

STATEMENT OF HERITAGE IMPACT



State Significant Development Application
Nos 93-107 Cecil Avenue and Nos 9-10 Roger Avenue,
Castle Hill

December 2024 | J7041_01

**Weir
Phillips**
Heritage

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Cover Image: Nos 9 and 10 Roger Avenue, Castle Hill
Weir Phillips Heritage.

We acknowledge that the land on which we live, learn and work as the traditional country of the Gadigal people of the Eora Nation. We acknowledge these traditional owners of this land and acknowledge their living cultures and the unique roles they have played in maintaining life, language, and culture in this region. We pay respect to their Elders past, present and emerging and all Aboriginal people.

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1 INTRODUCTION

1.1 Preamble

This Statement of Heritage Impact (SoHI) has been prepared in conjunction with a State Significant Development Application (SSDA) for the site at Nos 93-107 Cecil Avenue and Nos 9-10 Roger Avenue, Castle Hill, New South Wales. This SSDA seeks consent for a new mixed-use development with in-fill affordable housing as follows:

- Removal of the existing dwellings at Nos 93-107 Cecil Avenue and Nos 9 and 10 Roger Avenue including landscaping and associated structures.
- Construction of four mixed-use buildings comprising retail and residential uses with multi-level basement car parking accessible via Cecil Avenue.
- The development will be delivered in three stages, being:
 - Stage 1: Buildings A and B, plus a public through-site link.
 - Stage 2: Building C.
 - Stage 3: Building D.
- In total, there will be 615 apartments and 979 vehicle car parking spaces.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 29 November 2024 and issued for the SSDA (SSD-78156221). Specifically, this report has been prepared to respond to the SEARs requirement issued below.

Item	Description of Requirement	Section Reference (this Report)
19. Environmental Heritage	<ul style="list-style-type: none">▪ Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated	Section 5.

The site is located within The Hills Shire Council area. The principal environmental planning instrument for the site is *The Hills Local Environmental Plan 2019 (LEP 2019)*. The site is not listed as a heritage item nor located in a Conservation Area as identified by Schedule 5, Parts 1 and 2 of the *LEP 2019*. The site is, however, located in the vicinity of heritage items listed by this Schedule.

Under Part 5.10 of the *LEP 2019*:

(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).

(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.

In order to assess the potential impacts of the SSDA on the heritage items, a heritage management document must be submitted with the SSDA. The appropriate heritage management document, in this instance, is a SoHI; and this document is submitted in satisfaction of this requirement.

This statement has been prepared at the request of the owner of the site and accompanies plans prepared by A+ Design Group.

1.2 Heritage Listings

The following table addresses the relevant heritage listings for the site. For further information, refer to Section 3.

Table 1: Summary of statutory heritage listings.

Listing Type	Item Name and Details	Item No
Listed on the State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	N/A	N/A
In the vicinity of items on the State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	N/A	N/A
Listed as an item of local heritage significance by Schedule 5 Part 1 of <i>The Hills LEP 2019</i> .	N/A	N/A
Located within the vicinity of local heritage items by Schedule 5 Part 1 of <i>The Hills LEP 2019</i> .	<p>'St Paul's Cemetery', No. 247 Old Northern Road, Castle Hill</p> <p>'Christadelphian Church', No. 245 Old Northern Road, Castle Hill</p>	<p>Item No. I61.</p> <p>Item No. I62.</p>

Located within a heritage conservation area by Schedule 5 Part 2 of <i>The Hills LEP 2019</i> .	N/A	N/A
Located within the vicinity of a heritage conservation area by Schedule 5 Part 2 of <i>The Hills LEP 2019</i> .	N/A	N/A

1.3 Methodology

A site visit was carried out in November 2024. Unless otherwise stated, all photographs of the site were taken by the authors at this time.

This assessment has been prepared with reference to the *NSW Heritage Manual* update *Statements of Heritage Impact* (2023) and with reference to the Council planning controls listed under Section 7.2.

1.4 Limitations

An assessment of significance to Heritage NSW standards were not provided with regards to the site given it has no statutory heritage listings. An assessment of archaeological potential and archaeological significance, Aboriginal or historical, is outside the scope of this SoHI.

2 SITE DESCRIPTION

2.1 Site Location

The site comprising Nos 93-107 Cecil Avenue and Nos 9-10 Roger Avenue, Castle Hill is located on the south side of Cecil Avenue and the north side of Roger Avenue. Refer to Figure 1.



Figure 1: Site location. The subject site is outlined in red.
SIX Maps, 2024; overlay by WPH

The site has multiple legal identifications as follows:

Table 2: Legal identifications.

