

STATEMENT OF HERITAGE IMPACT

SITE COMPATABILITY CERTIFICATE



CLUB WILLOUGHBY 26 Crabbes Avenue North Willoughby

FINAL 16 JANUARY 2018

NBR&PARTNERS PTY LTD

Level 3, 4 Glen Street,
Milsons Point NSW 2061 Australia
nbsarchitecture.com

ABN 16 002 247 565

Sydney: +61 2 9922 2344
Melbourne: +61 3 8676 0427
architects@nbsarchitecture.com

DIRECTORS

Geoffrey Deane NSW reg. 3766, Rodney Drayton NSW reg. 8632,
Andrew Duffin NSW reg. 5602, Garry Hoddinett NSW reg. 5286,
Andrew Leuchars LA reg. 035, James Ward

ASSOCIATE DIRECTORS

Trevor Eveleigh, Samantha Polkinghorne, Brett Sherson, Andrew Tripet,
Jonathan West **SENIOR ASSOCIATES** Barry Flack
ASSOCIATES Derek Mah, Hung-Ying Foong Gill, Sophie Orrock,

NBRS & PARTNERS Pty Ltd
Level 3, 4 Glen Street
Milsons Point
NSW 2061 Australia

Telephone +61 2 9922 2344 - Facsimile +61 2 9922 1308

ABN: 16 002 247 565

Nominated Architects

Geoffrey Deane: Reg No. 3766; Andrew Duffin: Reg No. 5602; Garry Hoddinett: Reg No 5286

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STATEMENT OF HERITAGE IMPACT FOR CLUB WILLOUGHBY

1.0 INTRODUCTION

1.1 REQUIREMENTS FOR THIS REPORT

This Statement of Heritage Impact has been prepared in accordance with the standard guidelines of the NSW Heritage Branch to accompany a Site Compatibility Certificate for the development of a combination of a new club, and independent living residences tailored to the over-55 market. The proposal includes underground parking on the site. The Council is obliged by the provisions of Clause 5.10 of the *Willoughby Local Environmental Plan (LEP) 2012*, to assess the impact that development would have on the identified heritage significance of the surrounding Heritage Conservation Areas and identified heritage items in the vicinity of the development. The club itself is not a heritage item, however the Willoughby Development Control Plan (DCP) 2006 requires the applicant to prepare a Statement of Heritage Impact to assist Council in the assessment of heritage impact when making a Development application for development in the vicinity of a heritage item or a heritage conservation area.

1.2 METHODOLOGY

This report adopts the standard methodology of the NSW Heritage Office for assessing potential heritage impact on the heritage item and surrounding Heritage Conservation Areas.

It has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance*, 1999, 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 eastern side of Penshurst Street Willoughby. According to NSW Land & Property Information, the subject site has a dual address, though the primary address is recorded as 26 Crabbes Avenue, North Willoughby. The study site is comprised of the following parcels of land:

- Lots 4-11, Section C, DP6291
- Lots 1 and 2, DP950652
- Lots A and B, DP438684
- Lot B, DP364487



Figure 1 – Aerial view of the subject site shaded in purple. (Source: NSW Land & Property Information, SIXMaps)



Figure 2 – Site location plan. Study area shaded yellow. (Source: NSW Land & Property Information, SIXMaps)

1.4 HERITAGE LISTINGS

The subject site is identified as being in the vicinity of the *Horsely Avenue (C7) Conservation Area* identified on the *Willoughby LEP 2012*.



Figure 3 – The subjects site is shown shaded in yellow and the adjacent Horsely Avenue Heritage Conservation Area is shown hatched in red (Source: Willoughby LEP Maps HER_ 004)

1.5 HERITAGE SIGNIFICANCE

The following description and Statement of Significance were taken from *The Willoughby DCP 2006 Part H Controls for Heritage Items and Heritage Conservation Areas H.3.8 Horsely Avenue Conservation Area*.

Description

Horsely Avenue is a narrow street with consistent street plantings of Crepe Myrtle. The eastern end is dominated by St Thomas' School and Church, and the western corner features Interwar cottages and flats. The houses are Interwar bungalows built of dark red/brown and liver brick with rough face sandstone base courses and detailing. The roof forms are predominantly hipped with vertically battened gables. Many houses feature leadlight windows in the street facing façades. The low face brick fencing, consistent setbacks, side or rear carparking arrangements and well vegetated front gardens create a streetscape impression that is consistent with the heritage values of the housing. Summerville Crescent is a short cul-de-sac lined with small-scale bungalows, which appear to have been speculatively developed. The bungalows have glazed terracotta tiled hipped roofs, some with parapeted gables, and are distinguished by idiosyncratic contrasting brick detailing. This detailing is reflected in front fencing. Carports are located to the side and rear of the houses

Statement of Significance

Summerville Crescent is a rare example of a street speculatively developed in the 1930's, that has a strong sense of unity and aesthetic harmony due to the close stylistic relationships of the cottages. Collectively the houses are important as a group of modest bungalows reflecting popular taste of the late Interwar period with a high degree of consistency in form and fabric, and displaying fine brick detailing. The Crescent is an example of a cul-de-sac subdivision, a popular

form of subdivision for capitalising on larger remnant allotments during the later Interwar period. Horsley Avenue is an intact example of a late 1920's residential development in near original condition. Few additions or irreversible alterations have occurred to the original housing stock, and its coherent character is retained. The area has a uniformity of housing style and setting including form, materials, detailing, fencing and setbacks that gives the area an harmonious appearance. The predominance of the 1920's bungalow type illustrates the important influence of American housing ideals and styles on Australia.

Key Period of Significance 1926-1940

1.6 AUTHORSHIP

This report was prepared by, Jennifer Castaldi, Heritage Consultant, using research and a history written by Léonie Masson, Historian, all of **NBRS**ARCHITECTURE.

2.0 DOCUMENTARY EVIDENCE

2.1 PRE-EUROPEAN HISTORY

The Cammeraygal people of the Guringai nation lived in the Willoughby area until the 1820s and are recorded as being in the northern parts of the Sydney region for approximately 5,800 years. By 1830 there were no Aboriginal people following a traditional lifestyle in the area.

2.2 EUROPEAN ERA HISTORY

The following history is reproduced from Willoughby Fact Sheet no. 7 (Willoughby City Library Services, May 2013 <file:///C:/Users/leonie.masson/Downloads/07Willoughby.pdf>, viewed 28 July 2017)

Name: *The suburb of Willoughby, including North Willoughby and Willoughby East, is part of the City of Willoughby. Sir Thomas Livingston Mitchell, Surveyor-General of NSW from 1828 to 1855, named the area after his former superior officer, Sir James Willoughby Gordon.*

Early Years: *The first land boom followed the Gold Rush of 1850. In 1854 William Lithgow subdivided 600 acres and sold it at auction. The subdivision was called "The Township of North Sydney" until 1890. The Municipality of North Willoughby was incorporated in 1865. The word "North" was dropped from the title in 1890. The first Chairman of Council (Mayor) was James William Bligh, pioneer landowner in the area though he did not actually reside in Willoughby. Throughout the 1800s and the early 1900s, a lot of the Willoughby area was still in its natural, rugged state but there were some cultivated areas developed as orchards, farms, dairies and Chinese market gardens.*

Tanneries: *In 1869 James Forsyth established the Rosewall tannery where the bus depot is today. This was the first of many tanneries in the area. Many were scattered around the beautiful and isolated valley of a tributary of Scotts Creek, where water and wattle trees were plentiful. These were used in the tanning process. The last tannery closed in 1992.*

Houses: *"Tyneside" (Robert Forsyth) and "Rosewall" (Thomas Forsyth) in High Street were built in the 1880s for the tannery sons of James Forsyth, the latter having its own bowling rink and football field. Other buildings of interest include "Laurelbank" (now a Masonic Lodge) built in 1890 on the corner of Laurel & Penshurst streets, and "Pommy Lodge" in Penshurst Street which was built in 1871 as a Congregational Church.*

