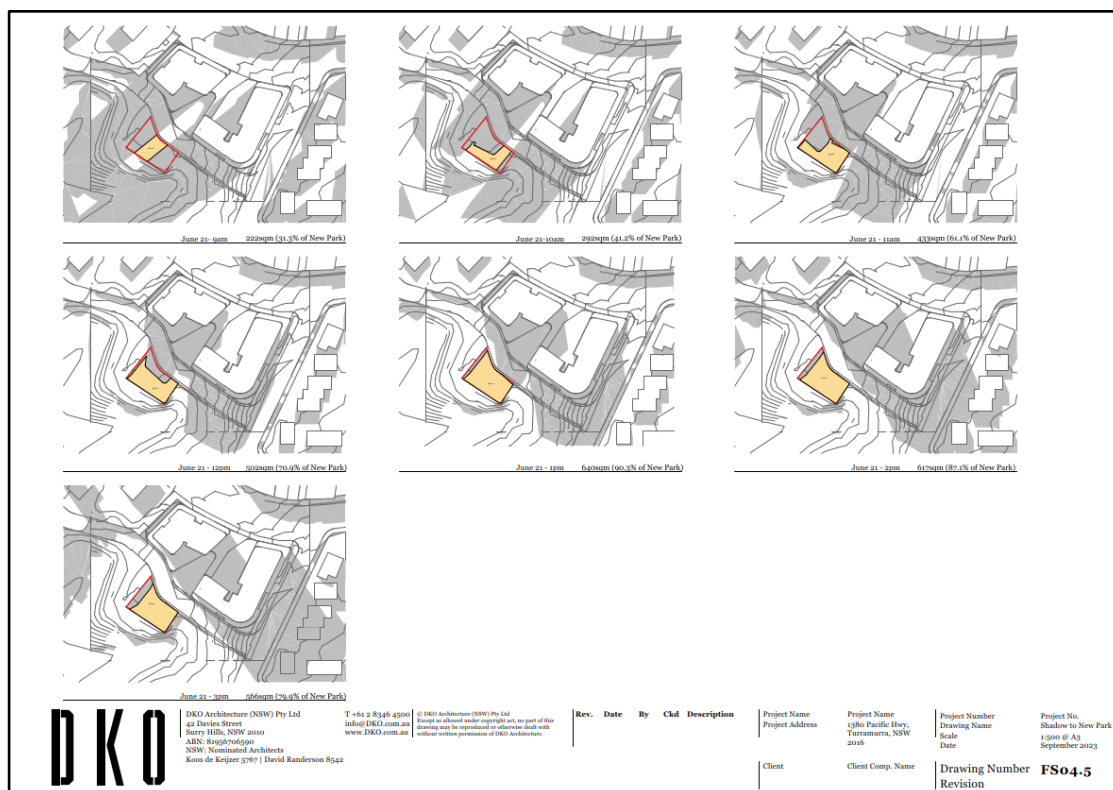


Figure 72. Shadow to New Park



Figure 73. COS

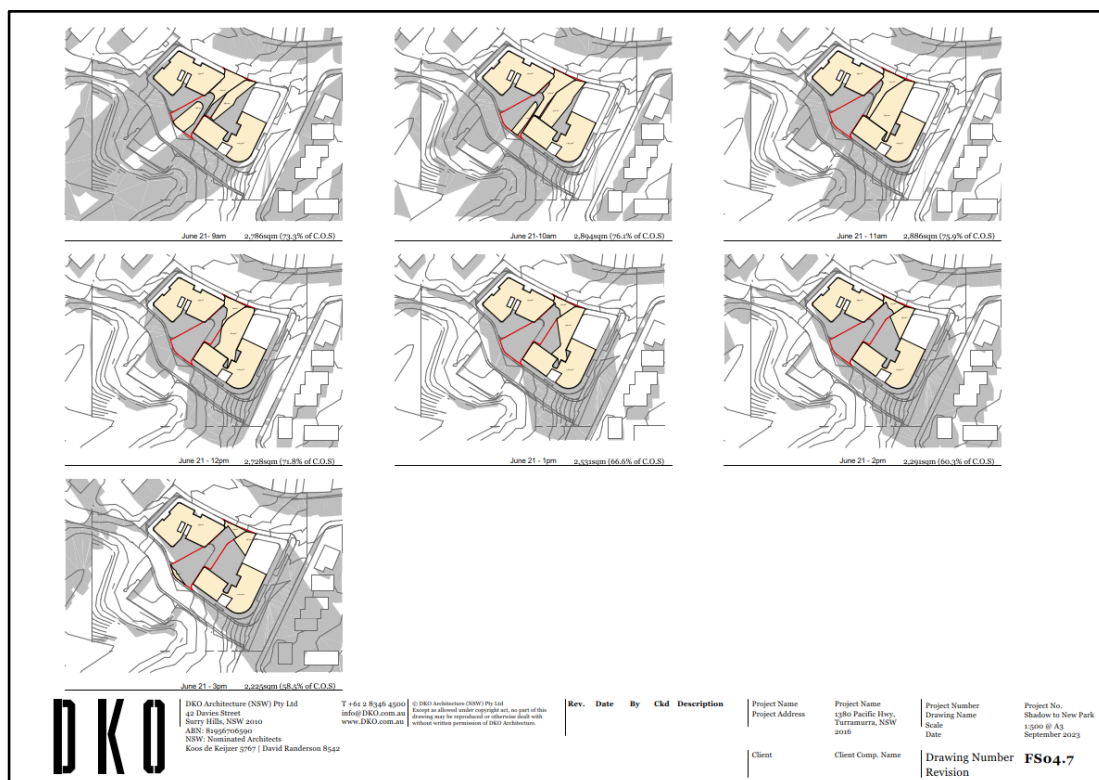


Figure 74. Shadow to New Park

6.0 ASSESSMENT OF HERITAGE IMPACT

6.1 Heritage Management Framework

Below we outline the heritage-related statutory and non-statutory constraints applicable to the subject site including the objectives, controls and considerations which are relevant to the proposed development as described in Section 4.2 above. These constraints and requirements form the basis of this Heritage Impact Assessment.

6.1.1 Ku-Ring-Gai Local Environmental Plan 2015

The statutory heritage conservation requirements contained in Section 5.10 of the Ku-Ring-Gai Local Environmental Plan (KLEP) 2015 are pertinent to any heritage impact assessment for future development on the subject site. The relevant clauses for the site and proposal are outlined below:

- (1) Objectives
- (2) Requirement for consent
- (4) Effect of proposed development on heritage significance
- (5) Heritage assessment

6.1.2 Ku-Ring-Gai Development Control Plan 2023

Our assessment of heritage impact also considers the heritage-related sections of the Ku-Ring-Gai Development Control Plan (KDCP) 2023 that are pertinent to the subject site and proposed development. These include:

Part 19F Development in the Vicinity of Heritage Items or Heritage Conservation Areas (HCAS)

19F.1 Local Character and Streetscape

19F.2 Building Setbacks

19F.3 Gardens and Landscaping

19F.4 Fencing

6.1.3 NSW Department of Planning and Environment Guidelines

In its guidelines for the preparation of Statements of Heritage Impact, the NSW Department of Planning and Environment provides a list of considerations in the form of questions aiming at directing and triggering heritage impact assessments.¹⁶ These are divided into sections to match the different types of proposals that may occur on a heritage item, item in a heritage conservation area or in the vicinity of heritage. Below are listed the considerations which are most relevant to the proposed development as outlined in Section 4.2 of this report.

¹⁶ Department of Planning and Environment, *Guidelines for preparing a statement of heritage impact* (Paramatta: Department of Planning and Environment, NSW Government, 2023), <https://www.environment.nsw.gov.au/research-and-publications/publications-search/statements-of-heritage-impact>.

