

Heritage Impact Statement

346-352 Whale Beach Road, Palm Beach

Palm Beach, NSW, 2108

Submitted to Department of Northern Beaches Council
On Behalf of Tzannes

Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
01	12/09/18	Zach Nix <i>Assistant Heritage Consultant</i>	Carole-Lynne Kerrigan <i>Associate Director Heritage</i>	Carole-Lynne Kerrigan <i>Associate Director - Heritage</i>
DRAFT	30/01/19	Zach Nix <i>Assistant Heritage Consultant</i>	Carole-Lynne Kerrigan <i>Associate Director Heritage</i>	
FINAL	04/02/19	Zach Nix <i>Assistant Heritage Consultant</i>	Carole-Lynne Kerrigan <i>Associate Director Heritage</i>	

CERTIFICATION

This report has been authorised by City Plan Heritage P/L, with input from a number of other expert consultants, on behalf of the client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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Table of Contents

1. Introduction.....	4
1.1 Background	4
1.2 Site Location	5
1.3 Legal Description	5
1.4 Methodology	5
1.5 Author Identification	6
1.6 Limitations.....	6
2. The Proposal	6
3. Site Context and Description	18
3.1 Site Context	18
3.2 Existing Site Description	20
4. History	27
4.1 Suburb History	27
4.2 Site History	28
5. Assessment of Significance	30
5.1 Assessment of Criteria	30
5.2 Statement of Significance.....	31
6. Heritage Impact Assessment	32
6.1 Statutory Controls	32
6.2 Pittwater LEP 2014	32
6.3 Pittwater DCP 2014	33
6.4 'Statements of Heritage Impact' (NSW Heritage Manual)	35
7. Conclusion and Recommendations	36

1. Introduction

1.1 Background

City Plan Heritage has been engaged by the applicant, Tzannes, to prepare the following Heritage Impact Statement (HIS) for the proposed redevelopment of the subject site, located at 346-352 Whale Beach Road, Palm Beach. In summary, the works involve the demolition of the existing residence located on the subject site and the construction of a new residence, with associated basement parking, swimming pool and landscape works.

The subject site is not a heritage listed item under Part 1 of Schedule 5 of the Pittwater Local Environment Plan (LEP) 2014, however, it is located within proximity to the following heritage item.

Environmental Planning and Assessment Act, 1979

Pittwater LEP 2014, Part 1 Heritage items

- Cox House, 356 Whale Beach Road, (item no. 2270014)

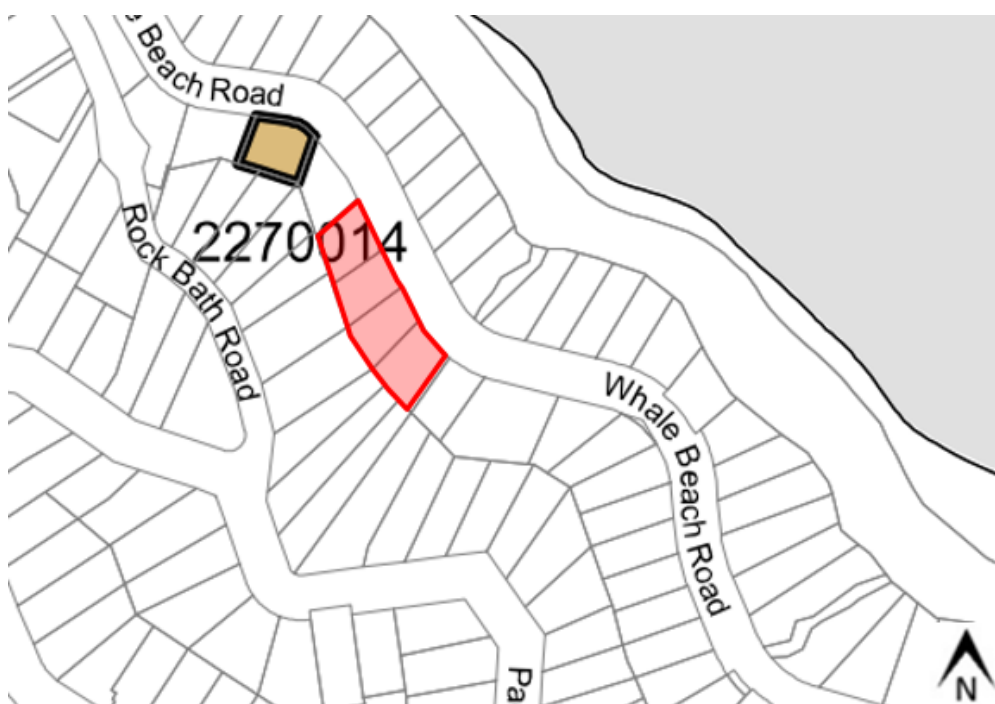


Figure 1: Excerpt from the Pittwater LEP heritage map showing the location of the subject site (indicated in red), in context of heritage environment, nearby heritage item Cox House (item no. 2270014) indicated in orange. (Source: Pittwater LEP Heritage Map Sheet HER_015)

In accordance with the relevant controls regarding heritage in the Pittwater LEP 2014 and the Pittwater Development Control Plan (DCP) 2014, this HIS assesses the likely impacts the works will have on the heritage values of the subject site, its relevant setting and heritage items in proximity. All recommendations are made in accordance with statutory requirements and cultural heritage best practice.

1.2 Site Location

The subject site is located on the western side of Whale Beach Road, in the suburb of Palm Beach. The site's frontage to Whale Beach Road, is the principal elevation to which existing building is orientated. For a more detailed description of the site and its context, see *Section 3 Site Context and Description*.

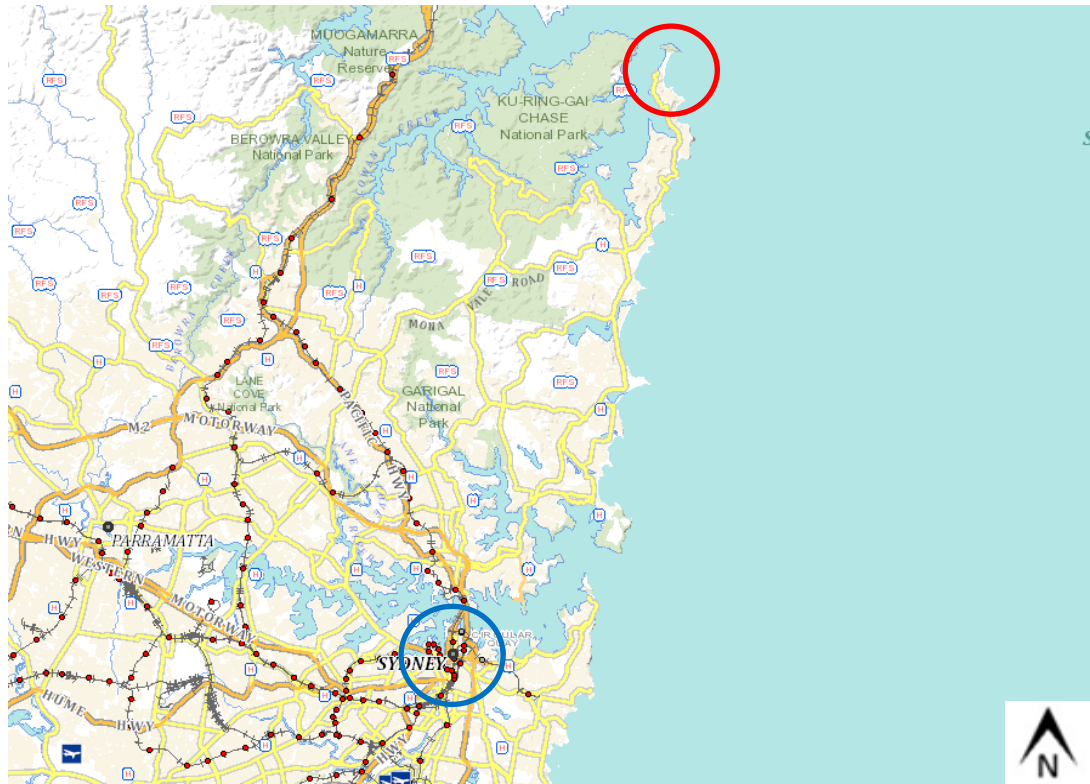


Figure 2: Map showing area of Palm Beach (circled in red) in relation to the area of the Sydney CBD (circled in blue), (Source: SIX Maps, access date 12 September 2018)

1.3 Legal Description

The subject site comprises of Lots 327, 328, 329 and 330, DP 16362.

Item Details	
Primary Address	346-352 Whale Beach Road, Palm Beach, NSW 2108
Parish	Narrabeen
County	Cumberland
Local Government Area (LGA)	Pittwater
Local Aboriginal Land Council	Metropolitan

1.4 Methodology

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Division publications, *Statements of Heritage Impact, 2002* and *Assessing Heritage Significance, 2001*. It is also guided by the philosophy and processes included in *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (Burra Charter).

Research for this HIS has adopted a two-stepped approach. Step 1 involving a desktop assessment and Step 2 being a site survey. This document provides a findings and recommendations resulting from this approach.

Step 1

Research into the historical development of the subject site was conducted to obtain a thorough understanding of the place and fabric. Further, the Pittwater LEP 2014 and the NSW Heritage Register were examined to determine the known heritage values of the subject site.

Step 2

An onsite survey of the subject site and the context of its surroundings was conducted by Zach Nix (Assistant Heritage Consultant) and Carole-Lynne Kerrigan (Associate Director - Heritage) on 21 September 2018 with the purpose of photographing and understanding the place. All results are presented in *Section 3 Site Context and Description*.

1.5 Author Identification

The following report has been prepared by Zach Nix (Assistant Heritage Consultant). Carole-Lynne Kerrigan (Associate Director - Heritage) has reviewed and endorsed its content.

1.6 Limitations

- This assessment relates to the proposed works and documentation described in *Section 2 - The Proposal*. It does not relate to any additional or revised documentation by any party;
- This assessment does not include a heritage landscape assessment;
- CPH were not involved in the design process; and
- This assessment does not include for the provision of a title search for the subject site.

2. The Proposal

The proposed works have been designed by Tzannes. The following is a summary description only of the proposed new works. For specific details refer to the submitted architectural plans.

The proposed works include:

- Demolition of existing 3-storey dwelling;
- Construction of 3-storey dwelling and expansion of built footprint;
- Construction of basement level parking, plant room and service lift; and
- Construction of a swimming pool and associated landscape works.

The following plans and elevations provided by Tzannes have been assessed in the preparation of this Heritage Impact Statement. For further discussion, reference should be made to section 6 *Heritage Impact Assessment*.

