

17 August 20

## 54-58A WYCOMBE ROAD, NEUTRAL BAY

### HERITAGE REVIEW OF AMENDED DA 306/19

### FOR NORTH SYDNEY COUNCIL

#### INTRODUCTION

Kemp & Johnson Heritage Consultants were originally engaged by North Sydney Council to undertake an independent heritage review in December 2019 of a development application (DA306/19) submitted to North Sydney Council which proposed a new development at 54-58A Wycombe Road, Neutral Bay, retaining the existing LEP heritage listed house at 56 Wycombe Road and existing 2 storey residential aged care facility at 58A Wycombe Road, for the purposes of an expanded residential aged care facility on the site. The original DA plans were the subject of review in December 2019.

In February 2020 amended DA plans were submitted to North Sydney Council and a heritage review of the Amended DA was issued to Council in April 2020. The Planning Panel to which the DA was submitted deferred consideration of the application on 21 May 2020 due to 4 issues including the following issue, which relates to heritage considerations:

2. *The southern elevation needs an increased street-setback and landscaping including canopy trees. The building elements along the southern elevation (wall height, roof form and the Aubin Street setback along with architectural features including balconies, awnings, verandahs and parapets) should also be more compatible in scale and materials with the Wycombe Road streetscape and the conservation area. As a result of any changes in this regard, there should not be a transfer of any loss of floorspace to elsewhere on the site;*

This Heritage Review relates to new amended DA plans submitted to North Sydney Council in July 2020.

Documents viewed in relation to the DA submission include the following:

- Amended architectural plans prepared by Boffa Robertson Group dated 17 June 2020
- Heritage Letter prepared by Urbis dated 19 June 2020
- Heritage Peer Review letter prepared by Mackay Strategic dated 18 June 2020
- BCA Upgrade Assessment Report: 56 Wycombe Road, Neutral Bay (Heritage house) prepared by Blackett Maguire + Goldsmith dated 4 August 2020

The site was originally inspected by Chery Kemp, Heritage Specialist of Kemp & Johnson Heritage Consultants on Thursday 5 December 2019, which included inspection of the exterior and interior of the houses on the site, being Nos. 54, 56 and 58 Wycombe Road.

## DESCRIPTION OF SITES & CONTEXT

The site, which encompasses four properties as outlined in Table 1 below, is located on the western side of Wycombe Road, north of Aubin Street (with No. 54 Wycombe Road being on the corner of Aubin Street and Wycombe Road).

Table 1: Real property details for properties affected by DA306/19

Address	Real property description
54 Wycombe Road, Neutral Bay (Corner Aubin Street)	Lot 6, DP86300
56 Wycombe Road, Neutral Bay (listed heritage item)	Lot 1, DP608905
58 Wycombe Road Neutral Bay	Lot 1, DP999569
58A Wycombe Road Neutral Bay (existing residential aged care facility)	Lot 1, DP999569

Photos of the site and its context were included as an Appendix to the original DA heritage review in December 2019.

The context in Wycombe Road is of one to two storey Federation to Inter-war period detached houses in garden settings with front fences of sandstone or timber with sandstone bases, or cement rendered brick front fences. The opposite, eastern side of Wycombe Road features rendered brick front fences of an uncharacteristic heights for the conservation area. A number of properties feature single or double garages built to the property street alignments, including No. 58 Wycombe Road which features a single car garage built to the street alignment.

The 1943 Six Maps aerial photo shows the existing buildings at Nos. 54, 56 and 58, however only the heritage item at No. 56 has a distinctive landscaped setting at that time, with trees to the rear (west) of the house. The existing aged care residential building at No. 58A is recent, and replaced an earlier house on that site.

The house at No. 54 Wycombe Road (corner Aubin Street) is a single storey detached dark brick Inter-war California Bungalow, which is built to the street alignment along Aubin Street and setback from Wycombe Road with a small front garden. The recessed entry porch to the house is located on the northern side. The house is very intact and features original elements such as timber-battened and decorative plaster ceilings, leadlight windows and doors, timber panelling and plaque rails to some walls. The house does not appear to have ever been extended and appears unaltered except for bathroom and kitchen fitouts. The site features sandstone front fencing.