New landscape works and features

- *How has the impact on the heritage significance of the existing landscape been minimised?*
- *Are works to the landscape or pathways necessary to comply with the access requirements of the Disability Discrimination Act 1992?*
- *Has evidence (archival or physical) of previous landscape work been investigated? Is the original landscape work being reinstated?*
- *Will any known or potential archaeological relics be affected by the landscape works? How will this be mitigated? Has advice been sought from a suitably qualified archaeologist?*
- *Do the proposed works impact views to, from and within adjacent heritage items?*

Tree removal or replacement

- *Does the tree proposed to be removed contribute to the heritage significance of the heritage item?*
- *Why is the tree being removed?*
- *Has the advice of a qualified arborist, tree surgeon or horticultural specialist been sought and implemented?*
- *Is the methodology for tree removal adequately understood? Will the proposed works impact on the significance of the heritage item?*
- *Is the tree being replaced? Where will it be replaced and with what species? Why?*

Works adjacent to a heritage item or within the heritage conservation area (listed on an LEP)

- *Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?*
- *Will the proposed works affect views to, and from, the heritage item? If yes, how will the impact be mitigated?*
- *Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?*

6.2 Heritage Impact Assessment

Below we assess the impact that the proposed development would have upon the subject site and the heritage items and conservation area in the vicinity. This assessment is based upon the Historical Context (refer to Section 2.0), the Physical Evidence (refer to Section 3.0), Heritage Significance (refer to Section 4.0) the Proposal (refer to Section 5.0), a review of the Heritage Management Framework (refer to Section 6.1) and the impact of the proposal on the relevant heritage items and heritage conservation area situated in the vicinity of the site (refer to Section 4.1.1 and Section 4.1.2).

6.2.1 Summary

The proposal does not entail any works to sites and places listed as heritage items under Schedule 5 of the Ku-Ring-Gai LEP 2015. However, the proposed development is in the vicinity of number of heritage items and an HCA. These are Item I132 (2-4 Boyd Street), Item I139 (8 Kissing Point Road), Item I155 (1334 Pacific Highway), Item I156 (1340 Pacific Highway), Item I157 (1356 Pacific Highway), Item I158 (1358 and 1360 Pacific Highway), Item I140 (9 Kissing Point Road), Item I141 (11 Kissing Point Road) & the Hillview HCA (C40).

The proposal involves the demolition of the existing commercial buildings and the doctor's surgery, located at 1 Kissing Point Road. The majority of the buildings located within the site are commercial contemporary buildings which have no heritage value. As such, their removal would not have an impact on the heritage significance of the subject site. The building located at 1 Kissing Point Road, which is also proposed for demolition, is not a listed heritage item nor is it located within a heritage conservation area. However, it has been identified by Heritage 21 that this building does possess representativeness significance at the local level as an intact example of Inter-War residential buildings in the Californian Bungalow architectural style within the Ku-Ring-Gai Local Government Area. The building is also considered to be a positive contribution to the Kissing Road streetscape. However, the retention of this building is not a viable option for the designers due to the inherent site conditions. Whilst the building cannot be retained, it is of the opinion of Heritage 21 that mitigation measures such as a photographic archival study would document the style of the building and its contributory characteristics to the local area.

The proposed development involves a multi-storey contemporary development which accommodates commercial shops and residential areas. The curtilage and setting of the heritage items and heritage conservation area in the vicinity has been considered through a high standard of architectural design that would deliver a positive contribution to the streetscape, creating a distinction between the new and the existing. In order to minimise the visual impact to these heritage items, the design has considered a sympathetic stepped and curved form, which minimises the impact of the building height. Through the use of greenery and muted colour scheme, it would engender a recessive presentation to these respective streetscapes. As such, Heritage 21 is of the opinion that the proposed development would be a contemporary addition to the Pacific Highway, Kissing Point Road and Duff Street streetscapes. Additionally, the use of materiality, to celebrate the

existing shop fronts would create a contemporary response to the existing contributory items in the streetscape. As such, it is of the opinion of Heritage 21, that the proposed development would provide an interesting layer to the architectural history of the area.

The proposal would involve the construction of a green area and park to the south of the proposed development. This would assist in creating space between the new built form and the Granny Springs Bushland Reserve and heritage items I140 and I141 in the vicinity. We also note that construction of a new two-way traffic public street connecting Kissing Point Road and Duff Street would assist with wayfinding on the site.