Address	Lot and Deposited Plan
No. 93 Cecil Avenue, Castle Hill	Lot 27, Deposited Plan 15399
No. 95 Cecil Avenue, Castle Hill	Lot 22, Deposited Plan 778595
No. 95A Cecil Avenue, Castle Hill	Lot 1, Deposited Plan 531559
No. 95B Cecil Avenue, Castle Hill	Lot 1, Deposited Plan 778595
No. 97 Cecil Avenue, Castle Hill	Lot 6, Deposited Plan 705913
No. 97A Cecil Avenue, Castle Hill	Lot 4, Deposited Plan 531559
No. 97B Cecil Avenue, Castle Hill	Lot 5, Deposited Plan 705913
No. 99 Cecil Avenue, Castle Hill	Lot 1, Deposited Plan 581293
No. 99A Cecil Avenue, Castle Hill	Lot 3, Deposited Plan 581293
No. 101 Cecil Avenue, Castle Hill	Lot 2, Deposited Plan 581293
No. 101A Cecil Avenue, Castle Hill	Lot 4, Deposited Plan 581293
No. 103 Cecil Avenue, Castle Hill	Lot 1, Deposited Plan 547897
No. 103A Cecil Avenue, Castle Hill	Lot 2, Deposited Plan 547897
No. 105 Cecil Avenue, Castle Hill	Lot 1, Deposited Plan 591676
No. 105A Cecil Avenue, Castle Hill	Lot 2, Deposited Plan 591676
No. 107 Cecil Avenue, Castle Hill	Lot 20, Deposited Plan 15399
No. 9 Roger Avenue, Castle Hill	Lot 6, Deposited Plan 29141
No. 10 Roger Avenue, Castle Hill	Lot 5, Deposited Plan 29141

2.2 The Proposed Works Area

For the following, refer to Figure 2, an aerial photograph over the site, as well as the current survey.



Figure 2: Aerial photograph showing the site. The site is shaded red.
SIX Maps 2024; overlay by WPH

For the purposes of the following description, Cecil Avenue is designated as the northern boundary.

The site is an irregular shape and comprises 18 allotments with frontage to Cecil Avenue (north) and Roger Avenue (south). The combined site area is 17,623.6m². The site is occupied by one and two-storey dwellings set back from the street with associated landscaping. These are described briefly below in Table 3. Refer to Figures 3 to 5 which illustrate the site generally.



Figure 3: Looking towards Nos 9 and 10 Roger Avenue.



Figure 4: The eastern end of Cecil Avenue showing the dwellings proposed for removal.
Google Maps









Figure 5: The western end of Cecil Avenue showing the dwellings proposed for removal.
Google Maps

Table 3: Site description.

Address	Description	Photograph
No. 93 Cecil Avenue, Castle Hill (Lot 27, Deposited Plan 15399).	This is a single-storey Post-World War II dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles with a low brick chimney.	
No. 95 Cecil Avenue, Castle Hill (Lot 22, Deposited Plan 778595)	This is a single-storey mid-to-late 20 th century period dwelling. The dwelling is constructed of brick and has a hipped roof clad in concrete tiles.	
No. 95A Cecil Avenue, Castle Hill (Lot 1, Deposited Plan 531559)	This is a single-storey mid-to-late 20 th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.	
No. 95B Cecil Avenue, Castle Hill (Lot 1, Deposited Plan 778595)	This is a two-storey late 20 th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.	

<p>No. 97 Cecil Avenue, Castle Hill (Lot 6, Deposited Plan 705913)</p>	<p>This is a single-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.</p>	
<p>No. 97A Cecil Avenue, Castle Hill (Lot 4, Deposited Plan 531559)</p>	<p>This is a single-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.</p>	
<p>No. 97B Cecil Avenue, Castle Hill (Lot 5, Deposited Plan 705913)</p>	<p>This is a two-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.</p>	
<p>No. 99 Cecil Avenue, Castle Hill (Lot 1, Deposited Plan 581293)</p>	<p>This is a single-storey Post-World War II dwelling. The dwelling is constructed of horizontal laid timber-framed weatherboard and has a hipped roof clad in terracotta tiles with a brick chimney.</p>	
<p>No. 99A Cecil Avenue, Castle Hill (Lot 3, Deposited Plan 581293)</p>	<p>This is a one and two-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.</p>	
<p>No. 101 Cecil Avenue, Castle Hill (Lot 2, Deposited Plan 581293)</p>	<p>This is a single-storey mid-to-late 20th century period building, formerly a dwelling. The building is constructed of rendered and painted brick and has a pitched roof clad in corrugated metal.</p>	
<p>No. 101A Cecil Avenue, Castle Hill (Lot 4, Deposited Plan 581293)</p>	<p>This is a single-storey mid-to-late 20th century dwelling constructed of brick with a pitched roof clad in terracotta tiles.</p>	
<p>No. 103 Cecil Avenue, Castle Hill (Lot 1, Deposited Plan 547897)</p>	<p>This is a single-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a hipped roof clad in terracotta tiles.</p>	