The heritage listed house at 56 Wycombe Road is a 2-storey detached cement rendered brick Inter-war Georgian Revival style residence. A separate single car garage and shed are setback on the southern side of the house. A Ficus and a Magnolia grandiflora tree are located to the rear (west) of the house. The front fence to Wycombe Road is sandstone.

The house at 56 Wycombe Road features an addition on the southern side which extends forward of the original front wall at ground floor level (note the proposal includes removal of this addition). The façade features timber-framed double hung windows with 6-paned bottom sashes and 3-paned top sashes, flanked by timber shutters. The façade features a projecting gabled entry porch with four doric columns. The front door is a timber door with 6 panels flanked by a single leadlight sidelight.

The entry hall features timber parquet flooring. Internal doors are solid 6-panel doors generally and the staircase is original and flanked by a timber panelled wall. Timber-battened ceilings are also a feature of the house.

Some later (circa 1960s) hollow core doors are also evident to the interior. The house is relatively original with many original features, however needs repair and maintenance – evident by eaves damage at the front of the house.

The house at No. 58 Wycombe Road is a 2-storey detached cement rendered brick Inter-war Georgian Revival style house which has a large landscaped setback from Wycombe Road (originally a tennis court), and a single car garage (built post 1943) built to the property street alignment. The house features a 2-storey verandah/balcony with four doric columns to each level, and a symmetrical façade with shuttered timber framed French doors with horizontal glazing bars, flanking, to the ground floor level, a central recessed entry door defined by a stuccoed mouldings above. The front balcony features a steel balustrade in Inter-war Georgian Revival style. The central door to the 1<sup>st</sup> floor façade is also recessed. Internally, the house features painted timber battened ceilings and an original timber staircase, also now painted.

## HISTORICAL INFORMATION ON NOS. 54, 56 AND 58 WYCOMBE ROAD

The following historical information on these properties is summarised from the Heritage Impact Statement prepared by Urbis submitted with the original DA in 2019.

No. 54 Wycombe Road: The house at No 54 Wycombe Road was constructed in 1923 by FC Callahan for Margaret Websdale.

No. 56 Wycombe Road (heritage item): The dwelling at No 56 Wycombe Road was constructed in 1920 by RL Marks for Frank Fowler. The house was designed by prominent Sydney architects, Wilshire & Day. The single garage was constructed in 1924 by AW Berckmeir.

No. 58 Wycombe Road: The dwelling at 58 Wycombe Road was constructed in 1923 by Thompson and Gent.

## HERITAGE STATUS & SIGNIFICANCE OF THE SITE

The property at 56 Wycombe Road is a heritage listed item of local significance in the North Sydney LEP 2013 (heritage item No. 10745) with the listing details as outlined below.

The properties affected by the DA at 54-58A Wycombe Road are also within the CA16 Kurraba Point Heritage Conservation Area, also of local significance.

The Summary Statement of Significance for the Kurraba Point Conservation Area is:

The Kurraba Point Conservation Area is significant:

- (a) As an early harbourside suburb that has retained significant elements of its major 19<sup>th</sup> century development phase with good examples of later periods of development including some fine inter war flat buildings.
- (b) For the large number of architecturally distinguished homes some that have a strong relationship with the water and include the works of B.J. Waterhouse, Jeaffreson Jackson and Walter Liberty Vernon.
- (c) For its irregular subdivision pattern with irregular street pattern and widths that allied to the topography and plantings and mature trees add to a high-quality luxuriant character.

The Summary Statement of Significance for the heritage listed house at 56 Wycombe Road on the NSW SHI is as follows (noting that a more detailed Statement of Significance could be formulated based on further research):

An excellent Inter-War Georgian Revival style large house, designed by H C Day of Wilshire & Day. The building demonstrates evolving architectural tastes in its context of an area of fine houses and it adds to that collection.

