

# HERITAGE IMPACT STATEMENT

Development Application



165 Milton Street, Ashbury

Cover Image: Photomontage of the proposal, as viewed from Milton Street. (Source: SJB Architects)

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# HERITAGE IMPACT STATEMENT FOR

## 165 MILTON STREET, ASHBURY

### 1.0 INTRODUCTION

#### 1.1 BACKGROUND

This Heritage Impact Statement has been prepared in accordance with the standard guidelines of the NSW Heritage Division to accompany an application for proposed works at 165 Milton Street, Ashbury.

The proposal involves the demolition of the existing warehouse building on the site and the addition of a multi-storey residential development in its place.

Details of the development proposal have been prepared by SJB Architects.

The subject property is not listed as an item of local heritage significance, however it is located in the vicinity of the Ashbury Heritage Conservation Area (item number C1), as identified in Schedule 5 of the *Canterbury Local Environmental Plan (LEP) 2012*.

Accordingly, this Heritage Impact Statement reviews the proposal in terms of the relevant heritage provisions of the *Canterbury LEP 2012* and the requirements of the *Canterbury Development Control Plan (DCP) 2012*, and the Impact Assessment Criteria guidelines endorsed by the NSW Heritage Council.

#### 1.2 METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the guidelines set out in the *Australia ICOMOS Charter for Places of Cultural Significance*, 2013, known as The Burra Charter, and the New South Wales Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) publication, NSW Heritage Manual.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of The Burra Charter. The NSW Heritage Manual explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

#### 1.3 SITE LOCATION

The site is located on the western side of Milton Street, and the W H Wagener Oval is located directly to the west of the site. It is identified as Lot A DP30778 by the NSW Land Registry Services (LRS).



Figure 1: Street map with the subject site highlighted in yellow and indicated by the red flag. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au)



Figure 2: Aerial map with the subject site highlighted in yellow and indicated by the red flag. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au)

#### 1.4 HERITAGE MANAGEMENT FRAMEWORK

The subject property is not listed as an item of local heritage significance, however it is located in the vicinity of the Ashbury Heritage Conservation Area (item number C1), as identified in Schedule 5 of the *Canterbury Local Environmental Plan (LEP) 2012*.

Other heritage listed items in the vicinity of the subject site are visually and physically separated from the site by intervening development, local topography, roadways and distance, and do not warrant assessment as part of this report.

#### 1.5 AUTHORSHIP

This report was prepared by Christiane Moodie, Heritage Consultant, using research and a history written by Dr Martina Muller, Historian. The description was prepared by Sophie Bock, Senior Heritage Consultant, and the report was reviewed by Samantha Polkinghorne, Director.

#### 1.6 LIMITATIONS

This report is limited to the assessment of potential impacts on the European cultural heritage values of the site and does not include Aboriginal and Archaeological assessment. This report only addresses the relevant planning provisions that relate to heritage.

#### 1.7 COPYRIGHT

Copyright of this report remains with the author, **NBRS**ARCHITECTURE. Unless otherwise noted, all images are by the author.



## 2.0 DOCUMENTARY EVIDENCE

### 2.1 PRE-EUROPEAN HISTORY

The Darug and Eora people were the original inhabitants and custodians of the Bankstown and Canterbury area. They lived in a symbiotic relationship with their environment, using the rich resources of the land and the waterways of Botany Bay, the Cooks River and Georges River.<sup>1</sup>

### 2.2 EARLY DEVELOPMENT OF THE SUBURB

The subject site is located on part of 100 acres granted to James Hunt Lucas on 11 November 1794, however, the first land grant made in the area was that to Reverend Richard Johnson in 1793.<sup>2</sup> Johnson was the first chaplain of the colony and his land was known as 'Canterbury Vale'. His original 100-acre grant was subsequently extended, and his estate was located to the south-east of Lucas' grant (see Figure 3).



Figure 3: Map of the Parish of Petersham, showing the approximate location of the subject site circled red, on the 100-acre grant to James Hunt Lucas. The early grants to Reverend Richard Johnson are also indicated. (Source: NSW LRS, Historical Land Records Viewer, Parish Map for Parish of Petersham, County of Cumberland)

Reaching 600 acres by 1800, Johnson's property was sold to Lieutenant William Cox who further extended it and sold it to Robert Campbell senior in 1803. Campbell added more land further north so that his property extended to Liverpool Road, before transferring it to his son-in-law Arthur Jeffreys.

<sup>1</sup> Canterbury-Bankstown Council Website, 'Aboriginal History and Places of Significance', <https://www.cbccity.nsw.gov.au/community/cultural-services/aboriginal-torres-strait-islanders/aboriginal-history-places-of-significance> (accessed July 2019)

<sup>2</sup> NSW LRS, CT Vol. 8027 Fol. 227. If not otherwise noted, this and the following are based on Pollon, F., (Ed.) *The Book of Sydney Suburbs*, Sydney: Angus & Robertson, pp8-9

Jeffrey's residence 'Canterbury House', built for Jeffrey in c1850 by Edmund Blacket, was in 1878 acquired by John Hay Goodlet, another early settler, and the area became known as 'Goodlet's Bush'.<sup>3</sup> The later name 'Ashbury' borrowed the 'Ash' from 'Ashfield' and the 'bury' from 'Canterbury'.



Figure 4: 1927 photograph of Arthur Jeffrey's 'Canterbury House', later owned by the Goodlet family. The photograph by E.G. Shaw was taken prior to demolition of the building. (Source: State Library of NSW, Album ID 1024045, Digital Order No. a7781001h)

Arthur Jeffrey's estate was gradually broken up and was largely developed between 1912 and 1940, with a flurry of subdivision occurring during the 1920s, when Canterbury House was demolished (1928).<sup>4</sup> The relatively short period of development activity resulted in a consistent subdivision pattern, building form and streetscape, and the whole suburb was listed as a Heritage Conservation Area in 2013.<sup>5</sup> Only two light industrial sites (Chubb and Tyres 4U) and Wagner Oval were exempt from the blanket order.<sup>6</sup>

## 2.3 HISTORY OF THE SUBJECT SITE

The subject site was originally located on James Hunt Lucas' 1794 grant and underwent a number of subsequent transfers.<sup>7</sup> By May 1880, it was part of a larger property owned by John Jeffreys, of Sandford Lodge, Salisbury, England.<sup>8</sup> As the son of Arthur Jeffreys, he had inherited his father's estate and later retired to England.<sup>9</sup> He subdivided his estate during the 1880s and 1890s, and in March 1901, a new Certificate of Title was issued to John Jeffreys for a smaller property containing the subject site, as shown in the plan in Figure 5 below.<sup>10</sup>

<sup>3</sup> Cf. State Library of NSW, Contents information on 'View of the House at Canterbury, 1860' / drawn by C. Martens, 1860, Digital Order No. a9468001

<sup>4</sup> Cf. *Canterbury Development Control Plan 2012*, Section 6.5A – Ashbury Heritage Conservation Area

<sup>5</sup> *Canterbury Development Control Plan 2012*, Section 6.5A – Ashbury Heritage Conservation Area; Ashbury Community Group, 'Heritage Conservation Area', <http://ashburycommunity.org/heritage-conservation-area/> (accessed July 2019)

<sup>6</sup> Ashbury Community Group, 'Heritage Conservation Area', <http://ashburycommunity.org/heritage-conservation-area/> (accessed July 2019)

<sup>7</sup> NSW LRS, CT Vol. 8027 Fol. 227. See Primary Application 4920 (not viewed)

<sup>8</sup> NSW LRS, CT Vol. 494 Fol. 25

<sup>9</sup> 'Jeffreys, John', Dictionary of Sydney, [https://dictionaryofsydney.org/person/jeffreys\\_john](https://dictionaryofsydney.org/person/jeffreys_john) (accessed July 2019)

<sup>10</sup> NSW LRS, CT Vol. 1347 Fol. 39

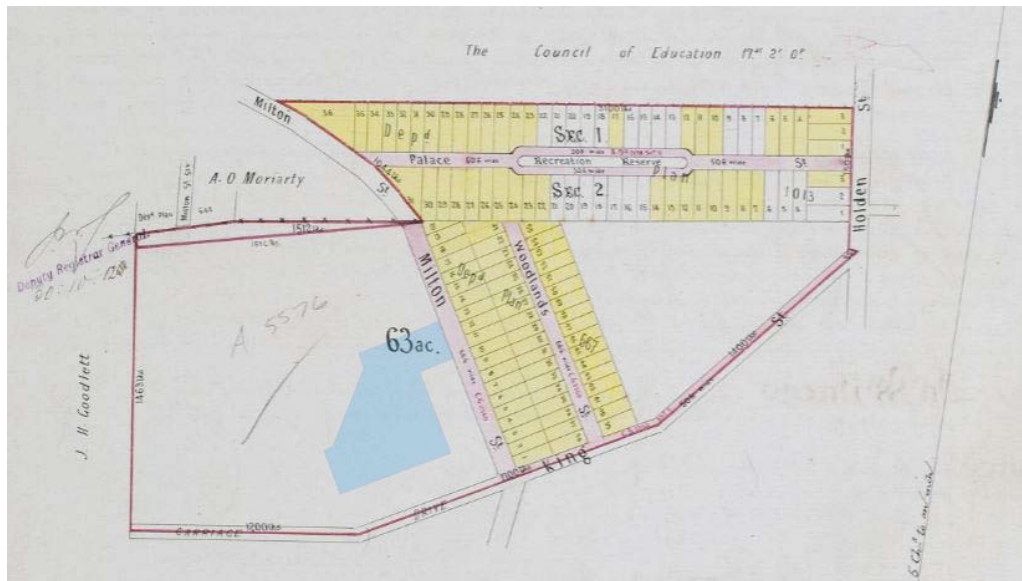


Figure 5: Plan issued to John Jeffreys in 1901, showing his land and its proposed subdivision, with the approximate location and extent of the subject site shaded blue. (Source: NSW LRS, CT Vol. 1347 Fol. 39)