Schools: *Willoughby Public School was established in Oakville Road in 1863, as the North Sydney National Public School. In 1891 the name was changed from North Sydney to Willoughby. Willoughby Girls High School in Mowbray Road started in 1934 as Willoughby Home Science School and received its present name in 1957. St Thomas Church/School opened in 1928. From 1909 a private school "Rowfant" operated in Willoughby Road for about fifty years.*

Churches: *The suburb of Willoughby contains six churches. The Willoughby Congregational Church was originally established in 1871 and was in operation until the 1980s, but in 1993 it was demolished. The Uniting Church in Clanwilliam Street was established in 1901, while the one in Frenchs Road opened in 1906. The Frenchs Road building has since been demolished and an Armenian Evangelical Church has replaced it. Willoughby Presbyterian Church opened in 1923, to be replaced by a new church in 1925. St John's Anglican Church was completed in 1960. St Thomas's Catholic Church has been in operation since 1928. The present St Thomas' Catholic*

Church in High Street was built in 1961. Willoughby Gospel Chapel was built in 1928 and extended in 1972.

Post Office: *The first post office in Willoughby opened in 1871 “adjoining the public school”. It was replaced by an official post office across the road in 1891. In 1922 a new Willoughby Post Office was installed in the new “Knight Smith Buildings” in Penshurst Street. In 1977 a new post office was built on the corner of Penshurst Street and Oakville Road.*

Halls: *By the late 1800s there were two public halls in Willoughby. A Temperance Hall, in Penshurst St was used by the Methodists for meetings before their church was built and an Assembly Hall, built in 1888 next to the Hotel Willoughby, renovated in 1920 and is now a commercial premise.*

Transport: *The first regular service from the Willoughby area to Milsons Point was George Leaf’s spring cart, which took six passengers at a time in the 1870s. In the 1880s William Thomas Muston ran a line of horsebuses along Willoughby Road. In 1897 an electric tram service ran from Milsons Point to Crows Nest and along Willoughby Road to French’s Road. The tram service was extended to the corner of Victoria Avenue in 1898 and to Chatswood Railway Station in 1908. Since 1958 when all north shore tram services ceased, the routes have been taken over by government buses to Sydney CBD and Chatswood. In 1920, Telford Lane—between Fourth Avenue and Eastern Valley Way—was created and paved; the method used was the one pioneered by Thomas Telford in England in the nineteenth century. This involved cross bonding stone and topped with a layer of gravel and Telford Lane is one of the few surviving examples of the Telford method in Sydney and as a result is NSW State heritage listed.*

Fire Service: *In 1905 the East Willoughby Fire Station opened in a cottage in Laurel Street. A brick, single storey station opened in 1915 adjacent to the original cottage, and another floor was added in 1930. In 1917 the name was changed from East Willoughby to Willoughby. Hotels: The Hotel Willoughby on Penshurst Street opened in 1899 and was described as one of the finest buildings on the North Shore. The hotel is now called “The Willoughby” and majorly restored in 1988 with its elegant verandahs reinstated. The Bridgeview Hotel in Willoughby Road opened in 1928 and was originally called the “Bridge View” Hotel.*

Flat Rock Creek and Naremburn Waterfalls: *Flat Rock Creek was named after the flat rock where it was once possible to cross the creek. In Flat Rock Gully there used to be the spectacular Naremburn Waterfalls which fell into a pool known as The Devil’s Hole. This area, now situated in the suburb of Willoughby, was a popular site for picnics and swimming. The site of the waterfall was designated as a land-fill site, or dump, for rubbish in the 1930s. Soon after the construction of the municipal incinerator in 1934, the waterfall and approximately half of Flat Rock Gully was filled with rubbish and other material that was considered appropriate.*

The Municipal Incinerator: *The Willoughby Incinerator, Small Street, is one of 12 designed by Walter Burley Griffin and Eric Milton Nicholls for RElCo Pty Ltd. from 1930-38. The Incinerator operated from 1934-67 and the sewerage plant continued until 1974. The incinerator, itself, was closed in 1967 but the building was eventually restored and reopened in 1980 as the “Incinerator Restaurant”. The restaurant operated until 1988, after which the building was converted into offices. In 1996 the building was damaged by fire, but was refurbished as arts and function centre and reopened in April 2011.*

Parks: *Hallstrom Park In 1946 Sir Edward Hallstrom, whose “Silent Knight” refrigerator factory was opposite the dump, donated funds to Willoughby Council for the construction of a football oval on part of the site so that his workers could exercise during their lunch hour. This small park is still called Hallstrom Park, although it is now a picnic area with a playground and barbecues.*

Bicentennial Reserve opened in 1988 and incorporates Flat Rock Reserve, Hallstrom Park and the restored incinerator. It also encompasses Willoughby Leisure Centre, with indoor swimming pools, sports hall and outdoor sporting facilities, and Willoughby Park, with two ovals, a community centre, play areas, pavilions and a bowling club. Sanders Park is named after Edward Lloyd Sanders (1888-1943), Member of Parliament for Willoughby 1927- 1943. Carlson Park is named after Erik Carlson, (1917-2001) resident of Middle Harbour Ward. His contribution to improving the living environment of Willoughby City will be long remembered; an example being this land acquired in 1989 to mitigate local flooding and to develop as public open space.

2.3 HISTORY OF THE SUBJECT SITE

2.3.1 LOTS 4-11, SECTION C, DP6291

The portion of the subject site fronting Crabbes Avenue, comprises Lots 4 to 11 in Section C of the Firgrove Estate (DP6291), being originally a subdivision of Lots 37, 38 & part of 39 of the Town of North Sydney. The land in DP6291 (Figure 4) was owned by Thomas Patrick MacMahon, Dora Devlin and Ellen Bridge. The estate was advertised for auction sale on 21 October 1911. At this date, Crabbes Avenue was known as Dora Street.

