

# STATEMENT OF HERITAGE IMPACT

**Proposed development at  
307 Sydney Road & 12 Boyle Street,  
BALGOWLAH**



Job No. 8339  
January 2019

**Heritage21**  
CULTURAL BUILT HERITAGE IN THE 21ST CENTURY

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## ACKNOWLEDGEMENT OF COUNTRY

*Heritage 21 values the Gamaragal people as the traditional custodians of this place we now call Manly. We recognise and respect their cultural heritage, beliefs, and continuing relationship with the land and sea.*

**Cover page:** View towards the heritage item at 307 Sydney Road, Balgowlah from the driveway connecting the site to Sydney Road.

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

Issue	Description	Date	Written by	Reviewed by	Issued by
1	Draft report (D1) issued for comment. Job 3089	20.02.17	PW	PR	PW
2	Report Issued Job 3089	02.03.18	PW	-	PW
3	Draft report (DI) issued for comment. Job 8339	14.12.18	SB	MN	SB
4	Draft report (D2) issued for comment. Job 8339	14.12.18	SB	-	SB
5	Draft report (D3) issued for comment. Job 8339	14.12.18	SB	-	SB
6	Report for Issue (RI)	19.12.18	SB	-	SB
7	Report (amended) for Issue (RI2)	16.01.2019	SB	-	SB

## 1.0 INTRODUCTION

### 1.1 Background

This Statement of Heritage Impact (SoHI or report) has been commissioned by Sun Property Group Australia, to accompany a development application (DA) for alterations and additions to the heritage item located at the subject site and the construction of a multi-dwelling development.

### 1.2 Site Identification

The subject site is formed by two properties – no.307 Sydney Road, also known as ‘Capella’, and no.12 Boyle Street, Balgowlah (collectively the site or place). Both properties are residential in nature and are located within the boundaries of the Northern Beaches Council local government area (LGA). The heritage item (refer to Section 1.3 of this report below) is situated at no.307 Sydney Road which comprises a battlebox block, with street access to Sydney Road. The other portion of the site, no.12 Boyle Street is not heritage listed. The site is legally defined as follows:

- no.307 Sydney Road – Lot D of Deposited Plan (DP) 335027; and
- no.12 Boyle Street – Lot 1 of DP 115705.



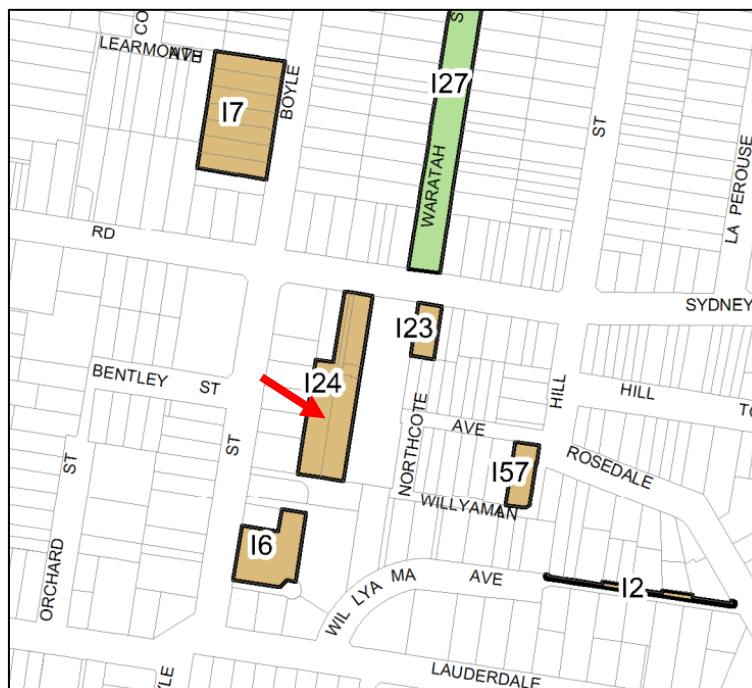
**Figure 1.** Aerial view of the locality with the site outlined in red. The buildings which comprise the heritage group (I124) are identified. (Source: NSW Land and Property Information, ‘SIX Maps’, n.d., <<http://maps.six.nsw.gov.au/>>)

### 1.3 Heritage Status

The primary dwelling at no.307 Sydney Road is a member of a heritage group encompassing three (x3) houses listed under Schedule 5 of the *Manly Local Environmental Plan 2013* (MLEP) and depicted in Figure 2 below. The details of this listing follow in Table 1:

**Table 1. Details of heritage item** – extracted from MLEP 2013.

Item name	Address	Significance	Item no.
Group of houses	303 – 307 Sydney Road, Balgowlah	Local	I124



**Figure 2.** Details from Heritage Map HER\_003. The red arrow identifies the approximate location of the site's heritage item. In the vicinity heritage items are shaded tan. (Source: NSW Legislation, <<http://www.legislation.nsw.gov.au/#/view/EPI/2012/673/sch5>>)

As illustrated in Figure 2 previously, the site is situated within the vicinity of several other items of environmental heritage listed under the MLEP 2013. However, due to the nature of the site and the existing topography of its surrounds only the following heritage item, listed in Table 2, is considered to have a visual relationship with the place.

**Table 2. In the vicinity heritage items** – extracted from Schedule 5 of the MLEP 2013.

Item name	Address	Significance	Item no.
House, "Camden"	2 Boyle Street	Local	I16

The following table provides a summary of the heritage listing status of the site.

Statutory List – Legislative Requirements		
Register	Listed	Item Number
<i>Manly Local Environmental Plan 2013</i> – Heritage Group	YES	124
World Heritage List (WHL); National Heritage List (NHL); Commonwealth Heritage List (CHL); State Heritage Register (SHR); Local Environmental Plan (LEP) – Heritage Conservation area	NO	-
Non-Statutory List – Information Only		
Register	Listed	Item Number
National Trust Register (NTR)	NO	-
Former Register of the National Estate (RNE)	NO	-
Royal Australian Institute of Architects Register of Significant Architecture in NSW (RAIAR)	NO	-

## 1.4 Purpose

The site contains a member of a heritage group and is also located in the vicinity of a heritage item, all of which are listed under Schedule 5 of the MLEP 2013. Sections 5.10(4) and 5.10(5) of the MLEP 2013 requires Northern Beaches Council to assess the potential heritage impact of non-exempt development extent (whether negative, neutral or positive), such as the proposed works (refer to Section 5.0 of this report), on the heritage significance of the abovementioned heritage items. This assessment is carried out in Section 6.0 below. Accordingly, this SOHI provides the necessary information for Council to make an assessment of the proposal on heritage grounds.

## 1.5 Methodology

This report is consistent with the principles of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (rev. 2013). It has also been prepared in accordance with the current-best practice guidelines as identified in the *NSW Heritage Manual* (1996), published by the Heritage Office and Department of Urban Affairs and Planning (now Heritage Division, Office of Environment and Heritage, Department of Planning and Environment), and associated supplementary publications.

Site investigations undertaken by Heritage 21 on 09.09.17 inform the findings of this report.

## 1.6 Authors

This SoHI has been prepared by Sophie Barbera, Heritage Consultant, of Heritage 21. Its content has been reviewed and endorsed by Paul Rappoport, Director of Heritage 21.

## 1.7 Limitations

- This SoHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning



instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.

- This SoHI essentially relies on secondary sources. Primary research has not necessarily been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the site.
- It is beyond the scope of this report to locate or assess potential or known archaeological sub-surface deposits on the site or elsewhere.
- It is beyond the scope of this report to assess items of movable heritage.
- Heritage 21 has only assessed aspects of the site that were visually apparent and not blocked or closed or to which access was not given or was barred, obstructed or unsafe on the day of the arranged inspection.

## 1.8 Copyright

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

All images contained in this report, unless otherwise stated, were taken during field work (09.09.17) and are copyright of Heritage 21.

## 2.0 HISTORICAL CONTEXT

### 2.1 Local History

The colonial process intruded slowly on the sandstone heath and woodland environment of the district we now know as Balgowlah – the British name likely deriving from the Indigenous place-name for North Harbour. From the 1830s portions of the locality were turned to rural uses however, the population remained sparse till the late nineteenth century. The peripheral, transitory character of the locality changed decisively in the wake of the erection of the first Split Bridge in 1924 and, over the remainder of the inter-war period, suburbanisation occurred at a steady pace. The urban nature of Balgowlah consolidated over the post-war period, with flat development appearing from the 1960s. In recent decades the area has been subject to relatively intensive residential growth.<sup>1</sup>

### 2.2 Site History

There appears to be a dearth of development records for the heritage group (I124), particularly no.307 Sydney Road. As illustrated by Figure 3 however, the site was unbuilt upon in 1930. This photographic evidence combined with the group's Moderne style – popular in Sydney over the 1930s – and its clear presence in the 1943 aerial (see Figure 4) is of a construction date between 1931-39. The stylistic uniformity of the heritage group alludes to their construction at or around the same time, likely by the same builder/developer. Their erection during the interwar period is indicative of the growing suburban character in Balgowlah, following the opening of the Split Bridge (c.1924) and extension of the tram service across the Northern Beaches region.<sup>2</sup> The item does not appear to have been anything but a private residence over its lifetime. The name 'Capella' is likely a recent appellation. The typical Federation styling of the dwelling at no.12 Boyle Street would suggest a late 1890s to c.1915 erection date.