6.2.2 Impact Assessment against the KLEP 2015

The statutory heritage conservation requirements contained in Section 5.10 of the Ku-Ring-Gai LEP 2015 are pertinent to any heritage impact assessment for future development on the subject site. We assess the proposal against the relevant clauses below.

CLAUSE	ASSESSMENT
(1) Objectives	The proposal does not entail any work to sites and places listed as heritage items under Schedule 5 of the Ku-Ring-Gai LEP 2015. It is our general assessment that the proposed height, scale, massing and materials proposed (as detailed in Section 5.0 above) would not engender a negative impact on the heritage significance of the heritage items and heritage conservation area located in the vicinity of the site, including their contributory fabric and general setting. The new development, in Heritage 21's opinion would be a sympathetic to the context and would create a cohesive relationship between the existing and new urban fabric.
(2) Requirement for consent	This Planning Proposal is lodged to Council to gain consent for the works proposed in the vicinity of heritage items and a heritage conservation area listed under Schedule 5 of the Ku-Ring-Gai LEP 2015.
(4) Effect of proposed development on heritage significance	This Statement of Heritage Impact accompanies the Planning Proposal in order to enable the Municipality of Ku-Ring-Gai, as the consent authority, to ascertain the extent to which the proposal would affect the heritage significance of the heritage items and heritage conservation area located in the vicinity of the site.
(5) Heritage assessment	

6.2.3 Impact Assessment Against the KDCP 2023

Part 19 – Heritage Items and Heritage Conservation Areas	
19F Development in the Vicinity of Heritage Items or Heritage Conservation Areas (HCAs)	
19F.1 Local Character and Streetscape	
Objectives	Assessment
<i>O1 To consider the impact on the historic curtilage and setting of the Heritage Item or HCA and related heritage features such as views, streetscape context, historical subdivisions, garden settings, alienated trees and other landscape features.</i>	The proposed development would be in the visual catchment of a number of heritage items and an HCA. These are Item I132 (2-4 Boyd Street), Item I139 (8 Kissing Point Road), Item I155 (1334 Pacific Highway), Item I156 (1340 Pacific Highway), Item

	<p>I157 (1356 Pacific Highway), Item I158 (1358 and 1360 Pacific Highway), Item I140 (9 Kissing Point Road), Item I141 (11 Kissing Point Road) & the Hillview HCA (C40).</p> <p>The proposed development involves a multi-storey contemporary development which accommodates commercial shops and residential areas. The curtilage and setting of the heritage items and heritage conservation area in the vicinity has been considered through a high standard of architectural design that would deliver a positive contribution to the streetscape, creating a distinction between the new and the existing. In order to minimise the visual impact to these items, the design has considered a sympathetic stepped and curved form, which minimises the impact of the building height. The design has considered the introduction of an additional green space, with the proposal of an urban park and space which complements the existing garden setting of the area. Additionally, the use of greenery and landscaping on the built form softens the transition from the adjacent nature reserve to the proposed new development.</p>
<i>O2 To retain the significance of Heritage Items or HCAs in their settings.</i>	The proposed development would ensure that the heritage items and HCA in the vicinity would retain their curtilage and existing setting.
<i>O3 To ensure that the scale of new development does not dominate, detract from or compete with Heritage Items or HCAs in the vicinity.</i>	The proposed development is of a greater scale and mass than the existing buildings in the streetscape, including the heritage items in the vicinity. However, through competent design, Heritage 21 is of the opinion that the visual impact of the new development would be minimised by the use of form, sympathetic materials and greenery.
<i>O4 To ensure that new development respects and conserves the significance of any nearby Heritage Items or HCA and their settings.</i>	The proposed new development would respect and conserve the significance of the nearby heritage items and the HCA and would not impact upon any significant fabric. The proposed development would not infringe on the curtilage of the heritage items. In Heritage 21's opinion, the proposed development would provide an interesting layer to the architectural history of the area.
<i>O5 To ensure that new development does not visually dominate the adjoining or nearby Heritage Item or HCA.</i>	The proposed development, in Heritage 21's opinion, has aimed to minimise its visual impact through a competent design solution. Whilst the scale and massing are greater than the surrounding