Prepared by	Drawing Title	Drawing No.	Rev.	Date
Tzannes	Site Plan Existing & Demolition	0101	A	21.01.19
Tzannes	Site Plan Proposed	0102	A	21.01.19
Tzannes	Site Section & Site Elevation	0200	A	23.01.19

Tzannes	Basement Floor Plan	1100	A	21.01.19
Tzannes	Basement Plant Floor Plan	1101	A	21.01.19
Tzannes	Ground Floor Plan	1102	A	21.01.19
Tzannes	Level 1 Plan	1103	A	21.01.19
Tzannes	Level 2 Plan	1104	A	21.01.19
Tzannes	Roof Plan	1105	A	21.01.19
Tzannes	Elevations Sheet 1	2000	A	21.01.19
Tzannes	Elevations Sheet 2	2001	A	21.01.19
Tzannes	Sections Sheet 1	3000	A	21.01.19
Tzannes	Sections Sheet 2	3001	A	21.01.19
Tzannes	Sections Sheet 3	3002	A	21.01.19
Tzannes	Sections Sheet 4	3003	A	21.01.19
Tzannes	Sections Sheet 5	3004	A	21.01.19

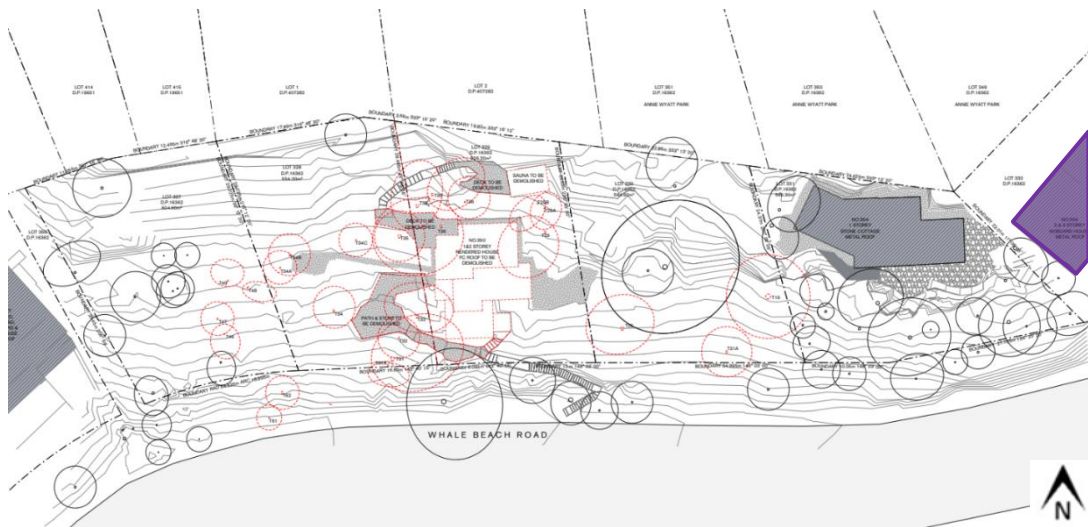


Figure 3: Demolition plan with proposed areas of demolition indicated in red, and existing heritage item Cox House (item no. 2270014) indicated in purple, Extract from Site Plan Existing & Demolition Plan (Source: Drawing No. 0101, Rev. A)

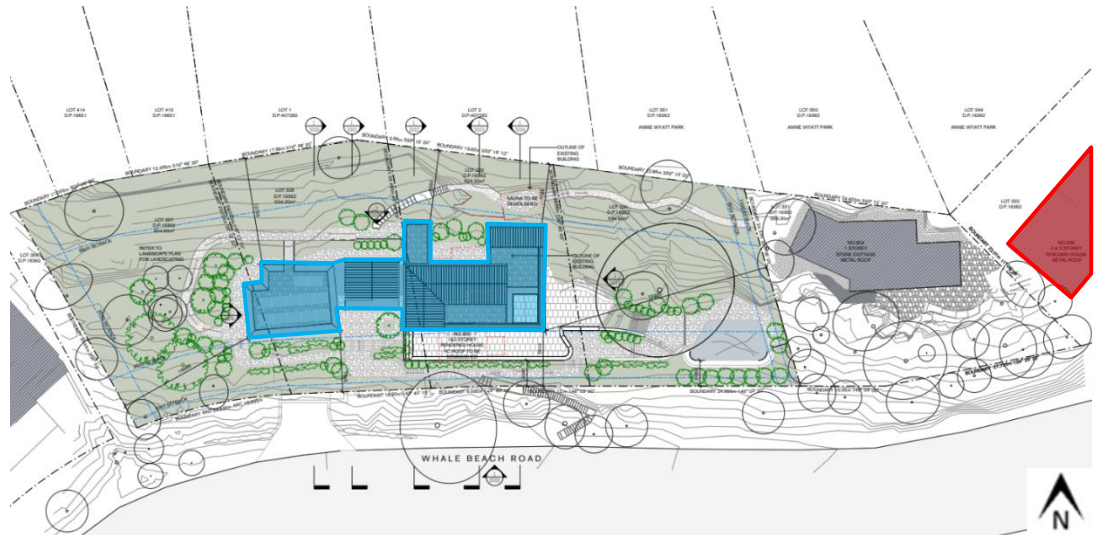


Figure 4: Proposed site plan with proposed new vegetation indicated in green, proposed residence indicated in blue and existing heritage item Cox House (item no. 2270014) indicated in red, Extract from Site Plan Proposed (Source: Drawing No. 0102, Rev. A)

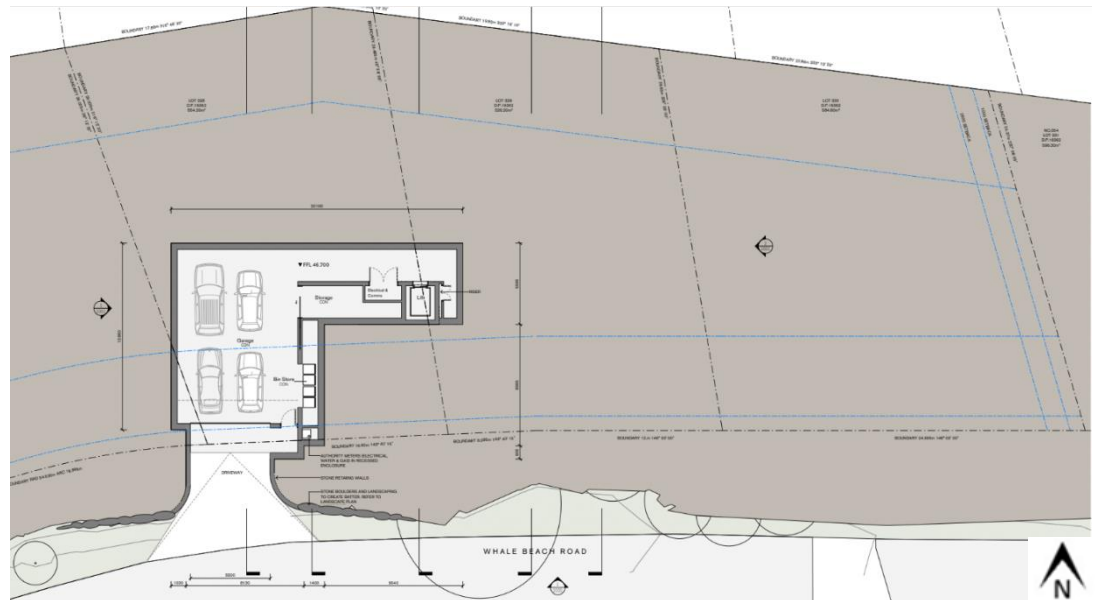


Figure 5: Proposed driveway, basement car park and elevator shaft, Extract from Basement Floor Plan (Source: Drawing No. 1100, Rev. A)

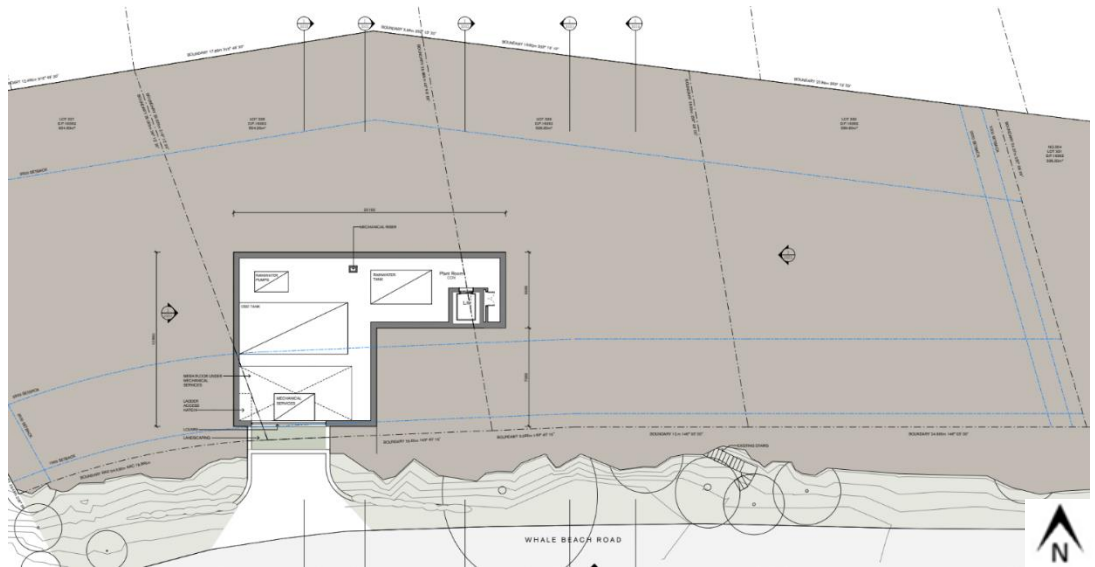


Figure 6: Proposed plant room and elevator shaft, Extract from Basement Plant Floor Plan (Source: Drawing No. 1101, Rev. A)