<p>No. 103A Cecil Avenue, Castle Hill (Lot 2, Deposited Plan 547897)</p>	<p>This is a single-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in terracotta tiles.</p>	
<p>No. 105 Cecil Avenue, Castle Hill (Lot 1, Deposited Plan 591676)</p>	<p>This is a single-storey mid-to-late 20th century period building, formerly a dwelling. The building is constructed of rendered and painted brick and has a pitched roof clad in terracotta tiles.</p>	
<p>No. 105A Cecil Avenue, Castle Hill (Lot 2, Deposited Plan 591676)</p>	<p>This is a two-storey mid-to-late 20th century period dwelling. The dwelling is constructed of rendered and painted masonry and weatherboard and has a pitched roof clad in concrete tiles and corrugated iron.</p>	
<p>No. 107 Cecil Avenue, Castle Hill (Lot 20, Deposited Plan 15399)</p>	<p>This is a single-storey mid-to-late 20th century period building. The dwelling is constructed of brick and has a hipped roof clad in terracotta tiles.</p>	
<p>No. 9 Roger Avenue, Castle Hill (Lot 6, Deposited Plan 29141)</p>	<p>This is a single-storey mid-to-late 20th century period dwelling. The dwelling is constructed of timber-framed weatherboard and has a pitched roof clad in corrugated iron.</p>	
<p>No. 10 Roger Avenue, Castle Hill (Lot 5, Deposited Plan 29141)</p>	<p>This is a single-storey mid-to-late 20th century period dwelling. The dwelling is constructed of brick and has a pitched roof clad in corrugated iron.</p>	

2.3 The Surrounding Area

2.4 The General Area

For the following, refer to Figure 6, an aerial photograph of the site and its surrounds.

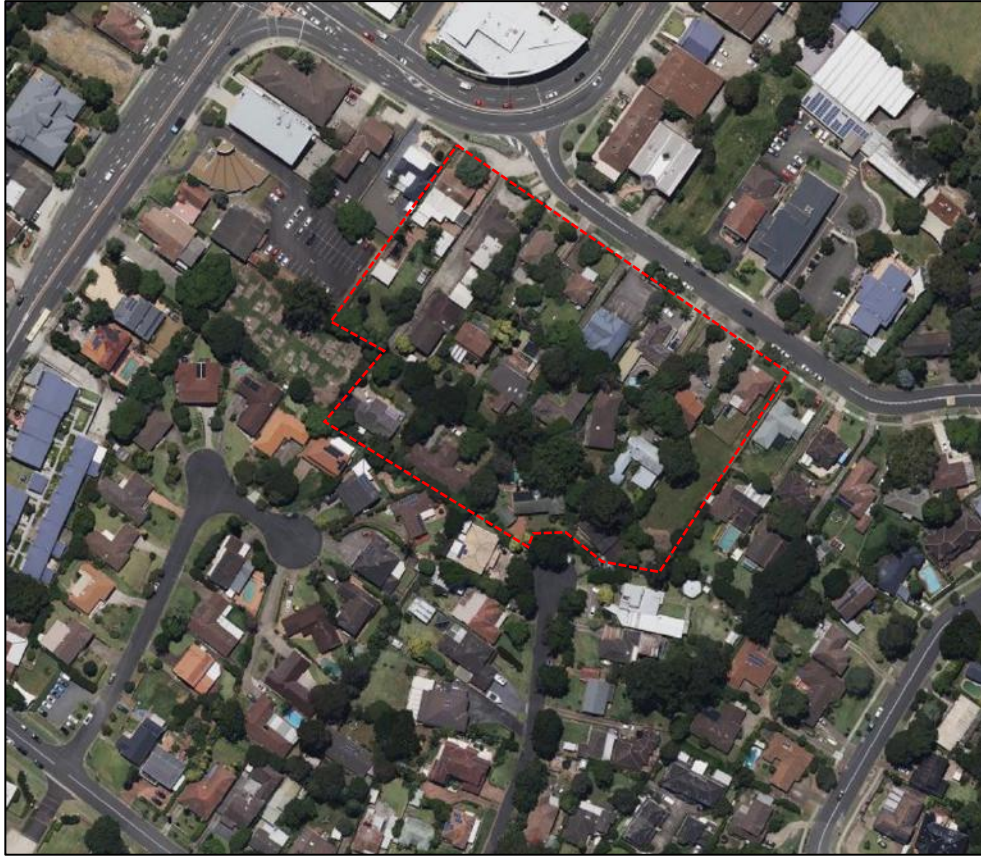


Figure 6: Aerial photograph over the site and surrounding area. The site is outlined in red. SIX Maps 2024; overlay by WPH