In March 1913, a large parcel of land bounded by Milton Street in the east and a 'new road' (Trevenar Street) in the south was transferred to the Ashfield Brick Company Limited (see Figure 6).<sup>11</sup> The company had been registered on 12 December 1912, with the aim to "prepare and sell bricks, tiles, etc".<sup>12</sup> By September 1913, the ca 26-acre site already contained several buildings including a kiln on the Milton Street frontage, and the works produced around 70,000 bricks a day to respond to the big demand for bricks in the western suburbs.<sup>13</sup>



Figure 6: 1913 plan showing the land transferred to the Ashfield Brick Company Ltd on 10 March 1913, with the approximate location and extent of the subject site shaded blue. (Source: NSW LRS, CT Vol. 2348 Fol. 229)

<sup>11</sup> NSW LRS, CT. Vol. 2348 Fol. 229

<sup>12</sup> New Companies, *Evening News*, 13 December 1912, p4

<sup>13</sup> New Brickworks, *The Sun*, 1 September 1913, p5



It appears that the Ashfield Brick Company Ltd came into financial difficulties in 1920, as it was wound up and reconstructed under the new name 'The Ashfield Brick Company Ltd' in October 1920.<sup>14</sup> Part of the brickworks site was subdivided and sold as the 'Ashfield Heights Estate' at that time (see Figure 7). 27 of 49 allotments were sold at auction on 6 November 1920.<sup>15</sup> The 'new' company was registered as the owner of the reduced site on 24 August 1921 (see Figure 8).<sup>16</sup> A 1943 aerial photograph shows the brickworks at the site, including a large brick pit and several buildings on its eastern side, on the Milton Street frontage (Figure 9).

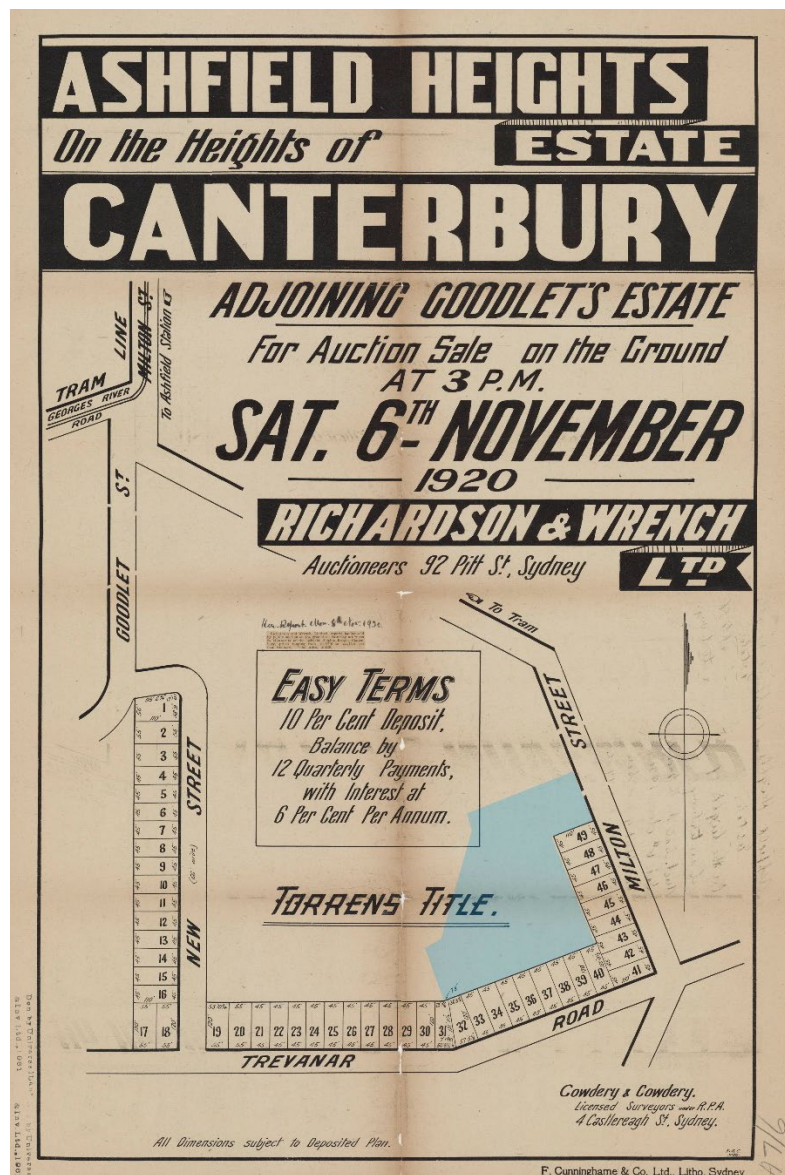


Figure 7: 1920 subdivision sales poster for the 'Ashfield Heights Estate', with the approximate location and extent of the subject site shaded blue. (Source: State Library of NSW, Ashbury Subdivision Plans, Call No. Z/SP/A7/6, Digital Order No. c010450006)

<sup>14</sup> In the matter of Ashfield Brick Company Limited, *Government Gazette of the State of NSW*, 14 October 1920, Issue No. 184, p6157

<sup>15</sup> Yesterday's Property Sales, *Sunday Times*, 7 November 1920, p5

<sup>16</sup> NSW LRS, CT Vol. 3219 Fol. 127



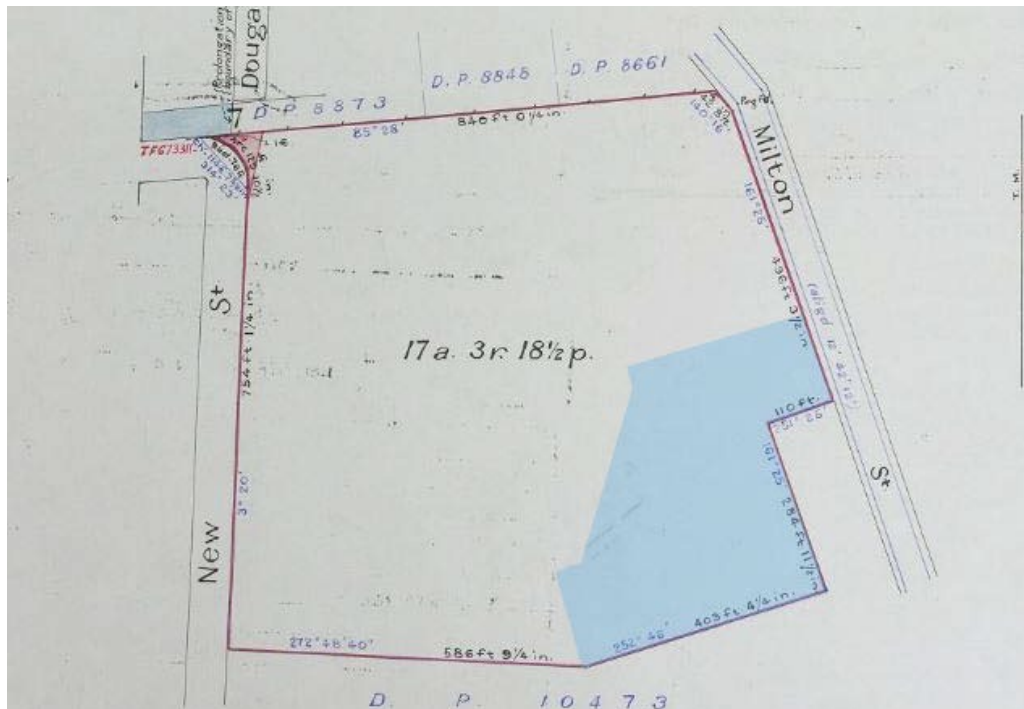


Figure 8: The extent of the brickworks site after the 1920 subdivision, outlined in red, with the approximate location and extent of the subject site shaded blue. (Source: NSW LRS, CT Vol. 3219 Fol. 127)



Figure 9: 1943 aerial photograph showing The Ashfield Brick Company Ltd site, with the location and extent of the subject site shaded yellow. The brickworks included a large brick pit and several buildings on its eastern side. (Source: NSW LRS, SIX Maps, 1943 aerial imagery)

The property was subdivided again in July 1960, and the subject site, being Lot A in DP 30788, was transferred on 8 November 1960 from The Ashfield Brick Company Ltd to Moran & Cato Pty Ltd.<sup>17</sup> Moran & Cato was the largest independent retail grocery chain and grocery

<sup>17</sup> NSW LRS, CT Vol. 6696 Fol. 42; CT Vol. 8027 Fol. 227 was issued for the newly created Lot A

wholesaler in Australia at the time.<sup>18</sup> Lot B, adjacent to the north of the subject site, was sold to Parsons Brothers & Co Pty Ltd and Lot C was transferred to Swift and Co Ltd in July 1960.<sup>19</sup>

Deposited Plan 30778 shows the details of the subdivision and the outline of buildings on the subject site, including a galvanised iron building and a brick chimney. Lot D of the subdivision was reserved as a 'Public Garden and Recreation Space', while several smaller allotments were created on the Whitfield Avenue frontage.

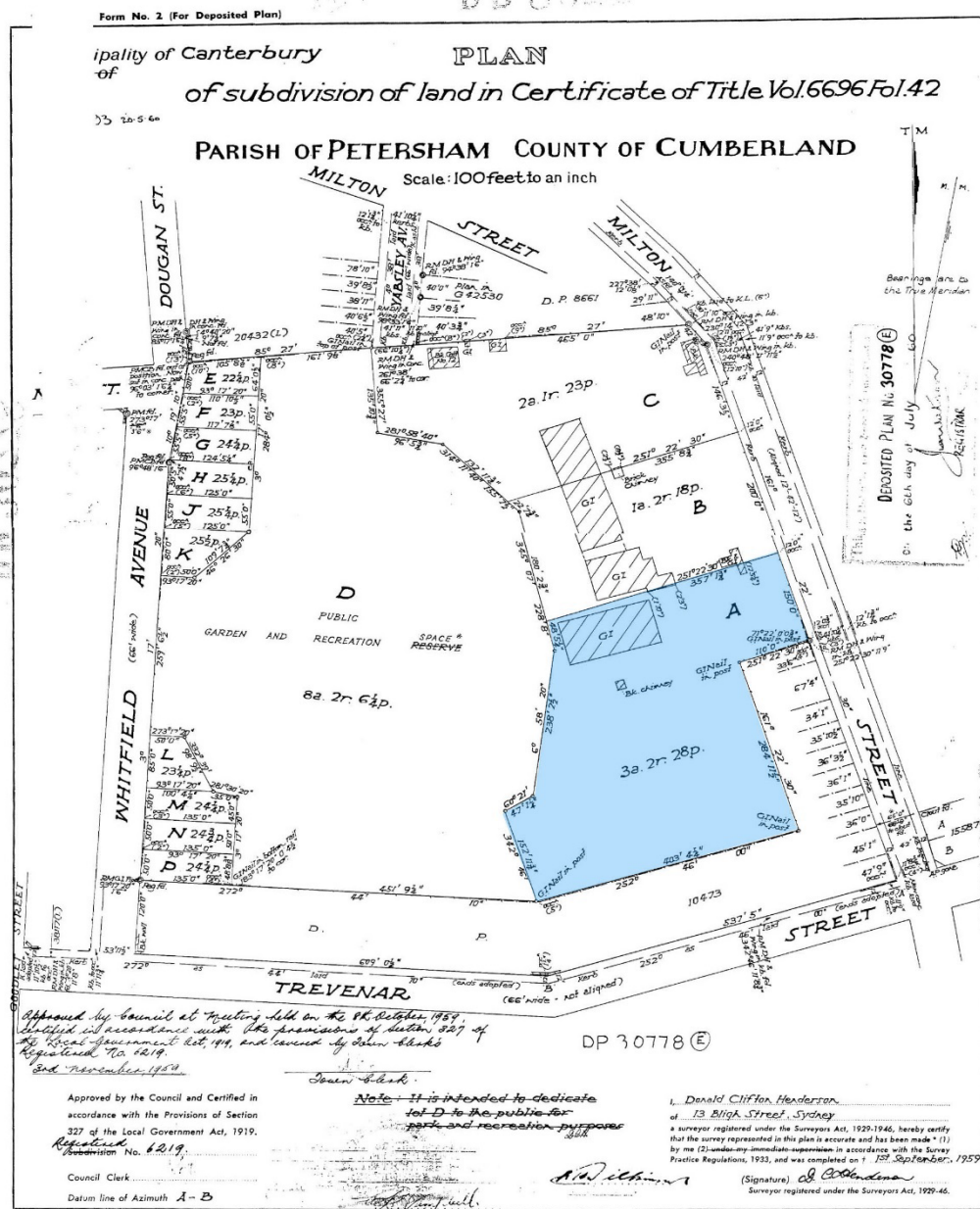


Figure 10: Deposited Plan 30778, issued in July 1960, showing the subdivision of the former brickworks site, with the subject site on Lot A of the subdivision, shaded blue. (Source: NSW LRS, DP 30778)

<sup>18</sup> Why no takeover bid is likely for Moran & Cato, *The Bulletin*, Vol. 84 No. 4303, 4 August 1962, p51

<sup>19</sup> NSW LRS, CT Vol. 6696 Fol. 42

The 'Public Garden and Recreation Space' (Lot D), adjacent to the west of the subject site, was transferred to the Municipality of Canterbury on 23 October 1961.<sup>20</sup> The much smaller Lot E on Whitfield Avenue was also sold to the Municipality at that time. Containing the former brick pit, Lot D is said to have initially been used as a garbage tip, known as the 'Ashbury Tip' and later the 'Whitfield Avenue Tip'.<sup>21</sup> The tip was filled by 1966 and in 1969 a children's playground was constructed on the site.

From 1975, Lot D was leased to the Western Suburbs Australian Football Club which in March 1982 asked for permission to rename the oval on Whitfield Avenue as the 'The W H Wagener Oval'. William (Bill) H. Wagener had played for the club during the 1940s and 1950s and later became an umpire and club office-bearer, and the naming of the oval honoured his service to football in the Western Suburbs area.

W H Wagener Oval hosted the first AFL game in 1983 and several grand finals in Sydney's premier AFL competition were held at the oval during the 1990s.<sup>22</sup> It has more recently served as the home ground of the Western Suburbs Magpies Junior Australian Football Club and is today also known as the Whitfield Reserve.

On 26 February 1970, the subject site was transferred to Fosseys Properties Ltd.<sup>23</sup> Fosseys was a variety retailer that later became part of the Grace Brothers and Target chains. Fosseys relocated to the subject site from their former head office and warehouse in Chippendale and occupied the site during the 1970s and 1980s.<sup>24</sup> On 9 October 1987, the Independent Automotive Air Conditioners Pty Ltd was registered as the new owner of the subject site. More recently, the subject site was occupied by Tyres4U, with Chubb being the occupant of the site further to the north.<sup>25</sup>

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<sup>20</sup> *Ibid.*

<sup>21</sup> If not otherwise noted the following is based on the notes contained within Pictorial Canterbury, File 201260, 'Waterworth Garbage Tip, Earlwood, 1958', [www.photosau.com.au/Canterbury/scripts/ExtSearch.asp?SearchTerm=201269](http://www.photosau.com.au/Canterbury/scripts/ExtSearch.asp?SearchTerm=201269) (accessed July 2019)

<sup>22</sup> AFL NSW / ACT, 'W H Wagener Oval gets a makeover', posted 11 April 2016, <http://aflnswact.com.au/w-h-wagener-oval-gets-a-makeover/> (accessed July 2019)

<sup>23</sup> NSW LRS, CT Vol. 8027 Fol. 227

<sup>24</sup> Part of busy chain, *Canberra Times*, 14 September 1982, p29; cf. Change at Fosseys, *Riverine Herald*, 25 September 2000, p7

<sup>25</sup> Ashbury Community Group, 'About Us', <http://ashburycommunity.org/about-2/> (accessed July 2019)



### 3.0 PHYSICAL EVIDENCE

#### 3.1 SITE CONTEXT

The area surrounding the subject site is largely residential in character, generally comprising single-storey dwellings dating from the early 20<sup>th</sup> century, many of which are in the Federation bungalow style. These buildings provide a series of coherent streetscapes in the vicinity of the subject site, generally of high aesthetic quality. 148-165 Milton Street, to the north of the subject site, and the subject site at 165 Milton Street, contain commercial buildings which represent exceptions to the general character of the area, and are not included in the Conservation Area.

The site has a frontage to WH Wagener Oval, located to its west. The oval is visible only from a portion of Whitfield Avenue and is otherwise largely concealed behind residential dwellings on Trevenar Street and Whitfield Avenue, and commercial buildings fronting Milton Street. The site is also in close proximity to Peace Park, located close to the intersection of Milton, Trevenar and King Streets. Both WH Wagener Oval and Peace Park were historically brickworks.

Local landmarks in the immediate vicinity include Peace Park, WH Wagener Oval and Ashbury Public School on the southern side of Trevenar Street.

The following photographs of the site were taken by NBRSARCHITECTURE in 2019.



Figure 11: Milton Street, facing north towards the subject site.



Figure 12: Milton Street facing south, away from the subject site.



Figure 13: Milton Street facing south, away from the subject site.



Figure 14: Intersection of Milton, Trevenar and King Streets, to the south of the subject site.



Figure 15: View of Trevenar Street, facing west, showing the general character of the Conservation Area.



Figure 16: View of the northern side of Trevenar Street, showing houses located directly to the south of WH Wagener Oval.



Figure 17: Houses on the western side of Whitfield Avenue, opposite WH Wagener Oval.



Figure 18: Milton Street, facing south, from near the corner of Yabsley Avenue, north of the subject site.



Figure 19: View of WH Wagener Oval.



Figure 20: View of WH Wagener Oval.



Figure 21: View of WH Wagener Oval, facing north.



Figure 22: View of WH Wagener Oval, facing west.



### 3.2 DESCRIPTION OF THE SITE

The subject site comprises a warehouse building of three components, a large, central warehouse with a saw-toothed roof, a brick building in the south-west corner adjacent to the south-east corner of the WH Wagener Oval, and a commercial frontage to Milton Street. The portion of the building fronting Milton Street is a rectilinear building constructed in concrete, with vertical concrete elements between large expanses of glazing. The building is a marked departure from the character of the Conservation Area in design, construction and purpose. This is the only portion of the building with a street frontage.

The following photographs of the site were taken by NBRSARCHITECTURE in 2019.



Figure 23: View of the site facing south along Milton Street, partially concealed by trees.



Figure 24: The subject site, showing its eastern frontage to Milton Street.



Figure 25: View of the building, at right, from Milton Street, facing south.



Figure 26: The subject site, showing its driveway access from Milton Street.



Figure 27: Street frontage of the subject site, viewed from Milton Street.



Figure 28: South-west portion of the subject building, viewed at close-range from WH Wagener Oval.



Figure 29: Northern façade of the south-west portion of the building, viewed from WH Wagener Oval.



Figure 30: View of the building from WH Wagener Oval, facing south east.

### 3.3 VIEWS

Primary views of the subject site are obtained from Milton Street, from which the north-east portion of the building with a street frontage is visible, and from WH Wagener Oval, from which the western façade and south-west portion of the building are visible, although partially obscured by the trees and vegetation bordering the Oval.

The following photographs were taken by **NBRS**ARCHITECTURE in 2019.



Figure 31: View of the site from Milton Street.



Figure 32: View of the site from Milton Street.



Figure 33: View of the site from Milton Street.



Figure 34: View of the site (indicated by the red arrow) from the northern end of the oval.





Figure 35: View of the site from Whitfield Avenue, across the oval.



Figure 36: View of the site (indicated by the red arrow) facing east from the southern end of the oval.



## 4.0 ESTABLISHED HERITAGE SIGNIFICANCE

### 4.1 HERITAGE STATUS

The subject property is not listed as an item of local heritage significance, however it is located in the vicinity of the Ashbury Heritage Conservation Area (item number C1), as identified in Schedule 5 of the *Canterbury Local Environmental Plan (LEP) 2012*.

Other heritage listed items in the vicinity of the subject site are visually and physically separated from the site by intervening development, local topography, roadways and distance.

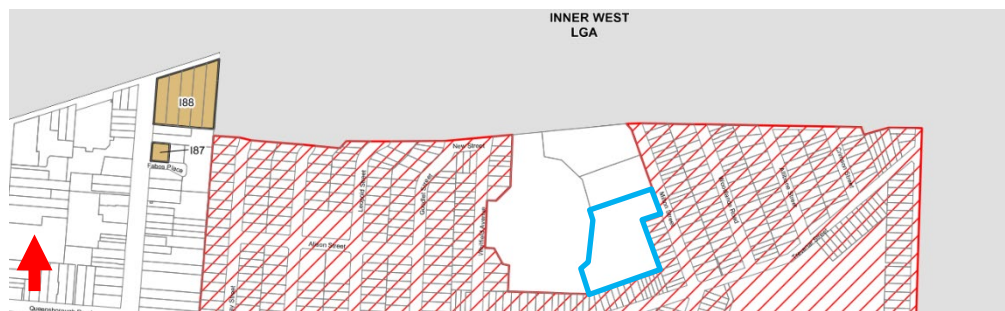


Figure 37: Excerpt from the Canterbury LEP 2012 heritage map. Heritage items are shown brown and the Ashbury Conservation Area is hatched red. The subject site is outlined in blue. (Source: Canterbury LEP 2012, Heritage Map HER\_006)

### 4.2 SIGNIFICANCE OF THE CONSERVATION AREA IN THE VICINITY

The following Statement of Significance for the Ashbury Conservation Area is sourced from the NSW Heritage Database, reference number 1300428:

*Ashbury is a relatively intact example of a residential area characterised by predominantly Inter-War Californian Bungalows, late Inter-War dwellings and late Federation houses, which was the result of the successive subdivision of the Ashbury Estate in phases between 1913 and 1929. The phased subdivision of the estate has resulted in dwellings belonging to each of the abovementioned types appearing in consistent groupings according to when different parts of the Estate were subdivided and sold. The remarkable uniformity of the eastern portion of Ashbury (particularly First and Second Streets) is largely due to the high proportion of houses built by a small number of speculative builders between 1915 and 1920. Overall, the predominant characteristics of the area are single storey dwellings on small to medium allotments, with established landscaping and street tree plantings, and consistent use of traditional materials such as face brick, terracotta tiled roofing, and timber framed windows and doors. The area contains sections of potential archaeological significance including Roslyn Street which roughly follows the path of an old Aboriginal track which ran west from Long Cove Creek via Salt Pan Creek to Georges River, and the section to the east of King Street where the original Canterbury Farm buildings were located in the vicinity of today's Third Street. There is also archaeological potential for 'Canterbury House' which was located on the centre of the block defined by Forbes and Leopold Streets south of St Xavier's Church and School. Two of five brickworks, which were in operation in the early 20th century in the Canterbury and Ashfield area, Ashfield Brickworks and South Ashfield Brickworks, where the present day W H Wagener Oval and Peace Park are located respectively, were located in or near the conservation area.*

#### 4.3 SIGNIFICANCE OF THE MILTON STREET PRECINCT

The following Character Statement for the Milton Street Precinct is sourced from the Canterbury DCP 2012:

*Part F – Specific Land Uses and Specific Sites*

*F11 149-163 and 165-171 Milton Street, Ashbury*

*F11.1 Character Statement*

*The Milton Street Precinct is located to the north of Ashbury, with the border of Inner West Council located on the northern boundary. It is bounded by WH Wagener Oval to the west, Milton Street to the east and lower scale residential dwellings, predominantly single- dwellings, to the north and south. The Ashbury Heritage Conservation area is immediately to the east and south of the precinct.*

*The land within this precinct is currently occupied by industrial and commercial development, and surface carparking serving these uses. The site is an anomaly within an otherwise low scale residential area. The presentation of these industrial and commercial uses to both Milton Street and WH Wagener Oval detracts from the predominant residential character of the area. Revitalisation and redevelopment of the site is a key objective for the precinct. New development is to create a new residential character for the site that provides a lower scale and density to Milton Street, grading up to taller development towards the edge of the WH Wagener Oval.*

*Redevelopment along Milton Street is to sensitively respond to the residential lot subdivision pattern and scale of dwellings within the street reinterpreted into a contemporary terrace typology. Terraces are to be low scale with breaks between the terrace grouping offering view glimpses and pedestrian permeability into the site.*

*A new street from Milton Street to WH Wagener Oval will provide vehicular, pedestrian and cycle access into and through the site whilst also offering a view corridor to the oval lined with trees and the front gardens of apartments.*

*The site edges shared with existing low scale residential lots on Milton Street, Trevenar Street, and Yabsley Avenue are to achieve a transition in scale by lower height development and a significant landscaped setback to moderate amenity impacts to the existing dwellings and their rear garden areas.*

*The oval interface with the site is able to sustain taller development which will offer improved passive surveillance and residential activation to the edge of the oval. Any development along this part of the site is to ensure that it is not visible from Milton Street, Trevenar Street, and Yabsley Avenue over the existing houses along these streets.*

*Taller development also marks and defines the edges of the new street as the topography falls away towards the oval with development centrally within the site moderating between the taller oval edges and the low scale forms to Milton Street.*

*The street and pathway network through the site will improve the permeability of the site and access across the site from Yabsley Avenue to Milton Street and WH Wagener Oval. A well connected pedestrian network with high pedestrian amenity shall be provided within the precinct.*

*The landscape quality throughout the site and along the site edges to Milton Street, adjacent residential lots and the oval will be high quality. It will provide dense landscape buffers to*

*property boundaries, street trees and landscaped front gardens to Milton Street and the new internal access road, and landscaped mounding to the oval edges with large trees to reinforce the existing significant tree plantings around the oval perimeter. The retention of existing trees within the site and along the site edges is to be maximised through the location of built form, the new road, and positioning of basements.*

*The architectural character will enhance the precinct, using materials and proportions that are sympathetic to the Ashbury Heritage Conservation area.*

*A sensitive relationship with the adjoining low scale houses will be provided to the precinct edges. Low to medium scale built form shall be designed to minimise privacy impacts to the adjacent low scale houses. The provision of landscaped buffers will improve the quality of the outlooks towards the site from these dwellings.*

*The new developments within the precinct shall assist the transformation of the industrial land into a high quality residential community integrated into the surrounding neighbourhood.*

## 5.0 THE PROPOSAL

The proposed development, designed by SJB Architects, includes the demolition of the existing warehouse building and the addition of a multi-storey residential development aimed at increasing the overall floor space of the property whilst also improving the amenity and condition of the property. The existing landscaping and associated plantings separating the site from Wagener Oval, will be retained. The proposal includes:

- Demolition of all existing buildings;
- Site preparation works, bulk excavation and remediation;
- Construction and use of 10 residential flat buildings (ranging in height from 3 to 6 storeys), including:
  - Two residential flat buildings containing 76 units;
  - Seven (7) residential flat buildings containing 62 terraces;
  - Shared basement with vehicular access from the proposed northern internal road;
  - A single level shared basement containing 258 spaces;
- Associated landscape works, including the provision of through-site links and communal opens space areas; and
- Extension and augmentation of physical infrastructure and utilities as required.

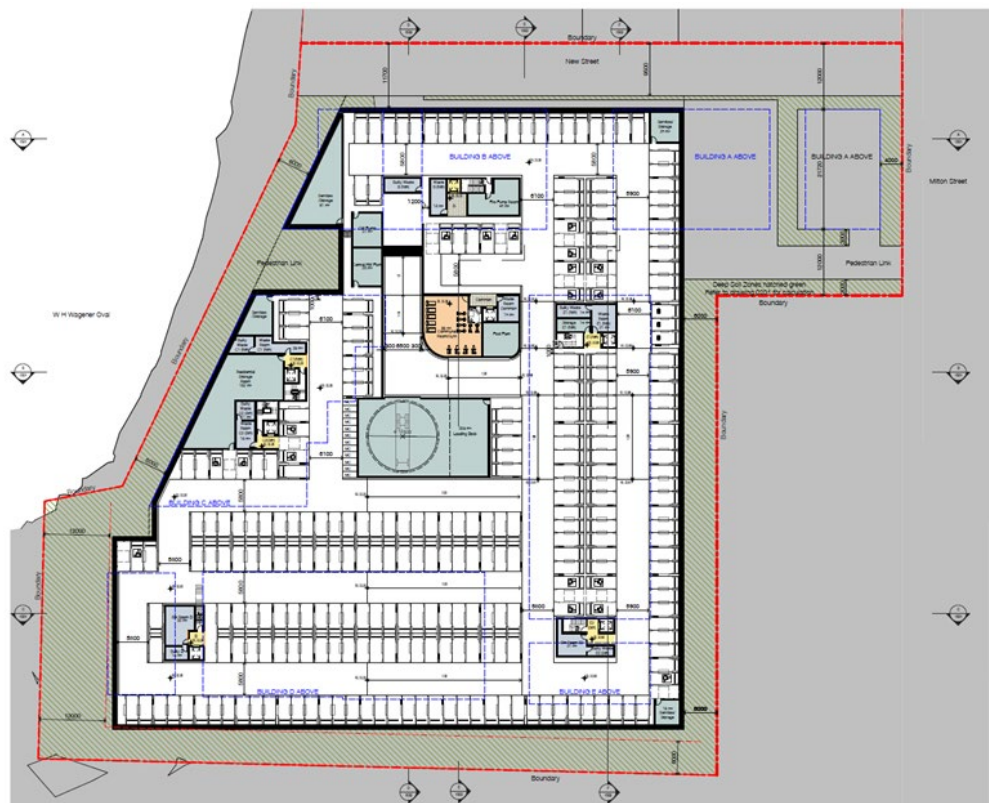


Figure 38: Proposed Overall Basement Level Plan. (Source: SJB Architects)



