

# HERITAGE IMPACT STATEMENT

26 Crabbes Avenue and 247-255 Penshurst Street  
North Willoughby



2 JULY 2019

**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

This report has been prepared under the guidance of the Expert Witness Code of Conduct in the Uniform Civil Procedure Rules and the provisions relating to expert evidence

This document remains the property of NBRS & PARTNERS Pty Ltd.  
The document may only be used for the purposes for which it was produced.  
Unauthorised use of the document in any form whatsoever is prohibited.

ISSUED	REVIEW	ISSUED BY
22 May 2019	Draft for Review	Samantha Polkinghorne
1 July 2019	Final Issue	Samantha Polkinghorne
<b>2 July 2019</b>	<b>Final Issue</b>	<b>Samantha Polkinghorne</b>

## CONTENTS

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>6</b>
1.1	Background .....	6
1.2	Methodology .....	6
1.3	Site Location .....	7
1.4	Heritage Management Framework.....	8
1.5	Authorship .....	8
1.6	Limitations.....	8
1.7	Copyright.....	8
<b>2.0</b>	<b>DOCUMENTARY EVIDENCE .....</b>	<b>9</b>
<b>3.0</b>	<b>PHYSICAL EVIDENCE .....</b>	<b>11</b>
3.1	Site Context .....	11
3.2	The Subject Site.....	11
<b>4.0</b>	<b>THE PROPOSAL .....</b>	<b>15</b>
<b>5.0</b>	<b>ASSESSMENT OF HERITAGE IMPACT .....</b>	<b>17</b>
5.1	Introduction .....	17
5.2	Significance of the Horsley Avenue HCA.....	17
5.3	Evaluation of the NSW Heritage Division Guidelines .....	17
5.4	Heritage Objectives of the Willoughby LEP 2012 .....	19
5.5	Heritage Guidelines of the Willoughby DCP 2016.....	20
<b>6.0</b>	<b>CONCLUSION .....</b>	<b>20</b>
<b>7.0</b>	<b>BIBLIOGRAPHY .....</b>	<b>21</b>

## LIST OF FIGURES

Figure 1- Aerial photograph with the approximate boundaries of the subject site outlined in red. Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au.....	7
Figure 2 - Street map with the subject site outlined in red. Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au ....	7
Figure 3 - Detail from the Willoughby LEP 2012 heritage map. Heritage items are shaded brown and the Horsley Avenue Heritage Conservation Area is hatched red. The subject site is outlined in blue. Source: Willoughby LEP 2012, Heritage Map HER_4.....	8
Figure 4 - 1911 Subdivision Plan for the Fir Grove Estate that included part of the subject site, Lots 4-11 in DP 6291 (outlined in red) in Dora Street (now Crabbes Avenue). Source: NSW State Library online collection .....	10
Figure 5 - 1943 aerial photograph (with the approximate boundaries of the subject site outlined in red) showing the residential development in Crabbes Avenue and Penshurst Street, the shops on Penshurst Street and the cultivated land in the southern portion of the site: Source: NSW LRS Sixviewer.....	10
Figure 6 – Aerial photograph of the existing development on the subject site and its context. Source: <a href="https://www.heartofwilloughby.com.au/overview">https://www.heartofwilloughby.com.au/overview</a> .....	12
Figure 7 - Partial view of the Crabbes Street frontage of Club Willoughby.....	12
Figure 8 - Partial view of the Crabbes Street frontage of Club Willoughby.....	12
Figure 9 – The adjoining property to the east in Crabbes Avenue (not in the Horsley Avenue HCA).....	12
Figure 10 - The group of shops at 247-255 Penshurst Street, part of the subject site .....	12
Figure 11 - Contemporary development on the western side of Penshurst Street, opposite the subject site.....	13
Figure 12 - Residential flat building at 223 Penshurst Street, immediately south of the subject site (not in the Horsley Avenue HCA).....	13
Figure 13 - The Horsley Avenue streetscape, looking east from Penshurst Street. Properties on both sides of the street, east of Legion Way, are within the Horsley Avenue HCA.....	13
Figure 14 - Legion Way, looking north from Horsley Avenue. The buildings seen in this image are not in the Horsley Avenue HCA.....	13
Figure 15 - Single storey dwellings on the northern side of Horsley Avenue, within the Horsley Avenue HCA, typical of those in this part of the street.....	13
Figure 16 - Houses at 23 (left) and 21 (right) Horsley Avenue, within the Horsley Avenue HCA. The main building of Club Willoughby is visible in the background of this view on close inspection.....	13
Figure 17 - Summerville Crescent streetscape looking south from the end of the cul-de-sac. Properties on both sides of the street are within the Horsley Avenue HCA.....	14
Figure 18 - Houses at 6 and 8 Summerville Crescent. On close inspection the main building of Club Willoughby is visible in the background of this view, between the two houses.....	14