	architectural landscape, the form of the upper stories for the residential apartments has been set back from the lower stories to reduce to the bulk of the buildings. The use of curved lines on the form also creates a softer visual response. The use of greenery on the built form assists the structure in blending into the natural landscape. As such, Heritage 21 is of the opinion, that the proposed development would not visually dominate the heritage items and HCA in the vicinity but in fact, create a harmonious relationship with them through a high design standard and being a reflection of its time.
<i>O6 To ensure that the scale of new development in the vicinity of the HCA is in harmony with the streetscape and does not dominate, detract from or compete with the Heritage Item or HCA.</i>	The proposed development would be a contemporary addition to the Pacific Highway, Kissing Point Road and Duff Street streetscapes. Through the use of greenery and muted colour scheme, it would engender a recessive presentation to these respective streetscapes. Additionally, the use of materiality, to celebrate the existing shop fronts would create a contemporary response to the existing contributory items in the streetscape.
19F.2 Building Setbacks	
Objectives	Assessment
<i>O1 To ensure new work in the vicinity of a Heritage Item or HCA respects and contributes to the established streetscape patterns through careful siting of new buildings.</i>	The proposed new development would be in line with the siting of the existing buildings along Pacific Highway. The development would thus maintain the rhythm of the commercial buildings along the streetscape.
<i>O2 To ensure new development provides an interface of scale and bulk to preserve the amenity to the adjacent Heritage Item or building within a HCA.</i>	The proposed new development has utilised a stepped form to provide an interface between the new built form and the surrounding heritage items and HCA. The upper residential levels have been stepped back from the base of the building and would utilise a curved form to minimise this visual impact and create more space.
<i>O3 To ensure new medium and high density development does not visually dominate the Heritage Item or building within the HCA.</i>	The proposed new development is of greater density than the surrounding area. However, in the opinion of Heritage 21, the design has aimed to minimise the visual impact of this bulk through use of materiality and greenery.
19F.3 Gardens and Landscaping	
Objectives	Assessment
<i>O1 To ensure that new development does not impact on the landscape character and garden setting of any nearby Heritage Item or HCA.</i>	The proposed development uses greenery on the built form to blend into the landscape character and garden setting of the surrounding area.

	Additionally, the proposal includes another green area and park to the south of the development which creates space between the built form and the Granny Springs Bushland Reserve.
19F.3 Fencing	
Objectives	Assessment
<i>O1 To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape.</i>	The subject site does not contain any early and original fences, gates and retaining walls.
<i>O2 To retain those streetscapes where front and side fencing do not form part of the original streetscape.</i>	The proposed development allows for an open space for easy public access. There are no proposed fences and barriers. The proposed development presents a contemporary design to the adjacent streetscapes.
<i>O3 To encourage the reinstatement of the original form of fencing and gates, where known.</i>	The original form of previous fencing and gates is not known, nor would it be appropriate within a new commercial context.
<i>O4 To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.</i>	The proposed development does not propose new front fences and gates.

6.2.4 Impact Assessment Against the NSW Department of Planning and Environment Guidelines

As acknowledged in Section 6.1.3, the NSW Department of Planning and Environment has identified a list of considerations in the form of questions aiming at directing and triggering heritage impact assessment. Below, we assess the proposal against the most pertinent of these questions.

Question	Assessment
New landscape works and features	
<i>How has the impact on the heritage significance of the existing landscape been minimised?</i>	The proposal involves the construction of a new green area to the south of the new development. This considers the creation of space between the development and greenery reserve. The works also involve the creation of an additional two-way traffic public street connecting Kissing Point Road and Duff Street. This new road would be to the rear of the subject site and would not impact view lines to and from the heritage items, nor would it engender a negative impact on the existing landscape. It is also noted that this new road forms part of the proposed new development and character of the Turramurra Town Centre, as noted within the DCP Section 14B Turramurra Local Centre.
<i>Are works to the landscape or pathways necessary to comply with the access requirements of the Disability Discrimination Act 1992?</i>	It is outside our remit to comment on the access requirements of the Discrimination Act 1992.