2.4.1 Cecil Avenue

Cecil Avenue runs east-west between Warwick Parade and Crane Road. The road carries two-way traffic between provision for parking on both sides. The road is undulating but generally falls to the east in the vicinity of the site. Concrete footpaths with grass verges line either side of the road. Cecil Avenue is primarily residential on the southern side and characterised by one and two-storey dwellings built from the Post-War II period through to the late 20th century period, but also has contemporary commercial buildings. Dwellings are typically set back from the road with concrete driveways and landscaping that includes established trees. Most dwellings are unfenced. The northern side has multiple uses including educational and religious with buildings constructed in the Inter-War period through to recent infill. Refer to Figures 7 to 11 which illustrate the streetscape.



Figure 7: Looking east on Cecil Avenue and showing the general character of the streetscape.



Figure 8: Looking west on Cecil Avenue.



Figure 9: An example of contemporary commercial development to the west of the site.



Figure 10: The northern side of Cecil Avenue, which is characterised by religious buildings.



Figure 11: Typical dwellings to the east of the site, on the southern side of Cecil Avenue.

2.4.2 Roger Avenue

Roger Avenue runs north off Francis Street and terminates in a cul-de-sac. The road carries two-way traffic with provision for street parking on both sides. There are no footpaths, only grass verges with established trees line either side of the road. Roger Avenue falls slightly to the north before rising again outside the subject site. The street is residential and characterised by one and two-storey dwellings ranging from the Post-World War II period through to the late 20th century period. Dwellings are typically set back from the street and have concrete driveways with landscaping. Most dwellings are unfenced.

Refer to Figures 12 to 14 which illustrate the streetscape.



Figure 12: Looking east on Roger Avenue and showing the general character of the street.



Figure 13: An example of a two-storey mid-to-late 20th century period dwelling to the southeast of the site on Roger Avenue.



Figure 14: A single-storey Post-World War II period dwelling to the southwest of the site.

2.4.3 Castle Hill Precinct Vision

The Hills Corridor Strategy (November 2015) provides the following masterplan for the 'Castle Hill Precinct', of which the site forms part:

It is envisaged that the Castle Hill Station area will become a vibrant and active centre comprising of offices, retail, community facilities, recreation, cultural, education and increased housing densities within walking distance of the station. Future development is to reinforce the centre as a high quality Major Centre with a variety of building heights, including some distinctive or 'iconic' heights.

The 'core' of Castle Hill should extend to the sites within the ring road as well as sites that have frontage to the ring road. Within the ring road there will be a strong focus on commercial and retail uses with limited residential such as quality hotels or serviced apartments. Council encourages aggregation of land holdings and the creation of permeable pedestrian linkages through development sites. Castle Hill is our 'CBD' and should attract tall, well-developed mixed-use buildings within the 'ring road' with a strong focus on commercial. All street frontages at and within the ring road should be activated and serve to encourage people to be there.

Opportunity will be provided for mixed use development incorporating some high density residential components to the south of the station within the commercial core between Old Northern Road and Terminus Street. Activation of buildings at street level is to be encouraged with urban plazas and recreational zones provided for civic gathering and open space enjoyment. Incentives for increased height will be included within the planning controls to encourage buildings of outstanding design and materials and land uses that contribute to employment or the night time economy such as commercial, community and cultural uses.

Outside of the ring road, the desired outcome is for high density residential development principally to the north of the station surrounding the existing retail centre. To the south of the corridor maximum densities of 96 dwellings per hectare are envisaged, with an average height of around 4 storeys. Overall for locations outside of

the ring road, apartment development for the Precinct will need to have landscaped setbacks, maximum site coverage in the order of 50% and must be supported by active and passive recreation spaces. Community and recreational uses within the walkable catchment are also encouraged.

There are currently 2,653 existing dwellings within the Castle Hill Precinct accommodating an existing population of 8,569 people. Under the current development controls, it is anticipated that there is growth potential for an additional 2,316 dwellings (approximately 4,632 additional people).

The growth envisaged under the existing controls, along with the additional opportunity sites, could achieve a yield in the order of 4,807 additional dwellings, resulting in a corresponding increase in population of 10,646 people. It is also envisaged that approximately 10,304 additional jobs will be accommodated within the Precinct. This is based on uptake rates of 60-100% for high density residential development, 50% for townhouses and 80-100% for commercial development. Land with existing strata development is assumed to have an uptake rate of 0%.