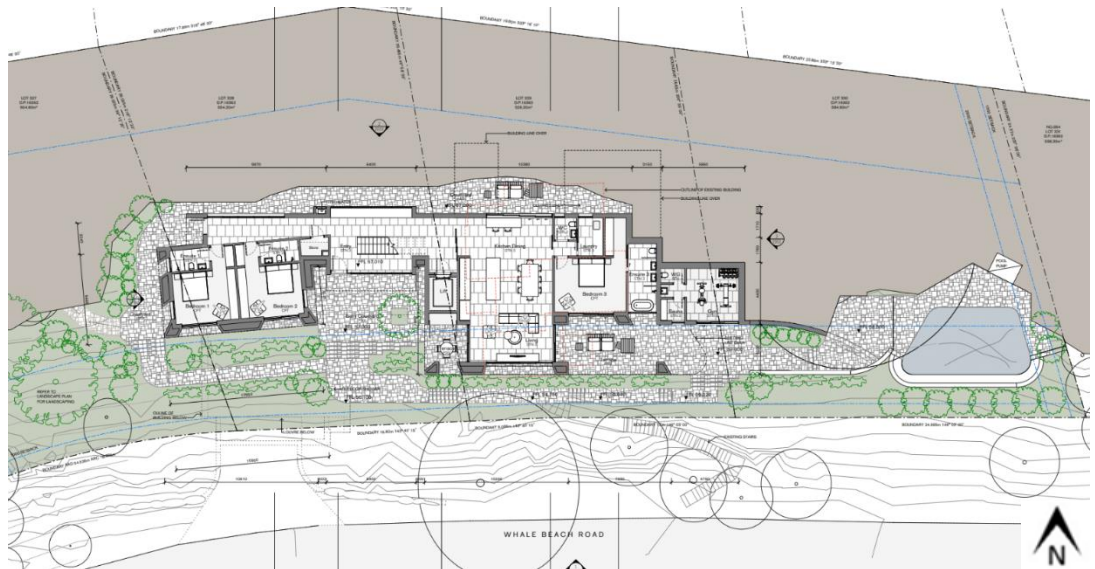


Figure 7: Proposed Ground Floor plan, Extract from Ground Floor Plan (Source: Drawing No. 1102, Rev. A)

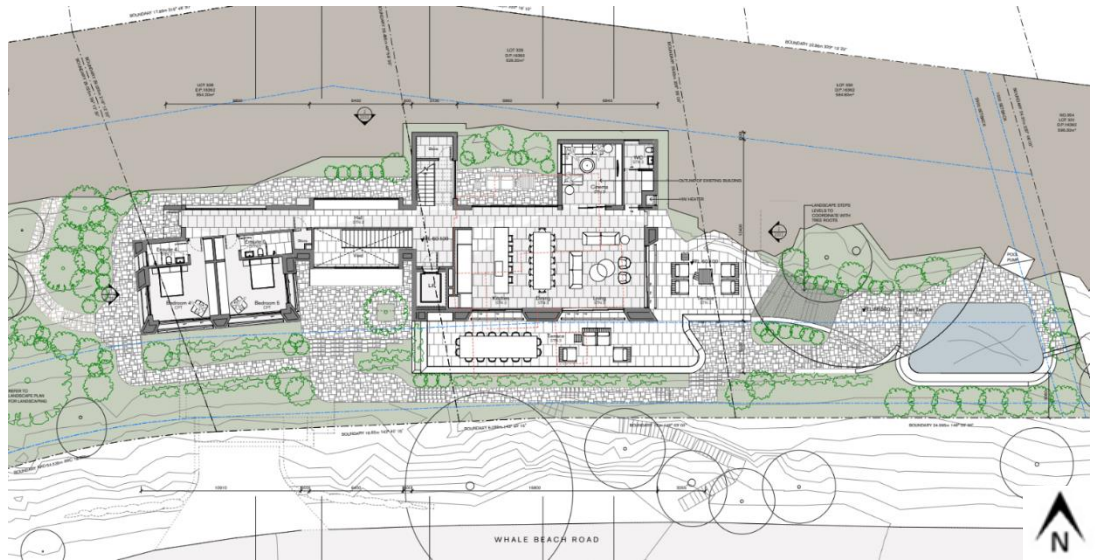


Figure 8: Proposed Level 1 floor plan, Extract from Level 1 Plan (Source: Drawing No. 1103, Rev. A)

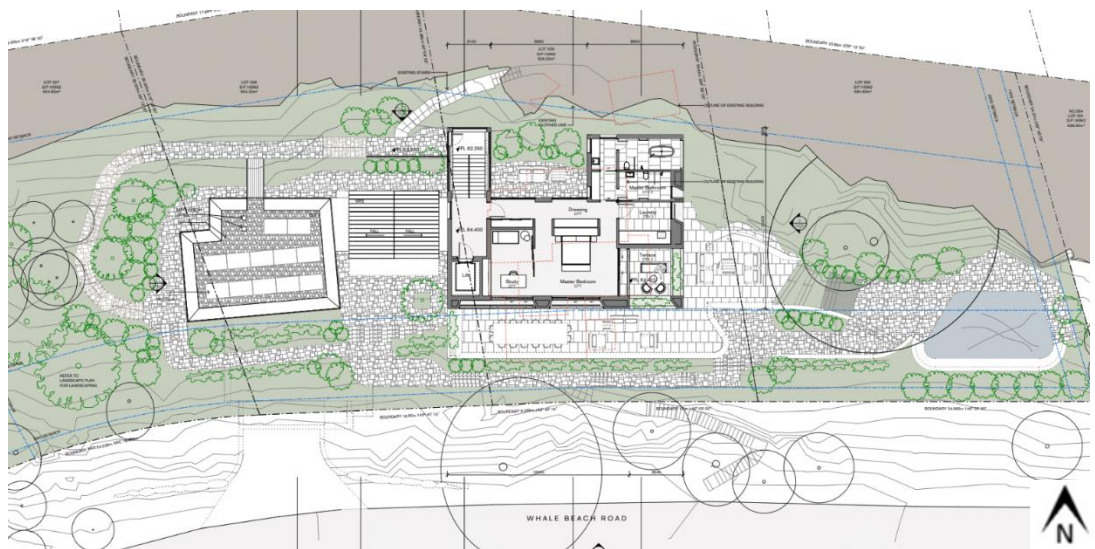


Figure 9: Proposed Level 2 floor plan, Extract from Level 2 Plan (Source: Drawing No. 1104, Rev. A)

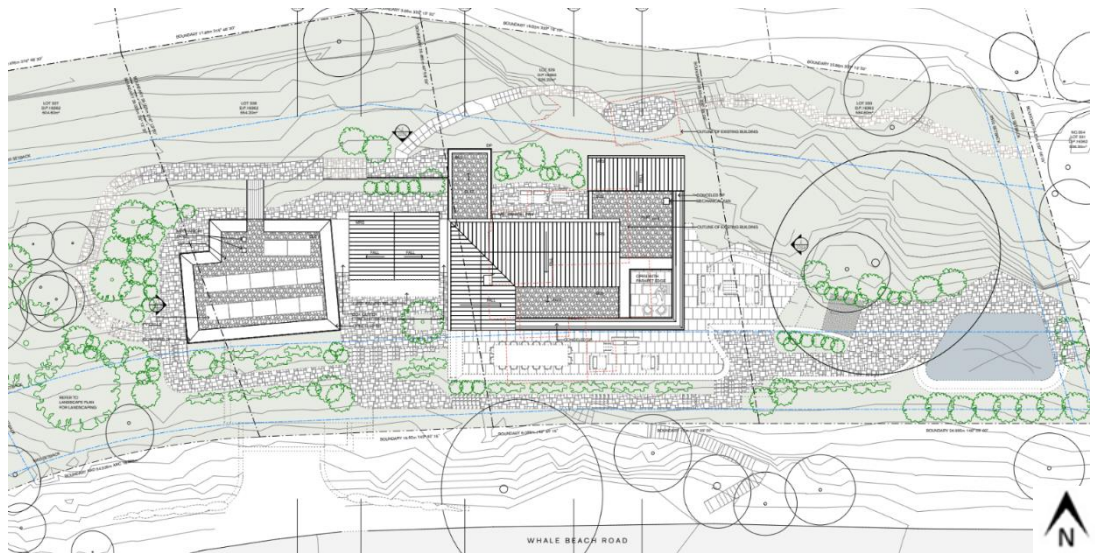


Figure 10: Proposed roof plan, Extract from Roof Plan (Source; Drawing No. 1105, Rev. A)

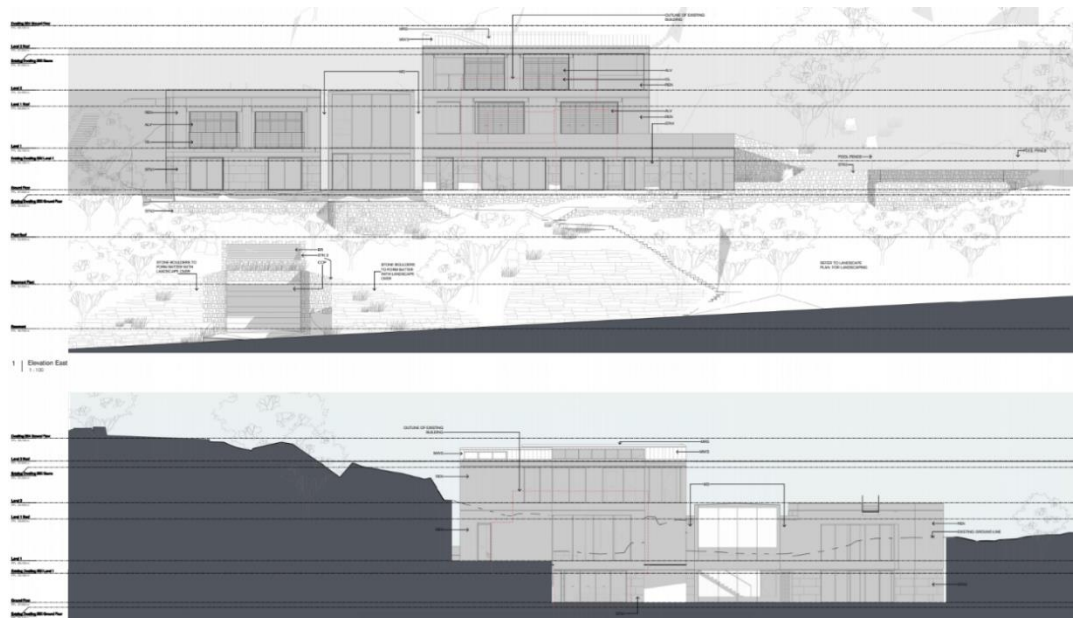


Figure 11: Top: Proposed east elevation from Whale Beach Road, Bottom: Proposed west elevation, Extract from Elevations Sheet 1 (Source: Drawing No. 2000, Rev. A)