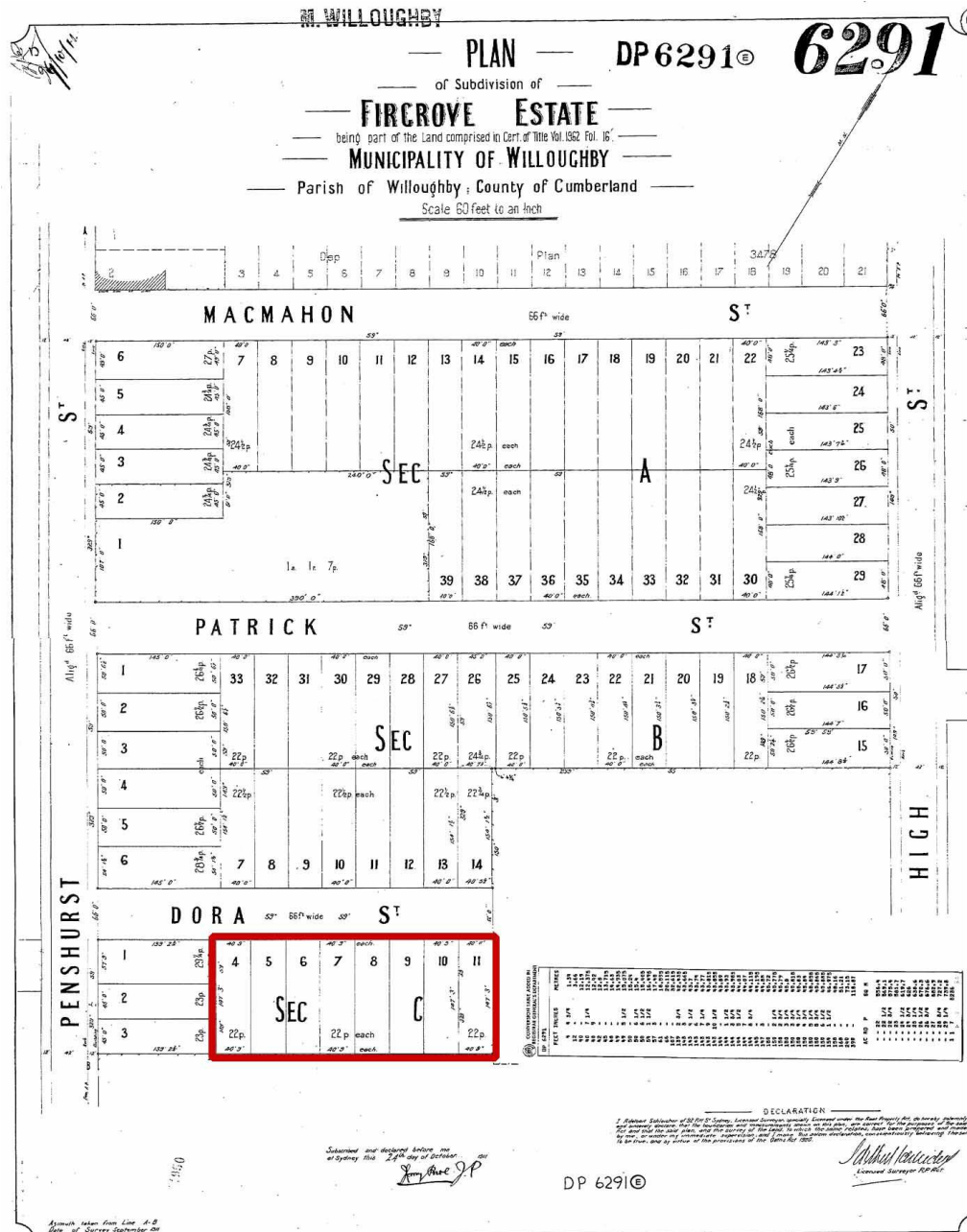


Figure 4 – Plan of subdivision of Firgrove Estate being part of the Land comprised in Certificate of Title Vol 1962 Fol 16 Municipality of Willoughby, September 1911. (Source: NSW Land & Property Information, DP6291)

Lots 5 to 11 in Section C did not sell at this date and were offered for auction sale as Lot 13 on 15 March 1913.¹ The advertisement indicated that the lots could be sold separately, but there appears to have been little interest in the land as the allotments did not change hands until the following dates:

- Lots 7-11, William Albert Dettmann of Arncliffe, builder (December 1913)
- Lots 5-6, Arthur Blain Cook of Chatswood, builder (April 1914)
- Lot 4, Arthur Blain Cook of Chatswood, builder (August 1919)

¹ "For auction sale at the rooms...", *Daily Telegraph*, 12 March 1913, p3

Given that Dettman and Cook were described as builders, we can assume that they built the respective houses on the several lots. Seven houses are listed in Dora Street (now Crabbes Avenue) in the 1916 Sands Directory.

In July 1914, Dettmann sold Lots 7-9 (22, 24 & 26 Crabbes Avenue) to John Hunter and Lots 10-11 (18 & 20 Crabbes Avenue) to Albert Fytche Fordyce Wheeler, presumably with the homes thereon. These lots were acquired progressively by Kirribilli Legion Ex Services Club Limited. The houses thereon were demolished to make way for patron carparking.

In late 1924, Cook sold Lot 4 to Beatrice Eleanor Ludlow Newman, wife of Ernest Ludlow Newman of Mosman, medical practitioner. That allotment changed hands on several occasions until December 1969 when it was conveyed to Willoughby Legion Ex Services Club Limited.² There was no development of that site before 1943 when an aerial survey of Sydney was undertaken (Figure 5). This lot now forms part of the Club carpark.

Cook subdivided Lots 5 & 6 in June 1914 on separate certificates of title. Lot 6 (30 Crabbs Avenue) was conveyed in August the same year to Mary Constance McSullea. Lot 5 (32 Crabbs Avenue) did not change hands until November 1918 to Charles Edward Chadwick. After several ownership changes, Lot 5 was sold in November 1972 to Kirribilli Legion Ex Services Club Limited. Lot 6 was more recently acquired by the Club, and along with the adjoining allotments, formed into a carpark for club patrons.

The respective houses in Crabbes Avenue, prior to Club ownership, are visible on the 1943 aerial survey (Figure 5).

2.3.2 241, 243 AND 245 PENSURST STREET

In 1904, Samuel Stead of Arncliffe, estate agent, converted 1 acre and 1 perch of land (part of lot 39 of William Lithgow's Subdivision of Portion 98 of the Parish of Willoughby) to Torrens title. The following year, Stead conveyed same to Florence Mary Alcock, wife of Thomas Alcock of Willoughby, clerk.³ Knight Ellery Barnett purchased same in 1909. He promptly conveyed the land to Eugene Aristide Bonnefin of Mosman, accountant. He erected a house upon this land called "Ida" and is accordingly listed in Penshurst Street in the Sands Directory by 1913.

Bonnefin subdivided his land into three portions and conveyed the largest part (2 roods and 29¾ perches) in July 1915 to Edward Thomas Davis of North Sydney, draftsman.⁴ Davis subsequently erected a house thereon called "Clermiston". He is listed in Penshurst Street in the Sands Directory by 1920.

In the meantime, Bonnefin retained ownership of the two smaller portions of land, one of which contained his house Ida.⁵ In 1924, he conveyed the smallest portion (22 perches in size) to Gaston Maurice Bonnefin of Willoughby, wool classer.⁶ An unnamed house was soon erected on his land.

Clermiston, later numbered **245 Penshurst Street**, was owned by Davis until 1920 when it changed hands to Edith Charity Wood. She owned same until December 1954, when it was sold to John Frederick Day of Fairlight, salesman and Annie Agnes Day his wife, as joint

² CT Vol 2963 Fol 115, NSW Land & Property Information

³ CT Vol 1564 Fol 153, NSW Land & Property Information

⁴ CT Vol 2603 Fol 1, NSW Land & Property Information

⁵ CT Vol 2603 Fol 29, NSW Land & Property Information

⁶ CT Vol 2603 Fol 28, NSW Land & Property Information

tenants. Less than two months later, the Day's sold the property to John and Peggy Dunn of Willoughby. They are listed for the first time at 245 Penshurst Street in the 1958 electoral roll. In 1963, the Dunns sold this property to the Australian Legion of Ex-Servicemen and Women. The property was transferred in 1967 to Willoughby Legion Ex-Services Club Limited.

Eugene Aristide Bonnefin lived at **243 Penshurst Street** until his death in 1934. The property passed by transmission the same year to Gustave Bonnefin and Maurice Bonnefin as joint tenants. They promptly conveyed the property to Gaston Maurice Bonnefin. Victor Leslie Brown and Ruth Eugenie Brown purchased same in 1941. In 1947, the latter became sole registered proprietor of 243 Penshurst Street. She owned this address until 1960 when it was conveyed to Colin McDonald of Longueville, insurance broker. Two years later, it changed ownership to Ivenhoe Holdings Pty Limited. In 1964, that company transferred same to Willoughby Legion Recreation & Bowling Club. In 1969, it was transferred to Willoughby Legion Ex-Services Club Limited.

241 Penshurst Street, changed hands in 1939 from Gaston Maurice Bonnefin to Sylvia Mary Hoskisson. She is accordingly listed at this address in the 1943 electoral roll. She appears to have lived here for a brief stint only. In 1960, the property changed ownership to Ivenhoe Holdings Pty Limited. Four years later, the property was conveyed to Willoughby Legion Recreation Bowling Club Limited. This parcel was transferred in 1969 to Willoughby Legion Ex-Services Club Limited.