**Figure 3.** The site, indicated by the red arrow, lies undeveloped in 1930. (Source: Mosaic of Sydney & Environs, Royal Australian Air Force)

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<sup>1</sup> John MacRitchie, 'Balgowlah', *The Dictionary of Sydney*, 2008, accessed 13.02.18, <<https://dictionaryofsydney.org/entry/balgowlah>>.

<sup>2</sup> MacRitchie, 'Balgowlah'.





**Figure 4.** 1943 aerial image of the site, indicated by the red arrow, and its setting. Note the apparent lack of plantings to the front and rear garden of the site. Although the terrace features are perceptible. (Source: NSW Land and Property Information, 'SIX Maps', n.d., <<http://maps.six.nsw.gov.au/>>)



**Figure 5.** Close-up aerial view of the heritage item, indicated by the red arrow, 1943. Note the likely original extent of its primary facade and what appears to be the existing fin wall to the eastern elevation. (Source: NSW Land and Property Information, 'SIX Maps', n.d., <<http://maps.six.nsw.gov.au/>>)

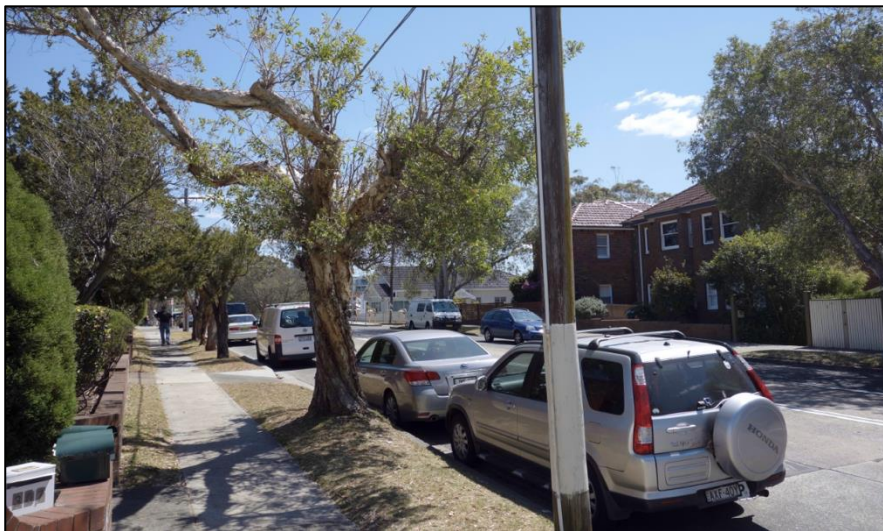
## 3.0 PHYSICAL EVIDENCE INCLUDING SETTING

### 3.1 Locality

The suburb of Balgowlah, located approximately 12 kilometres north-east of Sydney central business district, is considered part of the Northern Beaches region. It is an established residential area, with some industrial land use in the north-east portion of the suburb, and a clustered commercial area along Sydney Road. At the 2016 census the population of Balgowlah was 8,330 (Australian Bureau of Statistics).

### 3.2 Streetscape

The main section of the site relevant to this SoHI – no.307 Sydney Road – is set back at a significant distance from the public domain and is only accessibly by a long private drive. As such it is not assessed to form a consequential component of the streetscapes of either Sydney Road or Boyle Street. We note however, that both streets in the vicinity of the site are residential in nature and encompass an eclectic range of building heights and architectural styles.



**Figure 6.** View to Sydney Road streetscape from the vicinity of the site's driveway, facing west



**Figure 7.** View opposite the site's driveway, across Sydney Road, facing north. Note the leafy, residential qualities of this portion of Sydney Road.





**Figure 8.** View to no.303 Sydney Road, a single-storey Moderne influenced residence, facing south. It is the only member of the listing group with a meaningful visual connection with the public domain.



**Figure 9.** Close-up of no.303 Sydney Road. Note curvilinear and strong horizontal features as well as white colour scheme, facing south-east.



**Figure 10.** View to no.305 Sydney Road, the adjacent heritage item to the site, a two-storey Moderne influenced flat.



**Figure 11.** View to the rear elevation of the primary dwelling at no.305 Sydney Road from the rear of the site, facing north-east.

### 3.3 Views

As discussed in Section 3.2 previously, the on-site heritage item only has a tenuous visual relationship with the public domain. In comparison, sightlines from the streetscape to the item at no.303 Sydney Road are readily available.

In terms of views, Heritage 21 stresses that the simple existence of a view to and from a heritage item or within a HCA should not automatically be considered an integral component of heritage significance. For instance, such a sightline could be incidental or the result of contemporary development. This SoHI approaches the evaluation of views in a manner that privileges the conservation of cultural heritage value; i.e. sightlines should be deemed pertinent to the identified/established significance of a site for their preservation to be argued for on heritage grounds. In practice, this means that the simple presence of a new structure or alteration in the same ‘view cone’ as a heritage item or HCA should not be considered to pose an adverse impact, unless it is assessed as impacting a visual relationship of established significance, such as altering a deliberately designed sightline.

The *potential* impact of the proposal on the relevant views and vistas are assessed in Section 6.0 below.



**Figure 12.** View along the driveway linking no.305 and no.307 Sydney Road to the public domain, facing south.



**Figure 13.** Constricted slit view to side elevation of the on-site heritage item from between residences on Boyle Street, facing east.

### 3.4 The Existing Site

The primary dwelling is a single-storey asymmetrical building, originally square in form and now, due to the later addition of the forward project wing, L-shape. Its primary facade is orientated north. The item is surmounted by a flat roof with moderate parapet. The sloping nature of the site is utilised to provide a basement laundry, without internal access. The exterior of the dwelling exhibits hallmarks of the inter-war architectural style known as Moderne (something of an umbrella term, it also included sub-styles such as Interwar Functionalism, Art Deco detailing and Streamlined variants), for instance: the curvilinear form encompassed within its primary façade; strong horizontal elements and a fin wall (eastern elevation). The Moderne style was characterised by its interest in the expression of progress, with plain, reductive detailing and simple bold forms. All elements expressed by the item, however some features are evidently not original to site, including the northern entry and the timber sash windows along the northern façade of the subject site.



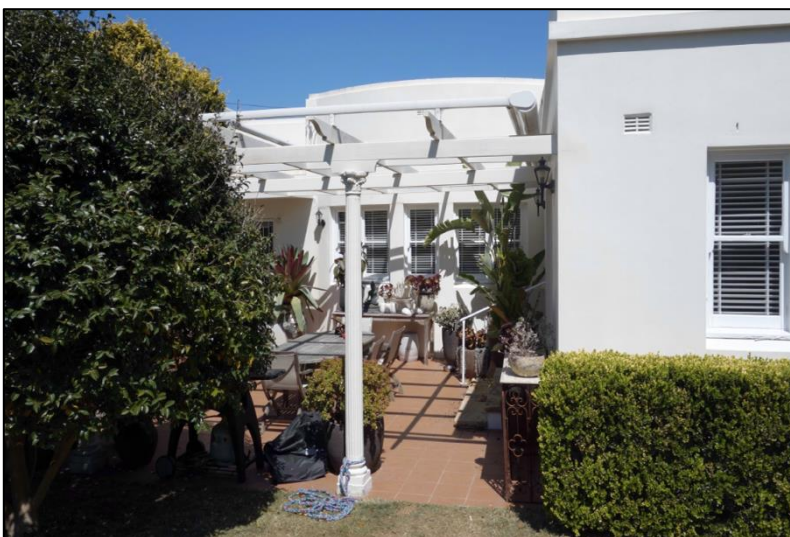
The interior of the item is a heavily modified space. New partition walls, floor finishes and faux detail (fire place, cornices and skirting board etc.) are noted. The originality of the timber floors is open to debate as it is an element not typically associated with the Moderne style.

A single port garage is located in the north-western corner of the property. Its execution matches that of the main residence with a simple geometric shape, flat roof, rendered drip-course and smooth, rendered finish. A low rendered wall with a curved ending divides the area of the garage from the front lawn.

In terms of landscaping, a moderately sized grassed area exists to the front of the dwelling, divided by a paved pathway, interrupted by a circular garden bed. This pathway continues along the eastern side of the building to the backyard in the south. The rear garden consists of three (x3) terraced levels, most of which is lawn, bordered by a range of indigenous and exotic trees and several plant beds. Terrace walls are constructed of undressed stone. A stair with railing leads to the lowest level of the property which is occupied by naturally occurring rocks. Panoramic vistas of North Harbour are available from the rear of the site.