<i>Figure 19 - Houses at 2 and 4 Summerville Crescent, within the Horsley Avenue HCA.....</i>	<i>14</i>
<i>Figure 20 – View from within the Club Willoughby site to the rear of the adjoining properties at 6 (on the right of the image) and 8 Summerville Crescent.....</i>	<i>14</i>
<i>Figure 21 - View of the south east corner of the Club Willoughby site showing the rear of the adjoining properties at 2 and 4 Summerville Crescent.....</i>	<i>14</i>
<i>Figure 22 – View from within the Club Willoughby site, looking south to the rear of the adjoining properties in Horsley Avenue.....</i>	<i>14</i>
<i>Figure 23 - Penshurst Street Elevation. Source: Amglen Pty Ltd.....</i>	<i>15</i>
<i>Figure 24 – Crabbes Avenue Elevation. Source: Amglen Pty Ltd .....</i>	<i>16</i>
<i>Figure 25 – View of the proposed Park and Civic Walk. Source: Amglen Pty Ltd .....</i>	<i>16</i>

## HERITAGE IMPACT STATEMENT FOR

### 26 CRABBES AVENUE AND 247-255 PENSURST STREET, NORTH WILLOUGHBY

#### 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 26 Crabbes Avenue (also known as 243 and 245 Penshurst Street) and 247-255 Penshurst Street, North Willoughby. The site contains a group of shops and Club Willoughby, the Willoughby Legion Ex-Services Club.

The proposal involves demolition of the existing buildings and recreational facilities on the site and redevelopment of the site, including a new building for the Ex-Services Club and shop top housing on Penshurst Street, a residential aged care facility (RACF), serviced self-care housing and associated landscaping.

No part of the subject site is listed as an item of local heritage significance on Schedule 5 of the *Willoughby Local Environmental Plan (LEP) 2012* and it is not located within a heritage conservation area. It is, however, adjacent to the Horsley Avenue Heritage Conservation Area (HCA), defined in the *Willoughby LEP 2012*.

As such, the property is subject to the heritage provisions of the *Willoughby LEP 2012* and the *Willoughby Development Control Plan (DCP) 2016* under the *Environmental Planning and Assessment Act 1979*. Willoughby City Council must take into consideration the potential impact of any proposed development on the heritage significance of the adjoining Horsley Avenue HCA.

Accordingly, this Heritage Impact Statement reviews the proposal in terms of the relevant heritage provisions of the *Willoughby LEP 2012* and the requirements of the *Willoughby DCP 2016*, 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 eastern side of Penshurst Street, between Crabbes Avenue and Horsley Avenue, and extends to Crabbes Avenue. It is identified as Lots 4-11 Section C DP 6291, Lot 1, DP 950651, Lots 1 and 2, DP 950652, Lots A and B, DP 438684, Lot 100 DP858335 and Lot B, DP 364487 by the NSW Land Registry Services (LRS) (see Figure 1 and Figure 2 below).



Figure 1- Aerial photograph with the approximate boundaries of the subject site outlined in red. Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au