Table 2: Heritage listing details for the subject property and adjacent heritage item from Schedule 5 Part 1: Heritage Items of the North Sydney LEP 2013

Locality	Item name	Address	Property Description	Significance	Item no.
Neutral Bay	House	56 Wycombe Road <i>(one of the subject properties)</i>	Lot 1, DP 608905	Local	I0745

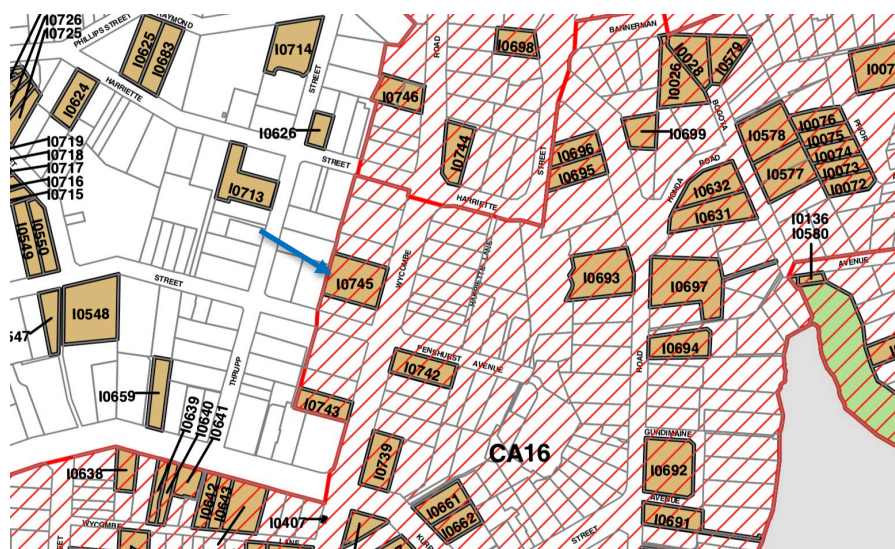


Figure 1: Extract Heritage Map No. 004 North Sydney LEP 2013, showing the No. 56 Wycombe Road as item no I0745 (indicated with blue arrow). Also note Item No. I0742 in the vicinity (to the south-east)

Heritage planning controls relating to the site are contained in Section 5.10 of the North Sydney LEP 2013 and Part B Section 13 of the North Sydney DCP 2013.

## THE PROPOSAL

The Amended DA proposal plans submitted in July 2020:

- also retains the heritage listed house at No. 56 Wycombe Road and the existing residential aged care building at 58A Wycombe Road,
- proposes to demolish the two houses at Nos. 54 and 58 Wycombe Road, and construct new buildings and landscaping to expand the residential aged care facility, incorporating the heritage listed house at 56 Wycombe Road as part of the expanded residential aged care facility.
- involves excavation of part of the site for basement carparking with proposed entry off Aubin Street.
- The front setback from Wycombe Road of the entirety of the proposed new building around the heritage item at 56 Wycombe Road projects forward of the heritage listed house.
- The bulk, height and scale of the proposed new building remains unsympathetic to the heritage item and the heritage conservation area.

## HERITAGE ASSESSMENT OF THE PROPOSAL

### **The heritage significance of the houses at Nos. 54 and 58 Wycombe Road & the issue of proposed demolition of these houses**

The site inspection of 5 December 2019 revealed that the house at 58 Wycombe Road, is a relatively intact inter-war period dwelling in the Inter-war Georgian Revival style. The dwelling is set well back from Wycombe Road as it originally had a tennis court in front (shown on 1943 aerial photo on Six Maps) which is now a garden with a post-1943 single garage to the property street frontage.

In relation to the house at No. 54 Wycombe Road (corner Aubin Street), the site inspection revealed that the house is a very intact inter-war period house in the Inter-war California Bungalow style in good condition and has additional prominence within the HCA streetscape due to its corner location.

The significance analysis in the Urbis Heritage Impact Statement submitted with the original DA concluded that the houses at Nos. 54 and 58 Wycombe Road are not considered to reach the threshold for heritage listing at a local level. While both of these houses were constructed in the early 1920s, the two houses are not known to be a major work by an important architect or designer, and were not considered aesthetically distinctive examples of Inter-war period architectural. It was also noted in the original HIS that the house at No. 58 Wycombe Road had been significantly altered over time, however no details of these alterations were provided in the report.

From the site inspection, the house at No. 58 is a good example of an Inter-war Georgian Revival style house. The house appears relatively intact from its period of construction in the 1920s.

The setting has changed over time as originally the house had a tennis court in front (east of the house), later converted to a garden, and the single car garage to the street frontage of the site is a post-1943 addition to the site.

The house "Perim" at No. 54 Wycombe Road (corner Aubin Street) is a remarkably intact Inter-war California Bungalow which features fine original detailing including leadlight windows and doors, timber battened ceilings and timber wall panelling. The house does not appear to have had any alterations since its construction other than kitchen and bathroom fit out upgrades.