**Figure 14.** View to the primary facade of the on-site heritage item, facing south.



**Figure 15.** Close-up view to the later, intrusive pergola addition and outdoor tiling area to the primary facade of the item, facing south.

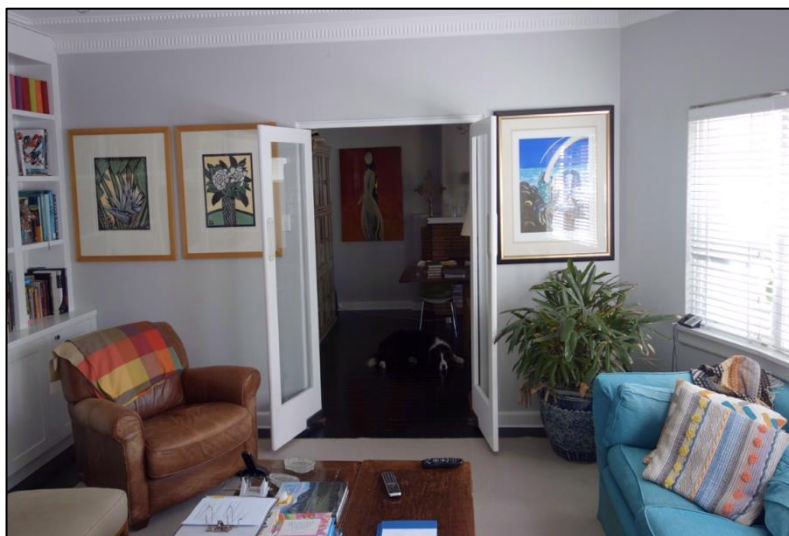




**Figure 16.** Close-up view of the item's parapet detail, curvilinear bank of sash windows and awning feature over main entry door. Note non-original fenestration to elevation.



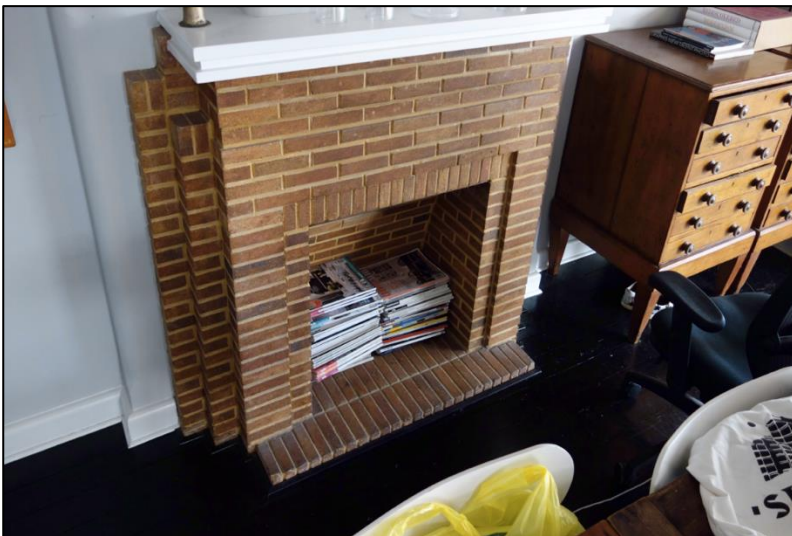
**Figure 17.** View to the simple geometric garage in the north-western section of the site, facing west.



**Figure 18.** Representative view to the heavily modified interior of the item, facing west.



**Figure 19.** Representative view to the heavily modified interior of the item, facing north.



**Figure 20.** Close-up of existing fireplace. Heritage 21 believe this element to be a faux addition.



**Figure 21.** View along the western elevation of the item, facing north.





**Figure 22.** View to the rear of the item. Note below ground floor laundry, facing north.



**Figure 23.** View from the rear of the primary dwelling, facing south.



**Figure 24.** View from the rear of the garden towards the primary dwelling, facing north.



**Figure 25.** View to the primary dwelling at 12 Boyle Street. Fine but common example of a Federation style cottage.

### 3.5 Condition & Integrity

Overall, the physical condition of the item is assessed as good, with only general issues of wear and tear note to sections of the exterior.

The forward project room to the northern elevation is a post-1943 addition, although it sits in relative harmony with the original footprint and details of the dwelling. The later addition timber pergola structure and associated tiling is considered an intrusive addition, which detracts from the primary facade of the item.

The integrity of the item diminishes drastically to its interior. In our view, the internal space of the item has been heavily modified and comprises little fabric or elements of heritage value.

## 4.0 HERITAGE SIGNIFICANCE

### 4.1 Established Significance

The following Statement of Significance (SoS) for the 'Group of Houses' (303, 305 and 307 Sydney Road, Balgowlah) has been extracted from the NSW OEH site inventory:

*Major significance as a fine example of thirties modern style architecture. Example of P&O style and modern functionalist style.*

**Updated by NSW OEH Inventory: 17.03.08**

Heritage 21 largely concur with the is SoS – although we would also accentuate the historical value of the group, as built evidence of the interwar (post-Split Bridge construction) suburban consolidation of Balgowlah. Further, we would suggest that gradations in the degree to which the three (x3) dwellings express the key elements of Morderne architecture are recognised. In our view, no.303 and no.305, due to their scale, detail and relationship to the public domain, exhibit far finer qualities than the on-site dwelling, which manifests as a comparatively humble example of the Moderne style.

## 5.0 DESCRIPTION OF PROPOSAL

The proposed would include demolitions works and alterations and additions to the on-site heritage item, including a first-storey extension and internal works, as well as the construction of multi-dwelling development to the northern, western and southern portions of the site.

### 5.1.1 Drawings

This SoHI assesses the heritage impact of the proposed development shown in drawings by RoberstDay, dated 11.01.19 and received by Heritage 21 on 16.01.19 The full-scale drawings accompanying the application should be referred to for specific details.





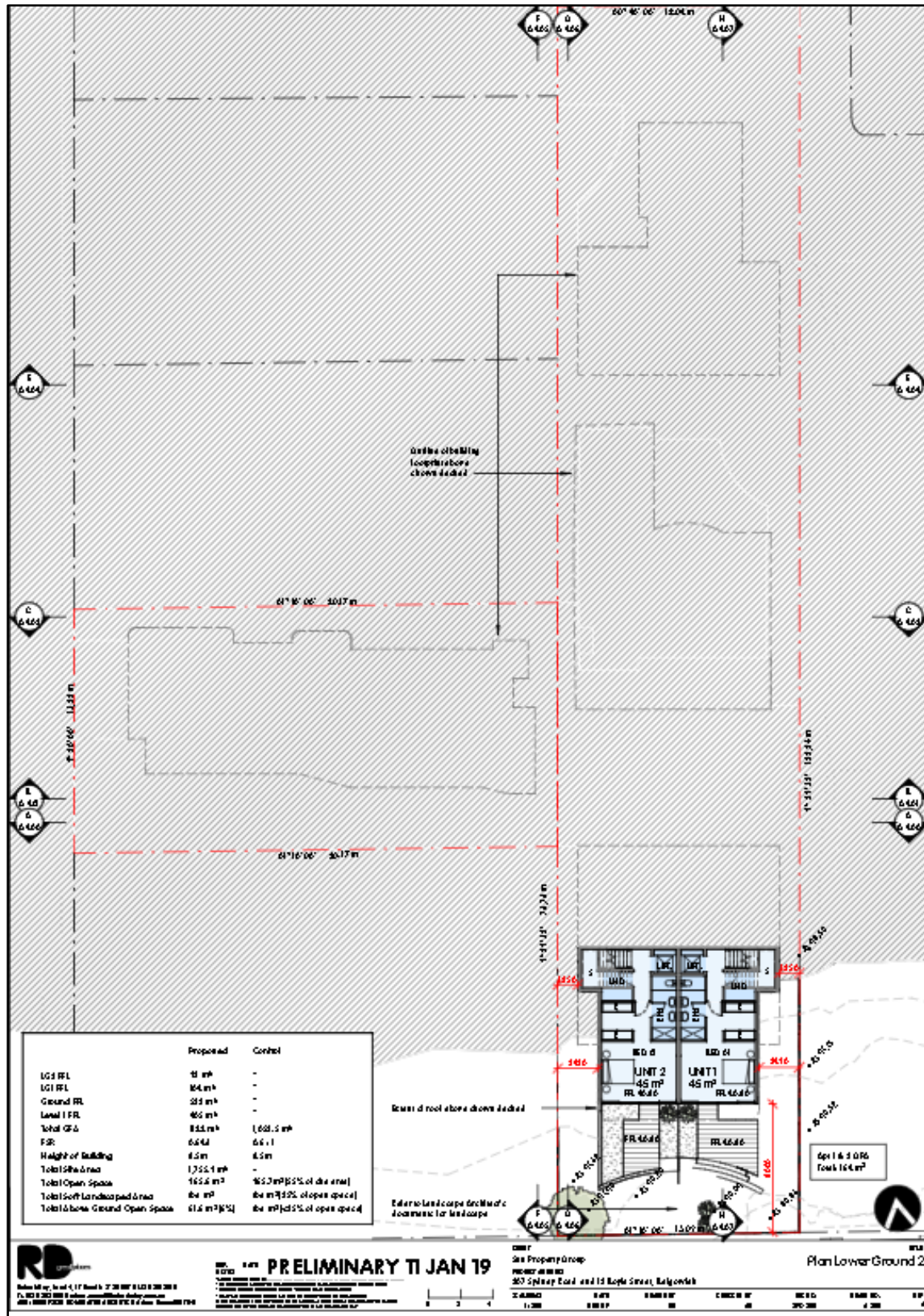


Figure 27. Plan Lower Ground 2.