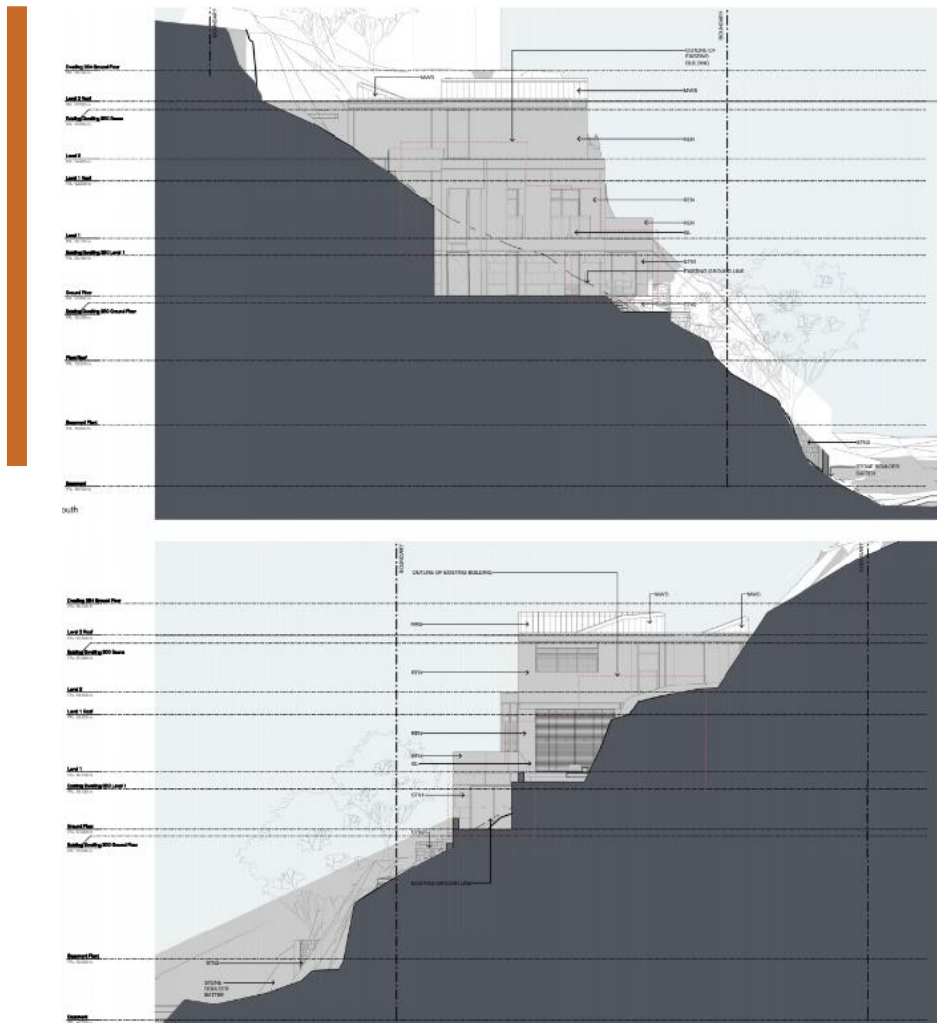


Figure 12: Top: Proposed south elevation, Bottom: Proposed north elevation, Extract from Elevations Sheet 2 (Source: Drawing No. 2001, Rev. A)

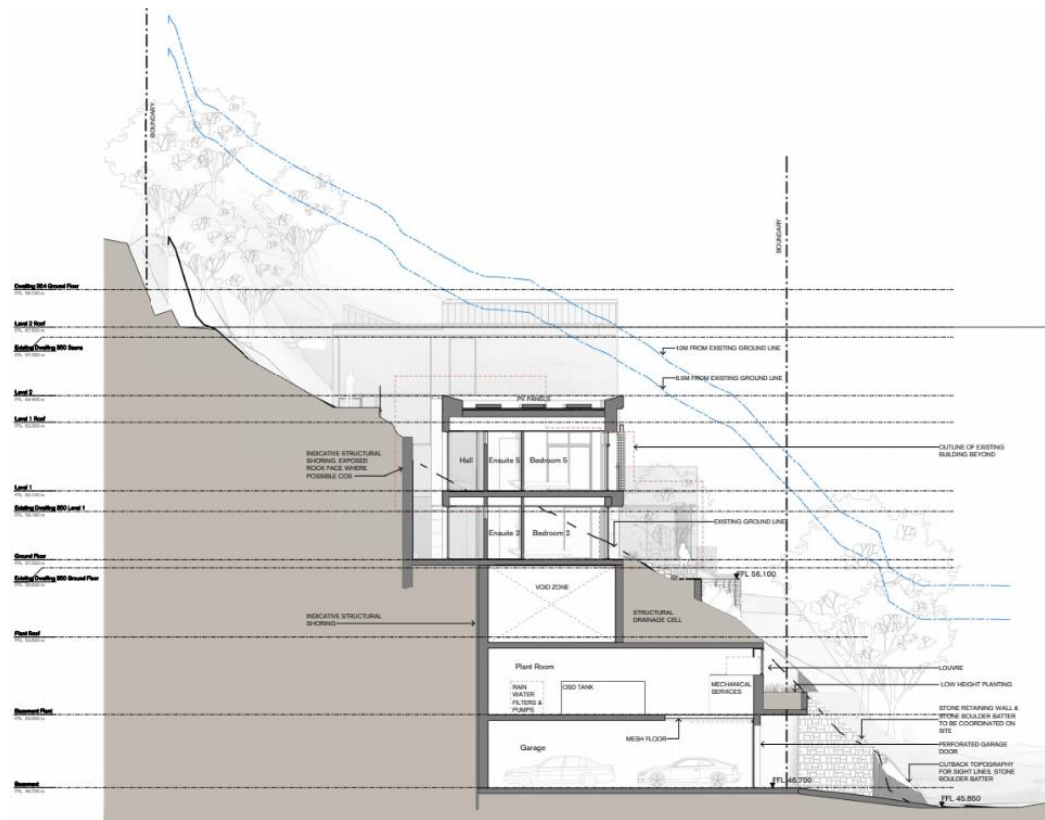


Figure 13: Proposed section 1 looking north, Extract from Sections Sheet 1 (Source: Drawing No. 3000, Rev. A)

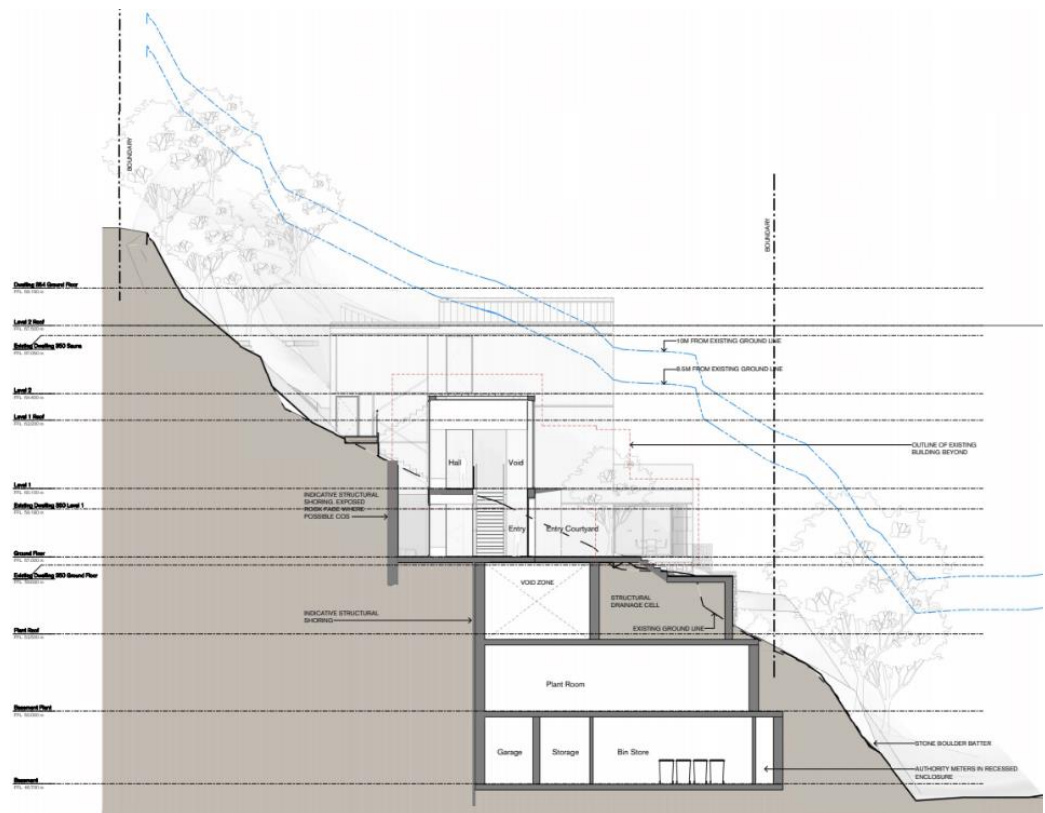


Figure 14: Proposed section 2 looking north, Extract from Sections Sheet 2 (Source: Drawing No. 3001, Rev. A)

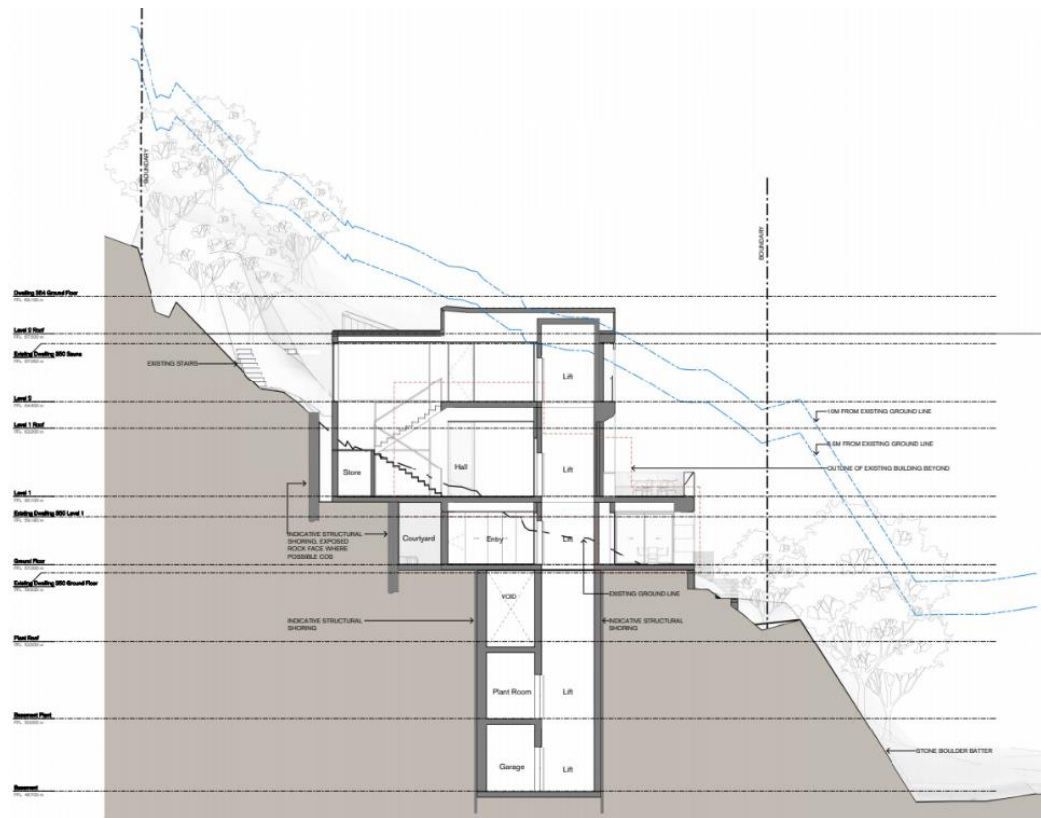


Figure 15: Proposed section 3, looking north, Extract from Sections Sheet 3 (Source: Drawing No. 3002, Rev. A)