It is considered that the conclusion in the original HIS that neither of the houses at Nos. 54 and 58 Wycombe Road reach the threshold for local heritage listing is correct.

However, it remains clear from the North Sydney DCP 2013 provisions and objectives outlined below in relation to Neutral items within Heritage Conservation Areas in North Sydney, that Neutral items "often represent the original era of development" for a Heritage Conservation Area, and that demolition of Neutral items is discouraged.

The argument in the original Urbis HIS and the Urbis heritage letter of February 2020 for demolition of the houses at Nos. 54 and 58 Wycombe Road is therefore considered to be incorrect for the following reasons:

- Both Nos. 56 and 58 Wycombe Road are inter-war period houses, and the Statement of Significance for the Kurraba Point Heritage Conservation Area specifically notes that part of the significance of the area is *"good examples of later periods of development including some fine inter-war flat buildings"* indicating that inter-war period buildings such as the two houses at Nos. 54 and 58 Wycombe Road are significant components of the HCA,
- The North Sydney DCP 2013 definition of "Neutral items" within Heritage Conservation Areas (Section 13.6 of the DCP) is:
  - *Neutral items are not defining, but do not detract from the overall character of a conservation area. They often represent the original era of development and may display the predominant architectural style.*

This statement applies to both the houses at Nos. 54 and 58 Wycombe Road.

*The focus for neutral items is how the building appears in the street and public domain. The intention is to achieve a neutral or improved built outcome by removing previous unsympathetic alterations, or adding features that are characteristic of an area.*

The house at No. 54 is a remarkably intact example of an Inter-war California Bungalow which is prominent within the heritage conservation area due to its corner site. The house at No. 58 no longer has a streetscape presence due to the replacement of the original tennis court in front of the house with a garden and single garage, however the DA proposal (either the original or the amended DA proposal) in any case does not achieve a "neutral" or "improved" built outcome by adding features characteristic of the area.

- The General Objectives for Heritage Conservation Areas in the North Sydney DCP Section 13.6.1 including the following objective in relation to Neutral items is not complied with:

- *O3 Enable neutral items to be improved such that they contribute to the character of the heritage conservation area through the removal of unsympathetic and inappropriate elements, and reinstating missing details where appropriate.*

Demolition of the two houses at Nos. 54 and 58 clearly does not enable improvement. The house at No. 54 is very intact, does not feature any unsympathetic or inappropriate elements or missing details, and clearly contributes to the heritage conservation area as it is. The house at No. 58 is a relatively intact 1920s house with few unsympathetic features, however is acknowledged to have no streetscape presence within the heritage conservation area.

- The Provisions for Heritage Conservation Areas in the North Sydney DCP Section 13.6.2 Form, massing and scale include the following provision in relation to Neutral items, which is not complied with:

- *P5 Achieve a neutral or improved outcome to neutral items by:*
    - (a) respecting original or characteristic building patterns in terms of bulk, form, scale and height;*
    - (b) minimising changes to original and characteristic features:*
    - (c) removing unsympathetic and uncharacteristic changes and/or:*
    - (d) reinstating characteristic details where there is physical or documentary evidence.*

Again, demolition of the two houses at Nos. 54 and 58 Wycombe Road does not satisfy this provision.

- The Heritage Provisions for Demolition (13.8 of the DCP) include the following in relation to Demolition of Neutral items, which is not complied with:

- *P5 Neutral items should not be demolished and demolition will generally not be supported by Council;*
  - *P6 Despite P5 above, Council may consider the demolition of a neutral item, but only where the applicant can demonstrate:*
    - (a) the existing building is not capable of adaptation or modification in a way that will reasonably meet contemporary amenity or living standards while also improving the appearance and contribution of the building to the area's character.*
    - (b) that any replacement building improves the contribution of the site to the area's character in terms of form, setbacks, bulk, scale, materials and style.*



*(c) that sustainability outcomes of the proposed replacement development reasonably justify the change.*

*(d) that all reasonable alternatives to demolition have been considered.*

In relation to these provisions:

- The existing houses at Nos. 54 and 58 Wycombe Road are capable of retention and continued use as residences. The argument that these houses are not suitable for the proposed new use as part of aged care accommodation does not justify the demolition of the houses.
- Any replacement building does not improve the contribution of the site to the area's character, as the existing houses are an integral part of the area's character, being an intact inter-war period residence (No. 54) and a relatively intact Inter-war period residence (No. 58), where inter-war period housing is specifically mentioned in the HCA's Statement of Significance, and is therefore recognised as a period of building development which contributes to the area's character.
- Sustainability outcomes do not justify demolition of the houses at No. 54 and 58 Wycombe Road; and
- The February 2020 Urbis letter argues that reasonable alternatives to demolition have been considered. However, even if it is accepted that the houses are not suitable for the proposed new use as an aged care facility this does not justify demolition, as the houses are capable of continued use as residences in the event that the DA is not approved.

In conclusion, the proposed demolition of the two houses at Nos 54 and 58 Wycombe Road would erode the heritage significance of the CA16 Kurraba Point heritage conservation area. The house at No. 54 Wycombe Road in particular is considered to be clearly contributory to the character of the heritage conservation area and both houses at 54 and 58 Wycombe Road represent the inter-war period, part of the original era of development for the heritage conservation area.

#### **The treatment of the listed heritage item at No. 56 Wycombe Road in the proposal**

As the front setback from Wycombe Road of the entirety of the proposed new building around the heritage item at 56 Wycombe Road projects forward of the heritage listed house, the front setback remains uncharacteristic and detrimental to the heritage item, and will have an adverse impact on the setting of the heritage item and on the streetscape of the heritage conservation area.

The form, scale, height, bulk and roof form of the proposed new building and setbacks in relation to the heritage item are in contravention of the South Cremorne Planning area and the Kurraba Point Heritage Conservation Area Character statement, in that the proposed new building changes the residential density in the area, and does not conserve the character of separate 1-2 storey building forms with 30-45 degree pitched roofs within garden settings.



The amended proposal also removes the original staircase and many of the internal walls of the heritage item, and does not place priority on the conservation of the fabric of the heritage item, though the lack of a Conservation Management Plan or Conservation Policy for the heritage item as part of the application results in an inability to fully assess the impacts on the fabric of the heritage item as part of the proposal. This is lack of a conservation policy for the heritage item is a major inadequacy of the application which has been raised since the first DA was submitted and has still not been addressed by the applicants, however it can still be concluded that the proposal would have an adverse impact on the fabric of the heritage item due to the removal of the original staircase and internal walls/room layout. The BCA upgrade report dated 4 August outlines many issues relating to the treatment of the fabric of the heritage item arising from the proposed change of use for the heritage item: these issues require detailed consideration by an architect specialising in heritage conservation, and this consideration which has not been undertaken as part of the proposal.

### **Non-compliance with SEPP Housing for Seniors**

Clause 33 of the SEPP reads as follows:

#### *33 Neighbourhood amenity and streetscape*

*The proposed development should—*

- (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and*
- (b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and*
- (c) maintain reasonable neighbourhood amenity and appropriate residential character by—*
  - (i) providing building setbacks to reduce bulk and overshadowing, and*
  - (ii) using building form and siting that relates to the site's land form, and*
  - (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and*
  - (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and*
- (d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and*
- (e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and*
- (f) retain, wherever reasonable, major existing trees, and*
- (g) be designed so that no building is constructed in a riparian zone.*

Part C Section 6.0 South Cremorne Planning Area Character Statement of the North Sydney DCP 2013 includes the *Kurraba Point Conservation Area Character Statement* in Section 6.2, which includes the following sections which are relevant to Clause 33 of the SEPP in setting out the “desirable elements” of the area’s character:

**Section 6.2.5 Characteristic buildings**

P1 *Federation and Edwardian detached dwelling houses. Inter war dwelling houses. Inter war residential flat buildings.*

**Section 6.2.6 Characteristic built elements**

*Siting*

P1 *Centrally on lots with front and rear garden*

*Form, massing and scale*

P2 *Single and two storey, detached dwelling houses with hipped and gabled roofs.*

P3 *Skillion wings and reduced height and scale to rear.*

P4 *Open verandahs to front.*

P5 *Strong skyline of simple, pitched roofs and chimneys visible from the street stepped along the sloping streets.*