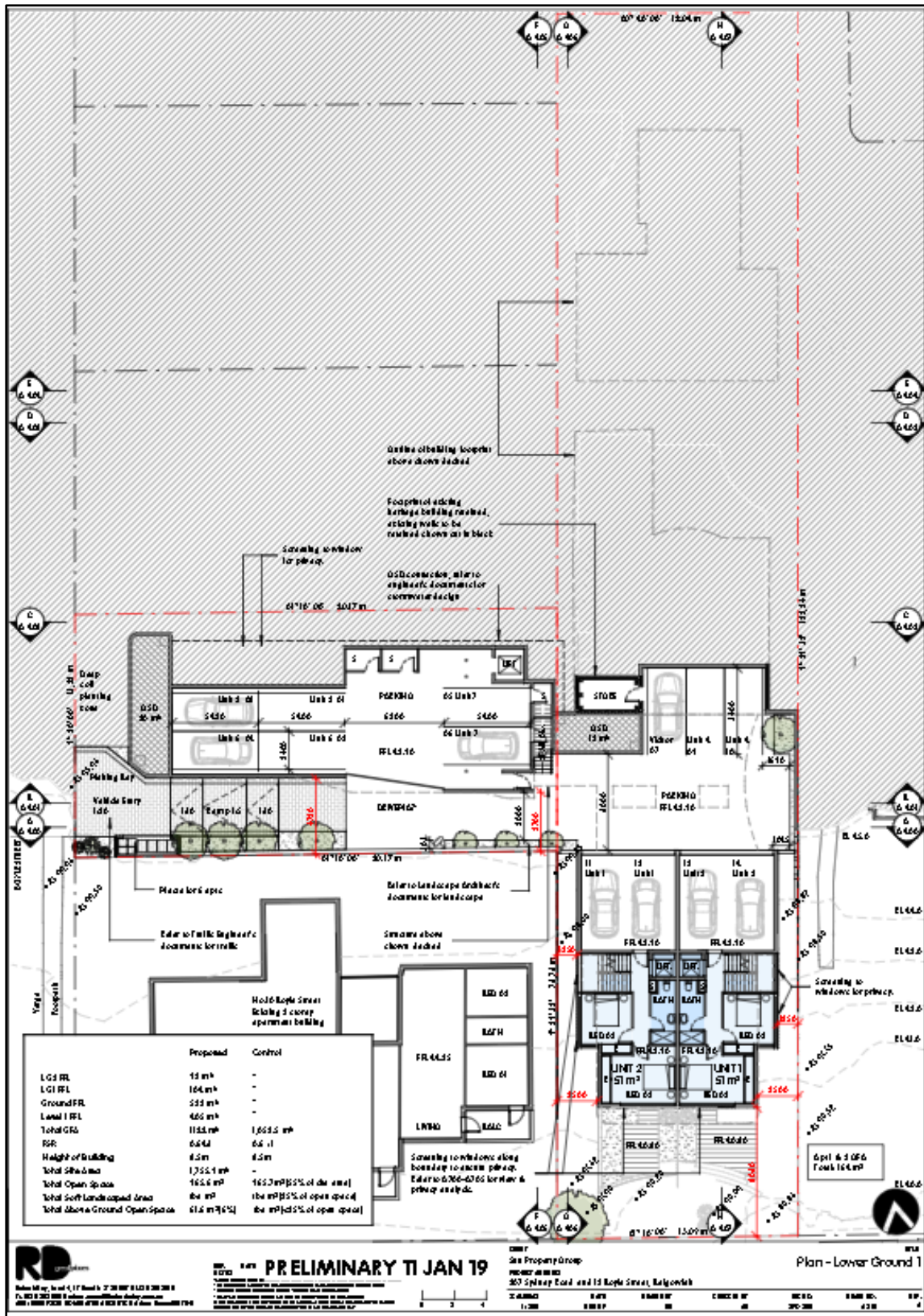


Figure 28. Plan – Level 1.



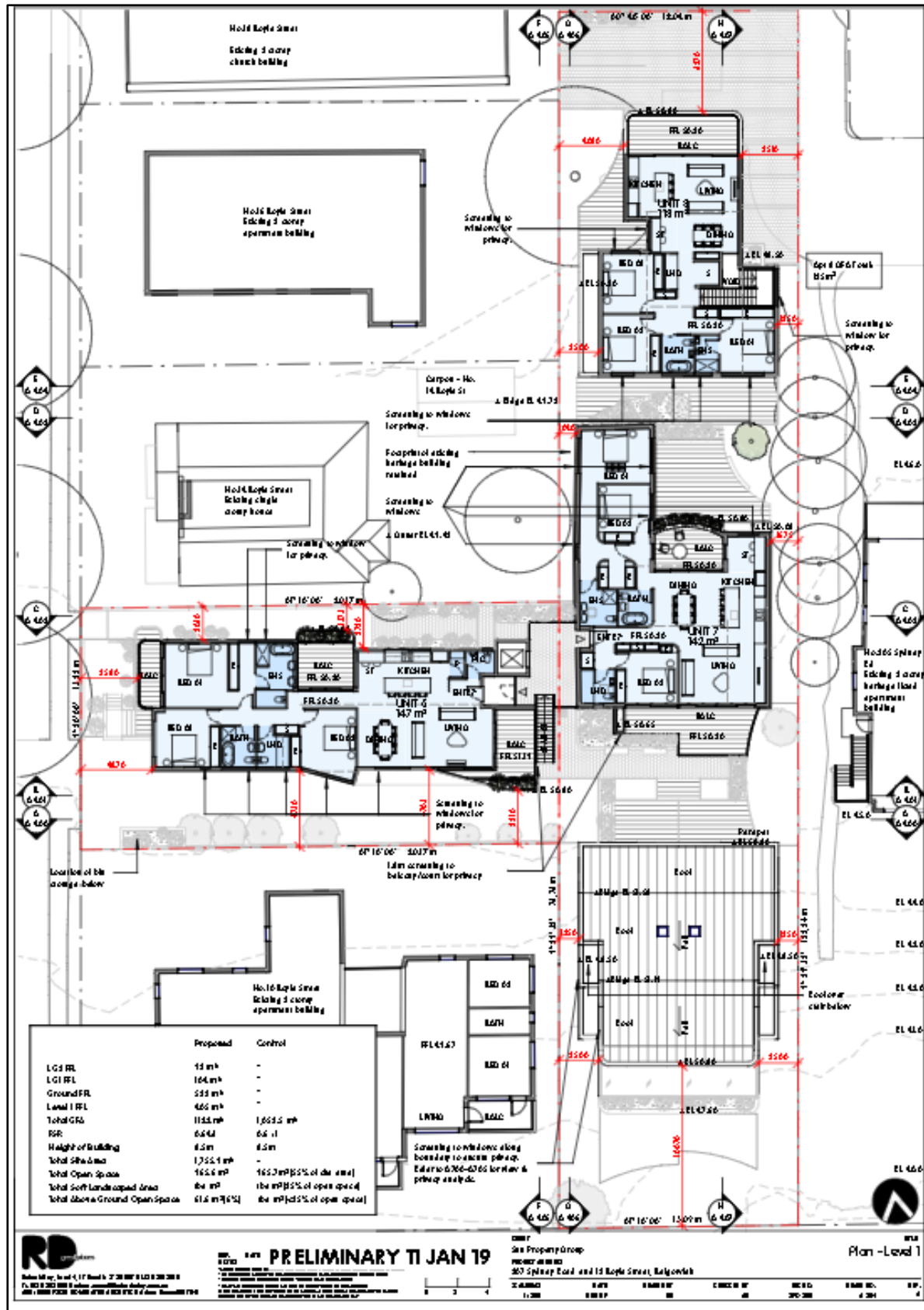


Figure 30. Plan – Level 1.