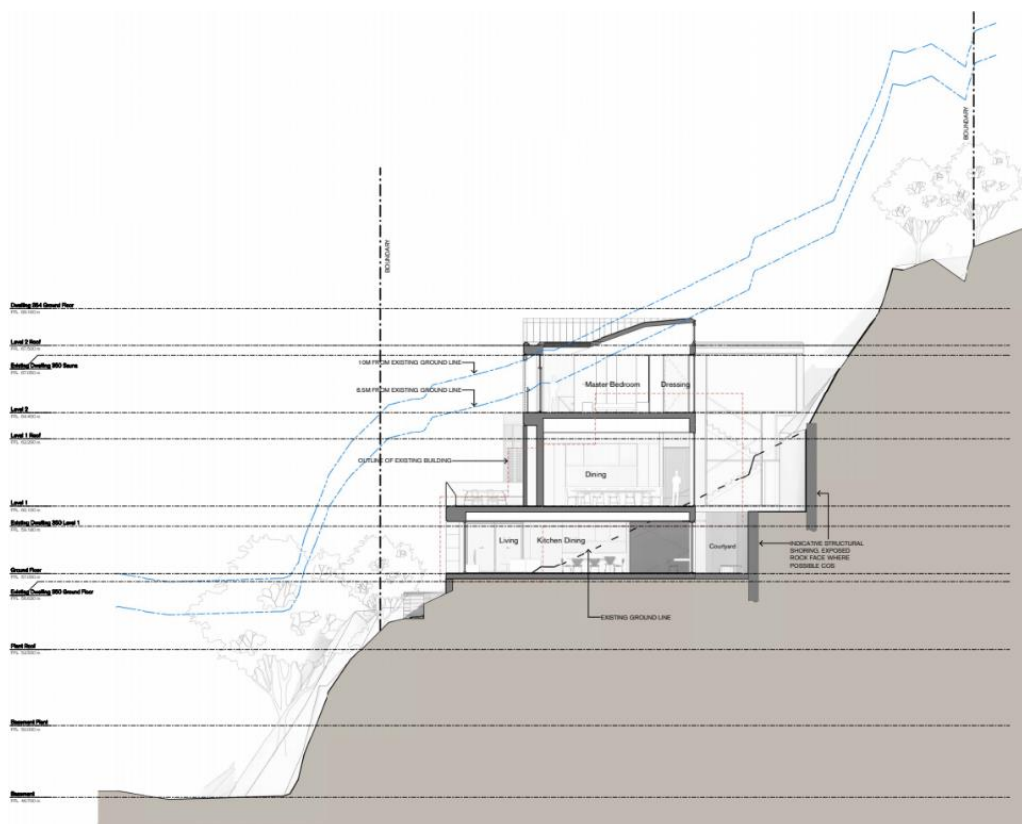
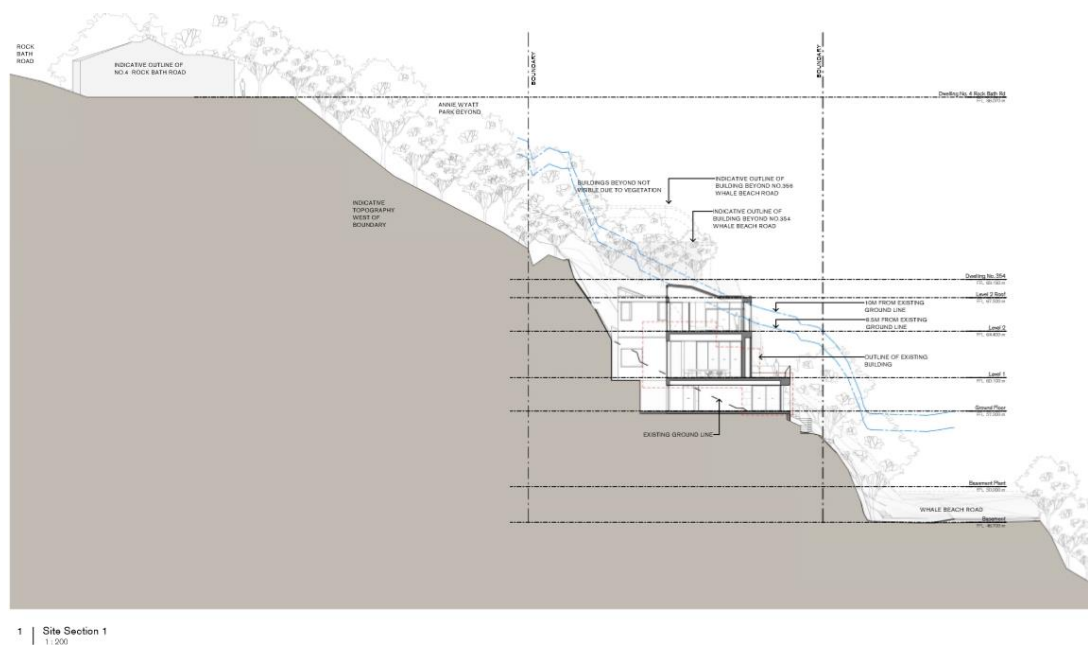
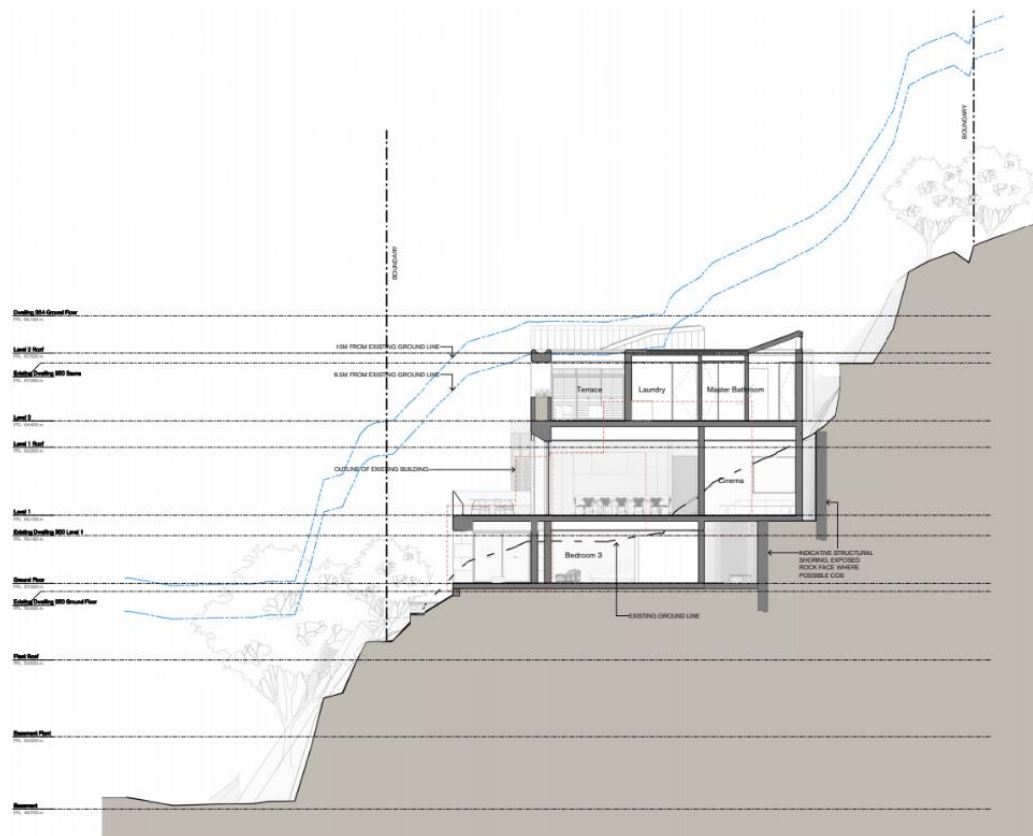


Figure 16: Proposed section 4, looking south, Extract from Sections Sheet 4 (Source: Drawing No. 3003, Rev. A)



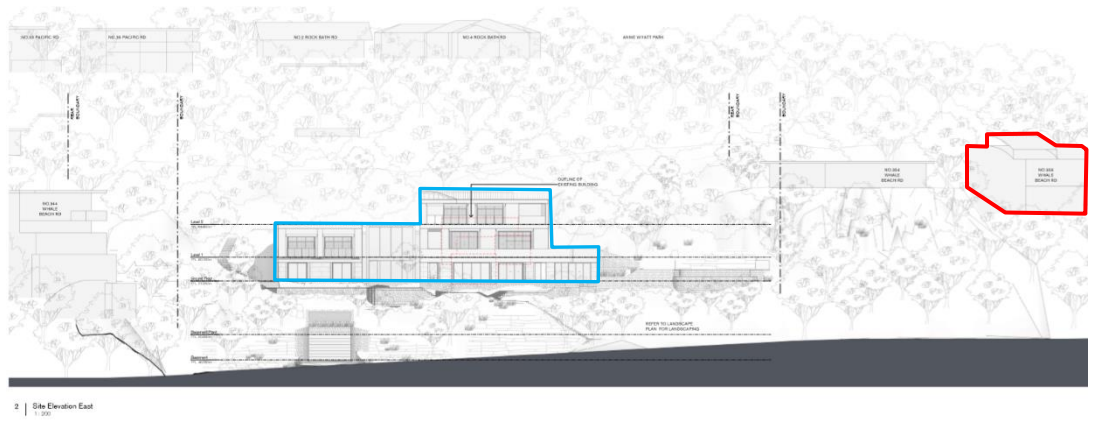


Figure 19: Site elevation east in relation to surrounding built environment, proposed residence indicated in blue, heritage item Cox House (item no. 2270014) indicated in red, Excerpt from Site Section & Site Elevation (Source: Drawing No. 0200, Rev. A)