P6 *Multi-level residential flat buildings.*

*Roofs*

P7 *Pitched between 30 and 45 degrees with some use of parapets to the street.*

P8 *Skillion roofs to rear extensions.*

P9 *Brick and rendered chimneys.*

*External materials*

P10 *Face and rendered brick on sandstone base.*

P11 *Slate, terracotta tiles, corrugated metal roofs.*

P12 *Original timber windows doors and decorative joinery.*

*Windows, doors and joinery*

P13 *Consistent with building period and style. Timber.*

In Relation to Clause 33, and with reference to Section 6.2.5 of the North Sydney DCP in defining the character of the Kurraba Point Heritage Conservation Area, the proposal fails to comply for the following reasons:

- In relation to Clause 33 (a) of the SEPP the proposal fails to recognise desirable elements of the location’s current character, in both proposing the demolition of two inter-war dwellings which are characteristic of the heritage conservation area, and in the bulk and scale of the proposed

new dwelling and failure to respond to the characteristic 2-storey scale of the area with separate building forms with 30-45 degree pitched roofs.

- In relation to Clause 33 (b) of the SEPP the proposal does not retain, complement and sensitively harmonize with the Kurraba Point Heritage Conservation Area or the heritage item on the site and in the vicinity as it proposes demolition of two inter-war period dwellings which are characteristic of the heritage conservation area

### **Remaining non-compliances with Heritage LEP and DCP objectives and controls**

#### **North Sydney LEP Heritage Controls**

The proposal does not satisfy Objective (1) (a) and (b) of Clause 5.10 of the North Sydney LEP 2013, as it involves:

- adverse impact on the character of the CA16 Kurraba Point Heritage Conservation Area due to the proposed demolition of the houses at No. 54 and 58 Wycombe Road, which are inter-war period houses which date from the original period of development of the heritage conservation area and which are part of the character of the heritage conservation area.
- Adverse impact on the character of the CA16 Kurraba Point Heritage Conservation Area due to the scale, height, bulk and roof form and setback from Wycombe Road of the proposed new building being uncharacteristic of the heritage conservation area.

#### **North Sydney DCP South Cremorne Planning Area Character Statement (Section 6.0) Objectives & Controls relating to heritage conservation**

The proposal fails to comply with the Character Statement as the proposed alters the residential density and intensity of development on the site and does not conserve the features which contribute to local identity – primarily being separate/detached 1-2 storey building forms within substantial garden settings.

The proposal fails to comply with the South Cremorne Planning Area Character Statement section on *Quality Built Form* as it does not:

- Reflect or reinforce the existing distinctive built forms within a landscape setting
- Does not incorporate design, architectural detailing, materials or colours sympathetic to the heritage conservation area – in particular the proposed new building does not reflect the height, bulk, scale and roof forms of buildings within the heritage conservation area.

#### **DCP Heritage Objectives & Controls**

The table below assesses the proposal against the relevant heritage objectives and provisions of the North Sydney DCP 2013 Part C Section 6.2 Kurraba Point Conservation Area and Part B – Development Controls Section 13 – Heritage & Conservation.

Table 3: Assessment of the proposal against the relevant heritage objectives and provisions of the North Sydney DCP 2013 Part B Section 13

Objective or Provision	Comments
Part C Section 6.2 Kurraba Point Conservation Area	
6.2.5 Characteristic buildings P1 Federation and Edwardian detached dwelling houses. Inter war dwelling houses. Inter war residential flat buildings	The proposal involves demolition of characteristic buildings – as defined in Section 6.2.5 of the DCP - being two inter-war period houses on the site, and is therefore contrary to the principle of retaining characteristic buildings within a Heritage Conservation Area in order to retain and protect the character of the Heritage Conservation Area.
6.2.6 Characteristic built elements <i>Form, massing, scale</i> P2 Single and two storey, detached dwelling houses with hipped and gabled roofs P5 Strong skyline of simple pitched roofs and chimneys visible from the street stepped along sloping streets <i>Roofs</i> P7 Pitched between 30 and 45 degrees with some use of parapets to the street.	The built form of the proposed new building on the site does not comply with these aspects of the characteristic built elements of the Heritage Conservation Area in its massing, scale, height and roof form.
Part B Section 13	
13.1.1 Guiding Statement (a), (f), (h)	The amended DA proposal does not comply with these objectives as it does not protect significant elements of the CA16 Kurraba Point heritage conservation area, in particular the houses at Nos. 54 and 58 Wycombe Rd which are proposed to be demolished.
13.1.2 General Objectives – O4	A conservation management plan should be required for the heritage item at 56 Wycombe Road (note: this can be a condition of any DA consent).
13.4 Development in the Vicinity of Heritage Items	
Objective O1	The proposed new building does not comply as it has not been designed and sited so as not to detrimentally impact on the heritage significance of the heritage item and its setting. The setback of the new building does not reflect that of the