3 SIGNIFICANCE

3.1 Summary of Statutory Heritage Listings for the Site

For the following, refer to Table 4 which provides a summary of the statutory heritage listings for the site.

Table 4: Summary of statutory heritage listings.

Listing Type	Item Name and Details	Item No
Listed on the State Heritage Register under the <i>Heritage Act 1977</i> (NSW).	N/A	N/A
Listed as an item of local heritage significance by Schedule 5 Part 1 of <i>The Hills LEP 2019</i> .	N/A	N/A
Located within a heritage conservation area by Schedule 5 Part 2 of <i>The Hills LEP 2019</i> .	N/A	N/A

3.2 Heritage Items Within the Vicinity of the Site

For the following, refer to Figure 15 which provides a detail of a heritage map from the NSW Planning Portal. In this plan, local heritage items are coloured brown and numbered. The site is outlined in red.



Figure 15: Detail, heritage map showing heritage items in relation to the subject site. The site is outlined in red.

NSW Planning Portal; overlay by WPH

Local Heritage Items – Coloured brown and numbered

State Heritage Items – Hatched blue and numbered

3.2.1 Defining ‘Vicinity’

For the following, the vicinity has been determined with reference to physical separation, existing and potential view corridors and the nature of the proposed new works.

There are two heritage items in the vicinity of the site as defined by Schedule 5 Part 1 of *The Hills LEP 2019*. Refer to Table 5.

Table 5: List of heritage items within the vicinity.

Listing	Description
‘St Paul’s Cemetery’, No. 247 Old Northern Road, Castle Hill	<p>This item is located to the west of the site. The item comprises a c. 1860 Victorian period cemetery marked by gravestones.</p> <p>This item is located at the end of a long driveway off Old Northern Road, which descends approximately 40m in an eastbound direction. As such, the item has no ready visibility from the public domain and is best viewed from within the curtilage of the item.</p> <p>The setting of this item includes primarily one and two-storey Post-World War II and mid-to-late 20th century period dwellings.</p> <p>The item has a lot boundary curtilage defined as Lot 11, Deposited Plan 1053193.</p>

<p><i>The Hills LEP 2019</i>, Item No. 161.¹</p>	<p>The State Heritage Inventory provides the following Statement of Significance for this item:</p> <p><i>The cemetery is rich in headstone sculpture and in particular in the work of two local sculptors and their simple distinctive work. It is the first burial ground in the Castle Hill Area and contains the remains of its early settlers and their descendants. It is still in use and cared for by the Anglican community.</i></p>
<p>'Christadelphian Church', No. 245 Old Northern Road, Castle Hill</p> <p><i>The Hills LEP 2019</i>, Item No. 162.²</p>	<p>This item is located to the west of the site. It is separated from the site by a distance of approximately 50m.</p> <p>The principal view corridor towards this item is from directly outside on Old Northern Road. The item is prominent on approach from the north and south on Old Northern Road.</p> <p>The setting of this item includes primarily one and two-storey Post-World War II and mid-to-late 20th century period dwellings.</p> <p>The item has a lot boundary curtilage defined as Lot 12, Deposited Plan 1053191.</p> <p>The State Heritage Inventory provides the following Statement of Significance for this item:</p> <p><i>The Christadelphian Church is of social significance as a memorial to those members of the Castle Hill Community who served in the First World War.</i></p>

Refer to Figure 16 which shows the site in relation to the heritage item. In this map, heritage items are shaded orange, while the site is shaded red.

¹ Heritage NSW, 'St Paul's Cemetery', State Heritage Inventory ID No. 1090171.

² Heritage NSW, 'Christadelphian Church', State Heritage Inventory ID No. 1090170.



Figure 16: The site (shaded red) in relation to the heritage items (shaded orange).
SIX Maps; overlay by WPH

Refer to Figures 17 to 20 which illustrate heritage items.



Figure 17: The item 'Christadelphian Church' as viewed from directly outside on Old Northern Road.



Figure 18: The southern and rear elevations of the 'Christadelphian Church', as viewed from the driveway.



Figure 19: Looking down the driveway towards 'St Paul's Cemetery' which, as noted, is not readily visible.



Figure 20: The cemetery as viewed from directly at the end of the driveway.

4 THE PROPOSAL

The following should be read in conjunction with the plans prepared by A+ Design Group that accompany this application.

It is proposed to:

- Remove the existing dwellings at Nos 93-107 Cecil Avenue and Nos 9 and 10 Roger Avenue including landscaping and associated structures.
- Construct four new mixed-use buildings comprising retail and residential uses with multi-level basement car parking accessible via Cecil Avenue.
- The buildings will range in height between six and 25-storeys and will provide for a range of accommodation types including studio, 1, 2, 3 and 4-bedroom apartments.
- The development will be delivered in three stages, being:
 - Stage 1: Buildings A and B, plus a public through-site link.
 - Stage 2: Building C.
 - Stage 3: Building D.
- In total, there will be 615 apartments and 979 vehicle car parking spaces.

5 EFFECT OF WORK

5.1 Methods of Assessment

The following is a merit-based assessment. It does not consider compliance or otherwise with Council's numerical controls except where non-compliance would result in a heritage impact. Refer to the Statement of Environmental Effects that accompanies this application.

The following assessment is made with an understanding of the objectives and controls provided by *The Hills LEP 2019* and *The Hills DCP 2012*.

5.2 Effect of Work on Heritage Items Within the Vicinity

'St Paul's Cemetery', No. 247 Old Northern Road, Castle Hill

The proposed works will have an acceptable impact on this item for the following reasons:

- The proposed removal of the existing dwellings at Nos 93-107 Cecil Avenue and Nos 9 and 10 Roger Avenue will have a minimal and acceptable impact as they postdate the construction of the item and are ordinary, somewhat modified examples of their type. The heritage item does not depend on their presence for its significance to be understood.
- The proposed development is compatible with the evolving context of Castle Hill, which is characterised by contemporary mixed-use buildings of a similar scale to that proposed. It is likely that the setting of the item will increasingly reflect buildings of this scale as is supported by the objectives of *The Hills Shire Corridor Strategy*.
- There will be no impact on significant view corridors towards this item, which are limited due to the downward sloping topography of the land and the absence of views from main roads.
- The proposal will form the immediate backdrop to the item and will result in the loss of some sky views from out of the item, particularly to the east. The impact of this has been mitigated in the following ways:
- The proposal will have a stepped massing that staggers in height down towards the heritage item, providing for an appropriate transition in scale. The taller elements will be sufficiently separated from the item in the eastern part of the site.
- The nearest building to the item, Building D, will be six-storeys and located to the northeast with a setback of at least 6m. The top two floors will have increased setbacks to further reduce perceptions of their height.
- The proposed buildings have well-articulated elevations of a coordinated and contemporary aesthetic that will sit comfortably within the wider setting of the heritage item. Further visual relief will be provided with the use of curved form and increased setbacks for the upper floors.
- The proposal has sensitively sited the buildings with a clear separation between them, as well as careful modulation of their facades, to reduce the bulk and scale of the proposal as viewed from the heritage item.
- The proposal retains existing vegetation on the western boundary and includes a new large, landscaped buffer zone to the immediate east of the item. This will provide visual screening between the item and the new development, as well as soften the interface.
- This will further ensure that the visual setting of the item, as it is experienced at ground level, will be retained.
- The proposal locates all parking underground which would otherwise be intrusive in the setting of the item. Access will be via Cecil Avenue which has no visibility from the item.

-
- The basement will be set back from the boundaries of the item by at least 6m which is sufficient to ensure there is no impact on any part of the cemetery.
 - The proposed works will, overall, have no impact on the ability of the public to understand and appreciate the heritage significance of this item.

'Christadelphian Church', No. 245 Old Northern Road, Castle Hill

The proposed works will have an acceptable impact on this item for the following reasons:

- The proposed removal of the existing dwellings at Nos 93-107 Cecil Avenue and Nos 9 and 10 Roger Avenue will have a minimal and acceptable impact as they postdate the construction of the item and are ordinary, somewhat modified examples of their type. The heritage item does not depend on their presence for its significance to be understood.
- The proposed development is compatible with the evolving context of Castle Hill, which is characterised by contemporary mixed-use buildings of a similar scale to that proposed. It is likely that the setting of the item will increasingly reflect buildings of this scale as is supported by the objectives of *The Hills Shire Corridor Strategy*.
- There will be no impact on significant view corridors towards this item, which are obtained from directly outside on Old Northern Road. The proposal is set well to the rear of the item.
- The proposal will form the immediate backdrop to the item and will result in the loss of some sky views from out of the item, particularly to the east. The impact of this has been mitigated in the following ways:
- The proposal will have a stepped massing that staggers in height down towards the heritage item, providing for an appropriate transition in scale. The taller elements will be sufficiently separated from the item in the eastern part of the site.
- The nearest building to the item, Building D, will be six-storeys and located to the east with a setback of at least 6m. The top two floors will have increased setbacks to further reduce perceptions of their height.
- The proposed buildings have well-articulated elevations of a coordinated and contemporary aesthetic that will sit comfortably within the wider setting of the heritage item. Further visual relief will be provided with the use of curved form and increased setbacks for the upper floors.
- The proposal has sensitively sited the buildings with a clear separation between them, as well as careful modulation of their facades, to reduce the bulk and scale of the proposal as viewed from the heritage item.
- The proposal retains existing vegetation on the western boundary and includes a new large, landscaped buffer zone to the immediate southeast of the item. This will provide visual screening between the item and the new development, as well as soften the interface.
- This will further ensure that the visual setting of the item, as it is experienced at ground level, will be retained.
- The proposal locates all parking underground which would otherwise be intrusive in the setting of the item. Access will be via Cecil Avenue which has no visibility from the item.