346-352 Whale Beach Road, Palm Beach

DA External Finishes

Prepared by Tzannes
21st January 2019

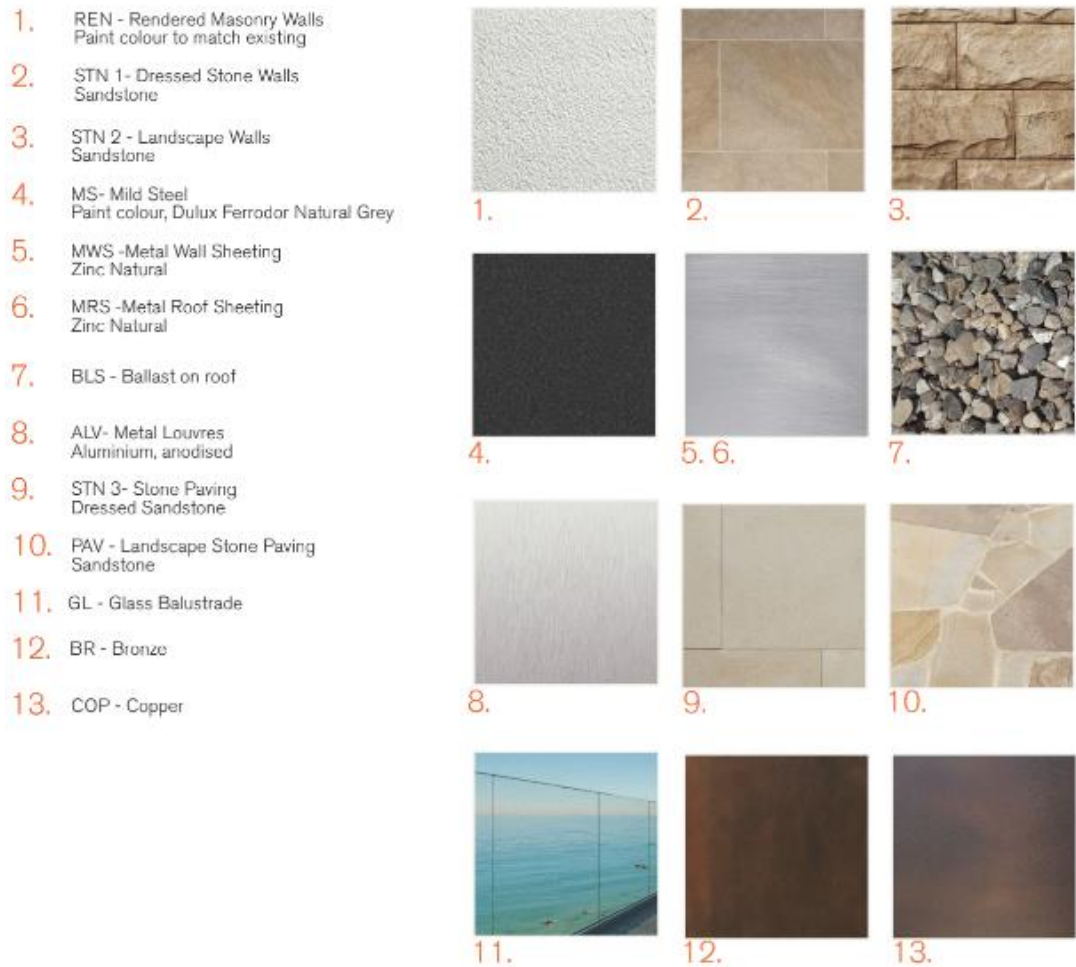


Figure 20: Excerpt from the sheet of External Finishes prepared by Tzannes (Source: Tzannes, 21.01.19)

3. Site Context and Description

3.1 Site Context

The subject site is located on the western side of Whale Beach Road, Palm Beach, approximately 41km north of the Sydney CBD. The suburb takes the form of a large peninsula, covering an area of approximately 2.6km² and is bounded by Broken Bay to the north, the Tasman Sea to the east, Whale Beach, Clareville and Avalon to the south and the Pittwater Bay to the west. The surrounding area of the subject site can be described as a predominantly low-density residential area, occupying hilly terrain, with coastal cliff-face properties and ocean views. The area is densely forested with roads servicing residences, largely based through eastern side of the peninsula, bypassing McKay reserve on the western side of the peninsula. The area surrounding the subject site is also home to heritage item 'Cox House', (item no. 2270014), separated from the subject site by an existing residence at 354 Whale Beach Road.

The following text is a description of the context of the Palm Beach Locality, extracted from the Pittwater DCP.¹

Until the early 1900s, the locality remained a tiny settlement of isolated farms and fishermens cottages. In 1912, land was subdivided and Palm Beach became a popular holiday destination, its popularity increasing with the development of the Palm Beach Golf Course in 1920. The Barrenjoey peninsula remained a popular camping area until it was closed in the 1960s. Residential development and permanent occupation of dwellings increased from the 1960s, although the area still remains a secluded peninsula at the northern point of Pittwater. Barrenjoey Headland at the northernmost point of Pittwater was host to a Customs House from 1843, and Barrenjoey Lighthouse from 1881, which remains today.

Since that time, the locality has developed into a predominantly low-density residential area, with dwellings built along the ridges, slopes and lowlands. The locality is characterised mainly by two-storey dwelling houses on 750-1,400 square metre allotments, with allotments of 550-650 square metres (some smaller blocks may exist) adjoining the waterfront to the west. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. In the vicinity of Ocean Rd, the informal and casual nature of the parking carriageway and pedestrian pathway adds to the relaxed beach character of the locality and should be retained. Medium density housing concentrates around the Palm Beach neighbourhood retail centre on Barrenjoey Road.

Residents and visitors are attracted to the Palm Beach Locality by its natural beauty, by the relatively unspoilt nature of the region and by the relaxed seaside atmosphere of the locality. To the west is the Pittwater waterway, to the east the ocean beaches and headlands, with a spur running north south ending in a bluff at the sand isthmus that ties Barrenjoey Headland to the mainland. Here it is an easy walk over the sand dunes from the protected water of Pittwater to the ocean beach. Due to the topography, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops of the locality are visually prominent.

The locality is serviced by two neighbourhood retail centres at the intersect of Barrenjoey Road and Iluka Avenue, opposite the public wharf, Ocean Road; and the intersection of Whale Beach Road and Surf Road, where the bus service terminates. The public wharf provides a vital link for the Upper Western Foreshore communities, as well as a regular ferry service to these communities and further

¹ Northern Beaches Council, Pittwater 21 DCP 2014, A4.12 Palm Beach Locality.

afield including Patonga and Gosford. The locality also contains Barrenjoey Lighthouse, Palm Beach RSL, Palm Beach SLSC, and recreational facilities including Palm Beach Golf Course, rock baths, beaches, Governor Phillip Park, McKay Reserve and other reserves.

Barrenjoey Lighthouse, remnants of Customs House, houses, vegetation, and other structures in the vicinity of Barrenjoey Headland, Barrenjoey Road, Bynya Road, Florida Road, Ocean Road, Northview Road, Palm Beach Road, Pacific Road, Sunrise Road, and beach and waterfront reserves, indicative of early settlement in the locality, have been identified as heritage items. Land in Florida Road, Ocean Road, and Sunrise Road, indicative of early subdivision patterns and built form, have been identified as heritage conservation areas.

The Palm Beach locality gives the impression that much of the native vegetation has been retained. Bushland reserves predominate. Native plants proliferate in private gardens. The natural fall of the land has been preserved in most cases with retaining walls and terracing kept to a minimum. A few poor exceptions to this are located at the northern end of Ocean Road. The retention of the natural features and native plants within private gardens should be encouraged and help to reinforce the natural beauty of the area the main characteristic of the locality.

The natural features of the locality result in a high risk of bushfire, landslip, flood, coastal (bluff) hazard, and estuary wave action and tidal inundation.

The major roads within the locality are Barrenjoey Road, Florida Road, Ocean Road, and Whale Beach Road. Barrenjoey Road is the primary access road from the south. Several pedestrian links and pathways exist within the locality.

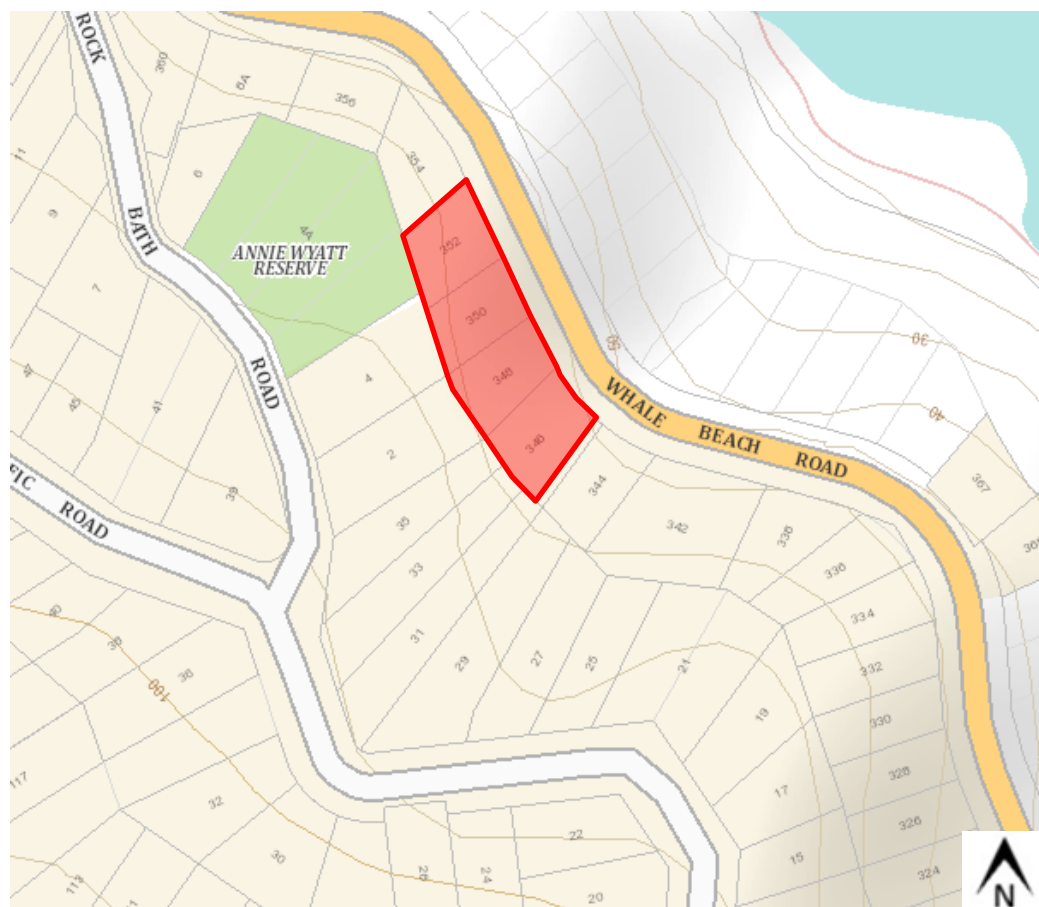


Figure 21: Map of the subject site, (indicated in red), (Source: SIX Maps, accessed 18 October 2018)



Figure 22: Aerial of the subject site, subject site indicated in red (Source: SIX Maps accessed 18 October 2018)

3.2 Existing Site Description

The subject site is currently occupied by a three-storey dwelling featuring a contemporary Australian residential design. The building's form has been constructed to be consistent with the steep angle of land the property is built on.