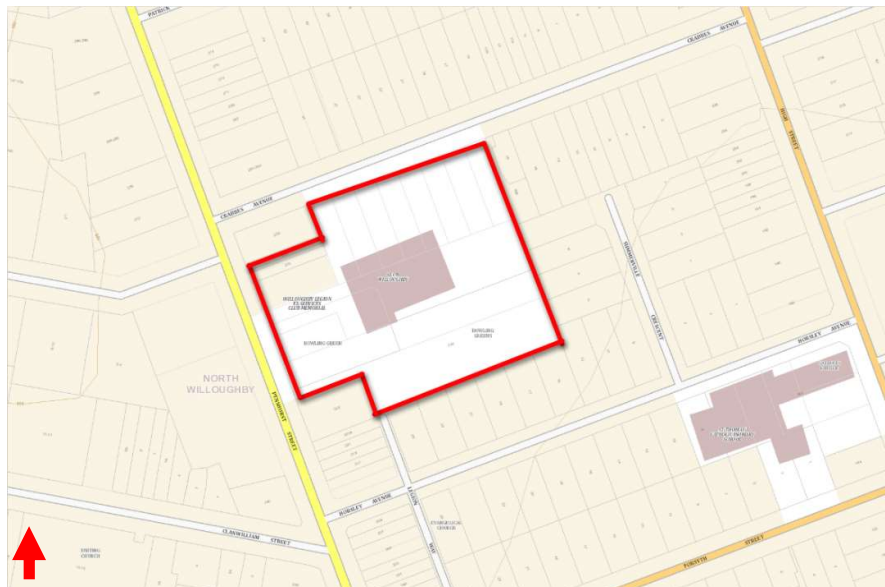


Figure 2 - Street map with the subject site outlined in red. Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au

#### 1.4 HERITAGE MANAGEMENT FRAMEWORK

No part of the subject site is listed as an item of local heritage significance on Schedule 5 of the *Willoughby LEP 2012* and it is not located within a heritage conservation area. It is, however, adjacent to the Horsley Avenue Heritage Conservation Area (HCA), defined in the *Willoughby LEP 2012*.

The nearest individually listed heritage listed items in the vicinity of the subject site are a house at 238 Penshurst Street (item I222), houses at 1-5 Clanwilliam Street (Items I189 and I190) and houses at 206 and 208 High Street (Items I202 and I203). These are visually and physically separated from the site by intervening development and roadways and do not warrant assessment as part of this report.

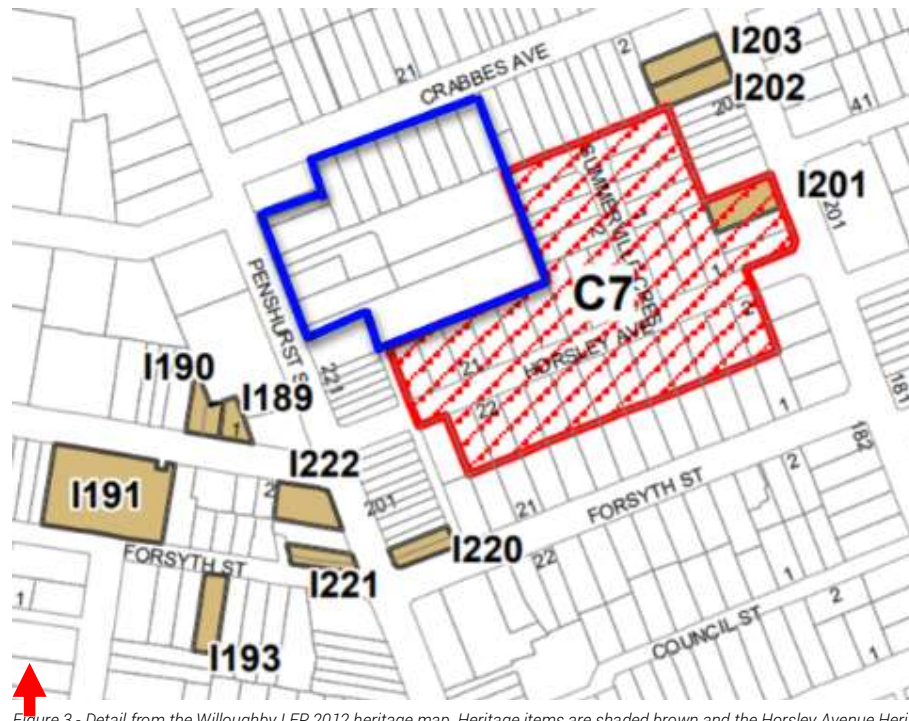


Figure 3 - Detail from the Willoughby LEP 2012 heritage map. Heritage items are shaded brown and the Horsley Avenue Heritage Conservation Area is hatched red. The subject site is outlined in blue. Source: Willoughby LEP 2012, Heritage Map HER\_4

#### 1.5 AUTHORSHIP

This report was prepared by Samantha Polkinghorne, Director of NBRSARCHITECTURE.