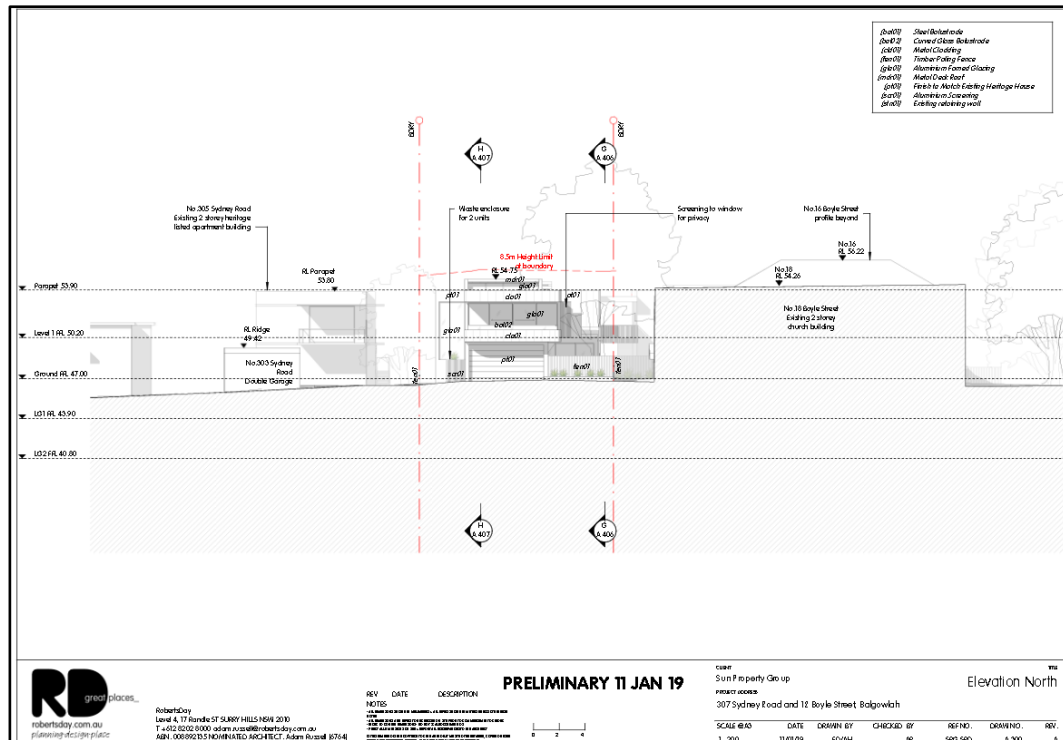


Figure 32. Proposed elevation - North

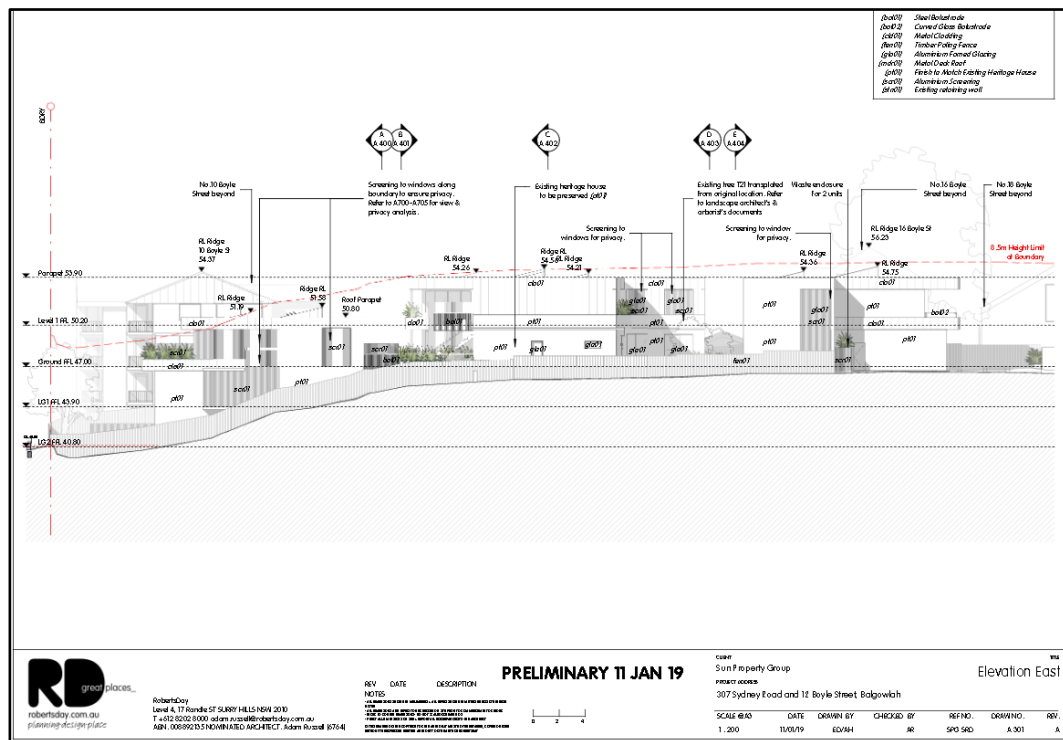


Figure 33. Proposed elevation - East

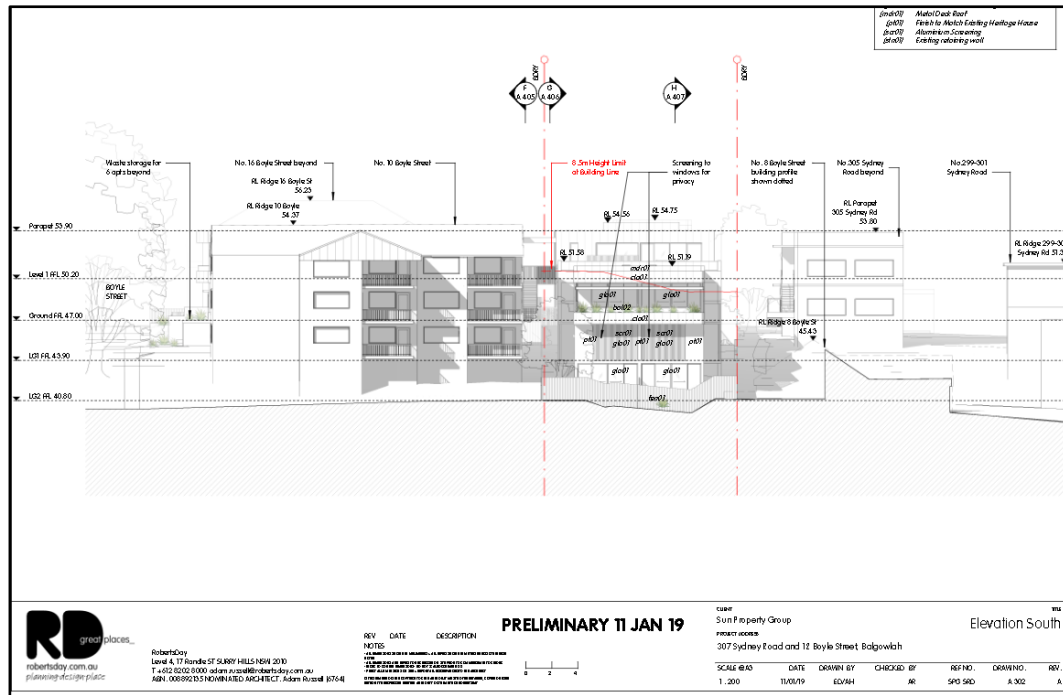


Figure 34. Proposed elevation - South

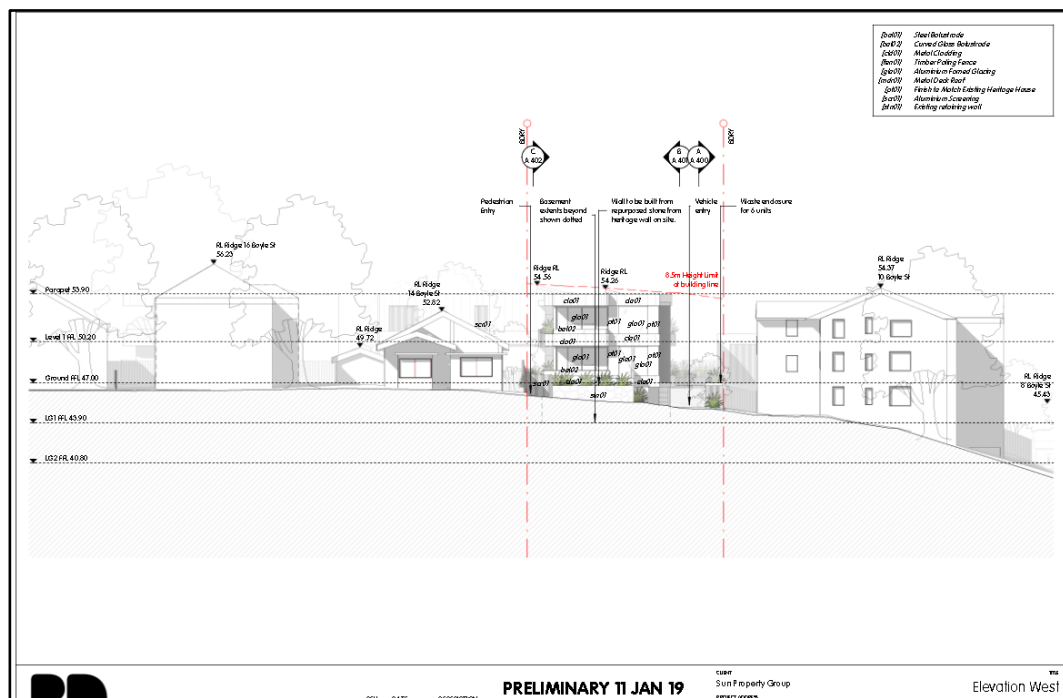


Figure 35. Proposed elevation - West

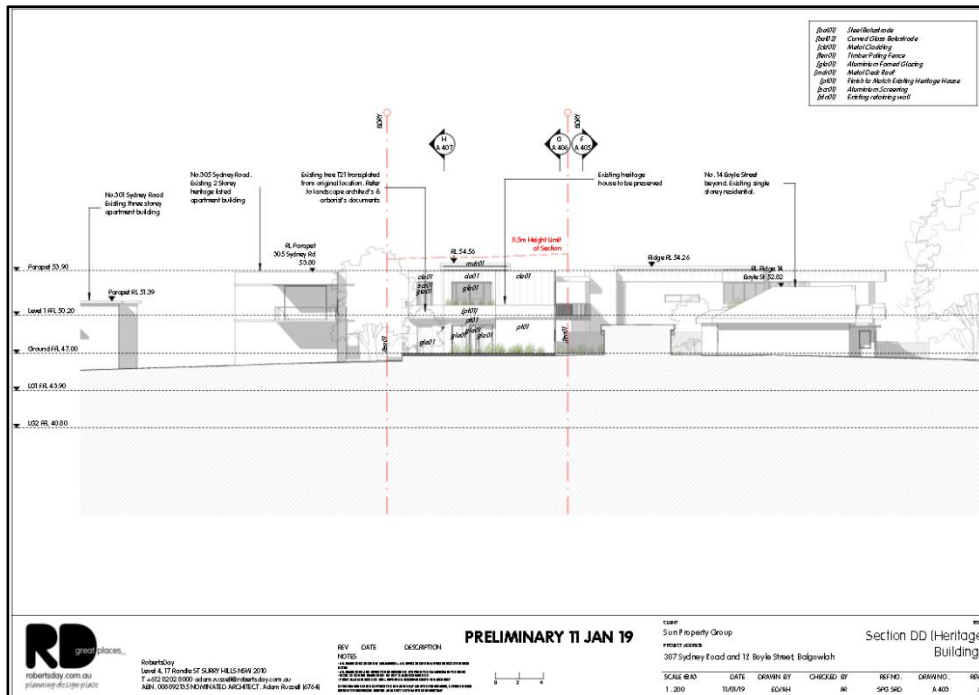


Figure 36. Proposed section DD (heritage building)

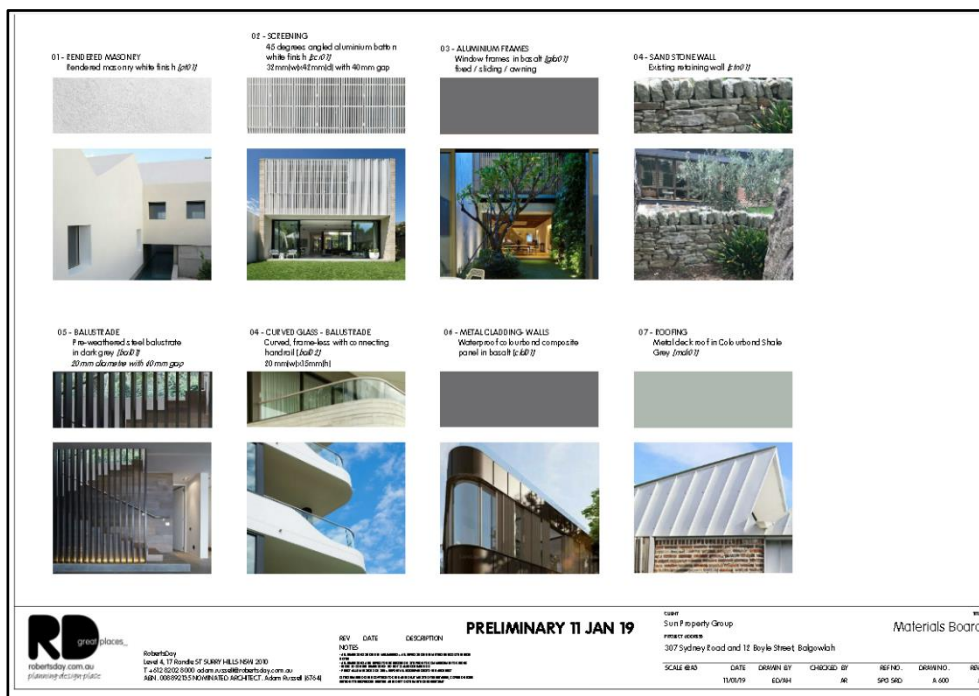


Figure 37. Proposed materials and colour scheme

## 6.0 ASSESSMENT OF HERITAGE IMPACT

### 6.1 Heritage Management Framework

Below we outline the heritage-related statutory and non-statutory constraints applicable to the site including the objectives, controls and considerations which are relevant to the proposed development as described in Section 5 above. These constraints and requirements form the basis of our Heritage Impact Assessment carried out in Section 6.2. of this report.

#### 6.1.1 *Manly Local Environmental Plan 2013 (MLEP)*

The statutory heritage conservation requirements contained in Section 5.10 of MLEP 2013 are important to any heritage impact assessment for future development on the site. The relevant clauses for the site and proposal are provided below:

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

#### 6.1.2 *Manly Development Control Plan 2013 (MLEP)*

Our assessment of heritage impact also considers the heritage-related sections of the MLEP 2013 that are considered pertinent to the site and the proposal.

### 3.3 Heritage Considerations

- 3.2.1 *Consideration of Heritage Significance*
- 3.2.2 *Alterations or Additions to Heritage Items or Conservation Areas*
  - 3.2.2.1 *Complementary Form and Scale that Distinguishes Heritage Significance*
  - 3.2.2.2 *Retaining Significant Features and Landscape Setting*
- 3.2.4 *Setbacks of Garages and Carports for Heritage Items and Conservation Areas*

#### 6.1.3 NSW Office of Environment & Heritage (OEH) guidelines

In its *Statement of Heritage Impact* (1996) guidelines, the NSW OEH provides a list of considerations in the form of questions aimed at directing and triggering the assessment of heritage impact. These questions are divided in sections to match the different types of proposal that may occur on a heritage item, item in a heritage conservation area or in the vicinity of heritage. The relevant questions for this proposal (see previous, Section 5.0) are provided and responded to in Section 6.2.3 below.