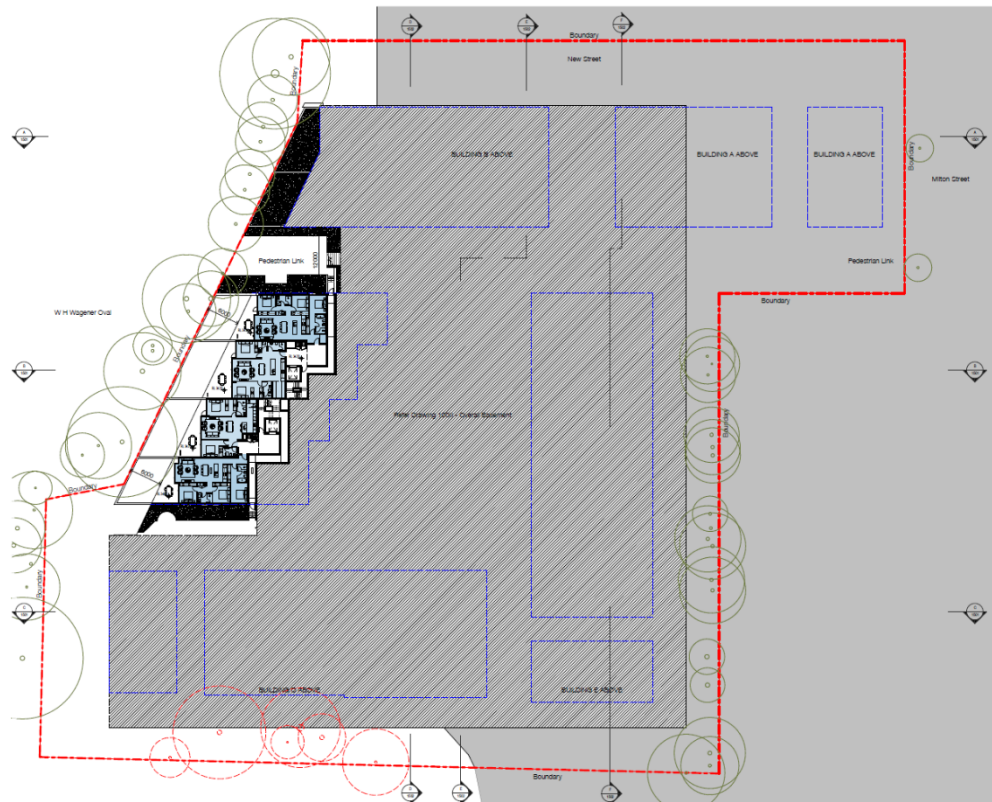


Figure 39: Proposed Overall Lower Ground Level Plan. (Source: SJB Architects)

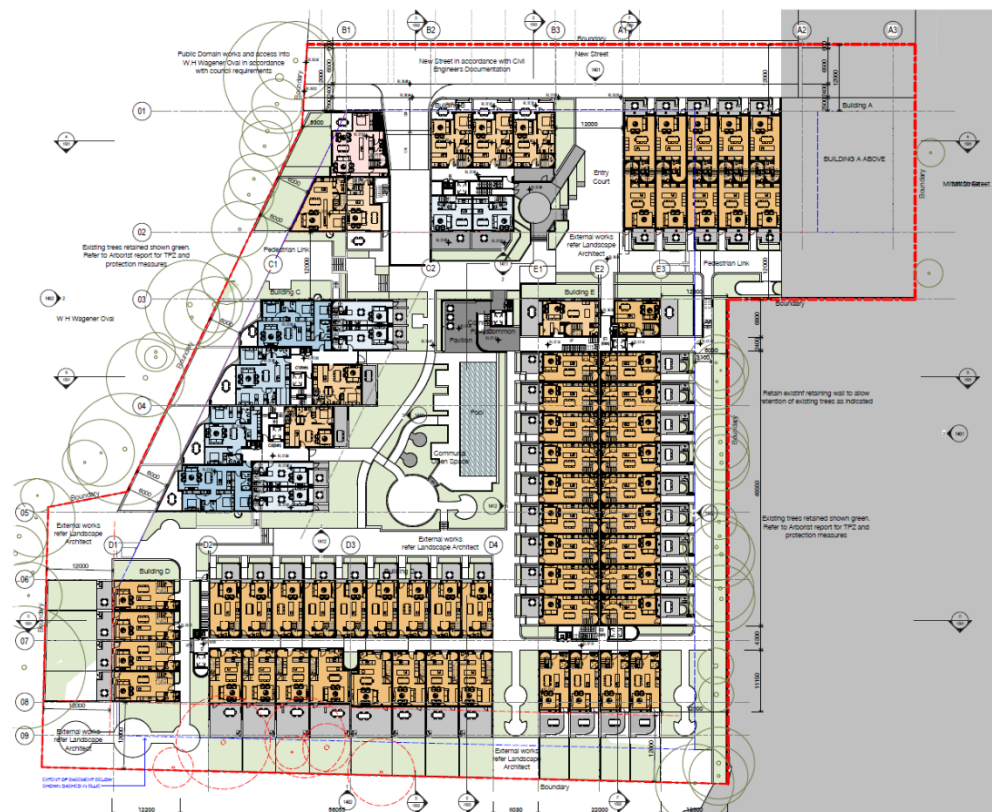


Figure 40: Proposed Overall Ground Level Plan. (Source: SJB Architects)



Figure 41: Proposed Overall Level 1 Plan. (Source: SJB Architects)



Figure 42: Proposed Overall Level 2 Plan. (Source: SJB Architects)

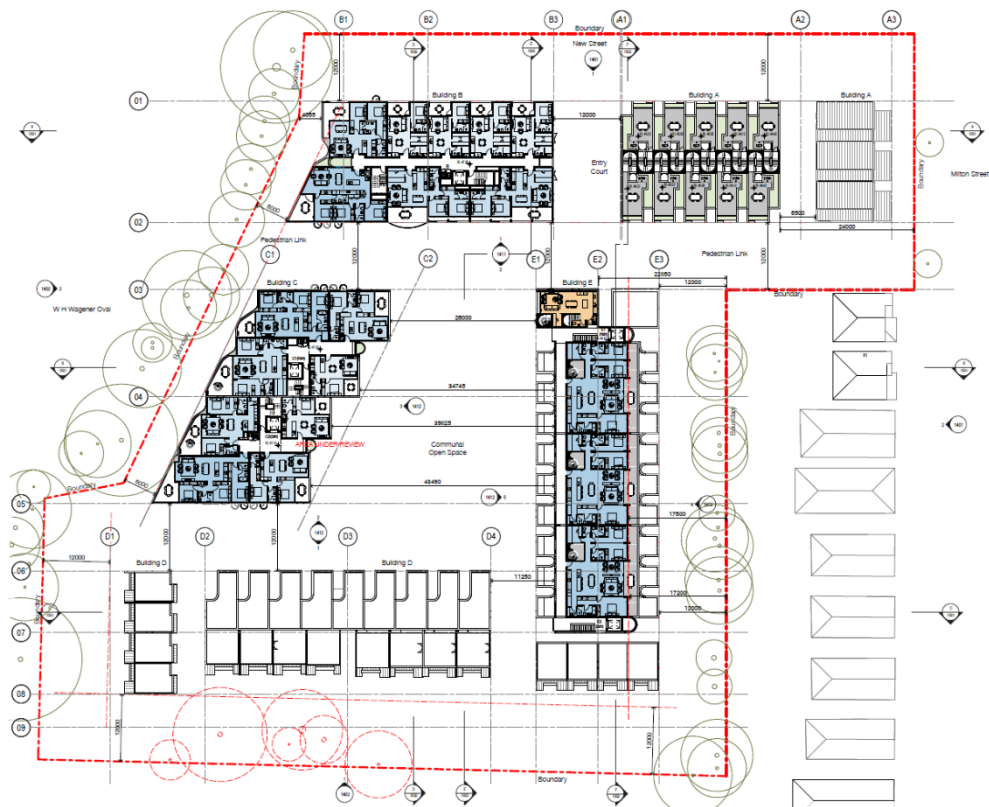


Figure 43: Proposed Overall Level 3 Plan. (Source: SJB Architects)

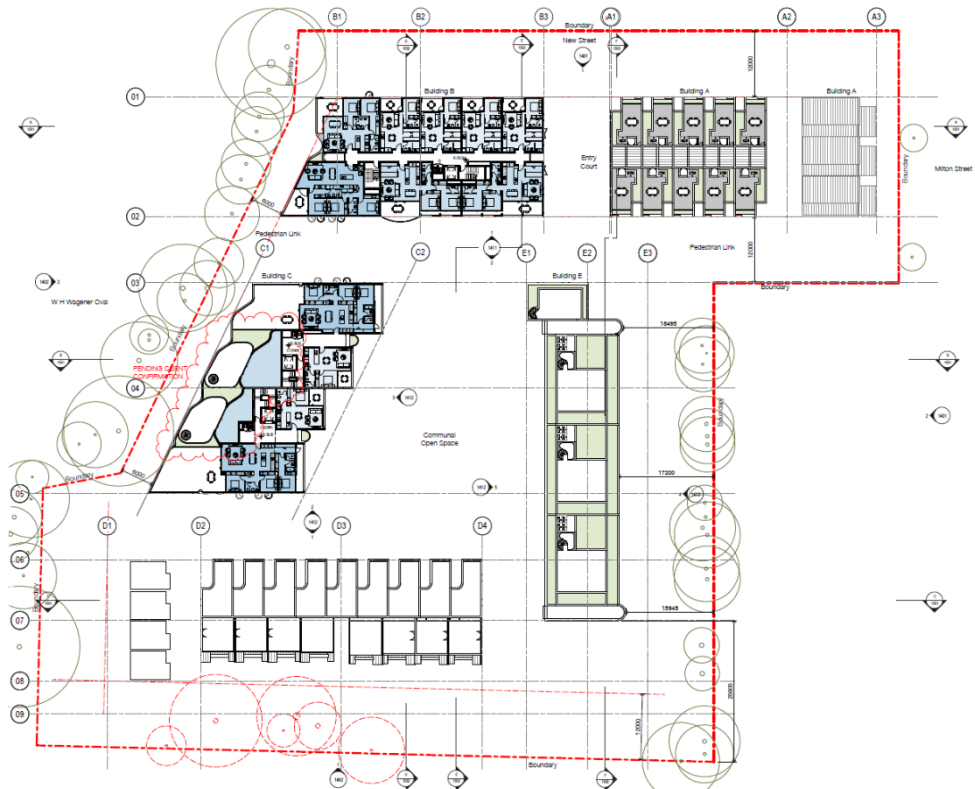


Figure 44: Proposed Overall Level 4 Plan. (Source: SJB Architects)



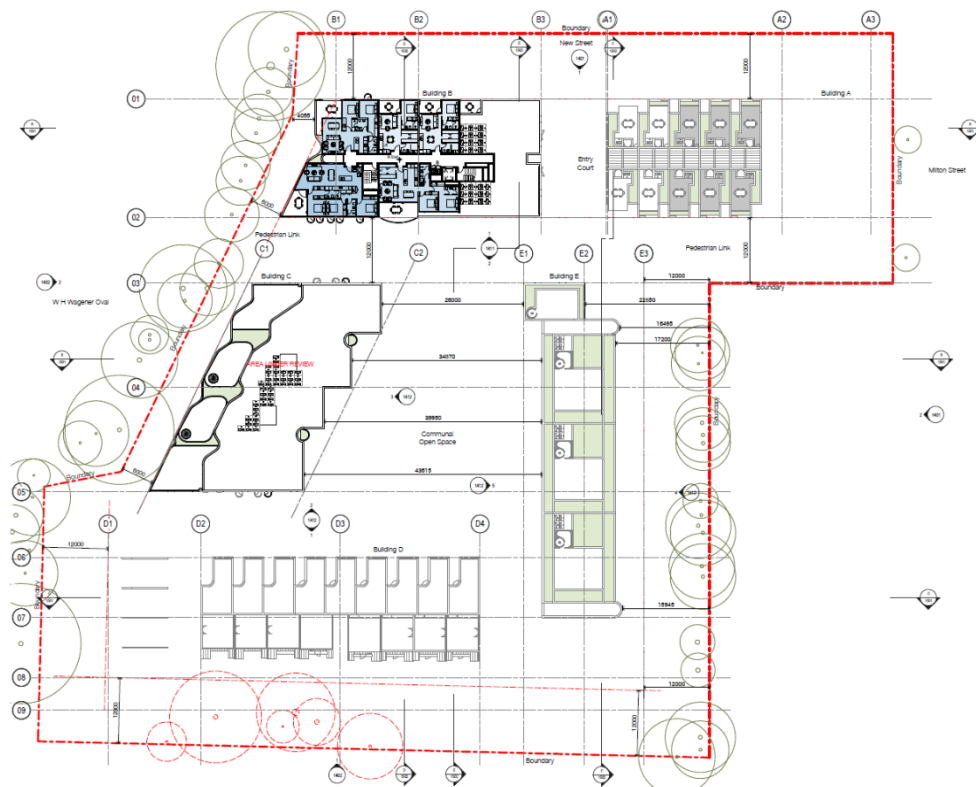


Figure 45: Proposed Overall Level 5 Plan. (Source: SJB Architects)

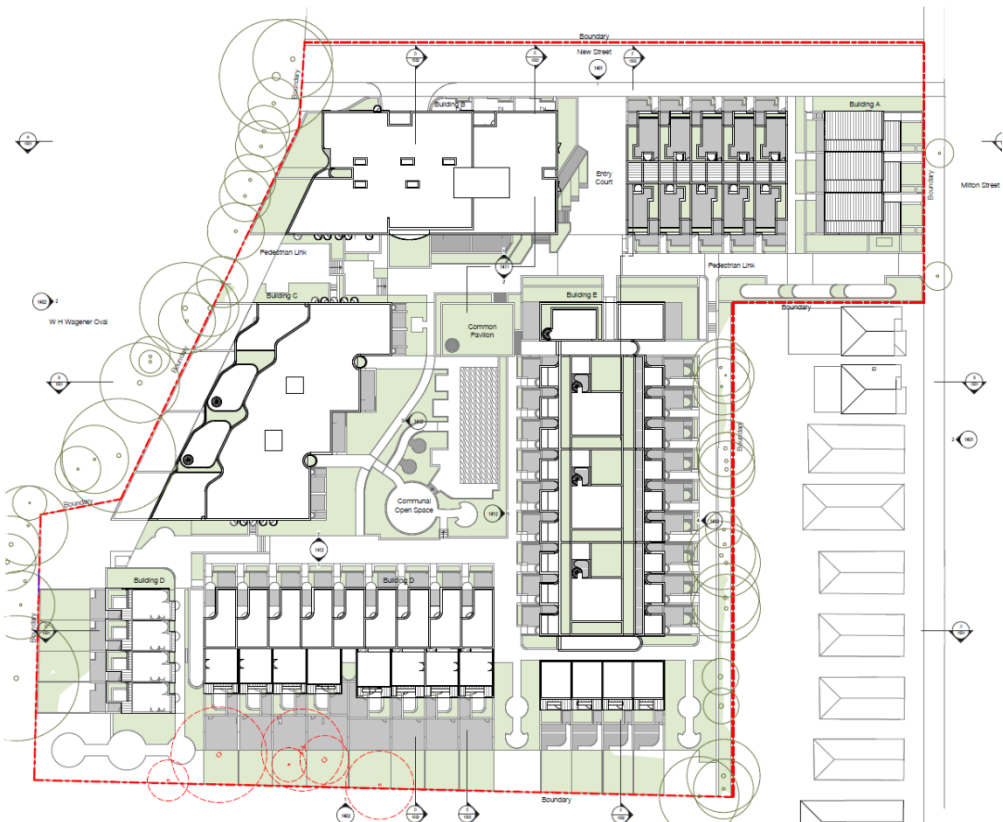


Figure 46: Proposed Overall Roof Level Plan. (Source: SJB Architects)





Figure 47: Proposed North and East Elevations. (Source: SJB Architects)



Figure 48: Proposed South and West Elevations. (Source: SJB Architects)

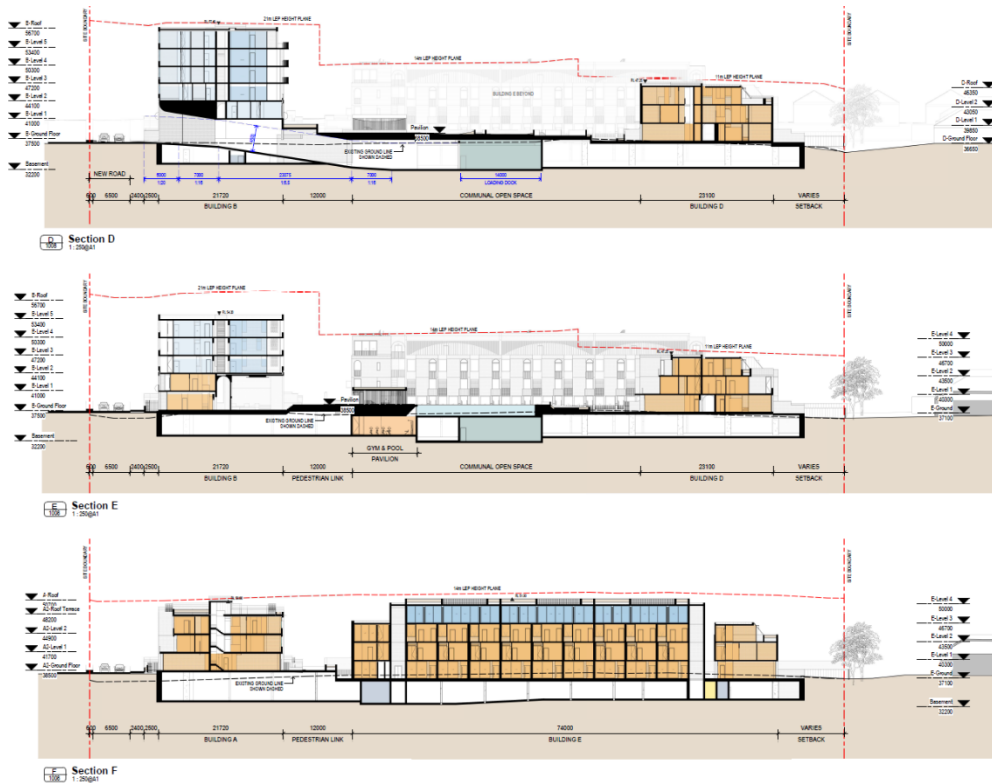


Figure 49: Proposed Sections. (Source: SJB Architects)



Figure 50: Photomontage looking from Wagener Oval towards the subject site. (Source: SJB Architects)

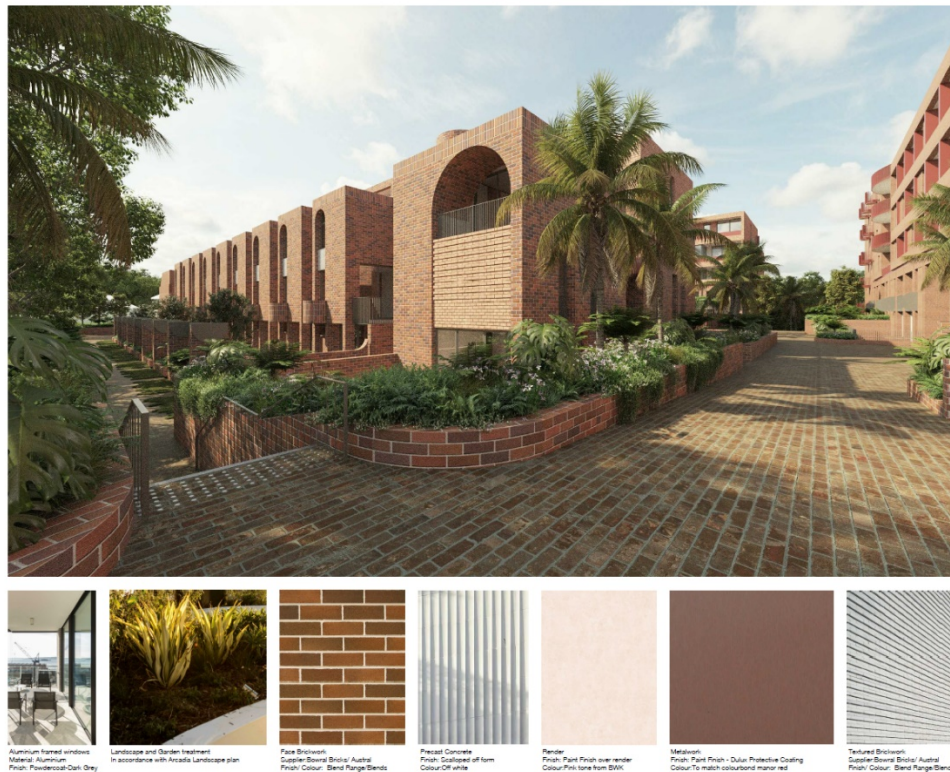


Figure 51: Photomontage and proposed materials and finishes. (Source: SJB Architects)



Figure 52: Photomontage of the proposal looking from Milton Road and proposed materials and finishes. (Source: SJB Architects)

## 5.1 DOCUMENTATION EVALUATED

The drawings prepared by SJB Architects (DA-0101 – DA6101, Preliminary, Revision 1), dated 16.04.2021, for the project titled, "Milton Street" (Project Number 6065) were reviewed as part of the preparation of this report.



## **6.0 ASSESSMENT OF HERITAGE IMPACT**

### **6.1 INTRODUCTION**

This Heritage Impact Statement has been prepared in relation to the following impact assessment criteria: the *Canterbury Local Environmental Plan (LEP) 2012*, the *Canterbury Development Control Plan (DCP) 2012* and the New South Wales Heritage Office (now NSW Heritage Division) guidelines, *Altering Heritage Assets* and *Statements of Heritage Impact*, contained within the NSW Heritage Manual.

### **6.2 OVERVIEW OF POTENTIAL HERITAGE IMPACTS**

The following discussion addresses the potential heritage impacts of the proposed development on the adjacent Ashbury Conservation Area. The potential impacts can be understood within the following framework describing ways in which development may have an impact on a nearby Conservation Area, and/or how the development has responded to the neighbouring Conservation Area, specifically in relation to:

- Legibility;
- Views and Amenity;
- Form and Scale;
- Detailed Design; and
- Landscape Setting.

#### Legibility

Directly to the west of the subject site is the WH Wagener Oval and directly to the east and south of the subject site is the Ashbury Conservation Area. The site slopes slightly towards the Oval. The Conservation Area is mostly residential in nature, and comprises mainly single storey, Inter-War Californian Bungalows, late Inter-War houses and late Federation dwellings. In contrast, the existing subject site is industrial in nature, with a commercial, multi-storey warehouse currently positioned on the site. This site is a remnant of the earlier brickworks and later warehousing.

The existing warehouse on the site is not architecturally related to the dwellings located within the surrounding Conservation Area, and the redevelopment of the site will not affect the legibility of the surrounding dwellings as historically or architecturally significant to the development of Ashbury.

The new, multi-level residential development to replace the existing warehouse on the site will be physically separated from the neighbouring houses located within the Ashbury Conservation Area. The proposal will, therefore, have no impact on the physical fabric of the Heritage Conservation Area in the vicinity.

The suburban character of the surrounding streets located around and within the Ashbury Conservation Area contribute to its significance, insofar as they demonstrate the historical phases of residential development of the suburb and Conservation Area. The proposed multi-storey development on the site, will support the existing residential character of the area, albeit in a more contemporary form.

The existing dwellings in the surrounding Conservation Area will continue to be understood as important through their ability to demonstrate the historical development of Ashbury and as good examples of their style, including particularly good examples of Inter-War Californian Bungalows, late Inter-War houses and late Federation dwellings.

The proposed addition of a multi-storey residential development on the site is therefore acceptable from a heritage perspective, as the legibility and public appreciation of the Heritage Conservation Area in the vicinity, will be retained.

#### Views and Amenity

Existing views to, from and throughout the Ashbury Conservation Area as well as the amenity of individual houses located within the Conservation Area, will be retained. The dwellings located within the Conservation Area neighbouring the subject site contribute to the amenity and aesthetic quality of Ashbury. The visibility of these historic houses from street level and their experience by pedestrians is therefore an important aspect of understanding the Conservation Area's heritage significance. The proposed development has been designed so there is no unacceptable overshadowing of the neighbouring historic houses.

The proposed multi-level residential development on the site will not affect views to and from houses located within the neighbouring Conservation Area, and they will continue to remain visible, particularly along Milton Street. The new development on the site will present as a contemporary addition to the Milton Street streetscape when viewed from the Ashbury Conservation Area in the vicinity. The heritage significance of the Ashbury Conservation Area will be retained by the proposed multi-level residential development to the subject site.

The proposed addition of a multi-storey building on the subject site will have a minor impact on isolated views while retaining important, key views to and from the Heritage Conservation Area in the vicinity. The proposed development will not have a detrimental impact on the amenity of the Conservation Area in the vicinity. The proposed multi-level residential building on the site is therefore overall acceptable from a heritage perspective

#### Form and Scale

The new replacement building proposes to create a new residential character for the site, which references the existing, low rise, residential nature of the neighbouring Conservation Area. This has been achieved by providing apartments which are of a lower scale and height towards Milton Street, adjacent to the Conservation Area, transitioning up to taller development towards Wagener Oval to the west. The articulation of the facades of each of the apartments along Milton Street further reference the scale of the neighbouring, low-rise houses. This has been achieved through the design of a two storey form, which presents as a single storey along the street frontage. This will in turn, reduce the overall bulk of the facades along Milton Street and minimise the impact on the dwellings located in the adjacent Conservation Area.



Figure 53: Proposed East Elevation, with existing dwellings shown to the left. (Source: SJB Architects)

Significant architectural features and detailing associated with houses located within the adjacent Conservation Area are experienced at ground level and will continue to be appreciated from the public domain.

The proposed development will replace a former warehouse building which has been recently demolished, with the exception of one small building. The former warehouse building presented as an atypical building form adjacent the Conservation Area. The form of the proposal references the existing use through the terraced arrangement of the development.

Therefore, the proposed scale and height of the new multi-level residential apartments on the site is acceptable from a heritage perspective, as the architectural qualities and character of the houses located within the neighbouring Ashbury Conservation Area, will not be diminished.

#### Detailed Design

The fine grain residential character as well as the historic small lot subdivision pattern, are important features of the Ashbury Conservation Area, which the new residential development on the subject site aims to reference. This has been achieved via the use of a terrace typology as part of the design of the new residential development on the site. The separation of the development into a number of detached multi-level terrace buildings reduces the overall bulk of the proposal, and ensures the development on the site does not overpower the reading of the adjacent small scale, residential properties. The separation between the terraces provide pedestrian access through the site, reinforcing the human scale and ground level user experience, also allowing views through the site.

The use of a sawtooth roof form as part of the proposed terrace design references and interprets the former factory building on the site. Additionally, a number of skillion roof forms have been included as part of the terrace designs, and these directly reference the existing roof forms found throughout the Ashbury Conservation Area.



Figure 54: Photomontage showing an internal view of the proposal. (Source: SJB Architects)

The proposal directly references the materiality of neighbouring dwellings through the use of facebrick to the exterior facades of the terrace forms and the surrounding hard landscape elements. The use of other, more modern materials, such as metal-framed windows and pre-cast concrete exterior elements, helps to define the terraces as separate, more recent development.



Figure 55: Photomontage showing the transitional form of the proposed development as viewed from Milton Street. (Source: SJB Architects)

As such, the detailed design of the multi-storey residential terraces will not have a detrimental impact upon an understanding of the aesthetic significance of the Ashbury Conservation Area. Historic dwellings located within the Conservation Area will therefore continue to be understood and appreciated and their character and setting retained.

#### Landscape Setting

The addition of further plantings has ensured that the proposed development is respectful of the surrounding context and setting.

This has been achieved by utilising the existing slope of the existing site, which has meant the higher terrace forms towards the west will be obscured from view from Milton Street. The existing mature tall trees separating the western boundary of the site from Wagener Oval aid in obscuring views of the proposed development from the Oval.



Figure 56: Photomontage showing the site (indicated by the red arrow) as viewed from Wagener Oval. (Source: SJB Architects)

Additionally, private courtyards which separate the development from Milton Street contain new plantings which will create a landscaped interface between the site and Milton Street to the east, contributing to the residential character of the existing streetscape. The addition of landscaping throughout the site, and defining pedestrian routes through the site, will enhance the ground level user experience.

For these reasons, the proposed development is acceptable from a heritage perspective as the landscape setting surrounding the site will be retained and enhanced.

### **6.3 EVALUATION OF THE GUIDELINES OF THE NSW HERITAGE DIVISION**

The following assessment is based on the assessment criteria set out in the NSW Heritage Office (now Heritage Division) publication 'Statements of Heritage Impact', contained within



the NSW Heritage Manual. The standard format has been adapted to suit the circumstances of this application.

*The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:*

- There will be no physical impacts on the heritage fabric associated with properties located within the neighbouring Heritage Conservation Area.
- Views to and from properties located within the Ashbury Conservation Area, will be retained as the new development sits within a site which contained large warehouse style buildings.
- The historical importance of the Ashbury Conservation Area and the aesthetic features of individual properties located within the Ashbury Conservation Area, will continue to be understood and appreciated.
- The cultural significance of the Heritage Conservation Area in the vicinity of the subject site, will be retained and conserved as there will be no physical or visual impacts which alter the appreciation of the character and significance of the Ashbury Conservation Area.