#### 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 relating to heritage.

#### 1.7 COPYRIGHT

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



## 2.0 DOCUMENTARY EVIDENCE

The subject site and its surrounds are part of Richard Archbold's original grant of 1825, later granted to John Stirling (Chairman of the Bank of Australia) in 1850<sup>1</sup>. These grants comprised 600 acres bounded by Victoria Ave, High St, Mowbray Rd to almost Stanley St and continuing parallel with that street to Victoria Avenue. Stirling sold the entire 600 acres to William Lithgow four years later. Lithgow subdivided immediately into lots of varying sizes ranging from small farms of 25 acres to housing lots and put the whole area up for public auction with little success. In 1858, Richard Horsley bought an 8 acre portion of Lithgow's Estate and settled in Willoughby. Horsley, a pioneer orchardist and gardener, had arrived in the colony with his wife in 1857 on board the "Plantagenet"<sup>2</sup>.

Horsley's land was bounded by Penshurst St (east side), High Street (west side) and Forsyth Street (north side) and extended half way to Crabbes Avenue. Horsley established a successful orchard on this site growing vegetables, flowers and operating a small farm<sup>3</sup>.

Following his death in 1915, and the farm passed to his youngest son Francis. After Francis' death, the property was subdivided as the "Heart of Willoughby Estate" and sold in 1926 and 1928. This subdivision included allotments fronting Horsley Avenue, the north side of Forsyth Street, and sections of High Street and Penshurst Street<sup>4</sup>.

The 1943 aerial photograph reproduced in Figure 5 shows the land in the southern part of the subject site was still being cultivated at this time.

The section of Crabbes Avenue in which the subject site is located was originally called Dora Street (see 1911 subdivision plan in Figure 4 below) and was incorporated with Crabbes Avenue (to its east) in 1922, providing access between High Street and Penshurst Street. It was named after Dr James B. Crabbe a local medical practitioner, sportsman and alderman on Willoughby Council 1900-1904 who lived on the corner of High St and Crabbes Avenue.<sup>5</sup>

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 from around 1950. The first club building was officially opened on 30 April 1955.<sup>6</sup> The Club's land holding and facilities were gradually expanded, and the facilities now include buildings, bowling greens and a parking area.

---

<sup>1</sup> NSW HLRV Vol 2963 Folio 115

<sup>2</sup> Willoughby DCP 2016, [https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp\\_2016](https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp_2016)

<sup>3</sup> Willoughby DCP 2016, [https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp\\_2016](https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp_2016)

<sup>4</sup> Willoughby DCP 2016, [https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp\\_2016](https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp_2016)

<sup>5</sup> Willoughby Roads and Streets Index, Willoughby City Library Services

<sup>6</sup> <https://www.heartofwilloughby.com.au/overview>



Figure 4 - 1911 Subdivision Plan for the Fir Grove Estate that included part of the subject site, Lots 4-11 in DP 6291 (outlined in red) in Dora Street (now Crabbes Avenue). Source: NSW State Library online collection



Figure 5 - 1943 aerial photograph (with the approximate boundaries of the subject site outlined in red) showing the residential development in Crabbes Avenue and Penhurst Street, the shops on Penhurst Street and the cultivated land in the southern portion of the site. Source: NSW LRS Sixviewer

### **3.0 PHYSICAL EVIDENCE**

#### **3.1 SITE CONTEXT**

The subject site at 26 Crabbes Avenue (also known as 243-245 Penshurst Street), North Willoughby and 247-255 Penshurst Street, North Willoughby, has frontages to the southern side of Crabbes Avenue and the eastern side of Penshurst Street. It contains the buildings, carparking and the recreational facilities of Club Willoughby and a group of shops.

Part of the southern and eastern boundaries of the site adjoin the Horsley Avenue Heritage Conservation Area which includes properties on both sides of Horsley Avenue and Summerville Crescent. These streets are described in the *Willoughby DCP 2016* as follows<sup>7</sup>:

*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. 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.*

Immediately to the north of the Penshurst Street frontage of the site is the two storey Armenian Cub building at the corner of Crabbes Avenue. To the south there is a two storey residential flat building at 223 Penshurst Street. Directly opposite the site, on the other side of Penshurst Street, there are two contemporary residential flat buildings of three and four storeys. The development in Crabbes Avenue, to the east and north (opposite side of the street) is of single storey dwellings generally dating from the early 20th century.