### 6.2 Heritage Impact Assessment

Below we assess the impact that the proposed development would have upon the site, its heritage group and nearby heritage item. This assessment is based upon the Site Investigation (refer to Section 3), Heritage Significance (refer to Section 4), the Proposal (refer to Section 5) and a review of the Heritage Management Framework (described above).

### 6.2.1 Response to MLEP 2013

The proposal is addressed in the table below in relation to the relevant clauses contained within the MLEP 2013.

**Table 3. Impact Assessment** – extracted from the MLEP 2013

Clause	Response
<p><b>5.10 Heritage conservation</b></p> <p><i>Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.</i></p> <p><i>(1) Objectives</i></p> <p><i>The objectives of this clause are as follows:</i></p> <p><i>(a) to conserve the environmental heritage of Hornsby,</i></p> <p><i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p><i>(c) to conserve archaeological sites,</i></p> <p><i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p>See Section 1.3 and Section 5.0 previous.</p>
<p><b>(5) Heritage assessment</b></p> <p><i>The consent authority may, before granting consent to any development:</i></p> <p><i>(a) on land on which a heritage item is located, or</i></p> <p><i>(b) on land that is within a heritage conservation area, or</i></p> <p><i>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i></p>	<p>A heritage item, a member of a heritage group, listed under Schedule 5 of the MLEP is located at the site. This SoHI carries out an assessment of heritage impact generated by the proposed works in Table 4 and Section 6.2.3 below.</p>

### 6.2.2 Response to MLEP 2013

Pertinent objectives and provisions of the MLEP 2013 and the compliance of the proposal are discussed in Table 4 below.

**Note** – For the sake of efficiency, components of the MDCP 2013 considered irrelevant to this proposal have been removed.

Table 4. Impact Assessment – extracted from the MDCP 2013.