- The basement will be set back from the boundaries of the item by at least 6m which is sufficient to ensure there is no impact on any part of the cemetery.
- The proposed works will, overall, have no impact on the ability of the public to understand and appreciate the heritage significance of this item.

5.3 Mitigation Measures

The proposal has successfully mitigated the impact on heritage items in the vicinity in the following ways:

- Locating the tallest tower away from heritage items by setting it deep into the site.
- The use of increased setbacks for the upper floors to reduce bulk, scale and overshadowing of heritage items.
- The use of landscaping including deep soil planting to provide amenity and improve the setting of heritage items.

5.4 Assessment against *The Hills DCP 2012*

The following assesses the proposal against the relevant controls for new development in the vicinity of a heritage item as provided by Part C Section 4 and Part D Section 21 of the *DCP 2012*.

The Hills Development Control Plan 2012	
Part C Section 4 Heritage	
3.5 Development in the Vicinity of a Heritage Site	Weir Phillips Heritage
Development Controls	Response
a) Development on land within the vicinity of a heritage site is not to detract from the identified significance of the place, its setting, nor obstruct important views to and from the site.	<p>The proposal will be located to the rear of the heritage items and outside of significant views towards them.</p> <p>The provision of landscaped buffers and deep setbacks will reduce the visual dominance of the proposal.</p> <p>It is further noted that the development is compatible with the evolving context of Castle Hill, as characterised by contemporary mixed-use buildings of a similar scale to that proposed. It is likely that the setting of the item will increasingly reflect buildings of this scale as is supported by the objectives of <i>The Hills Shire Corridor Strategy</i>.</p>
(b) New structures proposed on land adjoining a heritage building should be of similar scale and proportions to the heritage building.	<p>The proposal will be of a substantially greater scale than the heritage items. The impact of this has been successfully mitigated through new and existing landscaping, the provision of deep 6m setbacks from the boundaries, and a stepped massing that staggers down in</p>

	height towards the heritage items. Finally, the downward sloping topography will allow for the lower part of the buildings to be effectively screened from view.
<p>(c) Where development is proposed within the vicinity of a heritage site, the following matters must be taken into consideration:-</p> <ul style="list-style-type: none"> - the character, siting, bulk, height and external appearance of the development; - the visual relationship between the proposed development and the heritage site; - the potential for overshadowing of the heritage site; - the colours and textures of materials proposed to be used in the development; - the landscaping and fencing of the proposed development; - the location of car parking spaces and access ways into the development; - the impact of any proposed advertising signs or structures; - the maintenance of the existing streetscape, where the particular streetscape has particular significance to the heritage site; - the impact the proposed use would have on the amenity of the heritage site; and - the effect the construction phase will have on the well being of a heritage building. 	<p>The following is noted:</p> <p>The proposal is for a group of mixed-use contemporary buildings that will be of a greater height and scale than the heritage items.</p> <p>As set out by this SoHI, the visual impact of this can be successfully mitigated in the provision of landscaped buffers and deep setbacks from the boundaries, as well as in the separation of the built forms and the articulation of their facades. The proposal will form the backdrop to the items when looking towards the sky, however, will be less perceptible at ground level due to landscaped screening.</p> <p>There will be no significant overshadowing of the site.</p> <p>The provision of a landscaped buffer will provide adequate visual screening between the heritage items and the proposal.</p> <p>Car parking will be located underground with a multi-level basement with access from Cecil Avenue. It will have no visibility from the items, nor will there be any physical impact as the footings for the basement will be set back from the boundaries by at least 6m.</p> <p>The proposed uses are commercial on the lower floors with residential above, which is compatible with the existing setting of the item.</p> <p>Adequate measures will be taken throughout the construction phase to ensure there is no physical impact on the heritage items.</p>
Part D Section 21 93-107 Cecil Avenue & 9-10 Roger Avenue, Castle Hill	
2.10 Heritage	Weir Phillips Heritage
Development Controls	Response
(a) Development must address and comply with the provisions of Part C Section 4 – Heritage of this DCP.	Refer responses above.

<p>(b) Impacts on the immediate setting of the Christadelphian Church and St Paul's Cemetery at 245 and 247 Old Northern Road respectively, are mitigated through appropriate setbacks, siting of common open space and landscaping to reduce the visual dominance of new buildings</p>	<p>The proposal has carefully considered the immediate setting of the heritage items in the following ways:</p> <ul style="list-style-type: none"> • The provision of deep 6m setbacks from the boundaries. • The stepped massing of the new buildings by staggering them in height down the items. • The creation of a landscaped buffer to the east and southeast of the items. • The retention of established trees on the boundaries to provide further visual screening.
<p>(c) New planting and vegetation on the western boundary of the site are to be sympathetic to the landscape setting of the cemetery.</p>	<p>Refer to the Landscape Plans.</p>
<p>(d) Hedging style plants and mature tree species are to be planted on the western interface of the site with the Cemetery, with mature trees having a minimum height of 2.5m.</p>	<p>Refer to the Landscape Plans.</p>

6 SUMMARY

This Statement of Heritage Impact has been prepared in conjunction with a State Significant Development Application for the site at Nos 93-107 Cecil Avenue and Nos 9-10 Roger Avenue, Castle Hill, New South Wales. This SSDA seeks consent for a new mixed-use development. The site is located within The Hills Shire Council area. The principal environmental planning instrument for the site is *The Hills Local Environmental Plan 2019*. The site is not listed as a heritage item or located in a Conservation Area as identified by Schedule 5, Parts 1 and 2 of the *LEP 2019*. The site is, however, located in the vicinity of heritage items listed by this Schedule.

The proposal will have an acceptable impact on heritage items in the vicinity as the new buildings are well-designed, with highly articulated and considered elevations. The proposal includes deep setbacks of 6m from the boundaries, as well as the provision of landscaped buffer zones to allow visual screening of the proposal at ground level. There will be some loss of sky views towards the east. The impact of this has been mitigated through an appropriate transition in scale with the taller buildings located to the east. The proposed works will have no impact on the ability of the public to understand and appreciate the heritage significance of the items in the vicinity.

The proposed development fulfils the objectives and satisfies the requirements of *The Hills LEP 2019*, *The Hills DCP 2012*, and SEARs Item 19 by improving the quality and diversity of mixed-use options in Castle Hill while respecting the heritage significance of the area in which it lies.

7 REFERENCES AND DEFINITIONS

7.1 Definitions

Term	Meaning
Consent authority	The person or body with whose approval that act, matter or thing may be done or without whose approval that act, matter or thing may not be done.
Conservation	Conservation means all the processes of looking after a place so as to retain its cultural significance (as defined in <i>The Burra Charter</i>).
Development	The erection of a building, carrying out work, use of or subdivision of land.
Heritage significance	Term used in the assessment and understanding of heritage items that have significance in relation to their historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.
Moveable heritage	A moveable object that is not a relic.
<i>National Construction Code</i>	A code that sets minimum requirements for design, construction and performance of buildings, as well as plumbing and drainage systems throughout Australia.
Relic	Any deposit, artefact, object or material evidence that is of state or local heritage significance.
Setting	The area around an item, which may include the visual catchment.
State Heritage Inventory	An online database containing heritage items and conservation areas on statutory lists in NSW. This includes the State Heritage Register and local government items.
State Heritage Register	The NSW State Heritage Register. A list of places and items of importance to the people of NSW. Only places of state heritage significance are listed on the State Heritage Register. The State Heritage Register protects these items and their significance.
State Heritage Register item	A term to describe a heritage item that is of state heritage significance and is listed on the State Heritage Register.

7.2 Documentary Evidence

7.2.1 General References

7.2.1.1 Guidelines

Australia ICOMOS Inc (2013a) 'The Burra Charter: the Australia ICOMOS charter for places of cultural significance', Australian ICOMOS (International Council on Monuments and Sites) Inc, Burwood, accessed 9 June 2023.

Australia ICOMOS Inc (2013b) 'Burra Charter article 22 — new work', practice note, Australian ICOMOS (International Council on Monuments and Sites) Inc, Burwood, accessed 9 June 2023.

7.2.1.2 Heritage Listing Sheets

Heritage NSW, 'Christadelphian Church', State Heritage Inventory ID No. 1090170.

Heritage NSW, 'St Paul's Cemetery', State Heritage Inventory ID No. 1090171.

7.2.1.3 Planning Documents

The Hills Development Control Plan 2012.

The Hills Local Environmental Plan 2019.