241, 243 and 245 Penshurst Street are visible in the 1943 aerial survey shown at Figure 5 below. The respective houses were demolished in the period after 1964 to make way for a new clubhouse and additional bowling greens.



Figure 5 – Detail from 1943 aerial survey of Sydney showing part of subject site shaded yellow, comprising several allotments in Crabbes Avenue and Penshurst Street. (Source: NSW Land & Property Information, SIXMaps)

2.3.3 235 PENSURST STREET

In 1915, William Henry Jackson purchased 2 roods 5¼ perches of land, forming part of Lot 39 of Lithgow's Subdivision of Portion 98 of the Parish of Willoughby. On the land was erected a house called "Heather-Brae". Jackson lived here until late 1918 when it was sold to John Mackie Wilson of Newtown, contractor. He lived at 235 Penshurst Street until his death in 1941, whereupon the property passed by transmission to his widow, Eleanor Isabel Wilson, and Francis Joseph Lester Perry of Strathfield.⁷ She died here in 1944, and Francis Joseph Lester Perry became the surviving joint tenant of 235 Penshurst Street.

Perry conveyed the property in late 1944 to Wallace George Foulsham of Wollstonecraft, medical practitioner. Five years later, Fousham conveyed the property to Wilfred Powell Lumley of Willoughby, bank officer. Australian Legion of Ex-Servicemen and Women purchased part of the property in December 1954. Simultaneously the Legion purchased part of the land adjoining to the south (Lot B). In July 1955, a combined 1 acre and 7¾perches of land was consolidated on Certificate of Title Vol 6993 Fol 171. By 1960, a bowling and recreation club was erected on this land. A lease, dated 16 August 1960 was issued to the Willoughby Legion Recreation and Bowling Club Limited. The property was leased from 1986 to the Willoughby Legion Ex-Services Club Limited. The bowling club was opened on this site by 1962.

Meanwhile, Lumley retained the residue of his property (235 Penshurst Street) and sold this land (Lot B) in October 1967 to the Willoughby Legion Ex-Services Club Ltd.⁸

This portion of the study site is shaded yellow on the 1943 aerial survey (Figure 6).

⁷ CT Vol 2645 Fol 233, NSW Land & Property Information

⁸ CT Vol 6993 Fol 170, NSW Land & Property Information



Figure 6 – Detail from 1943 aerial survey showing portion of the study site shaded yellow, comprising Lot A DP 438684 and Lot B DP 364487. (Source: NSW Land & Property Information, SIXMaps)



Figure 7 - Ex-servicemen at the Willoughby Legion Recreation & Bowling Club, 24 June 1962 / Jack Mulligan. (Source: SLNSW, Australian Photographic Agency – 12724)

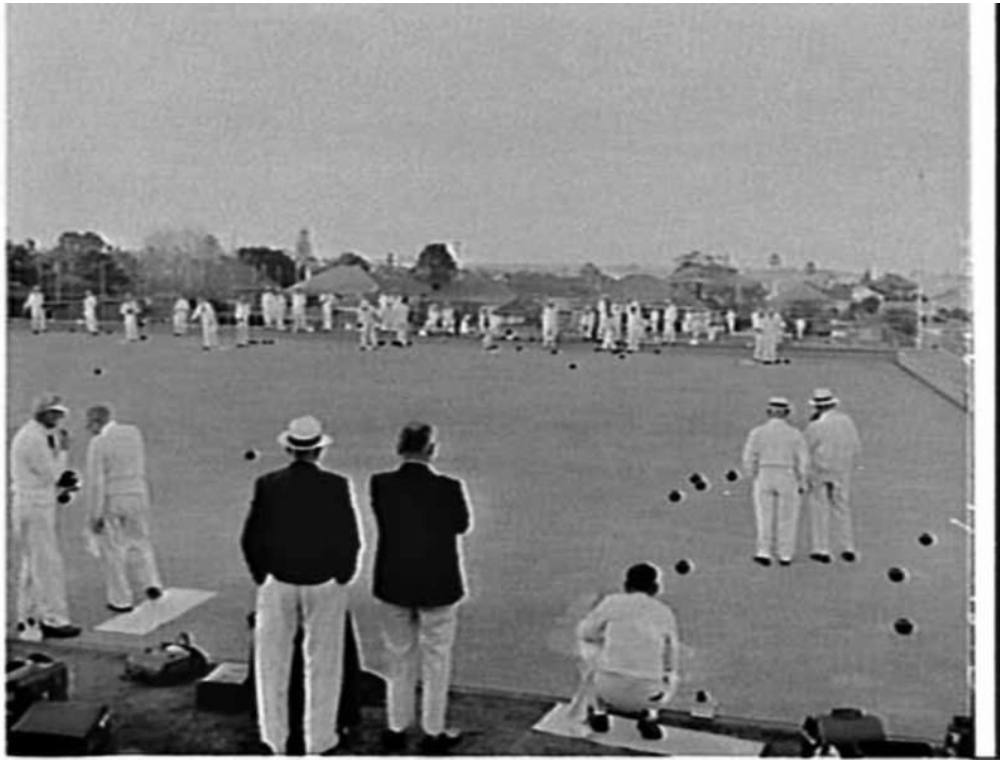


Figure 8 - Ex-servicemen at the Willoughby Legion Recreation & Bowling Club, 24 June 1962 / Jack Mulligan. (Source: SLNSW, Australian Photographic Agency – 12725)

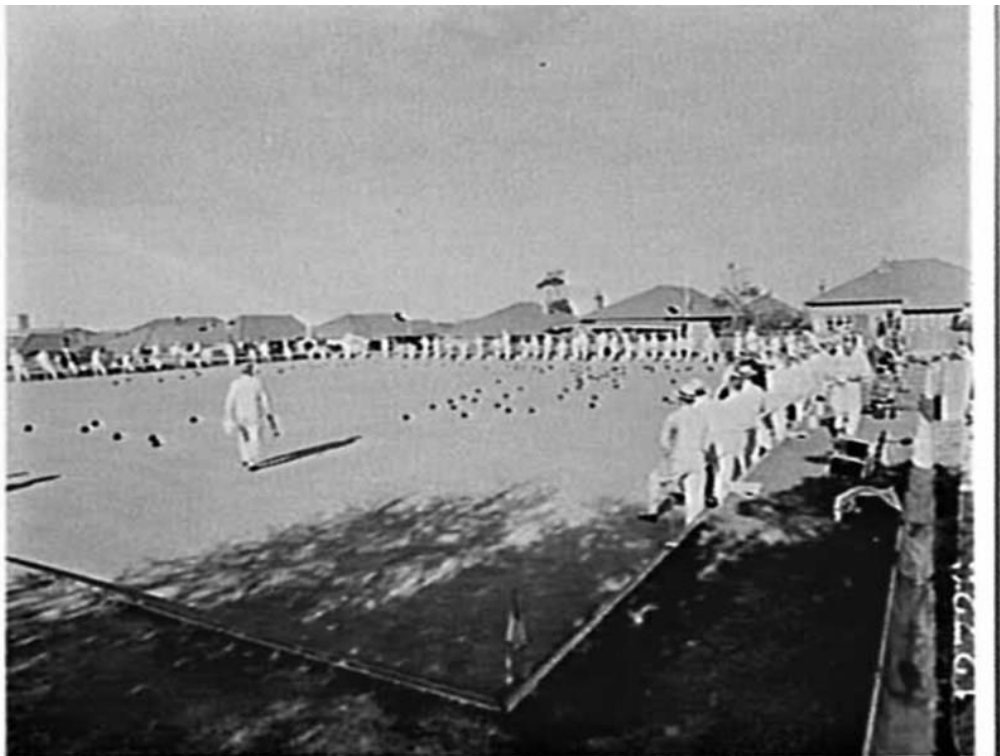


Figure 9 - Ex-servicemen at the Willoughby Legion Recreation & Bowling Club, 24 June 1962 / Jack Mulligan. (Source: SLNSW, Australian Photographic Agency – 12726)



Figure 10 - Ex-servicemen at the Willoughby Legion Recreation & Bowling Club, 24 June 1962 / Jack Mulligan. (Source: SLNSW, Australian Photographic Agency – 12723)

3.0 PHYSICAL EVIDENCE

3.1 CONTEXT

The subject site is currently used as a Registered Club with associated bowling greens located centrally amongst land with medium density residential zoning (R3). The Willoughby Sub-Branch of the Australian Legion of Ex-Servicemen and Women was formed in July 1945 and land was purchased in Crabbes Avenue, Willoughby around 1950. The first club building was officially opened on 30 April 1955 and the current club premises are now some 47 years old. The Willoughby Legion Ex-Services Club Limited was formed in 1958 and the current Club was opened in 1969.