DCP Control	Response	Compliance
<b>3.3 Heritage Considerations</b>		
<b>Objectives</b> 1) <i>To retain and conserve environmental heritage and cultural significance of Manly including:</i> <ul style="list-style-type: none"> <li><i>significant fabric, setting, relics and views associated with heritage items and conservation areas;</i></li> <li><i>the foreshore, including its setting and associated views; and</i></li> <li><i>potential archaeological sites, places of Aboriginal significance and places of natural significance.</i></li> </ul>	<p>The proposal would retain the on-site heritage item and its visual/historic link with its listing group.</p> <p>The demolition of the existing garage, associated fence and some landscaping elements would be of negligible heritage impact as the identified heritage value of the site is embodied – in the main – by its primary dwelling.</p> <p>Internal demolition and alterations to the heritage item are deemed acceptable as the interior has been assessed as a heavily modified space of diminished significance. Further, the proposed works to the façade of the dwelling would remove non-original fabric from this elevation and would promote the continued residential amenity of the built form. As such, the proposed works are supportable from a heritage perspective.</p>	<b>Complies</b>
2) <i>To ensure any modification to heritage items, potential heritage items or buildings within conservation areas is of an appropriate design that does not adversely impact on the significance of the item or the locality.</i>	We consider the overall proposal to offer a contextually informed design that would harmonise with the identified heritage values of the site and allow for the ongoing interpretability of the residence as an example of the inter-war Moderne style.	<b>Complies</b>
3) <i>To ensure that development in the vicinity of heritage items, potential heritage item and/or conservation areas, is of an appropriate form and design so as not to detract from the significance of those items.</i>	For the reasons outlined below we consider the overall proposal to have a negligible impact on the other members of the site's listing group (no.303 and no.305 Sydney Road), which for the purposes of this SoHI we treat as adjacent/nearby heritage items.	<b>Complies</b>
5) <i>To integrate heritage management and conservation into the planning development process including incentives for good heritage management, adaptive reuse, sustainability and innovative approaches to heritage conservation.</i>	We assess the proposal to demonstrate evidence of innovation and design excellence in its navigation of heritage opportunities and constraints at the site.	<b>Complies</b>



<b>3.2.1 Consideration of Heritage Significance</b>		
<b>3.2.1.1 Development in the vicinity of heritage items, or conservation areas</b>		
<i>a) In addition to LEP listing of Environmental Heritage (LEP Schedule 5), this DCP requires consideration of the effect on heritage significance for any other development in the vicinity of a heritage item or conservation area.</i>	<p>As previously stated, this item treats the members of the site's listing group as adjacent/nearby heritage items.</p> <p>Overall, the physical distance between the site and existing topographic character of Boyle Street equate to an absence of any meaningful visual relationship between the site and in the vicinity heritage item "Camden" (I6). In our estimations, the proposed works would have no impact of note on the heritage significance of this nearby item.</p>	<b>Complies</b>
<p><i>b) Proposed development in the vicinity of a heritage item or conservation area must ensure that:</i></p> <p><i>i. it does not detract or significantly alter the heritage item of any heritage items, conservation or place;</i></p> <p><i>ii. the heritage values or character of the locality are retained or enhanced; and</i></p> <p><i>iii) any contemporary response may not necessarily seek to replicate heritage details or character of heritage buildings in the vicinity, but must preserve heritage significance and integrity with complementary and respectful building form [...]</i></p>	<p>We are satisfied that the proposal would not impinge upon or dilute the heritage value of the item. This appraisal rests on what we consider to be the compatibility of the new works. For instance, the development has gone beyond simply retaining the heritage item but striven to integrate the proposed multi-dwelling development with the siting, footprint and character of the site's primary dwelling. It has achieved such contextually informed design in a manner that pays a due degree of homage to the distinguishing elements of the item while remaining clearly distinguishable as contemporary additions. This harmonisation of the new and the old brought out by this proposal is explored in greater depth below.</p>	<b>Complies</b>
<p><i>c) The impact on the setting of a heritage item or conservation area is to be minimised by:</i></p> <p><i>i. providing an adequate area around the building to allow interpretation of the heritage item;</i></p> <p><i>ii. retaining original or significant landscaping (including plantings with direct links or association with the heritage item);</i></p>	<p>The existing ability of the site to be appreciated is essentially confined to the small number of its users due to its lack of visual connection with the streetscape. The new works would remove later fabric from the primary facade (timber pergola/tiled area, timber sash windows), which would support its integrity and capacity to be read as a dwelling in the Moderne style. This facet of the design, in combination with the retained side and rear elevations and the acceptable extent of open space provided between its primary facade and new works would support, in our opinion, its ongoing interpretability for future users. Whether or not the</p>	<b>Complies</b>

<p><i>iii. protecting (where possible) and allowing the interpretation of any archaeological features; and</i></p> <p><i>iv. retaining and respecting significant views to and from the heritage item.</i></p>	<p>existing landscaping features hold a significant connection to the on-site item is difficult to assess. Heritage 21 believes they do not – simply appearing as common twentieth century plantings with the use of terrace features a standard reaction to a sloping site. Their removal can be supported from a heritage perspective, especially as it allows for the retention and sympathetic alterations and additions to the primary dwelling. We note however, that the proposal does appear to have allowed for the retention of some mature trees and possibly, could also preserve - to an extent - sections of the naturally occurring rocky outcrop.</p>	
<b>3.2.2 Alterations or Additions to Heritage Items or Conservation Areas</b>		
<b>3.2.2.1 Complementary Form and Scale that Distinguishes Heritage Significance</b>		
<p><i>a) Alterations or additions to heritage items or buildings within a conservation area will not necessarily seek to replicate, overwhelm, dominate or challenge heritage details or character of the building or structure of heritage significant buildings. However, a contemporary response which complements and respects the form and scale of the original buildings may be considered [...]</i></p>	<p>We note that sections of the new work echo several key architectural cues of the heritage item and its wider listing group. These include its strong horizontality, flat roofs and to its primary facade, its curvilinear form. It is also our understanding that the proposed materiality and colour scheme of the new works is compatible with the item. The respect demonstrated by the proposal to the existing footprint and visual curtilage of the item as well as efforts to reduce the scale and bulk of the development is also noted.</p>	<b>Complies</b>
<p><i>b) Consideration should be given to whether making a house bigger will ruin its appearance. Additions to small houses can easily overwhelm the and use up garden space needed for private open space and impact the setting and pattern of development in the locality. Modest additions work best and can be organised as wings or pavilions to the existing house. All additions must be at the back of the house, not the front.</i></p>	<p>In our opinion the proposal is of commensurate scale and proportions in relation to the heritage item as well as its wider group. While not a modest addition, the new work has been sited and designed in such a manner to resonate with the character of the primary dwelling and allow for its ongoing interpretability. The new works would not swamp or extinguished the character of the item.</p>	<b>Complies</b>

3.2.2.2 Retaining Significant Features and Landscape Setting		
<p><i>Alterations or additions to heritage items or buildings within a conservation area must:</i></p> <p><i>a) retain original and traditional roof form, roof pitch with any alterations to the roofs to be sympathetic to the style of the heritage item or building with a conservation area;</i></p> <p><i>b) retain original architectural detailing such as barge board, finial trim, window awnings and front verandas. New detailing must be complementary to the character of the item or place;</i></p> <p><i>c) retain original wall treatments and original cladding (including slate). Modifications to face brick dwellings must use the original style of bricks, window heads, mortar joints and other building details;</i></p> <p>[...]</p>	<p>The new work to the heritage item would provide a contemporary reinterpretation of the original flat roof with simple parapet.</p> <p>Original/significant detailing to the exterior of the item has been retained and used as a contextual touch point for the wider proposal. The replacement of the existing, non-original timber sash windows to the northern façade with door openings promotes the continued residential amenity of the site and is therefore supportable from a heritage perspective.</p> <p>New fenestration within the item's original footprint would be restricted to the forward projecting room, a later addition, and while clearly contemporary, respond to the shape and dimensions of original windows.</p> <p>While a landscaping plan has not been witnessed and endorsed by Heritage 21, we note the designer's intention to maintain the leafy qualities of the site and its context.</p>	Complies
3.2.4 Setbacks of Garages and Carports for Heritage Items and Conservation Areas		
<p><i>a) Garages and carports are not to be constructed forward of the building alignment of a listed heritage item or a building within a conservation area.</i></p> <p><i>b) Where lanes exist with vehicular access to the rear of the property; driveways, crossings and garages are not to be provided on the primary street frontage.</i></p> <p><b>Note:</b> Suitably landscaped car parking hardstand areas may be considered forward of the building alignment under this paragraph.</p>	<p>We are satisfied that proposed garages and carports have been situated unobtrusively and would have little perceptibility to the key elevations of the heritage item. In our opinion, the lack of a visual connection between the heritage item and public domain widens the parameters for siting car parking areas forward of the building line but separate from the elevations of the primary dwelling. Landscaping arrangements in the vicinity of the garages and carports appear sufficient.</p>	Complies