*The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:*

- There are no aspects of the proposal which would have a detrimental impact on the heritage significance or appreciation of the Ashbury Conservation Area.

#### **6.3.1 DEMOLITION OF A BUILDING OR STRUCTURE (IN THE VICINITY OF A HCA)**

- *Have all options for retention and adaptive reuse been explored?*
- *Can all the significant elements of the heritage item be kept and any new development be located elsewhere on the site?*
- *Is demolition essential at this time or can it be postponed in case future circumstances make it retention and conservation more feasible?*
- *Has the advice of a heritage consultant/specialist been sought? Have the consultant's recommendations been implemented? If not, why not?*

#### **Comment:**

The demolition of the warehouse is acceptable as it does not provide any evidence of the working or operations of the former brickworks. The warehouse and its surrounding site are not listed as an item of heritage significance on any form of statutory listing.

For this reason, the removal of the existing warehouse building on the subject site is acceptable from a heritage perspective.

#### **6.3.2 NEW DEVELOPMENT ADJACENT TO A HERITAGE CONSERVATION AREA**

- *How is the impact of the new development of the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*



- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

The proposal involves the addition of a multi-storey residential development, aimed at providing new residences of a high quality, offering a contemporary level of amenity.

The impact of the new development on the significance of the adjacent Ashbury Conservation Area has been minimised through the design of a replacement building on the subject site which references the existing, low rise, residential nature of the neighbouring Conservation Area. This has been achieved by providing apartments which are of a lower scale and height towards Milton Street, adjacent to the Conservation Area, transitioning up to taller development towards Wagener Oval to the west. The articulation of the facades of each of the apartments along Milton Street further reference the scale of the neighbouring, low-rise houses. This has been achieved through the design of a two storey form, which presents as a single storey along the street frontage. This will in turn, reduce the overall bulk of the facades along Milton Street and minimise the impact on the dwellings located in the adjacent Conservation Area. Therefore, the new development will not visually dominate the adjacent Ashbury Conservation Area.

Additionally, the new residential development will be sympathetic to the adjacent Ashbury Conservation Area by referencing the fine grain residential character as well as the historic small lot subdivision pattern of the Ashbury Conservation Area. This has been achieved via the use of a terrace typology as part of the design of the new residential development on the site. The separation of the development into a number of detached multi-level terrace buildings reduces the overall bulk of the proposal, and ensures the development on the site does not overpower the reading of the adjacent small scale, residential properties. The use of a sawtooth roof form as part of the proposed terrace design references and interprets the former factory building on the site. Additionally, a number of skillion roof forms have been included as part of the terrace designs, and these directly reference the existing roof forms found throughout the Ashbury Conservation Area. The proposal directly references the materiality of neighbouring dwellings through the use of facebrick to the exterior facades of the terrace forms and the surrounding hard landscape elements. The use of other, more modern materials, such as metal-framed windows and pre-cast concrete exterior elements, helps to define the terraces as separate, more recent development.

The curtilage of the Ashbury Conservation Area has been retained, which in turn, allows for the retention of the heritage significance of the Conservation Area, so it can continue to be understood and appreciated by both the public as well as those who inhabit individual properties located within the Ashbury Conservation Area.

Existing views to, from and throughout the Ashbury Conservation Area as well as the amenity of individual houses located within the Conservation Area, will be retained. The dwellings located within the Conservation Area neighbouring the subject site contribute to the amenity and aesthetic quality of Ashbury. The visibility of these historic houses from street level and their experience by pedestrians is therefore an important aspect of understanding the Conservation Area's heritage significance. The proposed development has been designed so there is no unacceptable overshadowing of the neighbouring historic houses.

The proposed multi-level residential development on the site complies with the LEP height limit for the site and will not affect views to and from houses located within the neighbouring Conservation Area, and they will continue to remain visible, particularly along Milton Street. The new development on the site will present as a contemporary addition to the Milton Street streetscape when viewed from the Ashbury Conservation Area in the vicinity. The heritage significance of the Ashbury Conservation Area will be retained by the proposed multi-level residential development to the subject site. The proposed addition of a multi-storey building on the subject site will have a minor impact on isolated views while retaining important, key views to and from the Heritage Conservation Area in the vicinity.

The development is not sited on any known archaeological deposits.

The proposed development will not have a detrimental impact on the amenity of the Conservation Area in the vicinity. The proposed multi-level residential building on the site is therefore overall acceptable from a heritage perspective

#### **6.4 HERITAGE OBJECTIVES OF THE *CANTERBURY LEP 2012***

The proposed development is considered to be acceptable, from a heritage perspective, for the following reasons:

- Retains views to and from individual properties, and around the streetscapes located within the adjacent Ashbury Conservation Area, including along Milton Street located directly to the east of the subject site and Trevenar Street located to the south of the site.
- There will be no adverse impact on the established heritage significance of the neighbouring *Ashbury Conservation Area*.
- There will be no change to the appreciation or interpretation of the individual properties located within the neighbouring Ashbury Conservation Area, or the character of the Heritage Conservation Area generally, from the public domain.

The proposal is, therefore, considered to be consistent with the relevant heritage objectives of the *Canterbury LEP 2012*, which are:

##### ***5.10 Heritage conservation***

###### ***(1) Objectives***

*The objectives of this clause are as follows:*

- (a) to conserve the environmental heritage of Canterbury,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*

#### **6.5 HERITAGE GUIDELINES OF THE *CANTERBURY DCP 2012***

The *Canterbury DCP 2012* supports the *Canterbury LEP 2012* by providing additional objectives and development standards for properties in the vicinity of places of heritage significance as well as for specific sites and precincts.

##### **6.5.1 DEVELOPMENT IN THE VICINITY OF PLACES OF HERITAGE SIGNIFICANCE**

The proposed development is generally consistent with the objectives of the *Canterbury DCP 2012* that relate to development in the vicinity of places of heritage significance, and are set

out in the following DCP Sections:

*Part B*

*B8 Heritage*

*B8.6 Development in the vicinity of Places of Heritage Significance*

*Objectives*

- O1 Ensure that adjacent development does not detrimentally impact upon the heritage significance of places of heritage significance or their settings.*
- O2 Ensure that new development is compatible with the heritage values of adjacent places of heritage significance.*

*Controls*

*The design of the new development should:*

- C1 Be designed to respond to the setting, setbacks, form, scale and style of nearby places of heritage significance.*
- C2 Maintain significant views to and from the place of heritage significance.*
- C3 Ensure adequate setbacks from the site of the place of heritage significance to retain its visual setting.*
- C4 Retain original or significant landscape features that are associated with the place of heritage significance or that contribute to its setting.*
- C5 Use materials, finishes and colours selected to avoid strong contrast with the place of heritage significance in order to retain its visual importance or significance.*

**6.5.2 MILTON STREET PRECINCT**

The subject property is located within the Milton Street Precinct, for which the *Canterbury DCP 2012* contains the following Objectives and Principles:

*F.11.2 General Objectives*

- O1 To achieve design excellence in any new development.*
- O2 To achieve a high-quality development outcome that is responsive to the natural and built form context around the site.*
- O3 To improve connectivity for pedestrians and cyclists through the site to Milton Street, Yabsley Avenue, WH Wagener Oval, and Whitfield Avenue.*
- O4 To enhance the existing Milton Street streetscape and provide a new street and pedestrian pathways that enhance the landscape character of the area.*
- O5 To achieve a high quality landscape response to the site, Milton Street and the WH Wagner Oval edges.*
- O6 To minimise the visibility of any taller development within the precinct from surrounding streets and achieve a transition in scale of development from Milton Street and the rear boundaries of existing residential lots edging the site to the oval edge, responding to the topography of the site.*
- O7 To locate the tallest development on the site along the new street to ensure the topography minimises its impact and visibility.*
- O8 To achieve a high standard of residential amenity to adjacent development and new development within the precinct.*
- O9 To minimise the visual impact to the Ashbury Heritage Conservation Area.*

*F.11.4 Building Height and Density*

*Objectives*

- O2 To provide an appropriate scale and massing sensitive to the Ashbury Heritage Conservation Area and Milton Street.*

#### *F.11.9 Building Depth*

##### *Objectives*

02 To mitigate bulk and scale to Wagener Oval and the adjacent heritage conservation area.

#### *F.11.15 Excavation*

##### *Objectives*

02 To respond appropriately to the fine grain character of the heritage conservation area.



Figure 57: Milton Street Precinct Location Diagram.  
(Source: Canterbury DCP 2012)

Precinct boundary  
 Cadastre

#### **Comment:**

The form, scale and detailing of the proposal is in line with the intent of the Character Statement and Objectives for the Milton Street Precinct. The proposal supports the desired future character for the site expressed in the DCP. For these reasons, as well as for the reasons discussed in 6.2, 6.3 and 6.4 above, the proposal is consistent with the heritage objectives of the *Canterbury DCP 2012*, as the proposal will not have a detrimental impact on the adjacent Ashbury Conservation Area.



## 7.0 CONCLUSION

The subject property is not listed as an item of local heritage significance, however it is located in the vicinity of the Ashbury Heritage Conservation Area (item number C1), as identified in Schedule 5 of the *Canterbury Local Environmental Plan (LEP) 2012*.

The proposed demolition of the existing warehouse building and the addition of multi-level residential terraces on the subject site will have no adverse impacts on the heritage fabric or setting of the Heritage Conservation Area located in the vicinity. The legibility, visibility and amenity of the neighbouring Conservation Area and views to and from them, will also be retained. Overall, the proposed development is acceptable from a heritage perspective as the established significance of the Heritage Conservation Area, will be retained.

The proposal is consistent with the heritage objectives of the *Canterbury LEP 2012* and the *Canterbury DCP 2012*.

For these reasons, the consent authority should have no hesitation, from a heritage perspective, in approving this application.



Christiane Moodie  
Heritage Consultant  
**NBRS**ARCHITECTURE