The site is located adjacent to the Horsley Avenue Heritage Conservation Area which is significant as a rare example of a street speculatively developed in the 1930's, that has a strong sense of unity and aesthetic harmony due to the close stylistic relationships of the cottages.

3.2 VIEWS

Primary views of the subject site are along Penshurst Street to the west of the site and Crabbes Avenue to the north of the site.

The Horsley Avenue Heritage Conservation Area is adjacent to the site immediately to the south. The primary views of the conservation area are along the east/west axis of Horsley Avenue. These views incorporate the streetscape and the single storey houses which are contributing elements in the conservation area.

3.3 CURTILAGE

The curtilage around the subject site is the combined lot boundaries of the parcels of land that comprise the site:

- Lots 4-11, Section C, DP6291
- Lots 1 and 2, DP950652
- Lots A and B, DP438684
- Lot B, DP364487

The curtilage of the Horsley Avenue Conservation Area, C7, is the rear boundary of the houses on the northern and southern sides of Horsley Avenue (with the exception of 26 Horsley Avenue, and the houses on the eastern and western side of Summerville Crescent.

3.4 EXTERIOR DESCRIPTION

Willoughby Legion Ex Services Club

The existing club building is a two storey brick and concrete structure with in the centre of the subjects site and surrounded by a number of lawn bowling greens as well as a large open air carpark on the north eastern portion of the site.



Figure 11 – Willoughby Legion Ex Services Club viewed from the western side of Penshurst Street (Source: NBRSArchitecture 2017)



Figure 12 – View east along Penshurst Street (Source: NBRSArchitecture 2017)



Figure 13 – Medium density housing on the western side of Penshurst Road (Source: NBRSArchitecture 2017)



Figure 14 - Willoughby Legion Ex Services Club viewed from the eastern side of Penshurst Street (Source: NBRSArchitecture 2017)



Figure 15 – View of the western façade of the Willoughby Legion Ex Services Club (Source: NBRSArchitecture 2017)



Figure 16 – Sandstone façade of the western wall of the Willoughby Legion Ex Services Club (Source: NBRSArchitecture 2017)



Figure 17 – View to the north along the western façade of the Willoughby Legion Ex Services Club (Source: NBRSArchitecture 2017)



Figure 18 – View to the south along the western façade of the Willoughby Legion Ex Services Club (Source: NBRSArchitecture 2017)



Figure 19 - View to the south to the Bowling Clubhouse (Source: NBRSArchitecture 2017)



Figure 20 - View to the east between the Legion Club and the Bowling green (Source: NBRSArchitecture 2017)



Figure 21 - The single storey brick bowling club on the eastern boundary of the site (Source: NBRSArchitecture 2017)



Figure 22 – View along the eastern façade of the bowling club. (Source: NBRSArchitecture 2017)



Figure 23 – View to the east along the timber paling fence along the southern boundary of the site adjacent to the Horsely Avenue Conservation Area (Source: NBRSArchitecture 2017)

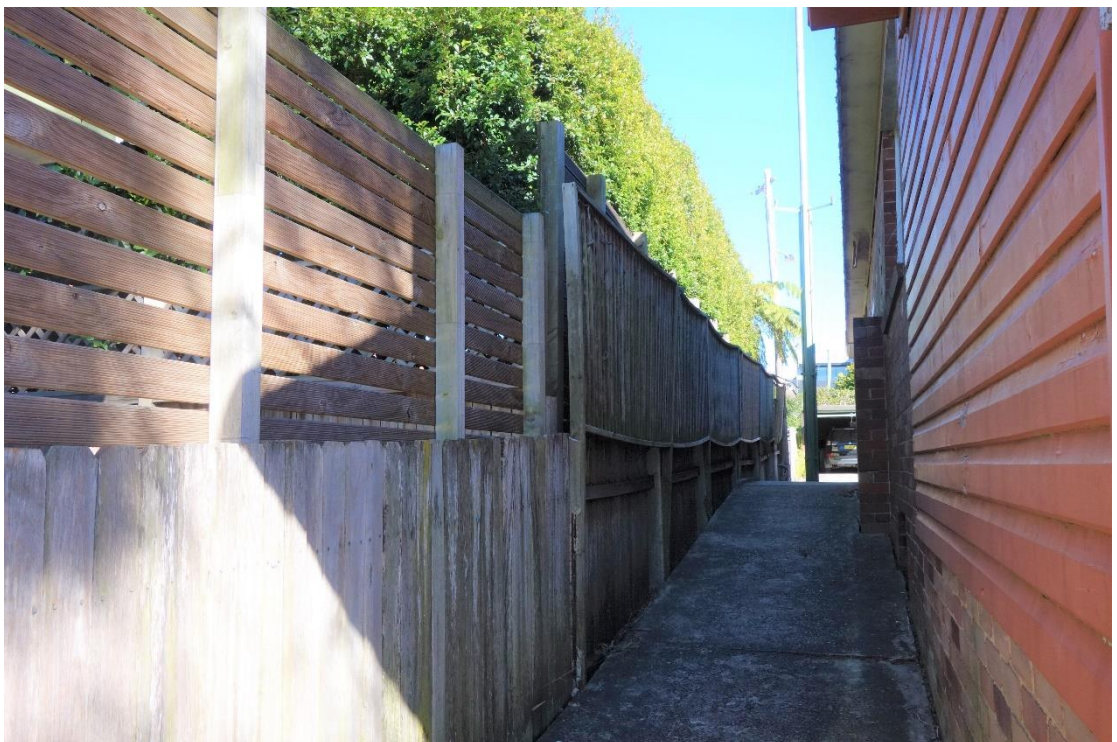


Figure 24 – View to the south along the southern boundary of the site adjacent to the Horsely Avenue Conservation Area (Source: NBRSArchitecture 2017)



Figure 25 – View to the north from the southern boundary of the site (Source: NBRSArchitecture 2017)



Figure 26 - View of the rear of one of the houses in the Horsely Avenue Conservation Area from the southern boundary of the site (Source: NBRSArchitecture 2017)



Figure 27 - View to the east across the bowling green from the southern boundary of the site (Source: NBRSArchitecture 2017)



Figure 28 - View to the north to the Legion Club across the lower bowling green (Source: NBRSArchitecture 2017)



Figure 29 - View of the eastern entry to the Legion Club from the lower level car park (Source: NBRSArchitecture 2017)



Figure 30 - eastern side entry to the Legion Club from the lower level car park (Source: NBRSArchitecture 2017)



Figure 31 - The car park of the Legion club on the eastern portion of the site (Source: NBRSArchitecture 2017)



Figure 32 – the western entry to the Legion Club from the car park (Source: NBRSArchitecture 2017)



Figure 33 - View to the west along the northern side entry to the Legion Club (Source: NBRSArchitecture 2017)



Figure 34 - View along the roof of the northern facade of the Legion Club (Source: NBRSArchitecture 2017)



Figure 35 - The Entry to the carpark from Crabbes Avenue on the northern boundary of the site (Source: NBRSArchitecture 2017)



Figure 36 – The Junction of Horsley Avenue and Penshurst Road is the southwestern corner of the Horsley Avenue Conservation Area (Source: NBRSArchitecture 2017)



Figure 37 – View east along Horsley Avenue (Source: NBRSArchitecture 2017)



Figure 38 – Street frontages in the Horsley Avenue Conservation Area (Source: NBRSArchitecture 2017)



Figure 39 – Interwar bungalows along Horsley Avenue (Source: NBRSArchitecture 2017)

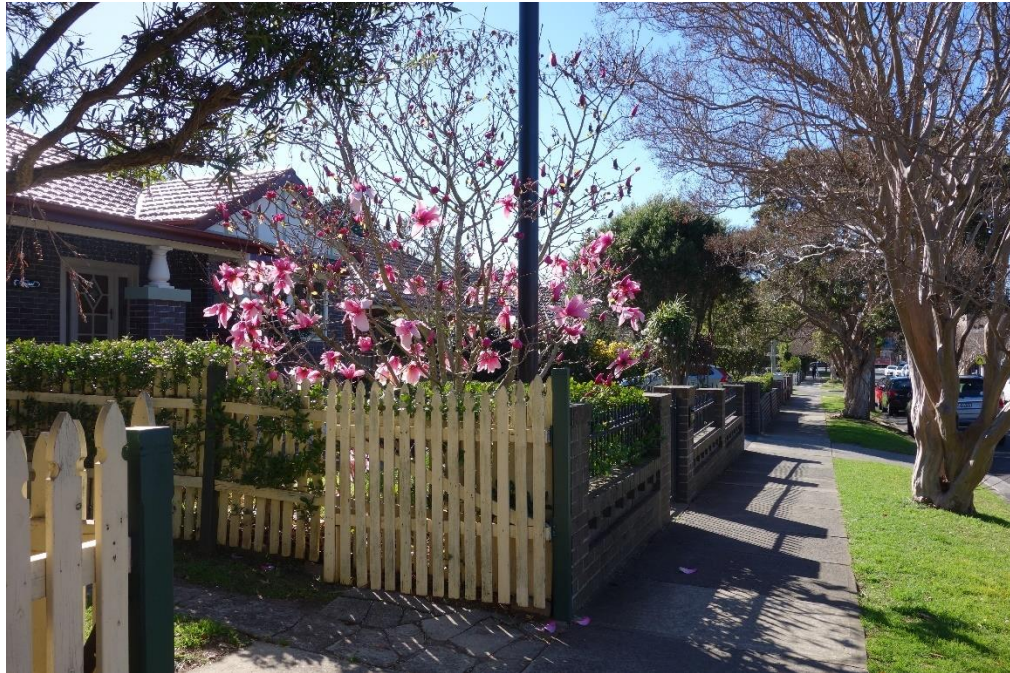


Figure 40 – Front gardens along Horsley Avenue (Source: NBRSArchitecture 2017)



Figure 41 – Front garden and house façade in Horsley Avenue (Source: NBRSArchitecture 2017)



Figure 42 - The Junction of Horsley Avenue and Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 43 - View north along Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 44 – House on the western side of Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 45 - House on the western side of Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 46 – House on the western side of Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 47 – House on the eastern side of Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 48 - House on the eastern side of Summerville Crescent (Source: NBRSArchitecture 2017)



Figure 49 - House on the eastern side of Summerville Crescent (Source: NBRSArchitecture 2017)

3.5 INTERNAL DESCRIPTION

The interior of the existing Legion Club building on the subject site is a contemporary fitout. The building has no noted heritage significance.



Figure 50 - Reception at the eastern entry (Source: NBRSArchitecture 2017)

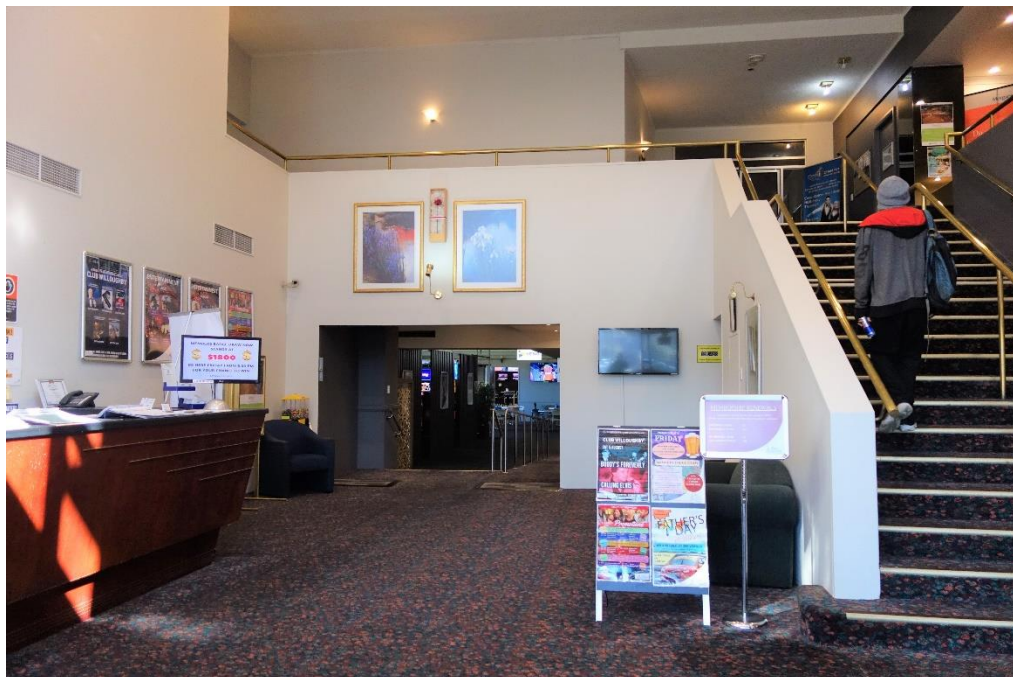


Figure 51 - Entry to the Legion club from the eastern door (Source: NBRSArchitecture 2017)



Figure 52 – Interior from western entry (Source: NBRSArchitecture 2017)



Figure 53 – Internal stair from western entry (Source: NBRSArchitecture 2017)

4.0 THE PROPOSAL

The proposed development will involve a new club and aged care. The first stage of the project involves the preparation of a Site Compatibility Certificate for the permissibility of aged care. The club itself is not a heritage item, however there are some heritage items along Penshurst Street as well as at the Horsley Heritage Conservation Area located immediately to the south of the site.