Objective or Provision	Comments
	heritage item, and the bulk, height and scale of the proposed new building is not complementary to the heritage item.
Provision P1	The proposed new building does not comply as it does not respect the curtilage, setbacks, form, scale and style of the heritage item
Provision P4	The proposed new building does not comply as it does not allow an adequate area around the heritage item to retain sufficient garden setting and would therefore adversely impact on the significance of the heritage item.
13.5 Heritage Items - 13.5.1 Objectives and Provisions	
Objective O3	The proposal does not comply with this objective as the proposed new building on the site is uncharacteristic in relation to the heritage item in regard to bulk, form, style, character, scale, setbacks.
Provision P1	The proposal does not comply as it does not retain the setting of the heritage item or sufficient setbacks in relation to the new proposed building
Provision P3	New work (proposed new building) is not consistent with the setback, massing, form and scale of the heritage item. The proposed new building now includes excavation 1m closer to the rear of the heritage item.
Provision P6	A Conservation Management Plan or Conservation Policy has not been prepared, but apparently preparation has been agreed to by applicants. The suitability of the proposed changes to the heritage item in the amended plans cannot be fully assessed without a CMP or conservation policy. However, the amended proposal would have an adverse impact on the fabric of the heritage item due to the removal of the original staircase and internal walls/room layout.
13.5.5 Interior Layouts	
Objective O1 and Provisions P2, P5, P6, P8	Without a CMP the impact of the proposed internal changes to the heritage item cannot be adequately assessed.
13.6 Heritage Conservation Areas	
13.6.1 Objective O1	<p>The proposal does not satisfy this objective, as the proposed development does not retain or complement the character and significance of the CA16 Kurraba Point Conservation Area. The proposal impacts adversely on the character of the Conservation Area through:</p> <ul style="list-style-type: none"> <li>The demolition of two houses on the site, being Nos. 54 and 58 Wycombe Road, which represent the original era of development for the heritage conservation area, with the house at No. 54 Wycombe Road in</li> </ul>

Objective or Provision	Comments
	<p>particular being considered part of the character of the heritage conservation area</p> <ul style="list-style-type: none"> <li>Proposed construction of a new building on the site which does not have a compatible and complementary building form or scale characteristic of the heritage conservation area</li> </ul>
13.6.1 Objective O2	The proposed new building does not maintain or enhance the streetscape character.
13.6.1 Objective O3	The proposal does not satisfy this objective, as the proposed development does not retain or improve the two houses defined as neutral items, being the houses at Nos. 54 and 58 Wycombe Road (noting that these two houses are defined as characteristic of the Heritage Conservation Area as defined in Section 6.2.5 of the DCP)
13.6.2 Form, massing and scale	
Objective 01	The proposed new building is not compatible in building form or scale to the characteristics of the heritage conservation area's Federation and inter-war period buildings.
Objective 02	The proposal does not maintain or enhance the streetscape character, as it will remove buildings which are characteristic of the conservation area (houses at Nos. 54 and 58 Wycombe Road), as defined in Section 6.2.5 of the DCP)
Provision P1	The proposal does not comply as the proposed new building does not reflect the bulk, mass, scale and setbacks of heritage and contributory items. The height, bulk and scale and setbacks of the proposed new building are unsympathetic to the characteristics of the Heritage Conservation Area.
Provision P2	The proposed new building does not comply as it does not complement the predominant architectural scale and form in the conservation area, being separate/detached 1-2 storey building forms within landscaped garden settings.
Provision P5	The proposal does not comply as it includes demolition of two houses defined as neutral items, being houses at Nos. 54 and 58 Wycombe Road, and therefore does not minimise change to original and characteristic features of the heritage conservation area (noting that these two houses are defined as characteristic of the Heritage Conservation Area in Section 6.2.5 of the DCP)
Provision P7	The proposed new building does not comply as it extends forward of the setback of the heritage listed house at No. 56 Wycombe Road to the east of the heritage item.