The principle elevation of the subject site, facing Whale Beach Road is accessed from the road by a sandstone staircase, partially composed of sandstone blocks and spaces carved into the natural sandstone cliff. The façade of the subject site is heavily obstructed by the site's elevation from the road, and the dense foliage that occupies the property (Figure 23). The façade is irregular in its form, consisting of three floors in a cubic arrangement.

The site is set upon the natural sandstone cliff at a steep gradient with limited cut and fill. The occupying three storey structure is stepped back at each level to form a staggered arrangement. This arrangement allows for the existence of tiled platform above the ground and first floors, providing extensive views that overlook the ocean (Figure 25). The building maintains a white stippled finish on off shutter concrete with large aluminium windows to take advantage of the existing views. The structure is topped by a shallow pitched roof with fibre cement or asbestos roof sheeting. To the rear of the structure at the top of the site a timber sauna/laundry building and decking exists built onto the sandstone cliff (Figure 30).



Figure 23: View from Whale Beach Road looking west towards the subject site (circled in red).



Figure 24: Looking north towards the first and second floor of the subject site.



Figure 25: Looking northeast to the existing balcony of the first floor.

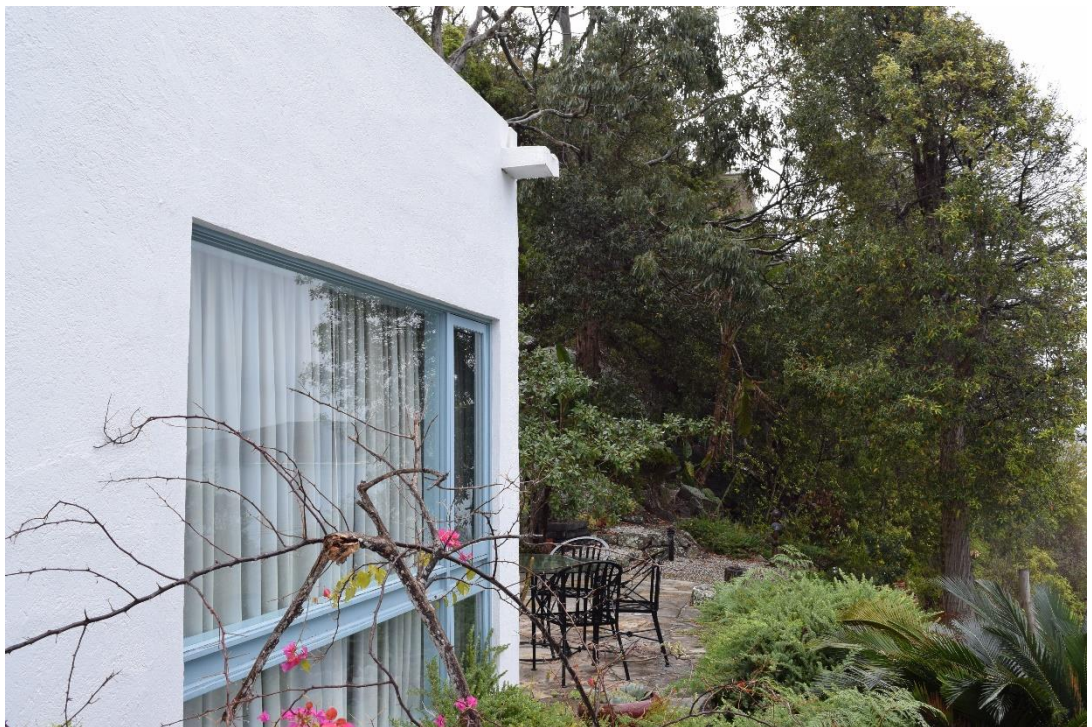


Figure 26: View north to the subject site, geometric form of building and feature windows evident.



Figure 27: The second floor of the subject site, looking west.



Figure 28: From the second floor of the subject site, looking north to the rear of the property.



Figure 29: The cement fibre sheet roofing of the subject site, looking east.



Figure 30: Looking northeast to the external sauna, which sits elevated above the primary structure, incorporated into the rock landscape.



Figure 31: View looking north towards the neighbouring 354 Whale Beach Rd, largely obscured by foliage.



Figure 32: Looking north through Whale Beach Rd from front of the subject site.



Figure 33: View south to subject site obscured by foliage from 354 Whale Beach Road (Source: Karina Dorman, 16.01.19)



Figure 34: View north from level 1 of the subject site (Source: Karina Dorman, 16.01.19)

4. History

4.1 Suburb History

Indigenous History

The first known inhabitants of the suburb of Palm Beach, were the Garigal people of the Guringai language group. The Garigal people, were known to have lived sustainably within their environment for thousands of years. There is extensive evidence of the Garigal people's inhabitancy of the area with numerous Aboriginal sites recorded to date, including cave art, rock engravings, shelters, middens and grinding grooves.

European Settlement

After European Settlement, the first land grant incorporating the present-day suburb of Palm Beach, was granted to surgeon James Napper, by Governor Macquarie. The 400-acre grant stretched from Palm Beach to Newport Beach. Napper would stay largely uninvolved with the activity on his property, seen through limited development over his ownership.

After the death of James Napper in 1824, development of the area was slow, due to its relative isolation from the rest of Sydney. Fishermen were known to have lived sporadically along the coastal areas of Palm Beach at this time. During the 1830's and 1840's, the area became part of a known smuggling route, which would see cargo arriving through the headland to the western side of the peninsula, in a bid to avoid government scrutiny and taxes. This, in 1843, led the government to establish a customs house, below the headland near current day Barrenjoey Lighthouse.² In the 1860's Chinese settlers had moved into the Palm Beach estate, establishing fish drying businesses on the western side of the isthmus. In 1881 the government purchased the headland of Palm Beach and established a the Barrenjoey Lighthouse on the land, from sandstone quarried on the headland.³

After years of relatively slow development, in 1900 a consortium of Sydney businessmen purchased the land of the original Palm Beach Estate.⁴ The land was then divided into 18 blocks and put up for sale as grazing land. In 1912 after having little success in the first sell off of land, the property was divided into even smaller residential blocks, and marketed as offering 'fishing, sailing, golf and rowing'.⁵ This proved successful and all blocks were sold, with development in the area gradually increasing.

Throughout the twentieth century, development of the area gradually increased with improved roads like Barrenjoey Road constructed to service travel to the holiday homes and beach destinations of Palm Beach. Holiday home and permanent residences were gradually constructed throughout the twentieth century and reflect much of the streetscape visible today.

² The Dictionary of Sydney, Virginia Macleod, Palm Beach, 2008

³ National Parks and Wildlife Service, Barrenjoey Lighthouse, access date: 20 September 2018

⁴ Francis Pollon, The Book of Sydney Suburbs, 1988, p. 198.

⁵ The Dictionary of Sydney, Virginia Macleod, Palm Beach, 2008

Today the suburb is still associated with the picturesque scenery that inspired its twentieth century holiday home development, known as the location for popular Australian soap opera 'Home and Away'. Palm Beach remains a largely residential suburb with limited services supporting its small population of residents and visitors. .

4.2 Site History

This assessment does not include for the provision of a title search for the subject site. As limited historical resources were available on the subject site, the following history of the site has been provided in a table form.

Date	Event
1930	Original subdivision of the Palm Beach Estate
1994	Subject Site Purchased



Figure 35: Palm Beach subdivision plans, 1930 (Source: State Library NSW, Archives, File No. FL9050353, accessed 20 September 2018)

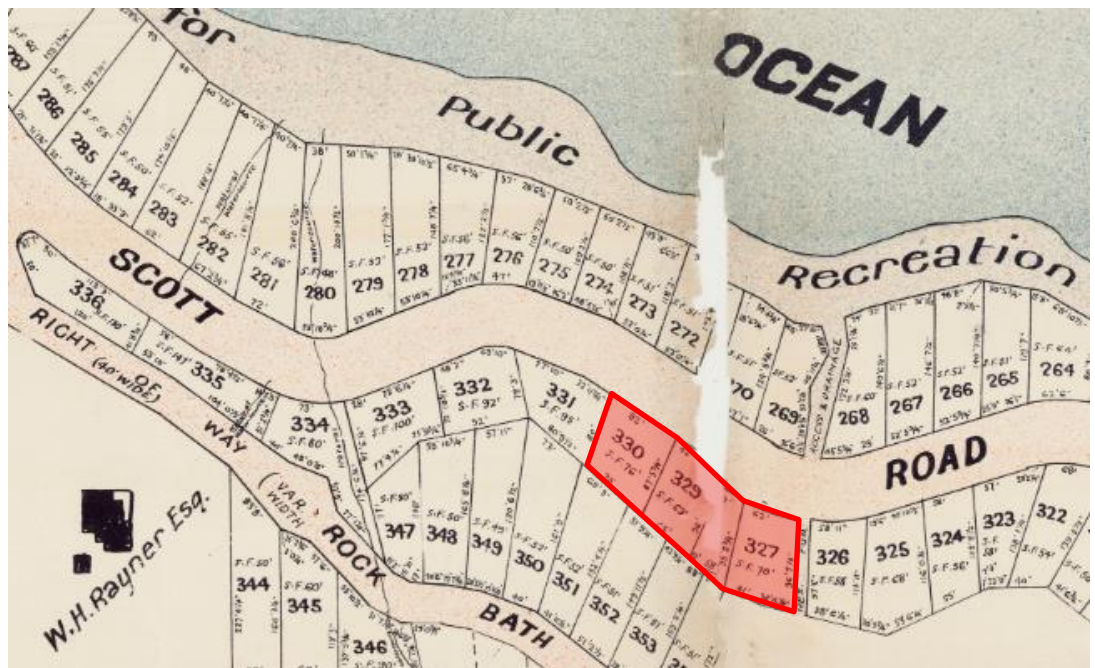


Figure 36: Close up extracted from advertisement of the 1930 subdivision of the Palm Beach Estate, subject site indicated in red.