#### **3.2 THE SUBJECT SITE**

The existing development on the subject site includes a group of two storey commercial buildings at 247-255 Penshurst Street, that appear to date from the early 20<sup>th</sup> century, and the facilities of Club Willoughby. These include buildings of one and two storeys, bowling greens and parking for over 180 cars.

The existing development on the subject site and its immediate context is illustrated in the following photographs.

---

<sup>7</sup> [https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wcdp\\_2016](https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wcdp_2016)





Figure 6 – Aerial photograph of the existing development on the subject site and its context. Source: <https://www.heartofwilloughby.com.au/overview>



Figure 7 - Partial view of the Crabbes Street frontage of Club Willoughby



Figure 8 - Partial view of the Crabbes Street frontage of Club Willoughby



Figure 9 – The adjoining property to the east in Crabbes Avenue (not in the Horsley Avenue HCA)



Figure 10 - The group of shops at 247-255 Penshurst Street, part of the subject site



Figure 11 - Contemporary development on the western side of Penshurst Street, opposite the subject site



Figure 12 - Residential flat building at 223 Penshurst Street, immediately south of the subject site (not in the Horsley Avenue HCA)



Figure 13 - The Horsley Avenue streetscape, looking east from Penshurst Street. Properties on both sides of the street, east of Legion Way, are within the Horsley Avenue HCA



Figure 14 - Legion Way, looking north from Horsley Avenue. The buildings seen in this image are not in the Horsley Avenue HCA



Figure 15 - Single storey dwellings on the northern side of Horsley Avenue, within the Horsley Avenue HCA, typical of those in this part of the street



Figure 16 - Houses at 23 (left) and 21 (right) Horsley Avenue, within the Horsley Avenue HCA. The main building of Club Willoughby is visible in the background of this view on close inspection





Figure 17 - Summerville Crescent streetscape looking south from the end of the cul-de-sac. Properties on both sides of the street are within the Horsley Avenue HCA



Figure 18 - Houses at 6 and 8 Summerville Crescent. On close inspection the main building of Club Willoughby is visible in the background of this view, between the two houses



Figure 19 - Houses at 2 and 4 Summerville Crescent, within the Horsley Avenue HCA



Figure 20 - View from within the Club Willoughby site to the rear of the adjoining properties at 6 (on the right of the image) and 8 Summerville Crescent



Figure 21 - View of the south east corner of the Club Willoughby site showing the rear of the adjoining properties at 2 and 4 Summerville Crescent



Figure 22 - View from within the Club Willoughby site, looking south to the rear of the adjoining properties in Horsley Avenue



#### 4.0 THE PROPOSAL

The proposed development, designed by Hyecorp Design in collaboration with Amglen Pty Ltd, includes the following:

- Demolition of the existing buildings and structures on the site
- A building for Club Willoughby with a frontage to Penshurst Street
- A Residential Flat Building (RFB) with a frontage to Penshurst Street and Ground Level retail / commercial use with Neighbourhood Shops.
- A Residential Aged Care Facility (RACF) adjacent to the southern boundary of the site
- A Medium Density Seniors Living Village
- Basement parking
- Landscaping including a publicly accessible park at the Crabbes Avenue frontage of the site and walkway connections between Crabbes Avenue, Penshurst Street and Legion Way.

The following drawings, prepared by Amglen Pty Ltd, were reviewed for the preparation of this report:

DRAWING NO.	DRAWING TITLE	REVISION	DATE
DA 2.01	Plan 1	A	14.06.2019
DA 2.02	Plan 2	A	14.06.2019
DA 2.03	Plan 3	A	14.06.2019
DA 2.04	Plan 4	A	14.06.2019
DA 2.05	Plan 5	A	14.06.2019
DA 2.06	Plan 6	A	14.06.2019
DA 2.07	Plan 7	A	14.06.2019
DA 2.08	Plan 8	A	14.06.2019
DA 2.09	Plan 9	A	14.06.2019



Figure 23 - Penshurst Street Elevation. Source: Amglen Pty Ltd



Figure 24 – Crabbes Avenue Elevation. Source: Amglen Pty Ltd



Figure 25 – View of the proposed Park and Civic Walk. Source: Amglen Pty Ltd

## 5.0 ASSESSMENT OF HERITAGE IMPACT

### 5.1 INTRODUCTION

This Heritage Impact Statement has been prepared in relation to the following impact assessment criteria: the *Willoughby LEP 2012*, the *Willoughby DCP 2016* 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.