Question	Assessment
<i>Has evidence (archival or physical) of previous landscape work been investigated? Is the original landscape work being reinstated?</i>	To our knowledge, no archival and physical evidence of the previous landscape exists on the subject site.
<i>Will any known or potential archaeological relics be affected by the landscape works? How will this be mitigated? Has advice been sought from a suitably qualified archaeologist?</i>	An archaeological assessment is beyond the scope of this report.
<i>Do the proposed works impact views to, from and within adjacent heritage items?</i>	The proposed new landscaping, which involves the construction of a new park space to the south of the site, would have a positive impact on the views to the heritage items, notably Item I140 and I141. The new park area would create space between these items and the proposed new development.
Tree removal or replacement	
<i>Does the tree proposed to be removed contribute to the heritage significance of the heritage item?</i>	As per the Arborist report prepared by Dr Treegood, dated November 2023, the proposal involves the removal of Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15. The trees identified for removal, whilst some of them are mature, do not contribute to the heritage significance of the area. However, the trees do contribute to the garden setting of the place, and we would encourage the proposal to include a detailed soft landscaping plan as part of any future development application.
<i>Why is the tree being removed?</i>	The trees are being removed to accommodate the footprint of the new development, and also due to the siting of high voltage power lines.
<i>Has the advice of a qualified arborist, tree surgeon or horticultural specialist been sought and implemented?</i>	Yes – a report has been prepared by Dr Treegood, dated November 2023.
<i>Is the methodology for tree removal adequately understood? Will the proposed works impact on the significance of the heritage item?</i>	Details on the methodology for tree removal has not been provided.
<i>Is the tree being replaced? Where will it be replaced and with what species? Why?</i>	The proposed trees for removal are primarily jacarandas and eucalyptus trees. Details on a replantation strategy have not been provided.
Works adjacent to a heritage item or within the heritage conservation area (listed on an LEP)	
<i>Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?</i>	The proposed design of the new development achieves a high architectural standard as is a contemporary architectural idiom reflecting the values of the local area. The proposed development would not imitate or replicate any architectural details noted to the significant periods of the local government area, or adjacent heritage conservation area. Whilst the proposal is multi-storey, it would not cast an overwhelming presence through its sympathetic employment of contemporary and traditional materials, stepped

Question	Assessment
	form and use of greenery and landscaping on the elevations. The design, in Heritage 21's opinion, responds to the historic development of the area by maintaining a high standard of contemporary design that creates a contrast between the existing heritage buildings within the vicinity. The materials, construction techniques, form and massing would be an appropriate response to the historical context of Turrumurra. The proposal would reflect the design values and aesthetics of the 21 st century, and would add an interesting layer to the ever evolving building environment of Turrumurra. As such, the impact to the adjacent heritage items and heritage conservation area in the vicinity has been minimised through high architectural design standards.
<i>Will the proposed works affect views to, and from, the heritage item? If yes, how will the impact be mitigated?</i>	The proposed new development, due the scale of the design, would be visible from the heritage items in the vicinity. However, the design solution has aimed to minimise this visual impact through the use of its setback form on the upper residential areas, use of materiality and greenery.
<i>Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?</i>	The proposed new development, in the opinion of Heritage 21, is sympathetic to the heritage conservation area through its use of form, proportions, design response, muted colour scheme and use of materiality. It would be a distinctly contemporary addition to the site.