Figure 54 – Proposed location of new structures on the site (Source: Masterplan - GMU Urban Design and Architects)



Key sections

Figure 55 – Key Sections Club Willoughby development (Source: Masterplan - GMU Urban Design and Architects)

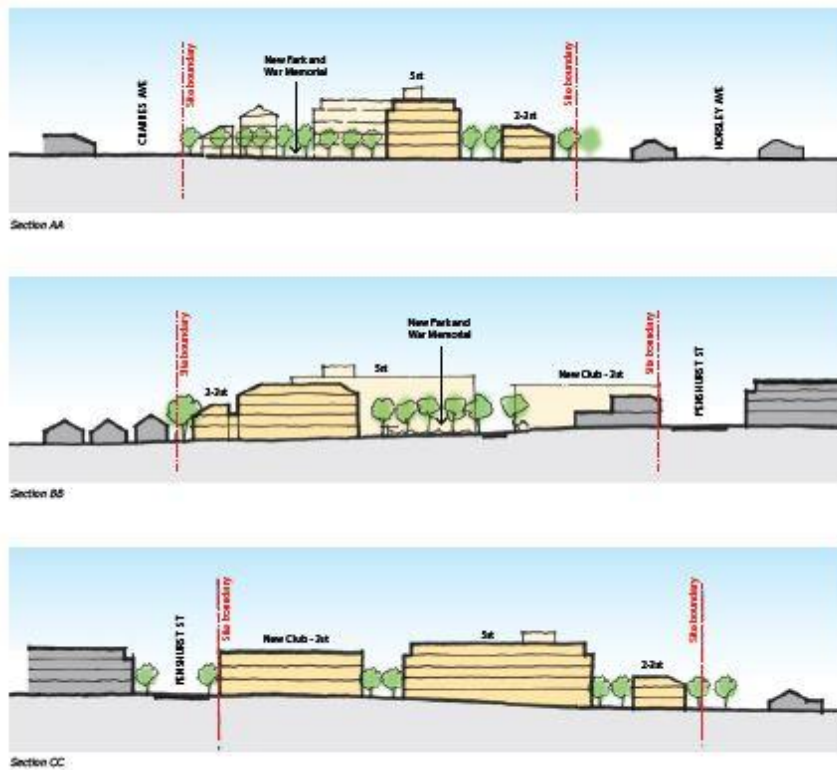


Figure 56 – Indicative Section Study indicating height of new structures in relation to existing structures in surrounding streets including the Horsley Avenue Conservation Area (Source: Masterplan - GMU Urban Design and Architects)

5.0 EVALUATION OF HERITAGE CONTROLS

5.1 COMPLIANCE WITH THE WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012

The *Willoughby Local Environment Plan (WLEP) 2012* relates to the provisions of the Environmental Planning and Assessment Act 1979. The WLEP makes provisions for land in the Willoughby LGA in accordance with the relevant standard environmental planning instrument under Section 33 of the Act.

Clause 5.10 of the *Willoughby Local Environmental Plan 2012* provides controls for development at or near heritage items. Sub-clause 5.10 (2) of the *Manly Local Environmental Plan 2013* provides that development consent for works such as that proposed in the development application is required. Sub-clauses 5.10 (4) and (5) provide for heritage impact assessment of heritage items such as the subject site.

5.10 (4) The consent authority must, before granting consent ... consider the effect of the proposed development on the heritage significance of the item.

5.10 (5) The consent authority may... require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development [on land on which a heritage item is located] would affect the heritage significance of the heritage item [concerned].

This Statement of Heritage Impact is submitted to satisfy the requirement for the heritage management document provided for under 5.10(5) so as to inform Willoughby Council's consideration of effects anticipated under 5.10(4).

5.2 COMPLIANCE WITH THE WILLOUGHBY DEVELOPMENT CONTROL PLAN 2016 DCP

The *Willoughby Development Control Plan 2016 (DCP)* should be read in conjunction with the LEP. The DCP supports the LEP with more detailed planning and design guidelines. The DCP provides for heritage management documents such as this Statement of Heritage Impact. The following table summarises the conservation policies in Part H *Heritage Items and Conservation Areas* in the *Willoughby DCP 2016*, that are relevant to this Statement of Heritage Impact. Part H *Heritage Items and Conservation Areas*.

<i>Policies or Recommendations</i>	This Proposal Relates to these Policies as follows:
<p>5.2.1 H.1.2 Aims</p> <p><i>These controls aim to provide more detailed heritage provisions than contained in WLEP 2012 and in particular:</i></p> <ol style="list-style-type: none"> <i>1. to guide future development within a framework of conservation;</i> <i>2. to ensure that the significance of Heritage Items is identified and retained;</i> <i>3. to ensure that the heritage significance, special streetscape and landscape character of Heritage Conservation Areas is maintained;</i> <i>4. to ensure that alterations and extensions to existing buildings</i> 	<p>The proposed development is in the vicinity of the nearby Horsley Avenue Conservation Area, identified on the <i>Willoughby LEP 2012</i>.</p> <p>The streetscape and landscape character of the Conservation Area will be maintained</p> <p>There are no alterations or extensions to existing buildings. The existing buildings on</p>

respect those buildings and do not compromise the significance and character of the individual heritage items or of the Heritage Conservation Areas;

5. *to ensure that new sustainable development respects the context and is sympathetic in terms of form, scale, character, bulk, orientation and setback, fabric, colours and textures and does not mimic or adversely affect the significance of Heritage Items and Heritage Conservation Areas and their settings;*
6. *to encourage a sustainable high quality of design for any new development in achieving compatibility with the heritage significance of individual Heritage Items and Heritage Conservation Areas;*
7. *to provide controls for the development of land within the vicinity of Heritage Items and Heritage Conservation Areas.*

the subject site will be demolished and a number of new buildings constructed across the site.

The five storey area of the proposed new development will be located 35 metres away from the single storey houses Horsley Avenue, providing adequate setbacks to reduce the impact of the larger scale and bulk of the new building.

The proposed development will be guided by the controls of the LEP

This document is not intended to inhibit genuinely innovative design solutions that meet the above aims and objectives and comply with the Design Principles of Part H of this Plan. If there is any inconsistency between these heritage controls (in Part H) and other guidelines in this Plan, the heritage controls will prevail.

5.2.1 H.2.1 Planning and Design

Principles

To ensure that new development respects and enhances the heritage significance of its context, the following requirements will apply to all development covered by Part H of this Plan.

Council will not consent to the alteration, extension or erection of a building or other works which alter the existing improvements on land that is either listed as a Heritage Item or is located within a Heritage Conservation Area without considering:

- A. Setting
- B. Scale
- C. Massing and Form
- D. Proportion
- E. Detail

A. Setting

Objectives

1. *To provide an appropriate visual setting for heritage items and buildings within heritage conservation areas, including landscaping, fencing and carparking;*
2. *To maintain and enhance the existing heritage significance of the streetscape and the vicinity; and*
3. *To ensure that new development respects the established patterns in the streetscape, including setbacks, siting, landscaped settings, carparking and fencing.*

Requirements

1. *The side and front setbacks are to be typical of the spacing of buildings both from each other and from the street in the particular locality, such that the rhythm of buildings in the streetscape is retained;*
2. *Except as allowed by "car parking" and "fences" in Clause H.2.2 below, no new structures should be built forward of the established street building line;*
3. *An adequate curtilage including landscaping, fencing and any significant trees, are to be retained;*

The existing heritage significance of Horsley Road will be maintained

The proposed development will provide an appropriate setting for the nearby Horsley Avenue Conservation Area with 8 metre setbacks and landscaping along the common boundary of the subject site and the houses in the conservation area.

Existing setbacks of the houses along Horsley Avenue will be retained. The proposed 8 metre setback of the new buildings from the rear boundaries of the houses in Horsley Avenue are consistent with the existing building spacing.

The proposed new development not involve any built works along Horsley Avenue.

The curtilage, including fences and landscaping around the houses in Horsley Avenue will be retained

4. <i>The established landscape character of the locality including height of canopy and density of boundary landscape plantings should be retained in any new development;</i>	The proposed new development will not affect the established landscape character of the locality.
5. <i>Development in the vicinity of a Heritage Item should respect the visual curtilage of that Item;</i>	There will be adequate setbacks for the proposed development to respect the visual curtilage of the item.
6. <i>New developments must respect the existing significance of the streetscape and the vicinity; and</i>	The existing significance of the streetscape will be respected and retained
7. <i>View protection of vistas.</i>	Important views along the east west axis of Horsley Avenue will be protected.

C. *Massing and Form*

Objectives

- *To ensure that new development acknowledges dominant massing and form of the Heritage Item or Heritage Conservation Area, and is in harmony with existing significant fabric and form, and with the surrounding streetscape; and*
- *To ensure that the form of new development is compatible with or complements the heritage significance of its context.*

Requirements

- | | |
|---|--|
| 1. <i>Extensions should not visually dominate or compete with the original form of the existing buildings which they alter;</i> | |
| 2. <i>New buildings should not visually dominate, compete with or be incompatible with the form of existing buildings of heritage significance or contributory value either on the site or in the vicinity of the proposal; and</i> | The new building will be located with sufficient distance from the Horsley Avenue Conservation Area so it will not visually dominate the forms of the houses in the streetscape. |
| 3. <i>New buildings and extensions should have a similar massing, form and arrangement of parts to existing buildings of heritage significance in any Heritage Conservation Area.</i> | The new buildings adjacent to the rear boundaries of the Horsley Avenue houses will have similar massing form and scale to the Horsley Avenue houses. |
-

H.2.6 Infill Development

Objectives

- *To ensure that infill development achieves a sympathetic relationship with either nearby Heritage Items or the Heritage Conservation Area of which it is a part in terms of its scale, massing, character, setback, orientation, materials and detailing.*
The proposed development is for the use of an underused parcel of land while addressing the existing character, massing and orientation of the heritage conservation area and streetscape.
- *To ensure that infill development respects the established streetscape, and the patterns of development, including setbacks, siting, landscape settings, carparking, height, dominant ridge line and building envelope. Infill needs to display architectural "good manners" by respecting the significant characteristics of nearby and adjoining development.*
The proposed infill development will have minimal impact on the streetscape and landscape settings of the heritage conservation area

Requirements

1. *Infill can be contemporary in design however, the scale, form and detail of the infill must not detract from the scale, form, unity, cohesion and predominant character of the building and development (i.e. streetscape/landscape elements) around it;*
The proposed development will respect the scale and form of the existing buildings in Horsley Road along the southern side of the site.
 2. *Infill development in the vicinity of a Heritage Item must respect the visual curtilage of that item;*
Along the boundary with the proposed infill development is scaled to be respectful of the existing visual curtilage of the heritage conservation area.
 3. *Infill development must not visually dominate, compete with or be incompatible with the scale (size, height and bulk) of existing buildings either on the site or in the vicinity of the proposal;*
The proposed development is two storey in height with a setback of 8 metres from the boundary with the conservation area. The height of the proposed development is increased to five storey with increased distance from the conservation area.
 4. *Infill development must be sited to correspond with the existing pattern of relationships between buildings and their sites. Front boundary setbacks are to be equivalent to those of neighbouring buildings.*
The proposed development is located across the rear boundaries of the houses in Horsley Avenue with no street frontage onto Horsley Avenue so there are only rear boundary setbacks relevant to the adjacent houses.
-

Side setbacks must be consistent with existing patterns;

5. *Infill design is to be integrated into the established character of the area and heritage buildings.*

Incorporating basic design elements such as the characteristic roof form and massing of the original development, proportions of windows, doors and verandahs;

6. *Infill design must not visually dominate, compete with or be incompatible with the form of existing buildings of significance, either on the site or in the vicinity of heritage items;*

7. *New development must use materials and colours similar to or compatible with that of original buildings in the locality;*

The scale and setback from the boundary of the proposed structures adjacent to the heritage conservation area is similar to that of the existing structures.

The infill design will not visually dominate the heritage conservation area as the massing and height of the structures will be graduated to be taller with increased distance away from the heritage conservation area

6.0 HERITAGE IMPACT ASSESSMENT

6.1 INTRODUCTION

The following assessment of this application is based on the guidelines set out by the NSW Heritage Office (now Heritage Division of the Office of Environment & Heritage) publication 'Statements of Heritage Impact', 2002. 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:

- The proposed development is located adjacent to the Horsley Avenue Heritage Conservation Area on land which has been used for private recreational purposes in recent years. The proposal is for a combination of a new club and independent living residences tailored to the over-55 market so the site will partially retain the existing use while also providing residential accommodation adjacent to the heritage 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 is a significant increase in building height for the proposed development on the site which has the potential to alter existing views from the heritage conservation area

6.2 NEW DEVELOPMENT ADJACENT TO A HERITAGE ITEM (INCLUDING ADDITIONAL BUILDINGS AND DUAL OCCUPANCIES)

How is the impact of the new development of the heritage significance of the item or area to be minimised?

- The proposed new development is located to the north of the adjacent Horsley Avenue Heritage Conservation Area. The development proposal is for increased height and density of buildings on the site, however along the southern boundary of the subject site the proposed buildings are to be setback 8 metres from the property boundary and will be designed to be a scale similar to those of the neighbouring houses in Horsley Avenue.

Why is the new development required to be adjacent to heritage item?

- The subject site is located to the north of adjacent to the Horsley Avenue Heritage Conservation Area. The Conservation Area is inclusive of all the houses along the northern and southern side of Horsley Avenue, with the exception of 26 Horsley Avenue and all the house along the eastern and western sides of Summerville Crescent, as well as the streetscape.

How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?

- The curtilage allowed around the conservation area incorporates an intact example of late 1920's residential development in near original condition with a uniformity of housing style and setting including form, materials, detailing, fencing and setbacks that gives the area an harmonious appearance. The streetscape of Horsley Avenue is a narrow street with consistent street plantings of Crepe Myrtle. The eastern end is dominated by St Thomas' School and Church, and the western corner features Interwar cottages and flats.

How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?

- The setbacks incorporated into the proposed development are designed to protect views to and from the Horsley Avenue Heritage Conservation Area. The additional height and massing of the proposed structures on the subject site are located towards the central area of the site to reduce the potential imposition of the height of the new structures on the existing views.

Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?

- There are no known archaeological deposits on the subject site.

Is the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?

- The setbacks and scale of the new development are respectful of the form, siting and proportions of the houses within the Horsley Avenue Heritage Conservation Area.

Will the additions visually dominate the heritage item? How has this been minimised?

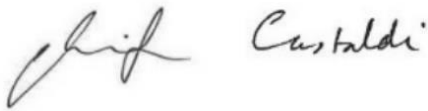
- The additional structures on the site will not visually dominate the heritage conservation area as consideration has been given to adequate setbacks, scale and proximity of new structures to existing structures as well as landscaping around the southern boundary of the subject site.

Will the public, and users of the item, still be able to view and appreciate its significance?

- The additional buildings on the subject site will have minimal impact on the heritage significance of the Horsley Avenue Heritage Conservation. The public and users of the Heritage Conservation Area will still be able to view and appreciate the area as the primary significance is associated with views east to west along the streetscape of Horsley Avenue and north to south along the Summerville Crescent.

7.0 CONCLUSION

This statement of heritage impact has been prepared to accompany an application for a site compatibility certificate and assess the heritage impacts of the proposed redevelopment of the subjects site on the adjacent Horsley Avenue Heritage Conservation Area. The site compatibility certificate is required to ensure that some proposals are broadly compatible with surrounding land uses prior to proceeding to the lodgement assessment. The redevelopment of the subjects site on the adjacent Horsley Avenue Heritage Conservation Area is considered to have minimal potential impact on the significance of the conservation area. The proposed works involve the redevelopment of the existing Legion Club and surrounding recreational bowling greens and carparks as a site which incorporates a new Legion Club along the Penshurst Street frontage and independent living for over 55's across the remainder of the site. Landscaping and dedicated parkland is also included in the redevelopment of the site. The proposal incorporates new buildings for which consideration of siting and setbacks allowing for the retention of the heritage significance of the heritage conservation area has been given. The proposed redevelopment of the subjects site is compatible with the requirements to retain the heritage significance of the adjacent Horsley Avenue Conservation Area and does not adversely affect the identified heritage significance of the contributing elements within the Conservation Area. I recommend the heritage aspects of this application be approved.



Jennifer Castaldi
Heritage Consultant
NBRSARCHITECTURE

16 January 2018