Objective or Provision	Comments
Provision P9	The proposed new building does not comply as it will have a detrimental impact on the characteristic built form of the area in terms of bulk, scale, height, and form.
13.6.6 Infill development in conservation areas	
Objective O1	The proposal fails to satisfy this objective as the proposed new building is not consistent in bulk, scale, character and setbacks with the heritage item at No. 56 Wycombe Road or characteristic buildings in the vicinity within the Kurraba Point Heritage Conservation Area.
Provisions P1	The provision is not satisfied as the proposed new building does not positively respond to the setting and character of the area.
13.7 Subdivision and lot amalgamation	
Objectives O1, O2	The proposal is inconsistent with these objectives as it compromises the curtilage of the heritage item at 56 Wycombe Road and would adversely impact on the character of the heritage conservation area due to the inappropriate massing, bulk, height and scale of the proposed new building
Provision P3	The proposal does not reflect the subdivision pattern in the Kurraba Point Heritage Conservation Area
Provision P4	The proposal results in an effective reduction in the curtilage of the heritage item at No. 56 Wycombe Road.
13.8 Demolition	
Objective O1	The proposal does not comply as it does not retain buildings which positively contribute to the significance and character of the heritage conservation area, being the two houses at Nos. 54 and 58 Wycombe Road.
Provision P5	The proposal does not comply as demolition of two neutral items within the heritage conservation area is proposed, noting in addition that the house at No. 54 Wycombe Road is considered on analysis to be contributory not neutral, though defined as neutral in the DCP.
Provision P6	The proposal does not satisfy the exceptions to P5 (see discussion above)
13.9 Controls for Specific Building Elements	The proposal complies.
13.9.4 Materials, colours and finishes - Objective O1 and Provisions P1-P8	The proposal generally complies as sandstone fences to Nos. 54 and 56 Wycombe Road are retained or reconstructed and the proposed new palisade fencing to the site at 58 Wycombe Road is considered acceptable subject to a condition requiring further detail on the fence design.



## CONCLUSION

The Amended DA proposal has addressed some previous heritage issues raised in heritage comments on the original DA plans with regard to the design of the proposed new building and its impact on the setting of the heritage item at 56 Wycombe Road.

In relation to Issue 2) raised by the Sydney North Planning Panel (outlined in the introduction to this report), it is considered that the design detail, articulation and materials of the Aubin Road elevation have been improved in the current plans to address Issue 2), however many heritage concerns remain with regard to the proposal.

The Amended DA proposal is still recommended for refusal due to adverse impacts on the setting of the heritage item at 56 Wycombe Road and adverse impact on the heritage significance of the CA16 Kurraba Point Heritage Conservation Area reflected in inconsistency with heritage objectives and controls of the North Sydney LEP 2013 and the heritage objectives and provisions of the North Sydney DCP 2013 (as outlined in Table 3 above).

Specifically, the amended DA proposal adversely impacts on the heritage significance of the heritage item and the CA16 Kurraba Point Heritage Conservation Area as the proposal will have adverse heritage impacts in that it will:

- a. Be of detriment to the heritage significance of the heritage item on the site at No 56 Wycombe Road, due to inadequate separation from the new building and unsympathetic and uncharacteristic new building form and design and front setbacks from Wycombe Road;
- b. Be of detriment to the heritage significance of the heritage item on the site at No. 56 Wycombe Road due to the work proposed to the item – such as removal of original staircase, removal of many internal walls impacting on the original room layout, and possible replacement of original floors - and the inability to fully assess impacts on the fabric of the heritage item due to the failure to submit a Conservation Management Plan or Conservation Policy document in relation to the heritage item.
- c. Result in the demolition of two buildings which are 'neutral items' within the Kurraba Point Conservation Area (KPCA) which is contrary to the requirement of control P5 in Section 13.8 of NSDCP 2013 that such buildings be retained unless adequate justification can be provided. It is considered that justification put forward is not adequate;
- d. Be of detriment to the heritage significance of the Kurraba Point Conservation Area (KPCA) contrary to the provisions of Section 13.6 of NSDCP 2013 due to the excessive height and scale of the building and unsympathetic and uncharacteristic design.

On these grounds, the amended DA proposal is recommended for refusal by the consent authority.



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