5. Assessment of Significance

5.1 Assessment of Criteria

The following assessment of significance has been prepared in accordance with the 'Assessing Heritage Significance' guidelines from the *NSW Heritage Manual*.

a) *an item is important in the course, or pattern, of the local area's cultural or natural history*

The subject site is within the lands originally inhabited by the Garigal people, whose occupation of the land for thousands of years, carries a permanent historical connection. Due to the primary structure on the site being of relatively recent construction, the site is not physically representative of the historical development of the area.

b) *an item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history*

The subject site maintains a broad association with the land's original inhabitants, the Garigal people, and with the first grant holder of Palm Beach, James Napper.

c) *an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area*

The subject site is not clearly visible from the public domain as it is set within a vegetated landscape that integrates well with the character of the suburb of Palm Beach. While the subject is compatible within its setting, it does not demonstrate any aesthetic characteristics that could be considered unique or as being a significant part of its wider setting.

d) *an item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons*

The subject site only holds a broad associative significance with the Garigal people, which continues through history. Contemporarily the subject site does not hold a strong or special association with any identifiable community.

e) *an item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history*

Due to the relatively recent construction of the subject site, the site carries limited potential to yield information that will contribute to an understanding of the local area's cultural or natural history.

f) *an item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history*

The subject site does not feature any known uncommon, rare or endangered aspects of the area's cultural or natural history.

g) *an item is important in demonstrating the principal characteristics of a class of the local area's*

- ***cultural or natural places; or***
- ***cultural or natural environments***

The subject site as a contemporary construction, unreflective of the characteristics common to significant architecture in the area, does not demonstrate any principal characteristics that would define the local areas places or environments.

5.2 Statement of Significance

The existing dwelling at 346-352 Whale Beach Road, Palm beach, is an example of contemporary Australian residential architecture that integrates well with the character of the suburb of Palm Beach. While it holds a broad association as part of the land of its original inhabitants, the Garigal people, the primary structure occupying the site does not hold historical, associative, aesthetic or social significance to the local area.

6. Heritage Impact Assessment

6.1 Statutory Controls

As noted in *Section 3 Site Context and Description*, the subject site is located in proximity to various heritage items as gazetted under the Pittwater LEP 2014. Therefore, the proposed works are subject to the heritage controls contained within the LEP and the Pittwater DCP 2014.

6.2 Pittwater LEP 2014

The subject site is located in proximity to listed heritage items in Schedule 3 of the Pittwater LEP 2014. The proposal is addressed below in relation to the relevant clauses of the LEP.

CLAUSE 5.10: HERITAGE ITEMS

The consent authority's consideration must include consideration of:

How this proposal relates to these matters:

(2) Requirement for consent

- At a meeting with the Northern Beaches Council held on 12 June 2018 regarding the proposed development, it was noted that a Heritage Impact Statement would be required to accompany the development application (DA) submitted:

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

- This HIS has carefully considered the proposed development and its potential impact on the heritage significance of the subject site and the heritage items in proximity.
- A detailed assessment has been provided under the Pittwater DCP controls in the following *Section 6.3 - Pittwater DCP 2014*.

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
 - (b) on land that is within a heritage conservation area, or*
 - (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.*

- This HIS has been prepared in accordance with this clause due to the subject site being located in proximity to the heritage listed item 'Cox House', (item no. 2270014). This HIS follows the methodology in line with the NSW Heritage Manual 'Statement of Heritage Impact' and 'Assessing Heritage Significance' guidelines.

<p>(6) Heritage conservation management plans <i>The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</i></p>	<ul style="list-style-type: none"> Currently there is no existing conservation management plan in place for the site and given the existing structure is not currently listed or deemed to be of heritage significance, a conservation management plan is not considered necessary at this time.
<p>(7) Archaeological sites <i>The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):</i> (a) <i>notify the Heritage Council of its intention to grant consent, and</i> (b) <i>take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</i></p>	<ul style="list-style-type: none"> An archaeological assessment has not been carried out on the subject site and is beyond the scope of this report.
<p>(8) Aboriginal places of heritage significance <i>The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:</i> (a) <i>consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</i> (b) <i>notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</i></p>	<ul style="list-style-type: none"> Investigation into the potential Aboriginal heritage of the site is beyond the scope of this report.

6.3 Pittwater DCP 2014

The following table addresses the Pittwater DCP 2014.

Pittwater DCP 2014	This proposal relates to these matters as follows:
<p>B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites <i>Any development application involving work likely to impact the heritage significance of a heritage item, heritage conservation area, archaeological site or a potential archaeological</i></p>	<ul style="list-style-type: none"> This HIS has carefully considered the proposed development and its potential impact on the heritage significance of the subject site and surrounding heritage items. The relationship between the subject site and the heritage item at 356 Whale Beach Road, is interrupted by the presence of an adjacent residence, steeply curved contours

<p><i>site is to be accompanied by a Statement of Heritage Impact prepared by an appropriately qualified heritage professional. Guidance on preparing a Heritage Impact Statement (Statement of Heritage Impact) is available at NSW Office of Environment & Heritage in the NSW Heritage Manual or superseding publication.</i></p>	<p>and dense foliage which covers the three properties, blocking any significant views between the subject site and nearby 'Cox House', (item no. 2270014).</p> <ul style="list-style-type: none"> While vegetation will be removed during the redevelopment of the site it is understood with reference to the reviewed Arboricultural Impact Assessment Report prepared for the subject site, that replanting will occur ensuring that dense foliage will continue to obscure the proposed new development from the existing adjacent residence and 'Cox House', (item no. 2270014).
<p><i>Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.</i></p>	<ul style="list-style-type: none"> The proposed development has been designed so as to integrate appropriately within the current setting and natural form of the land. The design also ensures not to disturb the existing views of the adjacent residence including the heritage listed Cox House (item no. 2270014). The proposed new development contains a larger footprint than the existing structure. However, the proposed envelope and proportions of the new development is appropriate in size and footprint to other residences in proximity. The materials and finishes proposed are sympathetic to the surrounding setting of the site and area, utilising colours and finishes that are consistent with the existing residence. It is considered that the current design of the subject site is appropriate to the site, in scale, proportions and material, so as not to impact the setting or the adjacent residence and nearby heritage listed Cox House (item no. 2270014).
<p><i>Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to minimise the impact on the heritage significance by providing an adequate buffer zone, and maintaining and respecting significant views to and from the heritage item, heritage conservation area, archaeological site or potential archaeological site.</i></p>	<ul style="list-style-type: none"> While the removal of some plantings will occur, replacement planting will take place to provide sufficient coverage of the area as guided by the Arboricultural Impact Assessment prepared for the subject site. This ensures the proposed development also retains a landscaped buffer zone to the adjacent residence and nearby heritage listed Cox House (item no. 2270014). The location of the proposed development over the existing footprint, although somewhat larger, ensures the retention of a physical buffer zone to the adjacent residence and nearby heritage listed Cox House (item no. 2270014). The stepped nature of the new development in relation to the site contours ensure views to and from the heritage item are not impacted.

<p>B1.3 Heritage Conservation - General</p> <p><i>If a property, the subject of a development application, is identified as possibly meeting any of the criteria of the heritage listing (encompassing the four values of the Burra Charter, being historical, aesthetic, scientific and social significance) then additional independent information on the potential heritage significance may be requested. If the property meets the criteria for heritage listing then development control B1.1 of this DCP will apply.</i></p>	<ul style="list-style-type: none"> ▪ The subject site as the subject of a development application, has been deemed not to be of historical, aesthetic, scientific or social significance to the site or surrounding area. The subject site's compatibility to this criteria is further outlined in <i>Section 5.1 Assessment of Criteria and 5.2 Statement of Significance.</i>
<p>B1.4 Aboriginal Heritage Significance</p> <p><i>If a property, the subject of a development application is identified as possibly meeting any of the criteria for being an Aboriginal place or containing an Aboriginal object then additional independent information on the potential heritage significance may be requested.</i></p>	<ul style="list-style-type: none"> ▪ Investigation into the potential Aboriginal heritage of the subject site is beyond the scope of this report. However, a search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that: <ul style="list-style-type: none"> ▪ 0 Aboriginal sites are recorded in or near the location, and; ▪ 0 Aboriginal places have been declared in or near the location.
<p><i>If a property, the subject of a development application, is in the vicinity of an identified or potential Aboriginal place of heritage significance or Aboriginal object then additional independent information on the potential heritage significance may be requested.</i></p>	<ul style="list-style-type: none"> ▪ Investigation into the potential Aboriginal heritage of the subject site is beyond the scope of this report. However, a search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that: <ul style="list-style-type: none"> ▪ 0 Aboriginal sites are recorded in or near the location, and; ▪ 0 Aboriginal places have been declared in or near the location.

6.4 'Statements of Heritage Impact' (NSW Heritage Manual)

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

- The proposed design seeks to create a modern residence which is respectful to nearby residences and the heritage listed Cox House (item no. 2270014) integrating well within the environment of its setting. Through utilisation of appropriate materials and finishes, and a design which respects the character and nature of the surrounding vegetated landscape, the proposed design is successful in its integration within the setting and respect for the heritage item in proximity.

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.

- As the proposed design seeks to create a larger footprint than the existing residence on the site, a number of canopy trees will be removed to facilitate the expanded design. However, replacement planting will take place to provide sufficient coverage of the area as guided by the Arboricultural Impact Assessment prepared for the subject site. This ensures the proposed development is integrated into its

surrounding environment, while also retaining a landscaped buffer zone to the adjacent residence and nearby heritage listed Cox House (item no. 2270014).

- As the works are modest in their proposed finish and scale within the broader context of the area, no detrimental impacts can be identified in relation to the surrounding area or heritage items in proximity.

The following sympathetic solutions have been considered and discounted for the following reasons;

- The proposed works will have no impact on the heritage value of the subject site, heritage items in proximity or any historically significant views within the area.

7. Conclusion and Recommendations

In conclusion, it is considered by City Plan Heritage that the proposed works, including the demolition of the existing residence and construction of a new residence and associated landscaping will result in no impact to the heritage significance the nearby Cox House (item no. 2270014). The proposed building utilises a design that is respectful to the surrounding setting and sympathetic to the characteristics of the built environment in the area. The proposal demonstrates compliance with the existing controls regarding heritage conservation and is therefore recommended to Council for approval.

CITY PLAN HERITAGE

4 February 2019