7.0 CONCLUSION & RECOMMENDATIONS

7.1 Impact Summary

The NSW Office of Environment & Heritage's guidelines require the following aspects of the proposal to be summarised.¹⁷

7.1.1 Aspects of the proposal which respect or enhance heritage significance

In our view, the following aspects of the proposal would respect the heritage significance of the subject site and heritage items and Hillview HCA in the vicinity:

- The proposal would retain the commercial character of the Turramurra Town Centre;
- The proposed contemporary design, through a high standard of architectural design, would deliver a positive contribution to the streetscape, creating a distinction between the new and the existing;
- The proposed contemporary design is sympathetic to the significance of the heritage items and HCA in the vicinity, as it would not replicate or imitate any significant historic architectural details within the HCA and of the heritage items. The proposed design is contemporary and would be a reflection of its time, which is also keeping with the conservation principle of the Burra Charter;
- The proposed design has considered a sympathetic stepped and curved form, greenery and muted colour scheme which minimises the visual impact of the building height and mass;
- The siting of the proposed development would not impact significant view lines to and from the heritage items and heritage conservation area in the vicinity; and
- The proposal would involve the demolition of contemporary commercial buildings to accommodate the new building footprint.

7.1.2 Aspects of the proposal which could have detrimental impact on heritage significance

In our view, the demolition of the dwelling at 1 Kissing Point Road may have a detrimental impact on the heritage significance and character of the area. It has been identified by Heritage 21 that subject building does attain representativeness significance at the local level as an intact example of Inter-War residential buildings in the Californian Bungalow architectural style within the Ku-Ring-Gai Local Government Area. The building is a positive contribution to the Kissing Road streetscape. Whilst the building cannot be retained, it is of the opinion of Heritage 21 that mitigation measures such as a photographic archival study would document the style of the building and its contributory characteristics to the local area. This would mitigate any potential loss of heritage and streetscape character value.

¹⁷ NSW Office of Environment and Heritage, 'Statements of Heritage Impact' (Heritage Office and Department of Urban Affairs & Planning, 1996), <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

7.2 Mitigation Measures/Recommendations

To ensure maximum conservation of the significance of the subject site, heritage conservation area and heritage items in the vicinity, Heritage 21 also recommends the following:

7.2.1 Photographic Archival Recording

A Photographic Archival Recording (PAR) of the building 1 Kissing Point Road should be prepared by a suitably qualified Heritage Consultant prior to any development being carried out on the site.

The report must consist of an archival standard photographic record of the site and building externally including the existing character of the streetscape and general views to and from the building, exteriors and interiors, landscape and curtilage area.

The recording shall be undertaken in accordance with the guidelines for Photographic Recording of Heritage Items Using Film or Digital Capture (2006) prepared by the NSW Office of Environment & Heritage and copies should be retained in Council's Archives and Local Studies collection.

7.3 General Conclusion

Heritage 21 is therefore confident that the proposed amendments to the planning controls would not preclude future development from being capable of complying with pertinent heritage controls and would not engender a negative impact on the heritage significance of the subject site, the Hillview heritage conservation area and the heritage items in the vicinity. We therefore recommend that Ku-Ring-Gai Council view the application as being capable of appropriately responding to heritage constraints as part of subsequent applications for redevelopment of the site under the proposed planning controls.

8.0 SOURCES

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- Department of Planning and Environment. *Assessing heritage significance*. Parramatta: Department of Planning and Environment, NSW Government, 2023.
<https://www.environment.nsw.gov.au/research-and-publications/publications-search/assessing-heritage-significance>.
- Department of Planning and Environment. *Guidelines for preparing a statement of heritage impact*. Paramatta: Department of Planning and Environment, NSW Government, 2023.
<https://www.environment.nsw.gov.au/research-and-publications/publications-search/statements-of-heritage-impact>.
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- Ku-Ring-Gai Council. "Ku-Ring-Gai Development Control Plan," 2023.
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- NSW Government. *Ku-ring-gai Local Environmental Plan 2015*.
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2015-0134>.
- NSW Spatial Services. "SIX Maps." n.d. <http://maps.six.nsw.gov.au/>.
- Pollon, Frances, editor. The Book of Sydney Suburbs. Sydney: Cornstalk, 1996.

APPENDIX A

The following Ku-ring-gai Valuation Cards have been provided by Ku-ring-gai Council Library on 17 March 2022.