### 6.2.3 Response to OEH guideline questions

<b>Major partial demolition (including internal elements)</b>
<b>Is the demolition essential for the heritage item to function?</b>
The removal of internal fabric and reconfiguration of space within the heritage item is considered to be a crucial design aspect of the proposal for meeting reasonable contemporary expectations of future users. One of the deciding factors behind the decision to pursue a design solution which retained the heritage item in situ was the scope of change allowed for internally by its heavily modified interior. The existing garage and associated fence cannot be retained for practical reasons if the client's aims for the reconciling the retention of the heritage item and provision of additional living space is to be met.
<b>Are particular features of the item affected by the demolition (e.g. fireplaces in buildings)?</b>
As discussed, the internal integrity of the item appears to have been significantly eroded by a series of post-construction additions, including those from the recent past. The majority of interior detailing appear to be retro embellishments (cornices and fireplace) or its originality is difficult to assess (such as the timber floorboards). Heritage 21 is satisfied the proposed level of change to the internal fabric and elements of the item is in line with the diminished significance of this space which is no longer interpretable as a representative Moderne (or even 'historic') interior. In the same line of thinking, we consider the removal of the garage and associated fence – both ancillary elements to the primary dwelling – to generate a negligible heritage impact on the identified value of the heritage group.
<b>Is the detailing of the partial demolition sympathetic to the heritage significance of the item?</b>
It is our opinion that the partial demolition of the item's interior and introduces fenestration to the northern façade should be understood as sympathetic as it would enable a reasonable amenity upgrade while maintaining the key elements which embody the significance of the dwelling: namely, its retention, external legibility as a Moderne style residence and visual/historic relationship with its heritage group.
<b>If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?</b>
The resolution for significant change to the interior and introduces fenestration to the northern façade of the item rests on the reasonable desire to provide for contemporary lifestyle expectations and not fabric condition.
<b>Major Additions</b>
<b>How is the impact of the addition on the heritage significance of the item to be minimised?</b>
As discussed, a conscious design effort has been exercised to respect and pay homage to the architectural cues and original envelope of the heritage item without sacrificing creative initiative or descending down the path of slavish imitation. Further, the great extent of new works would be concentrated in structures devised to 'flow' around the existing dwelling – utilising the stepped-down character of the rear yard – or, in the case of Apartment 4 and 5, be separated from the item. It is our understanding that the proposed materiality of the new additions would not appear as discordant/clashing elements but rather have been selected towards harmonising external features within the extant historic environment, while at the same time maintaining the contemporary distinguishability of the development.
<b>Can the additional area be located within an existing structure? If not, why not?</b>
It is our understanding that the aims of the site's owner cannot be met through locating the additional required living space within the extant primary dwelling for reasons of its size and particular siting.



**Will the additions tend to visually dominate the heritage item?**

We believe that the proposal is compatible and, in many ways, complements the scale and proportions of the item as well as its architectural qualities. The continuation of the curvilinear form and volume of the original ground floor to the first-storey as well as the replication of the flat parapet roof would, in our opinion, result in an interconnected and interesting dialogue with the item. Instead of any relationship based upon the absolutes of dominance or subservience. The other major elements of the new works would be situated in such a way so as to safeguard an adequate extent of the item's external integrity and interpretability and, further, its relationship with its listing group.

**Are the additions sited on any known, or potentially significant archaeological deposits? If so. Have alternative positions for the additions been considered?**

As previously stated, (Section 1.7) discussion of archaeological issues lie outside the scope of this report.

**Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?**

We consider the proposal to be compatible with the heritage significance of the item as the combination of its strategic siting and commensurate scale, form and proportions would not overly obfuscate or overwhelm the built presence of the dwelling nor extinguish its links to its listing group. Further, the proposal not only retains the majority of the site's key distinguishing characteristics but utilises them as architectural cues throughout the new work. In our opinion, this would encourage the harmonisation of the proposal with its historic setting and help aid in the conservation of its heritage values. A positive outcome of the development which would additionally be supplemented by its proposed material palette and colour scheme.

**New development located adjacent to a heritage item****How is the impact of the new development on the heritage significance of the item or area to be minimised?**

The proposal utilises the available space in such a manner as to preserve a sufficient visual curtilage for the adjacent heritage items (no.303 and no.305 Sydney Road) as well as the existing visual relationship between the listing group. The proposal, while introducing new built forms within the viewshed of the nearby items, would not – due to its design and corresponding scale – risk manifesting as an alien or historically faux component of the group's setting. On a minor note, the expected general landscaping works connected to the proposal would operate in a hedging and softening fashion for additions as well as uphold the leafy qualities of the precinct.

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

The topographic constraints connected with this site and the motivation to retain the heritage item in situ have led to the proposed siting of the new development.

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

In our opinion, an ample curtilage has been allowed for the adjacent items. Due to its siting and scale the proposal would not have any meaningful impact on no.303 Sydney Road's relationship with the streetscape nor the long-distance vista available of no.305 from the public domain. Both items would remain interpretable as detached interwar period, Moderne influenced residences.

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

While new structures would appear in the viewshed of the heritage item they have been sited in such a manner so as to preserve key sightlines between the three items and their existing visual relationship with the public domain.

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

As previously stated, (Section 1.7) discussion of archaeological issues lies outside the scope of this report.

**Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?**

The appropriate design, placement, form and scale of the proposal has been touched upon previously. It is our opinion that the alterations and additions would not dilute the heritage value of the nearby items in any adverse sense. Rather the installation of a contemporary but context infused, and inspired design has the potential to draw out, play off and even accentuate the architectural aspects which are distinctive to the heritage group. We consider the proposal to add a respectful layer to the palimpsest of the site and its setting, enabling users and observers to become aware – whether consciously or not – of the historical continuum in which they operate.

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

As explored previously, the commensurate scale and respectful siting of the new additions would discourage an interpretation of the development as crowding or overwhelming the nearby items. This is particularly relevant for no.303 Sydney Road which has – by far – the strongest connection to the public domain. In this case, the physical distance between it and the proposal, further diminishes the possibility any adverse impact.

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

Yes. The public's ability to appreciate adjacent items is essentially restricted to no.303 Sydney Road. The proposal would have no meaningful impact on it of any kind. For users, a sufficient physical separation and respectful design has been employed to safeguard as well as complement the visual integrity of the primary dwelling at no.305 Sydney Road. The proposal would also allow the significance of the group – their historic and visual linkages – to remain readily apparent to the untrained eye.

## 7.0 CONCLUSION & RECOMMENDATIONS

### 7.1 Impact Summary

The NSW OEH guidelines require the following elements of the proposal to be summarised.

#### 7.1.1 Aspects of the proposal which respect or enhance heritage significance

In our view, the following aspects of the proposal would respect the heritage significance of the site, its heritage group and nearby heritage item:

- the on-site heritage item, including its key external characteristics, would be retained;
- a reasonable level change would occur to the interior of the item – is focused on an area of diminished significance;
- alterations and additions are contextually informed, preserve the visual integrity of the heritage context and are commensurate in scale and proportions with the character of the heritage item and its wider context;
- the new works would not overwhelm or dominate the heritage context;
- all items within the listing group would still be appreciable as examples of Moderne influenced architecture;
- the visual and historic relationship between the listing group would be retained; and
- the item would maintain its historic and current use – that as a private residence.

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

The proposal would entail the demolition of the extant garage, some landscaping elements and reconfiguration of the item's interior. For the reasons outlined in Section 6.2 previously, it is our consideration that aspects of the development would generate a negligible impact that would neither adversely or terminally diminish the identified heritage value of the item or its group. Further, while we consider the alterations and additions to the exterior of the item to be appropriate, with the visual impact of the addition storey moderated via a number of design techniques.

A recommendation for further mitigation measures is provided in Section 7.3 below.

#### 7.1.3 Sympathetic alternative solutions which have been considered and discounted

Heritage 21 was engaged by Sun Property Group Australia prior to the issuing of this report to provide an analysis of heritage issues as well as detailed design advice. During the design period, feedback was provided by Heritage 21 and the proposal altered accordingly. Although alternative planning arrangements for the site were discussed, none of those considered were more sympathetic than the current DA.

## 7.2 General Conclusion

We believe the proposal to offer a contextually informed design solution for the site in which the old and new have been blended in a manner that speaks to the cultural and historic roots of Balgowlah as well as its current state and desired future. It is our assessment that the development complies with the pertinent heritage aims of the relevant planning instruments and, further, is in line with the management of change for heritage places advocated by the *Burra Charter* (rev. 2013). Heritage 21 would commend this proposal to Council for approval and suggest that its acceptable heritage outcome be further augmented by the application of the recommended mitigation measure (see Section 7.3 below).

## 7.3 Mitigation Measures

To ensure maximum conservation of cultural heritage significance for the heritage group, Heritage 21 recommends that the following be undertaken if consent permission is granted:

### 7.3.1 Photographic Archival Record

Prior to the commencement of any works at the site a Photographic Archival Recording (PAR) should be undertaken, including measured drawings, by a suitably qualified heritage professional and submitted to Council.

The report must consist of an archival standard photographic record of the on-site heritage item including exteriors and interiors, landscape setting, public domain views and visual relationship with the listing group.

The recording shall be undertaken in accordance with the guidelines for Photographic Recording of Heritage Items Using Film or Digital Capture (2006) prepared by the NSW OEH.



## 8.0 SOURCES

John MacRitchie, 'Balgowlah', *The Dictionary of Sydney*, 2008, accessed 13.02.18,  
<<https://dictionaryofsydney.org/entry/balgowlah>>.

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