As shown in Figure 3, part of the subject site's southern and eastern boundaries adjoins the Horsley Avenue HCA, defined in the *Willoughby LEP 2012*. The nearest individually listed heritage listed items in the vicinity of the subject site are a house at 238 Penshurst Street (item I222), houses at 1-5 Clanwilliam Street (Items I189 and I190) and houses at 206 and 208 High Street (Items I202 and I203). These are visually and physically separated from the site by intervening development and roadways and do not warrant assessment as part of this report.

The subject site is not heritage listed and there are no statutory heritage considerations relating to the demolition of the existing structures within the property boundaries.

### 5.2 SIGNIFICANCE OF THE HORSLEY AVENUE HCA

The following Statement of Significance for the Horsley Avenue HCA is sourced from the *Willoughby DCP 2016*<sup>8</sup>:

*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.*

### 5.3 EVALUATION OF THE NSW HERITAGE DIVISION GUIDELINES

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.

#### NEW DEVELOPMENT ADJACENT TO A HERITAGE ITEM (Horsley Avenue HCA)

- *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?*

<sup>8</sup> *Willoughby DCP 2016*, [https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp\\_2016](https://eplanning.willoughby.nsw.gov.au/pages/plan/book.aspx?exhibit=wdcp_2016)



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

**Comment:**

The proposal involves the construction of two levels of basement parking, a part two and part three storey RACF building sited adjacent the eastern boundary of the site, a part two and part three storey residential building adjacent to the northern boundary, a two to three storey building on the fringe, transitioning to five storey at the centre at the Crabbes Avenue frontage of the site, a five storey mixed use building and a three storey club building at the Penshurst frontage, a six storey residential building in the centre of the site, and associated landscaping including at park.

The properties within the Horsley Avenue HCA that adjoin the subject site to the south are 15-25 Horsley Avenue. Those adjoining to the east are 13 Horsley Avenue and 2-8 Summerville Crescent. The Interwar era houses in each of these streets contribute to the harmonious presentation of each streetscape, with the building stock in Horsley Avenue generally dating from the 1920s and that in Summerville Crescent from the 1930s.

The curtilage of the Horsley Avenue HCA is its boundaries, as defined in the *Willoughby LEP 2012* mapping. Horsley Avenue and Summerville Crescent are both relatively narrow, tree lined streets and as such views from the public realm within the conservation area are generally limited to the immediate streetscape.

The impact of the new development on the Horsley Avenue HCA has been minimised by the height distribution of the new buildings, with the taller buildings located in the centre of the site and at the Crabbes Avenue and Penshurst Street frontages. The height of the two buildings adjacent to the boundary of the conservation area has been limited, with the design providing a two storey transition to the neighbouring properties in the Horsley Avenue HCA.

The design of the new development is considered to be sympathetic to the neighbouring conservation area. The façade design of the proposed buildings adjacent to the conservation area boundaries includes articulation to reduce the perceived bulk of the buildings and respond to the finer grain subdivision pattern of the adjoining properties in the Horsley Avenue HCA.

The plans and diagrams submitted with this application demonstrate the proposed development will not unreasonably overshadow the Horsley Avenue HCA.

On close inspection there are some glimpses of the existing Willoughby Club building available in the background, between some houses, when viewed from the street. Parts of the proposed new buildings adjacent to the southern and eastern boundaries will also be seen as background elements in these views. The upper levels of the central building will also be seen in the background of views when looking east from some locations in Summerville Avenue. Given the setbacks of the new buildings from the conservation area and the screening provided by the foreground elements, the houses and street planting within the conservation area, they will not be so large as to visually dominate the adjacent conservation area.