LR ST 400-2 2168 DEPARTMENT OF THE VALUER GENERAL, N.S.W. - VALUATION LIST 27235 3.34

VALUATION DISTRICT OF KURING GAI WARD OR RIDING WAHROONGA VALUATION NO. 2262

OWNER'S NAME DOBBIE, MRS. FANNY. OCCUPATION ADDRESS KISSING POINT ROAD, TURRAMURRA.

LESSOR'S NAME

COUNTY PARISH TOWN OR VILLAGE

REGD. REF. } Vo. 1753 Fo. 241 D.P. 3293 OTHER } NATURE OF } CTGE. LOCALITY OR } JONES.
TO TITLE } BK. No. TENURE } IMPROVEMENTS } ESTATE }
STREET KISSING POINT ROAD. SIDE W. HOUSE NO. OR NAME } 1 "BULLABURRA"

DATE VALUES TAKE EFFECT IN VALUATION ROLL	PORTION	SEC.	LOT	AREA OR DIMENSIONS	VALUES			REMARKS.
					UNIMPROVED £	IMPROVED £	ASSESSED ANNUAL £	
16.8.34.			Pt.1.	80'X80'	300	1300	105	

A. J. KENT, I.S.O., GOVT. PRINTER.

Figure 75. 1934 Council Valuation Card, Ku-ring-gai Council, provided by Ku-ring-gai Council Library on 17.03.2022.

MC 2412 DEPARTMENT OF THE VALUER GENERAL, N.S.W. - VALUATION LIST

VALUATION DISTRICT OF KURING GAI WARD OR RIDING WAHROONGA VALUATION NO. 2531

OWNER'S NAME DOBBIE, Mrs. Fanny Alice OCCUPATION ADDRESS Kissing Point Rd. Turramurra

LESSOR'S NAME

COUNTY PARISH TOWN OR VILLAGE

REGD. REF. } Vo. 1753 Fo. 241 D.P. 3293 OTHER } NATURE OF } Cottage LOCALITY OR } Jones
TO TITLE } BK. No. TENURE } IMPROVEMENTS } ESTATE }
STREET Kissing Point Rd. SIDE W. HOUSE NO. OR NAME } 1 "Bullaburra"

DATE VALUES TAKE EFFECT IN VALUATION ROLL	PORTION	SEC.	LOT	AREA OR DIMENSIONS	VALUES			REMARKS.
					UNIMPROVED £	IMPROVED £	ASSESSED ANNUAL £	
23-10-46			Pt.1	80'X80'	400	1500	105	

St 400-3

Figure 76. 1946 Council Valuation Card, Ku-ring-gai Council, provided by Ku-ring-gai Council Library on 17.03.2022.

D.3274
DEPARTMENT OF THE VALUER GENERAL, N.S.W.—VALUATION LIST
VALUATION DISTRICT OF KURING GAI WARD OR RIDING WAHRCONGA VALUATION No. 4041

OWNER'S NAME AND ADDRESS
McPhee, Mr. John Allan,
1 Kissing Point Rd.
TURRAMURRA.

*Superseded by W. 7467/8.
Fols. W. 4040.*

CANCELLED

COUNTY Regd. Ref. Vo. 6232 Fo. 59 D.P. 3293 PARISH Other } Nature of } TOWN OR VILLAGE
To Title } Bk. No. Tenure } Improvements } Ctg. Locality or }
House No. } Estate } Jones
STREET Kissing Point Rd. SIDE W House No. } 1 Bullaburra

Date Values take effect in Valuation Roll	Portion	Sec.	Lot	Area or Dimensions	Values		Assessed Annual £	Remarks
					Unimproved £	Improved £		
12.9.62			pt. 1(A)	83'7x77'11 83'4 82'6 (24 1/2p)	3250	6750	410	<i>SUBDIVIDED INTO LOTS 1 & 2, LOT 2 TO BE ACQUIRED BY R.M.C FOR ACCESS TO PARKING AREA Rec 62/154 2/8/62</i>
								<i>sv 62/154 Lot 2 sold to Ku-ring-gai Municipal Ctl. GORDON</i>

CANCELLED

Figure 77. 1962 Council Valuation Card, Ku-ring-gai Council, provided by Ku-ring-gai Council Library on 17.03.2022.