Although the new buildings at the southern and eastern edges of the site will be seen from the rear of some properties within the Horsley Avenue HCA and the upper levels of the central building will be seen in the background when looking east from some locations in Summerville Avenue, the proposed development will not affect the streetscape setting of the houses and will not have an adverse impact on their established heritage significance as harmonious collections of Interwar dwellings. To achieve this the following setbacks have been established:

- Two storey East ILU – 6.0 meters off the boundary
- Two storey RACF – 8.0 meters off the boundary
- Five storey North ILU – 6.0 meters off the boundary
- Five storey Central ILU – 32.0 meters off the eastern boundary and 35 meters off the southern boundary.

The proposed development will not have an adverse impact on the established heritage significance or character of the adjacent Horsley Avenue HCA as a historic urban area, or the setting of its components that are fully contained within its boundaries. It will not affect the ability of the public and residents of Horsley Avenue and Summerville Crescent to view and appreciate the significance of the building stock as cohesive groups of Interwar housing.

It is noted that, should any unexpected relics be disturbed during excavation of the subject site, they must be managed under the Archaeological provisions of the *NSW Heritage Act*.

#### **5.4 HERITAGE OBJECTIVES OF THE WILLOUGHBY LEP 2012**

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

- the proposed development will not affect the streetscape setting of the houses within the adjacent Horsley Avenue HCA
- there will be no adverse impact on the established heritage significance of the adjacent Horsley Avenue HCA, or the setting of its components that are fully contained within its boundaries
- there will be no change to the appreciation or interpretation of the Horsley Avenue HCA, or the streetscapes of Horsley Avenue and Summerville Crescent, as collections of cohesive groups of Interwar housing.

The proposal is, therefore, considered to be consistent with the relevant heritage objectives of the *Willoughby 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 Willoughby,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*

## 5.5 HERITAGE GUIDELINES OF THE WILLOUGHBY DCP 2016

The *Willoughby DCP 2016* supports the *Willoughby LEP 2012* by providing additional objectives and development standards for listed heritage items and properties within heritage conservation areas. The development proposal is consistent with the relevant aims of Part H Heritage Items and Conservation Areas, which are:

- c) to ensure that the heritage significance, special streetscape and landscape character of Heritage Conservation Areas is maintained;*
- e) to ensure that new sustainable development respects the context and is sympathetic in terms of form, scale, character, bulk, orientation and setback, fabric, colours and textures and does not mimic or adversely affect the significance of Heritage Items and Heritage Conservation Areas and their settings;*
- g) to provide controls for the development of land within the vicinity of Heritage Items and Heritage Conservation Areas.*

## 6.0 CONCLUSION

No part of the subject site at 26 Crabbes Avenue and 247-255 Penshurst Street, North Willoughby, is listed as an item of heritage significance and it is not located in a heritage conservation area.

The site is in the vicinity of the Horsley Avenue HCA, a heritage conservation area of local significance, included on Schedule 5 of the *Willoughby LEP 2012*.

The proposed development will not have an adverse impact on the established heritage significance, or setting, of the heritage conservation area in its vicinity.

The proposed development is consistent with the heritage objectives of the *Willoughby LEP 2012* and the aims of *Willoughby DCP 2016*. In our view, the consent authority should have no hesitation in approving this application from a heritage perspective.



Samantha Polkinghorne  
Director  
**NBRS**ARCHITECTURE



## **7.0 BIBLIOGRAPHY**

### **BOOKS AND REPORTS**

Australia ICOMOS, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013.

Willoughby Council, *Willoughby Local Environmental Plan (LEP)*, 2012

Willoughby Council, *Willoughby Development Control Plan (DCP)*, 2016

NSW Heritage Office and Department of Urban Affairs and Planning, *Statements of Heritage Impact*, 1996 (revised 2002)

NSW Heritage Office and Department of Urban Affairs and Planning, *Heritage Curtilages*, 1996.

NSW Heritage Office and Department of Urban Affairs and Planning, *NSW Heritage Manual*, 1996.

### **INTERNET RESOURCES**

Google Maps: <https://www.google.com.au/maps>

NSW Legislation: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

NSW LRS Historical Land Records Viewer: <http://images.maps.nsw.gov.au/pixel.htm>

NSW LRS SIX Maps: <https://maps.six.nsw.gov.au/>

NSW State Heritage Inventory – Online Database:  
[www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx](http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx)