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URBIS

1-5 Nelson Road, Lindfield

Heritage Impact Statement

Prepared for
Castle Hill No.3 Pty Ltd
29 May 2025

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Acknowledgement of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on.

We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.

We pay our respects to First Nations Elders, past and present.

The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

Title: Sacred River Dreaming
Artist Hayley Pigram
Darug Nation
Sydney, NSW

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Executive Summary

Urbis has been engaged by to prepare the following Heritage Impact Statement (HIS) for 1-5 Nelson Road, Lindfield NSW (subject site). This subject site includes three lots, legally defined as Lot 6 DP9789, Lot 7 DP9789 and Lot 8 DP9789.

In April 2024, the Department of Planning, Housing and Infrastructure (**DPHI**) released the Transport Oriented Development (**TOD**) Statement Environmental Planning Policy (**TOD SEPP**), which allows for a greater range of residential development for properties located near 31 well-located metro and railway stations. The updated TOD SEPP applies to the subject site located at 1-5 Nelson Road, Lindfield.

Landmark Group Australia is seeking approval for a State Significant Development Application (SSDA) for the redevelopment of the subject area, involving demolition of all existing improvements and site clearing prior to the construction of a multi-storey residential building comprising approximately 167 apartments with a mix of 1,2- and 3-bedroom apartments, 2 levels of basement carparking and provisions for infill affordable housing.

Further details of the proposed works are included in Section 5.

The existing dwellings of the subject site are not listed as local or state heritage items, however the subject site is within the Crown Blocks Conservation Area (C22), and is in the vicinity of a number of heritage items that includes:

- Dwelling – I454, 9 Nelson Road, Lindfield.
- Dwelling – I455, 15 Nelson Road, Lindfield.
- Dwelling House – I445, 6 Lightcliff Avenue, Lindfield.
- Dwelling House – I446, 8 Lightcliff Avenue, Lindfield.
- Dwelling House – I447, 12 Lightcliff Avenue, Lindfield.
- Dwelling House – I448, 14 Lightcliff Avenue, Lindfield.
- Tyron Road Uniting Church – SHR 01672, 33 Tyron Road, Lindfield.

This HIS has been prepared to determine the potential heritage impacts of the development on the heritage significance of Crown Blocks Conservation Area (C22) and the nearby heritage items.

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report. The proposed development has been assessed to have an acceptable impact on the Crown Blocks Conservation Area (C22). Key aspects of the proposal assessment are listed below:

- The development scheme proposed for the subject site will establish a needed source of high-density residential living opportunities within the vicinity of multiple public transport corridors as per the provisions in Chapter 5 of the TOD SEPP and Chapter 6 LMR of the Housing SEPP (2021).
- The proposed development is of a different building typology and scale than the existing dwellings on the site. However the proposal exists in a legislative context which will facilitate significant uplift and greater density in the area.
- The development would have a similar setback to other dwellings within the HCA and would be minimally forward of the setback of the adjacent heritage item (at 9 Nelson Road) from the Street. This would ensure that existing views around the streetscape are not notably obscured.
- Demolition of the existing dwellings present on the subject site will not result in adverse impacts to the character of the local HCA or the nearby heritage items.
- The subject site's ability to contribute to the HCA has been significantly diminished. While they retain some original elements, they have been subject to alteration and are not considered to be highly intact, or highly representative examples of interwar architecture. Demolition of these buildings will not detrimentally impact the values of the HCA or nearby heritage items.
- Proposed setbacks will be consistent with existing setbacks along Nelson Road, and the existing entrance to 5 Nelson Road will be used to provide access to the new development.

- Retention of existing vegetation along Nelson Road and additional landscaping will visually soften the bulk of the development and to remain consistent with the mature landscaping existing in the streetscape.

The proposed development has been assessed to have an acceptable impact on the adjacent heritage item based on the current information provided. However, it is noted that this application includes a concept design only and the design requires further refinement and heritage impact assessment to confirm potential heritage impacts.

The proposed works are recommended for approval from a heritage perspective on the basis that a suitably qualified heritage consultant should be engaged to provide ongoing advice throughout the design development, contract documentation and construction stages of the project, and in particular should provide guidance on the façade treatment, colour and materials palettes to ensure greater integration within the HCA.

1. Introduction

1.1. Background & Purpose

Urbis has been engaged by Castle Hill No.3 Pty Ltd to prepare the following Heritage Impact Statement (HIS) to accompany a State Significant Development Application (SSDA) for proposed works to the property located at 1-5 Nelson Road, Lindfield (hereafter referred to as the 'subject site').

In April 2024, the Department of Planning, Housing and Infrastructure (**DPHI**) released the Transport Oriented Development (**TOD**) Statement Environmental Planning Policy (**TOD SEPP**), which allows for a greater range of residential development for properties located near 31 well-located metro and railway stations. The updated TOD SEPP applies to the subject site located at 1-5 Nelson Road, Lindfield.

Castle Hill No.3 Pty Ltd is seeking approval for a State Significant Development Application (SSDA) for the redevelopment of the subject area, involving demolition of all existing improvements and site clearing prior to the construction of a multi-storey residential building comprising approximately 167 apartments with a mix of 1, 2, and 3 bedroom apartments across 8 Levels, 2 levels of basement carparking and provisions for infill affordable housing.

Further details of the proposed works are included in Section 5.

The existing dwellings of the subject site are not listed as local or state heritage items, however the subject site is within the Crown Blocks Conservation Area (C22) and is in the vicinity of a number of heritage items.

This HIS has been prepared to determine the potential heritage impacts of the development on the heritage significance of Crown Blocks Conservation Area. A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report.

1.2. Methodology & Limitations

This HIS has been prepared in accordance with the Heritage NSW guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013*.

Site constraints, opportunities and impacts have been considered with reference to the relevant controls and provisions contained within the *Ku-ring-gai Local Environmental Plan 2015* (LEP) and the Ku-ring-gai Development Control Plan 2024 (2024 DCP). This HIS is limited to the assessment of built heritage impacts of the proposal. It is beyond the scope of this report to assess the archaeological potential of the subject site or assess any potential archaeological impacts as a result of the proposal.

1.3. Author Identification

The following report has been prepared by Lisa Flemwell (Consultant). Alexandria Cornish (Associate Director) has reviewed and endorsed its content.

Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

2. Site Description

2.1. Site Location

The subject site is located at 1-5 Nelson Road within the Local Government Area (LGA) of Ku-ring-gai. The site is legally described as:

- Lot 6 DP9789 (1 Nelson Road).
- Lot 7 DP9789 (3 Nelson Road).
- Lot 8 DP9789 (5 Nelson Road).

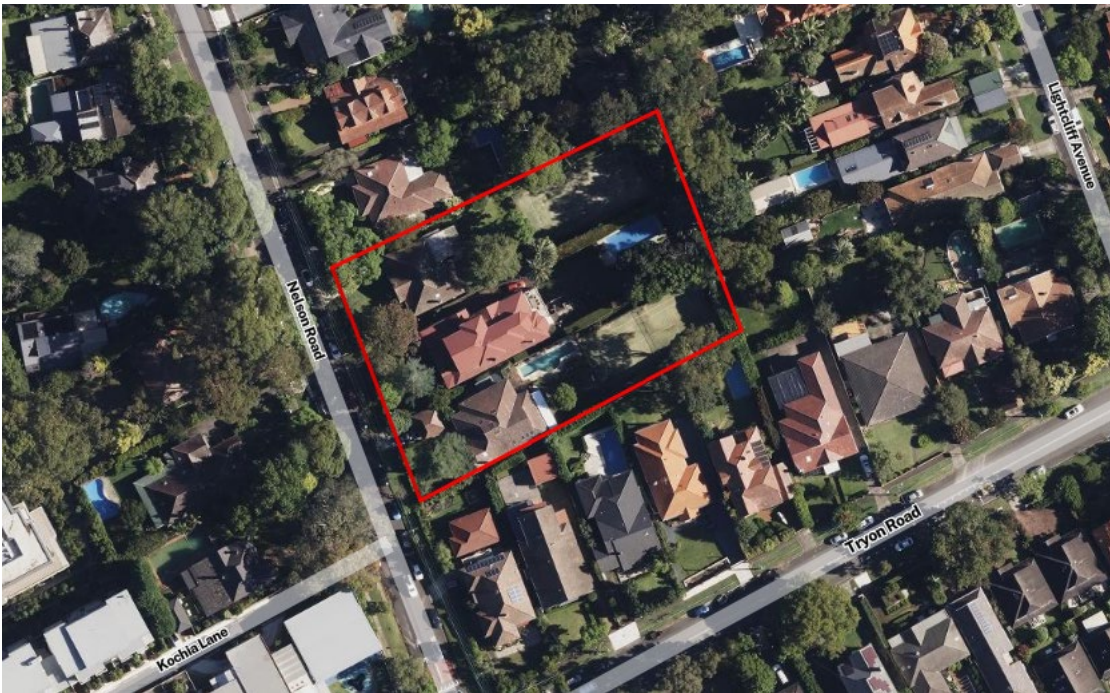


Figure 1 Location map showing the subject site outlined in red.

Source: SIX Maps 2025

2.2. Setting

The existing development consists of three detached residential dwellings. There are several large trees and vegetation located throughout the site.

The surrounding area of the subject site is characterised predominantly by low-rise residential buildings of one to two storeys that have been constructed through the twentieth and twenty-first centuries. The character of Nelson Road and the surrounding area is therefore mixed. Nelson Road is lined with substantial dense and mature vegetation. Nelson Road and the surrounding area are of quiet residential nature, with Cromehurst School located on the corner of Nelson and Tryon Road. South of the subject site and adjacent to the Cromehurst School is the Tryon Road Uniting Church (SHR#01672).

The immediate setting to the north and east has multiple nearby items of local heritage significance, 9 and 15 Nelson Road, and 6,8,12 & 14 Lightcliff Avenue, listed for the architectural and municipal significance. The places are low density residential dwellings with terracotta tile roofs.

To the west of the subject site, is Milray Street and Kochia Lane that contains multiple medium high-rise apartments. Further west of the subject site is the Pacific Highway and the Linfield Train Station, and the Lindfield Shopping Village.

Dwellings of similar character to those on the subject site populate the broader Lindfield suburb, which lies approximately 13 kilometres northwest of the Sydney Central Business District. The suburb is bordered to

the west by Lane Cove River and Lane Cove National Park, to the east by Eastern Arterial Road, to the north by Provincial Road and to the south by Bayswater Road.



Picture 1 Facing north towards the subject site from corner of Tyron and Nelson Roads.

Source: Urbis, 2025.



Picture 2 Medium density apartment blocks on Kochia Lane.

Source: Google Street View, 2024.



Picture 3 Medium density apartments (right hand side) on Milray Street and Lindfield Village ahead.

Source: Google Street View, 2024.



Picture 4 Corner of Tyron and Nelson Roads, showing the Uniting Church and Cromehurst School (RHS).

Source: Google Street View, 2019.

2.3. Subject Site Description

2.3.1. 1 Nelson Road

The following description has been reproduced from the Oultram Heritage & Design Heritage Impact Statement.

1 Nelson Road is a single storey, Inter War house set on a very large block to the north side of the street. The house has an undercroft to the side and rear that has been extended and converted to accommodation. The front of the house is set up from the garden with steps up to the front. The house has been heavily altered and extended to the side and rear.

The house is in face brick with a hipped, terracotta tile roof. There is a projecting, hipped roof bay to the front (former verandah) that has been infilled with glazing. The main entrance is to the centre with steps up to an inset porch with a brick arch over. There is a projecting, faceted bay window to the east. The house has a single storey extension to the side with a flat roof over. The rear has been extended with the roof extended to suit.

Internally the house has been heavily altered though it retains some original fabric and detailing. There is a large hall to the front with side halls off. The extensions have led to the central rooms being internal and these have been converted to a bathroom and service rooms.

The major rooms are to the front and side and the front bedroom has a later addition to form an ensuite. The rooms to the east have been arranged enfilade with sliding doors between. The rear section is open plan with a large kitchen and dining area with glazed doors to a large, partly curved rear deck with stone steps to the rear garden. The western hall has bedrooms off and there is a stair to the basement with a bedroom, bathroom and laundry.

Floors are in polished timber (O & M) and tile (M) (there is original tiling to the front porch). Walls are in plastered masonry (O & M) and plasterboard (M) with moulded timber skirtings with a deep, timber picture rail to the major rooms at door head height. Ceilings are in fibrous plaster with bas-relief decoration (O) and plasterboard (M) and there is a raised, coved ceiling to the living room. There is a brick fireplace to the living room. Original doors are high waisted, four paneled, polished timber with moulded timber architraves. The sliding doors are fully or partly glazed in a variety of patterns and there is a multi-paned glazed door to the front entry with sidelights. Original windows are two pane, double hung, timber sashes some with leadlight decoration. Later windows are copies or in a modern format. There are modern, multi-paned, glazed doors to the family room at the rear with a bay section to the rear deck.

The house has a large garden to the front partly laid to lawn and bounded by a low, brick fence (O). There are perimeter plantings and several mature trees and a concrete side drive to a large carport that has a hipped, terracotta tile roof supported on timber columns and brick piers. There is a very large garden to the rear with an artificial tennis court and modern swimming pool. The garden is partly laid to lawn are several matures trees and shrub plantings close to the house.

Nelson Road is a quiet tree lined street that is lined with single storey houses from the Federation period onwards, some altered with first floor additions. To the east is a single storey, Inter War house set on a sandstone base with a hipped terracotta tile roof. To the west is a single storey, Inter War house that has a full first floor addition in face brick. The houses are generally set in well-landscaped gardens.¹

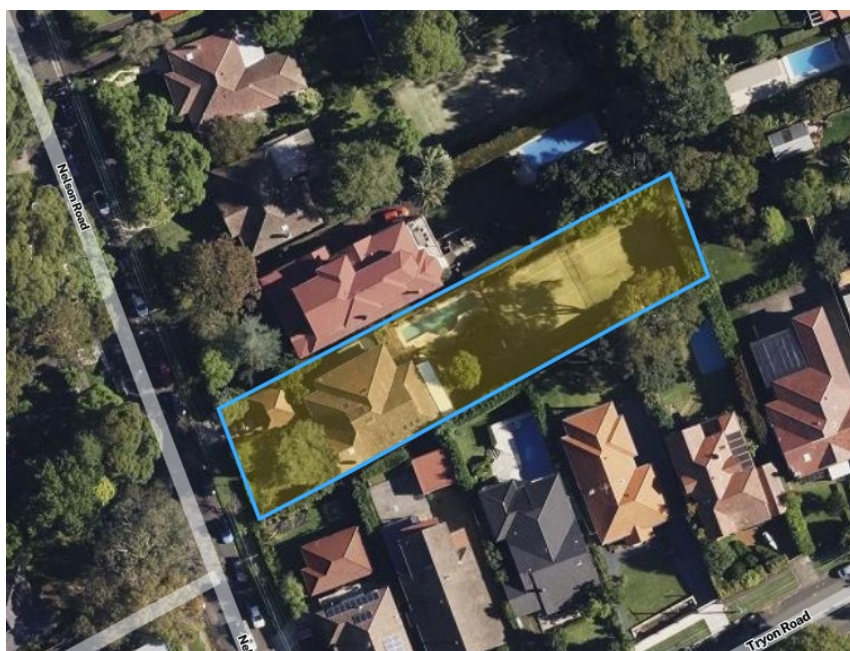


Figure 2 Aerial diagram showing 1 Nelson Road outlined in blue.

¹ John Oultram Heritage & Design, 2015, 1 Nelson Road, Lindfield – Heritage Impact Statement, report prepared for Jim and Jane Freeman, p.7.



Picture 5 The primary façade and carport of 1 Nelson Road.

Source: Urbis, 2025.



Picture 6 1 Nelson Road in the streetscape context.

Source: Urbis, 2025.



Picture 7 Primary façade of 1 Nelson Road.

Source: Urbis, 2025.



Picture 8 1 Nelson Road as seen from the opposite side of the road. Note the mature pine tree and vegetation within the lot.

Source: Urbis, 2025.

2.3.2. 3 Nelson Road

3 Nelson Road is a two storey, interwar house with undercroft (built c.1927 based on documentary evidence) fronting Nelson Road. The house is constructed of dark coloured bricks in a running brick bond and infilled at the ground level with sandstone/ashlar blocks. The primary façade has timber casement windows at the ground floor and upper floor. At the ground level a L shaped verandah faces out to the street level with decorative timber balustrades, tapered pylons constructed of brick, a short set of steps with a stone handrail. The house is located on a rectangular lot that gently slopes to the east.

The house has a combination of hipped and gable roof, with a street facing gable with half-timbered effect and gable ventilator. The roof is red terracotta roof tiles, and corrugated iron sheeting awning overhanging the front verandah. The first floor was an extension to the house to the west (rear elevation) added in 2005, at this time the roof material was updated.

The ground level has been infilled with masonry blocks that extend to the rear of the property. The infilled ground level accommodates the garage, laundry, gym, toilet, rumpus room and paved area that extends to the rear yard.

Internally the house has been heavily modified and appears to contain more modern than original features. The house contains sash and casement windows instead of modern sliding windows. However, the windows are probably not original features and used to add a heritage aesthetic.

Fronting Nelson Road the lot has mature trees, a timber picket fence, hedges, and garden beds. From the street level the house is screened by the dense vegetation, which is well maintained.



Figure 3 Aerial diagram showing 3 Nelson Road outlined in blue.

Source: Six Maps 2025



Picture 9 Image of 3 Nelson Road from the opposite side of the road. Noted the dense vegetation.

Source: Urbis, 2025.



Picture 10 The primary façade of 3 Nelson Road.

Source: Urbis, 2025.



Picture 11 Rear elevation of the 3 Nelson Road.

Source: Realestate.com. 2008.

<https://www.realestate.com.au/property/3-nelson-rd-lindfield-nsw-2070/>.



Picture 12 Dining room on the ground floor of 3 Nelson Road.

Source: Realestate.com. 2008.

<https://www.realestate.com.au/property/3-nelson-rd-lindfield-nsw-2070/>.



Picture 13 14 Front yard of the house showing the mature trees.

Source: Urbis, 2025.



INTERNAL FLOOR AREA (approx): 523 m²: 56 sq

Disclaimer: K & S Smith-White ABN 84 555 107 508
Trading as NORTHSIDE FLOORPLANS Pyrmont - Hornsby
Tel: 91 44 2474; Mob: 0427 442 474
This floor plan serves only as a guide for promotional purposes and
should not be scaled or relied upon for any specific detail.
No liability will be accepted.



3 Nelson Road, Lindfield

Figure 4 Floor plan of 3 Nelson Road Lindfield.

Source: Realestate.com, 2008. <https://www.realestate.com.au/property/3-nelson-rd-lindfield-nsw-2070/>.

2.3.3. 5 Nelson Road

5 Nelson Road is a single storey interwar (1930 – 1943) brick bungalow, fronting Nelson Road. The house has a hipped roof with a street facing gable with half-timber effect, and a gable ventilator. The roof has wide eaves that overhang, and a short brick chimney coming through the gable street facing end. The roof is hipped roof is terracotta tiles. The primary façade has paired sash windows and a single sash window. The primary entrance is a portico framed by columns.

The ground level has been infilled with stone blocks similar to 5 Nelson Road.

The house is sited on rectangular lot that slopes to the east as evidenced by the sloping driveway. The property is screened from the street by mature trees and vegetation, with hedging fence, with a single paved driveway that slopes down toward a garage.



Figure 5 Aerial diagram showing 5 Nelson Road outlined in blue.

Source: Six Maps, 2025.



Picture 15 The primary façade of 5 Nelson Road.

Source: Urbis, 2025.



Picture 16 5 Nelson Road as seen from the street.

Source: Urbis, 2025.



Picture 17 Primary façade of the house, showing the portico and columns.

Source: Urbis, 2025.



Picture 18 Facing towards 3 and 5 Nelson Road. Note the dense vegetation that screens the properties.

Source: Urbis, 2025.

3. Historical Overview

3.1. Area History (Post European Settlement)

Lindfield was originally traditionally the lands of the Aboriginal people that came to be called the Kuringgai.² The first land usage by non-Aboriginal people at Lindfield was the extension of the Lane Cove Sawing Establishment adjacent to what is now a roundabout marking the intersection between Fiddens Wharf Road, Bradfield Road and Lady Game Drive. A camp at the river end of Fiddens Wharf Road had been established from c.1805, and it is likely that the more permanent camp was established to cater for the 48 convicts, as well as cattle, based there. The camp was still in existence in 1816 but was likely abandoned in 1819. By 1812 land was offered to settlers in the hopes that they would begin improving the land by clearing the timber in the establishment of farming.³

Little information is available regarding the early Lindfield pioneers. Daniel Dering Mathew is known to have been granted land in 1818 that spanned the present Lindfield and Roseville, extending along the eastern side of the highway as far north as modern Tryon Road, encompassing the area of the subject site. This 400-acre estate, named 'Clanville' covered much of the area of Lindfield, including the modern Trafalgar Avenue. Subdivision of the estate began in 1893 and continued to 1923.⁴ Settlement in the area was given a boost in 1833 when George Cadby of the NSW Veteran Corps took possession of 10 acres of land. He subsequently made an application for six convicts to work for him. George Cadby's grant was located in the heart of Lindfield, extending along the main road from Bent and Balfour Street to Lindfield Public School and westwards towards Ivey Street. By the mid 19th century, the major roads were Fiddens Wharf Road (originally Dick's Road), and Bradfield Road (formerly Hyndes Wharf Road, and before that Cooks Wharf Road). These ran to the Lane Cove River.

The first land grant was in 1815 with most of the settlement near the Lane Cove River, using the watercourse as the main transport artery. Once the timber-getting industry had removed most of the tree vegetation, orchardists and farmers were more readily able to cultivate the land, and although landowners still harvested the timber from the 1840s fruit growing and farming gradually became the primary industries.⁵

The Clanville Estate was purchased by Richard Archbold in 1824. Archbold cleared the land of timber before establishing orchards and hiring convicts to work the property.⁶ A number of cottages were constructed within the estate by Archbold and his successors. Richard Archbold died in 1836, after which his wife Mary Archbold continued to farm the land until her death in 1850. The property was inherited by the children of Richard and Mary Archbold, and subdivided into eight 50 acre lots in 1858, when the youngest turned 21. A map from the time of this subdivision shows the location of the subject area just outside of Archbold's estate (Figure 8). The property neighbouring Archbold is marked on this map as belonging to 'P. Erwin'. This likely represents the nearest landholder to the northwest of Archbold's land holding, perhaps the 1858 owner of Munro's property.

The land northeast of Lindfield Station remained Crown Land throughout almost all of the 19th Century. The larger estates of Lindfield began to be subdivided into suburban housing blocks in 1881, in anticipation of the opening of the railway in 1890. The first subdivision of the Clanville Estate was the 1893 Roseville Park Estate, located by the newly constructed Roseville Station along the southern boundary of Mathew's original grant. The subject area was originally granted to Robert Edmund Alfred Wilkinson on 19 August 1897. This land grant was Parish Portion 192, 3 ¼ acres of Crown land located on the corner of Nelson and Tryon Road. An 1894 survey of the parish of Gordon, later annotated in red, marks the subject area as belonging to Wilkinson (Figure 9). The subject area at this time is surrounded by 'low slopes' and 'orchard land' and is bisected by a creek. The location of this creek within the subject area suggests the land was unsuitable for building on during earlier periods. In 1899, the subject area was transferred from Robert Edmund Alfred Wilkinson to Robert Charles Stephen Wilkinson of Grenfell, Bank Manager, George James Wilkinson of Manly, Bank Accountant, and the Reverend Robert Raymond King of Gordon, Clerk in Holy Gardens.

During the latter half of the nineteenth century, the development of highways and the advent of the railway in 1890 significantly transformed transportation and settlement patterns. Improved roads and railways enabled

² Edwards, Z. and Rowlands, J., 2008, Lindfield, Sydney Journal 1 (3), 127-129.

³ Ibid.

⁴ Ku-ring-gai Council, 2020a, Clanville Conservation Area – C32 (KLEP 2015), C32B and C32C (KLEP (LC) 2012.

⁵ Ku-ring-gai Historical Society Inc, 1996, Focus on Ku-ring-gai, <https://khs.org.au/>.

⁶ GML, 2015.

fruit growers to diversify their crops, particularly soft fruits, which could now be transported to markets more efficiently. This period saw a rise in land values along the railway lines as suburbanisation began to take hold. The Lindfield area attracted business and professional individuals seeking a healthier lifestyle for their families, away from the city's pollution, yet with convenient rail access to urban centres. Notably, Tom Coleman's dairy on Lane Cove Road, now the Pacific Highway, became a vital supplier of milk to the burgeoning communities of Roseville, Lindfield, and Killara, despite occasional issues with cattle straying from homes and dairies.⁷

The establishment of local governance and community infrastructure marked the early twentieth century in Lindfield. William Cowan, the first president of Ku-ring-gai Shire Council, and his neighbours formed the Lindfield Progress Association in 1897 to address the absence of a formal council. Their efforts focused on securing essential services such as electricity, railway services, and educational facilities.⁸ By this time, Lindfield had evolved into a well-established suburb, complete with a post office, churches, schools, and various recreational clubs.

Lindfield saw significant development during the early 20th century, with a mix of housing, schools and commercial developments, its population bolstered by the expansion of the public transport system, including bus routes, and later the introduction of trolley busses in the 1930s.⁹ Postwar development brought further changes to Lindfield, with expansion of the shopping centre between the wars, and the postwar years saw significant growth, including the construction of new residential units along the Pacific Highway and Lindfield Avenue. The suburb experienced a modest population increase between 1996 and 2001 due to new housing developments. Today the suburb is regarded for the many residential dwellings displaying the Federation architecture style and aesthetic qualities.



Figure 6 1835 map of the Parish of Gordon, showing D.D. Matthews 400-acre land grant "Clanville" to the southeast and Andrew Munro's 40 acres to the southwest. Approximate location of the subject area is indicated in red.

Source: HLRV, Parish of Gordon

⁷ Edwards and Rowland, 2008.

⁸ Ku-ring-gai Historical Society, 1996.

⁹ Edwards and Rowland, 2008.



Figure 8 Plan of the 1858 subdivision of Archbold's estate into eight lots of 50 acres. The approximate location of the subject area is indicated in red. The property neighbouring Archbold's estate is indicated as belonging to 'P. Erwin'

Source: B267-952

3.2. Subject Site History

3.3. 1 Nelson Road

3.3.1. Site History

In 1888 a plan of 195 portions available to purchase in the parish of Gordon, County Cumberland. Portion 192 is listed as being purchased by Robert Alfred Wilkinson. The earliest land record title for 1 Nelson Road is 1897 for Robert Edmund Alfred Wilkinson purchased portion 192, measuring three acres one rood and thirty-eight perches for £210 (Figure 9). The lot is described as being '*...the north eastern side of Nelson Road meets the north western side of Tyron Road and bounded thence on the south west by Nelson Road aforesaid dividing it from part of portion one hundred and six of forty acres...*'¹⁰

¹⁰ NSW Land Registry Services, Land Grant 1899 Vol.1240, Fol.214. <https://hlrv.nswlrs.com.au/>.

Portion 192 owned by the Wilkinson family was named 'Belhelvie Estate', it was one of the largest subdivisions in Lindfield.¹¹ In 1916 Belhelvie Estate was listed as being owned by Robert Alfred Edmund Wilkinson's son George James Wilkinson.¹²

In December 1919 portion 192 had been subdivided into 11 lots with 1 Nelson Road becoming Lot 6 of Deposited Plan 9789.¹³ The Lots were available to purchase via auction sale on 6 December (Figure 10). The lots were described as:

*'The ground is within five minutes' walk of Lindfield Station, east of the railway, fronting Nelson and Tyron Roads. Lots have 50 to 70ft. frontages and amole depths. Water and gas. Title Torrens. Building covenant and usual east terms.'*¹⁴

After the subdivision of Belhelvie Estate Lot 6 (1 Nelson Road) was purchased by Emma Mary Isabelle Sippe the wife of Charles Henry Sippe, who owned portion 193, adjoining portion 192 in 1888. Emily Sippe owned Lot 6 until 1934, under her ownership the land was never developed.¹⁵

*By 1927 the 11 lots subdivided from Belhelvie Estate only a small majority were developed. The majority of the developments were along Tyron Road, along Nelson Road only number 3 (lot 7) had been developed. In 1934 Emily Sippe transferred the land title to James Wright a builder from Hornsby. John Wright lodged a building application for a brick bungalow and garage at the cost of £1,300, with the application having the address at Tyron Road but fronting Nelson Road.*¹⁶

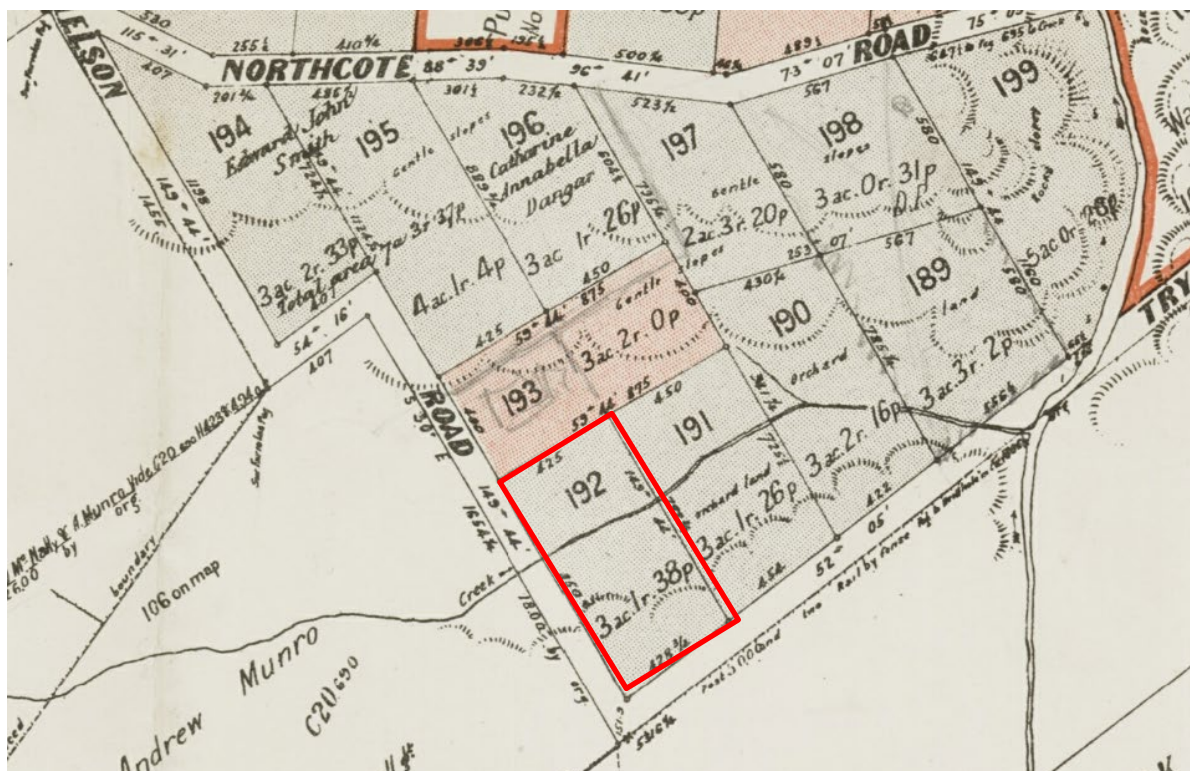


Figure 9 Auction sale of crown lands in Lindfield 3rd March 1894. Portion 192 showing as being 3 acres, 1 rood and perches (outlined in red).

¹¹ John Outtram Heritage & Design, 2015, 1 Nelson Road, Lindfield, NSW – Heritage Impact Statement, report prepared for Jim and Jane Freeman.

¹² Sands Sydney, Suburban and Country Commercial Directory, 1916. Accessed from City of Sydney Archives & History Resources.

¹³ NSW Land Registry Services, Land Grant 1923, Vol 3454, Fol. 217.

¹⁴ Smith's Weekly, 'Real Estate World' Saturday 29 November 1919, p.13.

¹⁵ <https://trove.nla.gov.au/newspaper/article/234256233?searchTerm=Belhelvie%20Estate>.

¹⁶ John Outtram Heritage & Design, 2015, p.5

¹⁷ Ibid, p.6.

Source: NSWSL, Z/SP/L9, SP/L9, Preservation copy identifier FL9026123 (web).

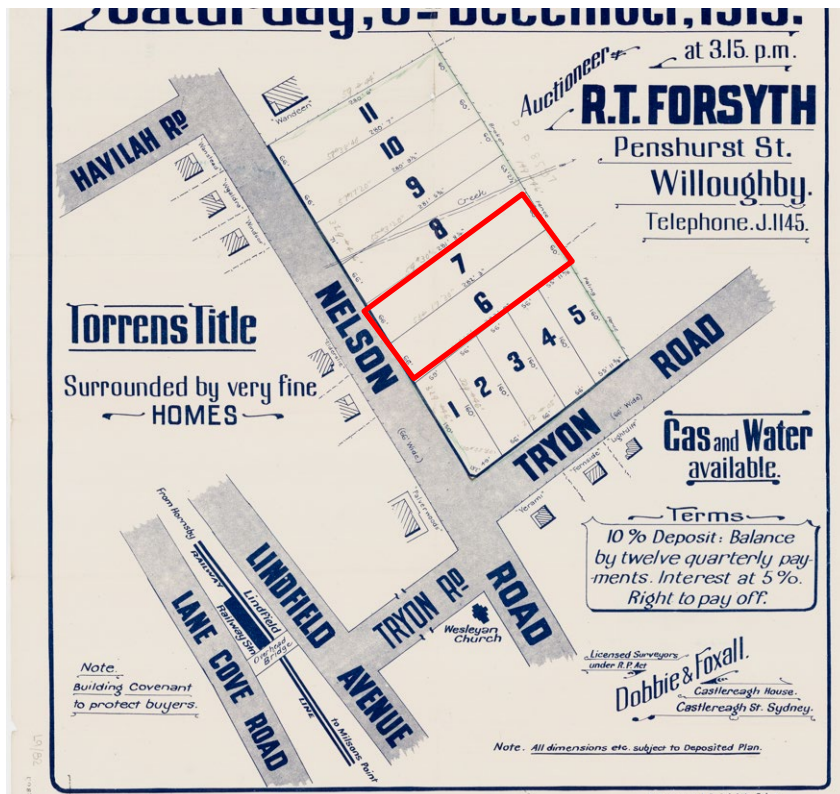


Figure 10 Belhelvie Lindfield Estate auction sale 1919. The subject site highlighted in red.

Source: NSWSL, Preservation copy identifier FL9018775 (web).

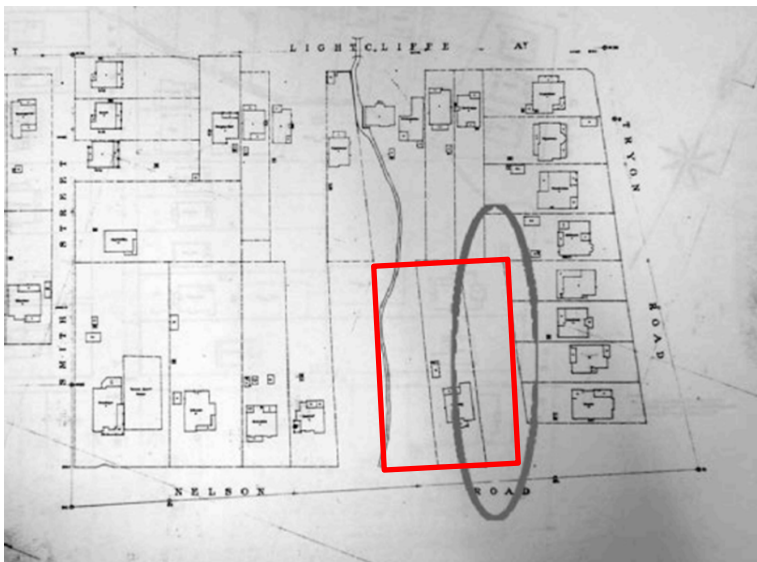


Figure 11 Water Board survey of Lindfield in 1927, the plan shows the lots with a development in Belhelvie Estate. Note by this time Lot 6 is still undeveloped, however Lot 7 (3 Nelson Road) was developed.

Source: Sydney Water, courtesy of JOHC 2015

The brick bungalow was completed in 1934, James Wright transferred the land title to Mrs. Ethel Dora Rosser wife of George Gething Rosser, a chemist from Mosman. In 1938 there was a brief title transfer from Ethel Rosser to Alice Mary Slack of Croydon, however in 1940 Ethel transferred the land title to Mr Edwin

John Greenwood. Since 1964 the Land title has been held by George Ralph Papallo, until the property was sold in 1990, and was sold again in December 2014.¹⁷

3.3.2. Property Ownership History

The relevant post European settlement property owners as identified through historical research are outlined below for reference.

Table 1 Property Ownership History



| Year/Date | Owner | Source |
|-----------|--|-----------------------|
| 1897 | Robert Edmund Alfred Wilkinson of Kogarah, Gentleman | Vol. 1240 – Fol. 214. |
| 1899 | Robert Charles Stephen Wilkinson, George James Wilkinson and Reverend Robert Raymond King as joint tenants Land portion 192, Gordon | Vol. 1272 – Fol. 82. |
| 1923 | Emma Mary Isabel Sippe wife of Charles Henry Sippe | Vol.3453 – Fol. 217. |
| 1934 | James Wright of Hornsby (builder) | Vol 3454 - Fol. 217. |
| 1934 | Ethel Dora Rosser, wife of George Mathew Rosser | Vol 3454 - Fol. 217. |
| 1940 | Edwin John Owen Greenwood | Vol. 6288 - Fol.206 |
| 1964 | George Ralph Papallo | Vol. 6288 - Fol.206 |

3.3.3. Construction Date

Based on the historical research outlined herein, we have identified the construction date of 1934. This is substantiated by the historical aerial, below in Table 2. The earliest available aerial from 1930, the image is of low resolution, lot 6 appears to be mainly vegetation, a house on lot 7 can be seen, this is confirmed in the 1927 Water Board plan for the site. Since its construction the house has not been altered in a way that changed the form, bulk or scale. By 2004 a carport fronting Nelson Road had been constructed, with a tennis court placed to the rear of the house.

Table 2 Historical Imagery

¹⁷ Realestate.com, '1 Nelson Road, Lindfield, NSW', <https://www.realestate.com.au/property/1-nelson-rd-lindfield-nsw-2070/>.

| Date | Image | Comments |
|------|--|---|
| 1930 |  | <ul style="list-style-type: none"> Lot 6 (outline in red) appears to be mainly vegetation. No clear built forms can be observed. Roof form on lot 7 can be observed. |
| 1943 |  | <ul style="list-style-type: none"> Lot 6 has been developed. The surrounding area has been developed by this time, with predominantly low-density residential dwellings. |
| 1955 |  | <ul style="list-style-type: none"> No changes made to the house form or scale at this time. |

| Date | Image | Comments |
|------|---|---|
| 1986 |  | <ul style="list-style-type: none"> No changes to the house form, scale or bulk at this time. |
| 2004 |  | <ul style="list-style-type: none"> House as an extension to the western (rear) elevation. Carport visible in front of the house, and a tennis court to the rear of the house. |

3.4. 3 Nelson Road

3.4.1. Site History

3 Nelson Road – Lot 7 DP9789, was part of portion 192 called Belhevie Estate, owned by the Wilkinson family, until 1919 when Belhevie Estate was subdivided into 11 Lots. From 1919 to 1926 Emma Mary Isabelle and Charles Henry Sippe held the land title for Lot 7 and Lot 8 DP 9789. In 1926 the title was transferred to Almond Allen an accountant from Hornsby and his wife Ivy Clare Allen. Lot 7 was described as containing ‘one rood twenty four and three quarters perches.’¹⁸ In 1929 3 Nelson Road is a confirmed address, belonging to Allen Almond, Kalang.¹⁹

It is understood that the Allen’s probably built the house that was noted in the 1927 Water Board plan (see Figure 6). The land title agreement came with a covenant that any house built on the lot should only be either brick or stone or other approved materials, to the value of £850, and the roof be constructed of iron (Figure 15).

The Allen’s lived in the house until 1936 when title transfer was made to Alice Mary Willcock wife of Fredrick Joseph Willcock of Lindfield. In 1940 the land title was transferred to a private company and was not

¹⁸ NSW Historical Land Register, Vol. 3840. Fol.102.

¹⁹ Wise’s New South Wales Post Office Directory, 1929, p.554. <https://nla.gov.au/nla.obj-601348789/view?sectionId=nla.obj-638812498&searchTerm=5+Nelson+Road+Lindfield&partId=nla.obj-607709112#page/n623/mode/1up>.

transferred again until 1963 to Alexander and Lilly MacDonald as joint tenants, they remained until 1975, when the last recorded change to the title was taken over by the Commercial Banking Company. The house was sold in September 1999 and again in September 2008.²⁰

The house was extended to the west (rear of the house) and the first floor was completed in 2005 (Figure 14). By this time the roof material was changes from the dark terracotta tile roof to the red terracotta roof.

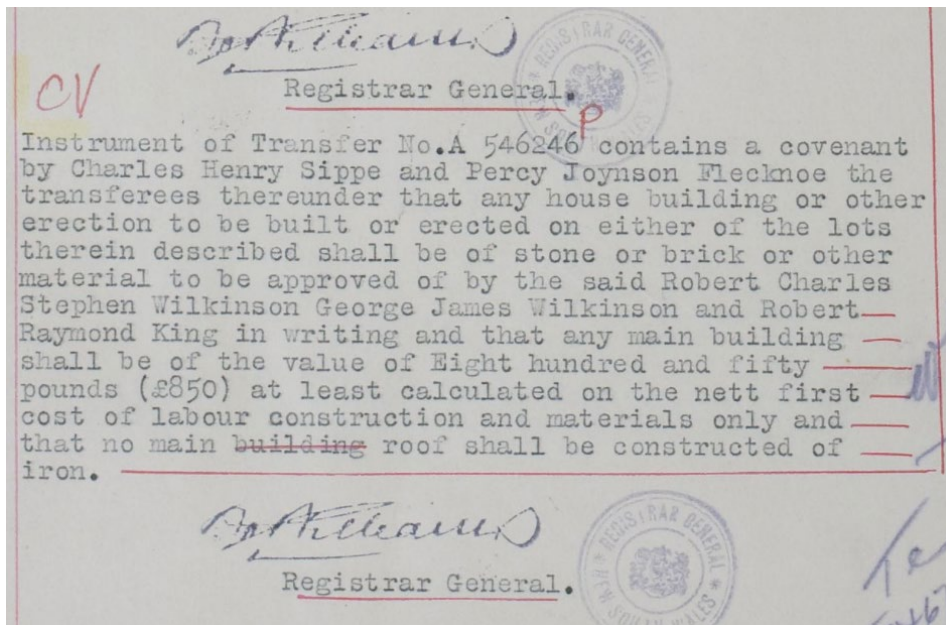


Figure 12 Instrument of Transfer no. 546246, noting the covenant of the land title.

Source: NSW Historical Land Register, Vol.3840. Fol. 102.



Figure 13 3 Nelson Road in 1994

Source: NSW Historical Imagery



Figure 14 3 Nelson Road in 2005

Source: NSW Historical Imagery

²⁰ Realestate.com, 3 Nelson Road Lindfield, <https://www.realestate.com.au/property/3-nelson-rd-lindfield-nsw-2070/>.

3.4.2. Property Ownership History

The relevant post European settlement property owners as identified through historical research are outlined below for reference.

Table 3 Property Ownership History

| Year/Date | Owner | Source |
|-----------|--|-----------------------|
| 1897 | Robert Edmund Alfred Wilkinson of Kogarah | Vol. 1240 – Fol. 214. |
| 1899 | Robert Charles Stephen Wilkinson, George James Wilkinson and Reverend Robert Raymond King as joint tenants | Vol. 1272 – Fol. 82. |
| 1920 | Charles Henry Sippe for Lots 7 & 8 | Vol.3032. Fol 43. |
| 1926 | Almond Allen and Ivy Clare Allen | Vol 3840 - Fol. 102. |
| 1936 | Alice Mary Willcock wife of Fredrick Joseph Willcock | Vol 3840 - Fol. 102. |
| 1940 | Perpetual Trustee Company (limited) | Vol 3840 - Fol. 102. |
| 1963 | Alexander Lindsay MacDonald (engineer) and Lilly Margaretta MacDonald joint tenants | Vol 3840 - Fol. 102. |
| 1975 | Alexander MacGregor of Goroka, Papua New Guinea | Vol 3840 - Fol. 102. |
| 1975 | The Commercial Banking Company of Sydney Limited | Vol 3840 - Fol. 102. |

3.5. 5 Nelson Road

3.5.1. Site History

As noted above, 5 Nelson Road (Lot 8 DP9789), was part of Belhevie Estate, until it was subdivided in 1919. In 1920 the title was transferred from the Wilkinson family to Charles and Emma Sippe. It is likely that 5 Nelson Road was built around the same time as 1 Nelson Road, the historical aerials seen in Table 2 indicates there is no building in 1930 but was built prior to 1943. This is confirmed in Post Office Directory with only 3 Nelson Road being a registered address belonging to Allen Almond.²¹

3.6. Crown Blocks Conservation Area

This section has been reproduced from the historical information noted for the Crown Block Conservation Area C22.

The Crown Blocks Conservation Area has historic significance as Crown Blocks which sold in the 1890s whose boundaries are evident through the following streets: Tryon Road, Nelson Road and the boundary of original large lots. The area has historic significance for the further subdivision of Crown Blocks as Mackenzie Estate in 1907, Lightcliff Avenue and Slade Avenue in 1916 and Belhelvie Estate in 1919. The area has aesthetic significance for the intact Federation and Inter-war houses, with some examples of mid to late twentieth century development. Nelson Road consists mainly of Federation period houses with consistent siting,

²¹ Wise's New South Wales Post Office Directory, 1929, p.554. <https://nla.gov.au/nla.obj-601348789/view?sectionId=nla.obj-638812498&searchTerm=5+Nelson+Road+Lindfield&partId=nla.obj-607709112#page/n623/mode/1up>.

*massing and architecture. Lightcliff Avenue represents a significant example of cohesive subdivision and development with housing styles including Inter-war Mediterranean and Old English. The Seven Little Australians Park and Killara Oval are important inclusions to the HCA, providing large landscape elements of high visual amenity.*²²

²² Ku-ring-gai Council, 2020, Crown Blocks Conservation Area C22. PDF File.

4. Heritage Significance

4.1. What is Heritage Significance?

Before undertaking change a listed heritage item, a property within a heritage conservation area, or a property located in proximity to a listed heritage item, it is important to understand the heritage values of the place and its broader heritage context. This understanding will underpin the approach to any proposed changes and identify what is important and why, and how these values can be protected. Statements of heritage significance summarise the heritage values of a listed heritage item – why it is important and why a statutory listing was made to protect these values.

4.2. Heritage Listings

4.2.1. Subject Site Heritage Listings

The subject site is not listed as a heritage item (under Schedule 5 of Ku-ring-gai Local Environmental Plan (LEP) 2015) or in the State Heritage Register. The subject site is however located within a Heritage Conservation Area (HCA), identified as the Crown Blocks Conservation Area (C22) under part 2 of Schedule 5 of Ku-ring-gai Environmental Plan (LEP) 2015.

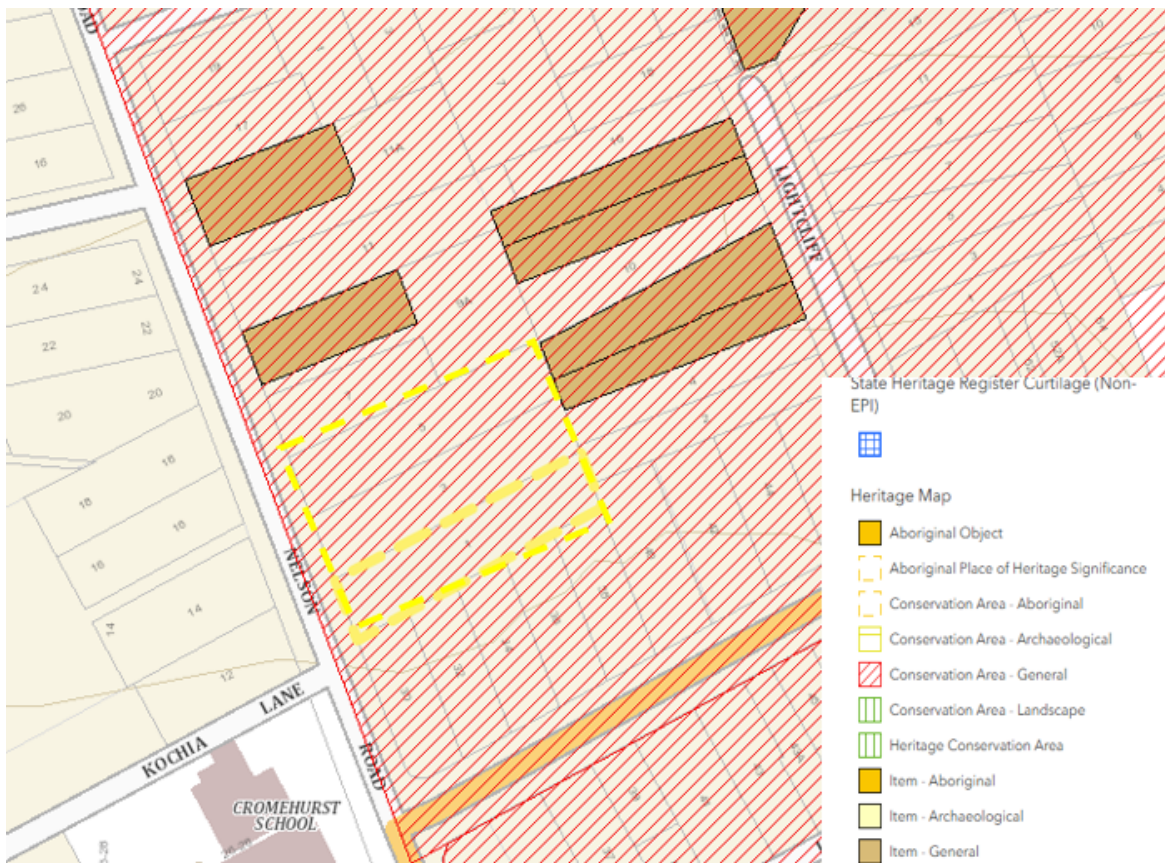


Figure 15 Heritage map showing the subject site outlined in yellow

Source: NSW Planning Portal ePlanning Spatial Viewer

4.2.2. Crown Blocks Conservation Area (C22) Statement of Significance

Historically, the area represents the fine residential development of Killara during the nineteenth and twentieth centuries. The area is of local historic and aesthetic significance as a good and largely intact residential precinct characterised by streetscapes of good, high-quality examples of single detached houses from the Federation, inter-war and post-war periods. The built context is enhanced by large garden settings, wide street proportions, street plantings and remnant and planted native trees and reserve areas which are synonymous with the Ku-ring-gai area.

Killara Park, Swains Gardens and various reserves in and around the area contribute to the aesthetic character and social significance of the area. The blocks are located about streets generally formed by neighbouring early grant boundaries, estates and suburban subdivision. The current layout and pattern of development represents the late nineteenth and early to mid-twentieth century development of the area. The predominant early twentieth century development of the area also reflects the evolution of rail and road networks and particularly improvements of the rail network in the late 1920s and early 1930s. Some land consolidation and creation of larger blocks and subdivision and creation of residential blocks has also occurred in the area. Despite these changes the area significantly retains a streetscape pattern characterised by single detached houses and emphasis on residential development and retention of natural and recreational areas.

The area is of local heritage significance in terms of its historical and aesthetic value. This satisfies two of the Heritage Council criteria of local heritage significance for local listing. ²³

4.2.3. Revised Statement of Significance

Through detailed analysis of the subject site's heritage characteristics contained within this report, it is considered that the above established statement of significance is not useful in providing an accurate reflection of the Crown Blocks Conservation Area's character.

The subject dwellings located on Nelson Road, Lindfield are not highly intact, nor highly representative examples of interwar architecture. The dwellings, and in particular 1 and 3 Nelson Road, feature extensive contemporary modifications to its primary street-facing and rear elevations along with substantial extensions to the lower ground floor. 3 and 5 Nelson Road have also been infilled at the ground level in an unsympathetic way for interwar bungalows. This resulting in the obscurement of its original form and footprint.

Contextual analysis and a review of the subject site's level of intactness and has found that the dwellings contribution to the Heritage Conservation Area has been significantly diminished. Contemporary additions and alterations undertaken in recent years has impacted on both architectural characteristics of the buildings, and streetscape values of Nelson Road.

Further, the presence of modern dwellings surrounding the subject site has isolated these dwellings from the greater Conservation Area. The subject site is distinctly separate in terms of its orientation and distance to more notable parts of the HCA and no longer contributes to its establisher character values.

4.3. Nearby Heritage Items Statement of Significance

The following list outlines the established statements of significance for relevant heritage items in the vicinity of the subject site sourced from the Statement Heritage Inventory.

4.3.1. Dwelling (item I454), 9 Nelson Road

No Statement of Significance has been noted in the NSW State Heritage Inventory listing for the heritage item.

4.3.2. 'Dwelling House (item I455), 15 Nelson Road

Reasons for listing; architectural, municipal significance. ²⁴

4.3.3. Dwelling House (item I445), 6 Lightcliff Avenue

Reasons for listing; cultural, architectural, group value, municipal value. ²⁵

²³ NSW, SHI, Crown Blocks Conservation Area (C22), <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1882686>.

²⁴ NSW State Heritage Inventory, Dwelling House Item I455, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1880706>.

²⁵ SHI, Dwelling house item I445, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1880667>.

4.3.4. Dwelling House (item I446), 8 Lightcliff Avenue

*Reasons for listing; cultural, architectural, group value, municipal significance.*²⁶

4.3.5. Dwelling House (item I447), 12 Lightcliff Avenue

*Reasons for listing; cultural, architectural, group value, municipal significance.*²⁷

4.3.6. Dwelling House (item I448), 14 Lightcliff Avenue

*Reasons for listing; cultural, architectural, group value, municipal significance.*²⁸

4.3.7. Tyron Road Uniting Church (SHR 01672), 33 Tyron Road

The Tryon Road Uniting Church, constructed in 1914 in the Federation Gothic style with Arts & Crafts influences, is of aesthetic significance at the State level. Externally and internally, the church complex is an unspoiled instance of Australian Edwardian design. Harmonious furnishings and stained glass from distinguished Sydney firms contribute to a beautiful interior, and enhance its Arts & Crafts design. The organ has historic, social and technical significance at State level. It comprises pipework from an early Irish organ used at St Mary's Cathedral, Sydney, in 1839, purchased for the Wesleyan Church first in Macquarie Street and later York Street; it was rebuilt and enlarged at different times by the important Sydney builders Charles Jackson and William Davidson and the great Melbourne firm of George Fincham & Sons. It is a rare instrument with unusual size and power, and interesting tonal character. The organ case is of cedar and possesses unusually high quality design and workmanship. It has recently been restored to its Macquarie Street glory.

*The complex comprises church and hall and is of local significance for its social associations with Lindfield from the early years of the suburb to the present time. It is a rare instance of church premises designed by the Roseville architect William Slade, who also designed the Roseville Uniting Church, and many other local buildings in the late nineteenth and early twentieth centuries.*²⁹



Picture 19 6 Lightcliff Avenue, no date

Source: State Heritage Inventory



Picture 20 9 Nelson Road

Source: Google Street View, 2024

²⁶ SHI, Dwelling House Item I446, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1880668>.

²⁷ SHI, Dwelling House Item I447, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1880669>.

²⁸ SHI, Dwelling House Item I448, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1880670>.

²⁹ NSW State Heritage Inventory, 2011, Tryon Road Uniting Church – SHR 01672, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5053604>.



Picture 21 15 Nelson Road

Source: Google Street View 2024



Picture 22 Tyron Road Uniting Church

Source: Google Street View, 2024

5. The Proposal

Proposed works include the demolition of the three existing dwellings on the subject site and the construction of a new high density residential development with an affordable housing component.

Key components of the proposal include:

- Demolition of the three existing dwellings at 1 – 5 Nelson Road.
- Removal some vegetation across the subject site.
- Removal of ancillary structures such as carports, swimming pools outdoor terraces and steps.
- Development of high-density residential block with 167 apartments with a mix of 1,2- and 3-bedroom apartments.
- Two levels of basement carparking.
- Provisions for infill affordable housing.

Urbis has been provided with drawing documentation prepared by DKO. This HIS has relied on these plans for the impact assessment include in Section 6. Extracts of the proposed plans are also provided overleaf. Full size plans should be referred to for detail.

It should be noted that at this stage the proposed plans are in the concept stage.

Table 4 Proposed Plans

| Author | Drawing No. | Drawing Title | Date |
|--------|-------------|------------------------|----------|
| DKO | DA102 | Demolition Plan | May 2025 |
| DKO | DA104 | Envelope Plan | May 2025 |
| DKO | DA200 | Overall – Basement 2 | May 2025 |
| DKO | DA201 | Overall – Basement 1 | May 2025 |
| DKO | DA202 | Overall – Ground Floor | May 2025 |
| DKO | DA203 | Level 01 | May 2025 |
| DKO | DA204 | Level 02 | May 2025 |
| DKO | DA205 | Level 03 | May 2025 |
| DKO | DA206 | Level 04 | May 2025 |
| DKO | DA207 | Level 05 | May 2025 |
| DKO | DA208 | Level 06 | May 2025 |
| DKO | DA209 | Level 07 | May 2025 |
| DKO | DA210 | Level 08 | May 2025 |
| DKO | DA309.1 | Height Limit | May 2025 |
| DKO | DA500 | GFA Diagrams | May 2025 |
| DKO | DA504 | Solar Access Diagrams | May 2025 |

| Author | Drawing No. | Drawing Title | Date |
|--------|-------------|----------------------------|----------|
| DKO | DA505 | Cross Ventilation Diagrams | May 2021 |

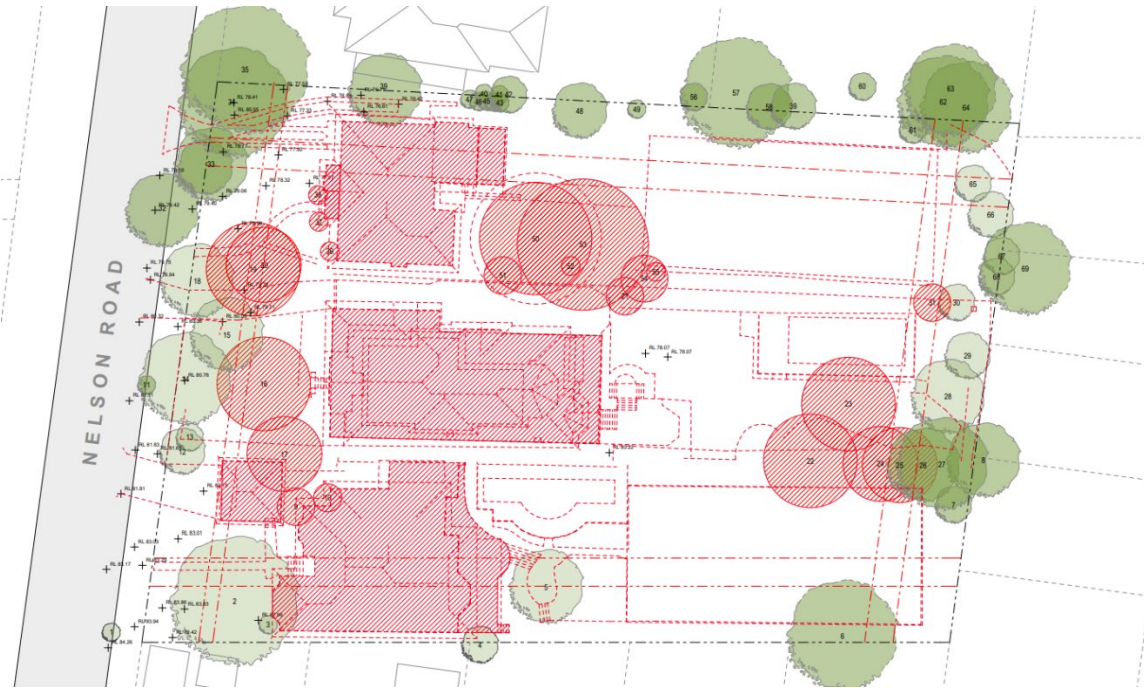


Figure 16 Extract of proposed Demolition Plans, showing the removal of the existing dwellings, vegetation and other structures and services.

Source: DKO, 2025, drawing number DA102.

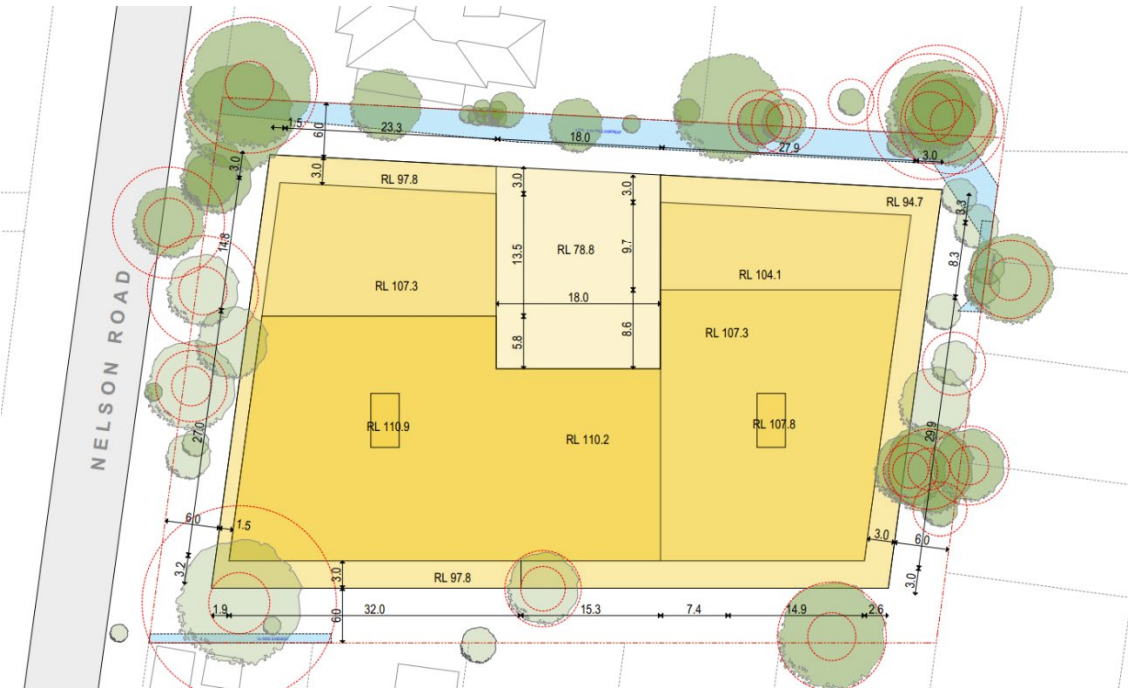


Figure 17 Extract of proposed Envelope Plan, showing the overall footprint of the development.

Source: DKO, 2025, drawing number DA104.

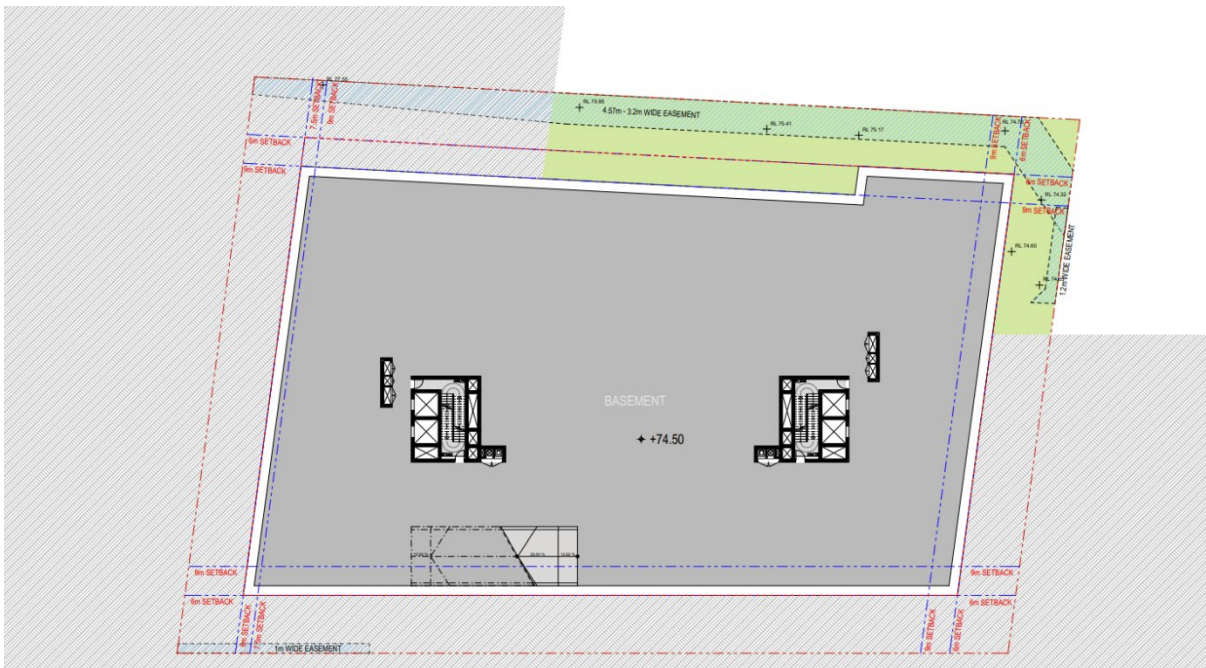


Figure 18 Extract of proposed basement 2 plans.

Source: DKO, 2025, drawing number DA200.

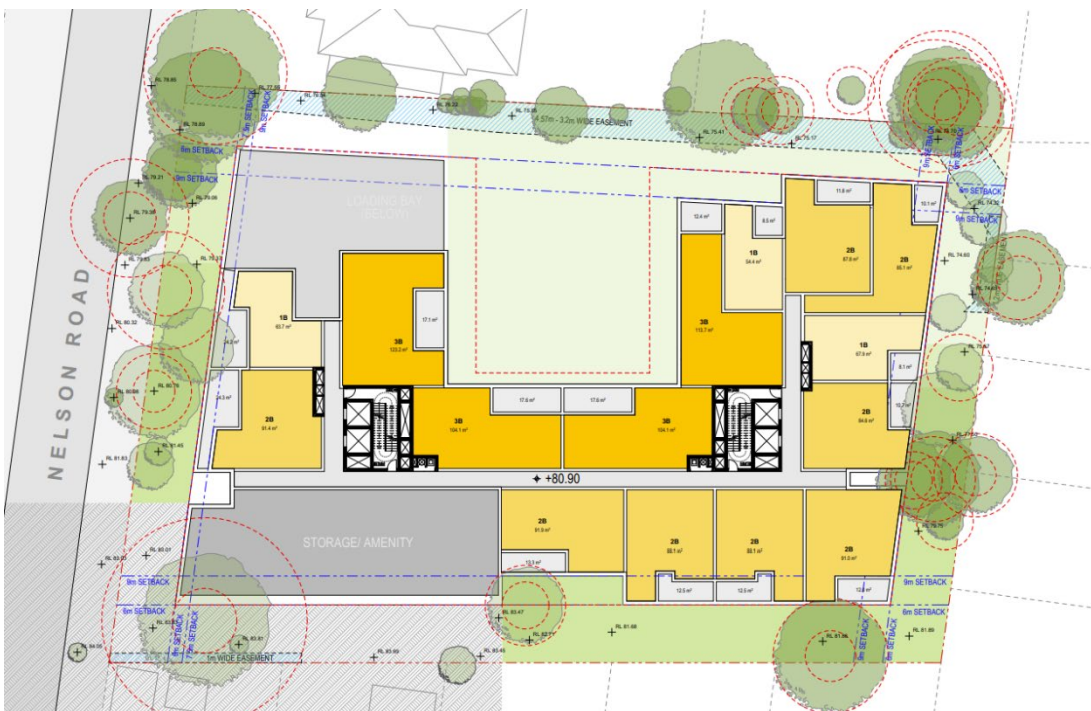


Figure 19 Extract of proposed plans showing the overall Ground Floor Plan.

Source: DKO, 2025, drawing number DA202.



Figure 20 Extract of proposed plans showing Level 4.

Source: Urbis, 2025, drawing number DA206.

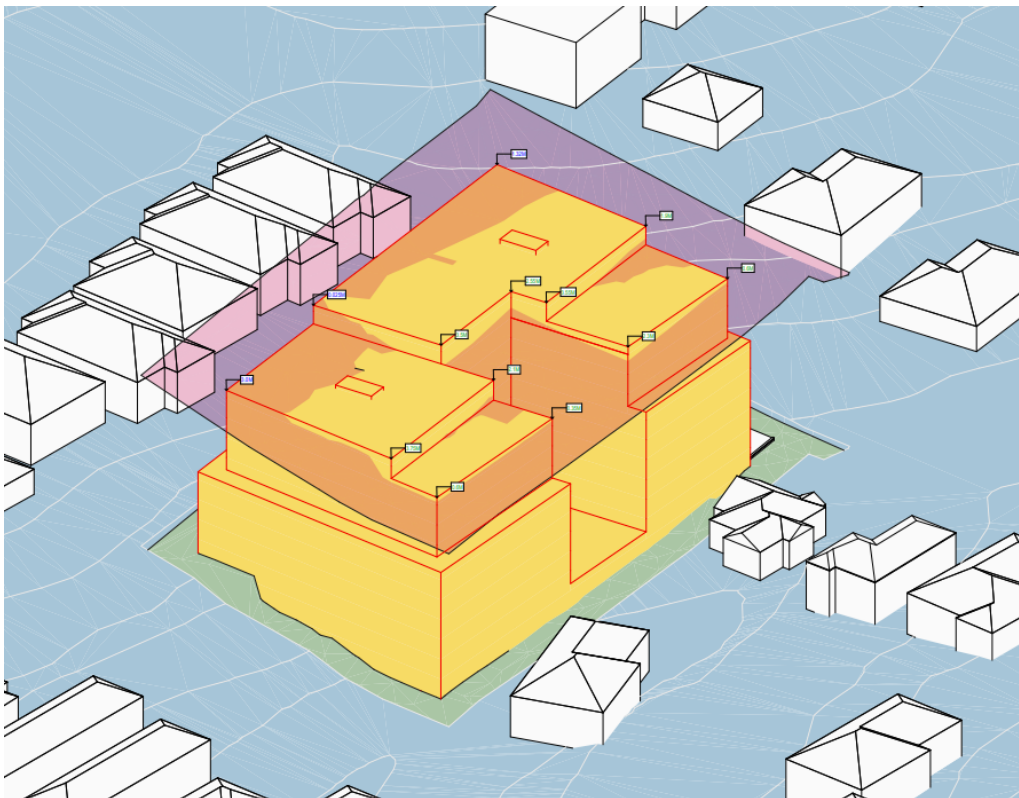


Figure 21 Extract of proposed plans showing the proposed Height Limit Plan.

Source: Urbis, 2025, drawing number DA309.1.

6. Impact Assessment

The following impact assessment has assessed the proposed works against the relevant provisions and controls of the Council's statutory and non-statutory planning controls as well as the Heritage NSW 'Statement of Heritage Impact' assessment guideline questions. Ku-Ring-Gai Local Environmental Plan 2015

6.1. Ku-ring-gai Local Environmental Plan 2015 (LEP)

The table below provides an impact assessment of the proposal against the relevant clause for heritage conservation in the Ku-ring-gai LEP 2015.

Table 5 Impact assessment against the relevant clauses of the Ku-ring-gai LEP 2015

| Clause | Response |
|--|--|
| <p>(2) Requirement for consent</p> <p><i>Development consent is required for any of the following:</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p> <p><i>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</i></p> <p><i>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</i></p> <p><i>(d) disturbing or excavating an Aboriginal place of heritage significance,</i></p> <p><i>(e) erecting a building on land:</i></p> <p><i>(i) on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p><i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</i></p> <p><i>(f) subdividing land:</i></p> | <p>The subject site is located within a HCA identified as the Crown Blocks Conservation Area (C22) under Part 2 of Schedule 5 of the Ku-ring-gai Local Environmental Plan (LEP) 2015. Therefore, approval is required for the proposed works as the proposal involves building on land that is within a HCA.</p> |

| Clause | Response |
|---|--|
| <p><i>(i) on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p><i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</i></p> | |
| <p>(4) Effect of proposed development on heritage significance</p> <p><i>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).</i></p> | <p>A detailed Heritage Impact Statement has been undertaken in the following sections of this report. The proposed development has been assessed to have an acceptable impact on the HCA.</p> |
| <p>(5) Heritage assessment</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),</i></p> <p><i>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>This Heritage Impact Statement has been prepared to assist the consent authority in their determination and to assess the potential heritage impacts of the proposed works. This heritage impact statement satisfies the requirement under this clause.</p> |

6.2. Ku-Ring-Gai Development Control Plan 2024

The table below provides an impact assessment of the proposal against the relevant controls for heritage conservation in the Ku-ring-gai DCP.

Table 6 Impact assessment against the relevant controls of the Ku-ring-gai DCP

| Control | Response |
|--|---|
| 19B.1 Demolition within HCAs | |
| 1. <i>In accordance with the Ku-ring-gai Local environmental plan, development consent is required for demolishing or moving a building, work, relic, or tree within a conservation area</i> | <p>This Heritage Impact Statement has been prepared to accompany a full documentation set for Development Application lodgement for the proposed development.</p> <p>This report finds that the demolition of buildings within the HCA is acceptable as the buildings no longer make a significant contribution to the HCA.</p> |
| 2. <i>The demolition of Heritage Items and contributory properties within HCAs is not supported.</i> | <p>Assessment of the subject site has found that the three dwellings are not highly intact, nor highly representative examples of interwar architecture. Although they may have associations with the early subdivision of the area, these dwellings have been altered and are not considered to contribute to the cohesive subdivision or streetscape values of Nelson Road.</p> <p>The subject site is considered suitable for development.</p> |
| <p>3. <i>Whole demolition of buildings, structures and landscape features (including significant trees) is generally not supported unless the applicant can satisfactorily demonstrate:</i></p> <p>i. <i>Demolition will not result in any adverse impacts on HCA character or streetscape;</i></p> <p>ii. <i>retention and stabilisation of the building or structure is unreasonable;</i></p> <p>iii. <i>all alternatives to demolition have been considered with reasons provided why the alternatives are not acceptable;</i></p> <p>iv. <i>the replacement building is compatible with the identified significance and character of the streetscape and the HCA as a whole.</i></p> | <p>i. Demolition of the existing dwellings present on the subject site will not result in adverse impacts to the character of the local HCA or the nearby heritage items. This conclusion was established through contextual analysis and a review of the site's intactness which identified that the dwellings contributions to the local HCA have been diminished by alterations to the street facing facades, and loss of principal characteristics of interwar dwellings. As a result of this loss of character, the greater HCA will not be impacted by the proposed demolition of these dwellings.</p> <p>ii. N/A</p> <p>iii. N/A</p> <p>iv. The replacement building and its compatibility with the HCA is assessed in further detail below.</p> |

| Control | Response |
|--|--|
| 19C Development within HCAs – Alterations and Additions and New Buildings | |
| 19C.1 Local Character and Streetscape | |
| <p>2. Where an HCA is characterised by a mix of one and two storey buildings, proposed works to contributory properties are to:</p> <p>i. retain the original character of a building;</p> <p>ii. match the scale and forms of the existing buildings within the streetscape (see Figure 19C.1-2).</p> | <p>The proposed design does not comply due to its large vertical scale and contemporary nature. It is noted that the proposed building would be of a different scale and typology than that which currently exists on site or within the HCA. However, the proposal exists in a legislative context which will facilitate increased uplift of the same type in particular areas. The development would be in line with the planned future character of this area, and others around train stations and transport corridors. The location of this development is appropriate given the intersection it would be located in includes a disparate combination of elements, as discussed above.</p> <p>The scale and form of the proposal development has some relationship with existing buildings on nearby Milray Street and Kochia Lane where the built form comprises more intensive residential development of 3-5 storeys. Similarly, the larger development of the Lindfield shopping village that is approximately 280m west of the subject site.</p> |
| <p>4. The scale and massing of new buildings is to be integrated into the established character of the HCA and respect the scale, form and character of adjacent or nearby development. They are to incorporate design elements such as the roof forms, facade and parapet heights, door, window and verandah proportions of contributory properties in the HCA, particularly neighbouring buildings from the same key development period.</p> | <p>At this stage the proposed plans are Concept Plans only, the design and chosen materials have not as yet been decided. However, the future detailed design stage will ensure the proposed development incorporates design elements of the contributory properties in the HCA.</p> <p>The overall scale and massing of the proposed concept plan has set backs that are consistent with the existing dwellings on the subject site, other dwellings within the HCA and the nearby heritage items. The building footprint has been restricted to the boundaries of the existing lots.</p> |
| <p>5. The design and character of any new buildings are to be informed by the:</p> <p>i. Date and style of contributory properties;</p> <p>ii. Scale and form of contributory properties;</p> <p>iii. Street and subdivision patterns;</p> | <p>i. The proposed design comprises a modern architectural style as opposed to the early 20th century styles which characterise the HCA. Materiality will be considered in the detailed design to ensure a complementary approach to the HCA. The contemporary architectural approach is in line with the extant contemporary buildings present</p> |

| Control | Response |
|---|---|
| <p>iv. <i>Setbacks of neighbouring contributory properties;</i></p> <p>v. <i>Materials, Building techniques and details used in the HCA;</i></p> <p>vi. <i>Views vistas and skylines.</i></p> | <p>within the vicinity of the subject site and the planned future character of the area arising from the updated TOD and Low Mid Rise Housing Policy (LMR). Therefore, this site provides an opportunity to implement a contemporary building in an immediate context of mixed character.</p> <p>ii. The proposed horizontal and vertical scale of the proposal is larger than the one-two storey dwellings characterising the HCA, this is in line with planned future higher density character of the area arising from the updated TOD and the LMR. However, the setbacks from the heritage items to the north and north-east have been prioritised.</p> <p>iii. Due to the proposed amalgamation of lots, the scheme will deviate from the existing subdivision pattern of the HCA. However the current concept plan shows the development has been appropriately setback that follows the pattern of the street.</p> <p>iv. The setbacks of properties within the HCA demonstrate a consistent setback pattern. The proposed development has a street setback that is consistent with the contributory properties. The setback to neighbouring properties will be greater than setbacks of existing dwellings.</p> <p>v. At this stage the Concept Plans do not include proposed materials, building techniques or details. However, the future detailed design stages will incorporate design features that are consistent with the HCA.</p> <p>vi. The dense vegetation and the sloping landscape within the immediate vicinity limits the views and vistas around the subject site, therefore the proposed scheme will not negatively impact views and vistas within the HCA.</p> |
| <p>6. <i>Facades of new buildings are to be modulated to break down the scale of new development.</i></p> | <p>The proposed development is only a Concept Plan at this stage, with no proposed façade design. Future detailed design stages will incorporate the advice from heritage professionals regarding</p> |

| Control | Response |
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| | façade design considers the HCA and nearby heritage items. |
| 7. <i>The height of new buildings is not to be higher than contributory properties.</i> | The height of the proposal is higher than the height of the surrounding one-two storey contributory dwellings, this is in line with planned future higher density character of the area arising from the updated TOD and the LMR. Measures such as appropriate setbacks and limiting the height of the building to only be 9 levels is consistent with the nearby low-medium density dwellings on Milray Street and Kochia Lane, and the larger development that is Lindfield Village. |
| 8. <i>New building roofs visible from the street are to reflect the size, shape, pitch, eaves and ridge heights, and bulk of contributory properties and roofs. They are to respect the complexity and patterns of predominant roof shapes and skylines of the HCA.</i> | The proposed scheme has a flat roof which is a departure from the pitched roof forms found within the HCA. This is appropriate given the proposal is of a different typology compared to the existing context. The flat roof is consistent with the existing low-medium high rise developments on Milray Street. |
| 9. <i>New buildings may be contemporary in design, however, their scale, form and detail is not to detract from the scale, form, unity, cohesion and predominant character of streetscape elements around.</i> | To date the building has not been subject to detailed design. However, the scale has been reduced to 9 levels and the massing is contained within the boundaries of the existing dwellings. Trees are to be retained along the street to cohesive with the existing streetscape. Further, the proposed development has been setback to be consistent with other dwellings in the HCA and the nearby heritage items. |
| 10. <i>Where an HCA is characterised by single-storey development, single-storey development on infill sites is preferred. New two-storey houses will only be permitted where the upper floor is designed within the roof and where the new building is in keeping with the height, mass and proportions of contributory properties in the vicinity.</i> | Two-storey contemporary additions are common in surrounding dwellings within the HCA. The proposed scheme involves the construction of a 9 level structure which is in line with planned future higher density character of the area arising from the updated TOD and the LMR. |
| 19C.2 Setbacks and Building Separation | |
| 1. <i>The siting of alterations, additions and new buildings are to maintain the established streetscape pattern, including principal dwellings, garages, carports and garden structures.</i> | The proposed scheme is to respect the setback of the adjacent buildings within the HCA. The setback is consistent with other dwellings within the HCA. the nearby heritage items at 9 and 15 Nelson Road. |

| Control | Response |
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| <p>2. <i>Where there is a uniform building setback within streets, alterations and additions and new buildings are to respect the established pattern and not be located forward of adjacent buildings. Where variations in setback exist, the larger set back will apply. Side set backs are to be consistent with historic patterns.</i></p> | <p>The design has prioritised the setback from the western boundaries to increase the setback from the heritage listed items (9 & 15 Nelson Road) and the dwellings in the HCA fronting Nelson Road as much as possible. The heritage items will still be read against a backdrop of this new development. However, the street presence of the subject site and the nearby heritage items is dominated by dense vegetation, and the slope of Nelson Road make it difficult to be able to read the heritage items from the subject site.</p> <p>The proposed arrangement of the scheme's footprint within the subject lot is consistent with the presentation of neighbouring existing structures present in the HCA.</p> |
| <p>4 <i>New buildings are not orientated across sites contrary to the established alignment pattern.</i></p> | |
| <p>5. <i>The location of new buildings is to ensure that significant views to and from places within the HCA are retained.</i></p> | <p>The dense vegetation along the street and within the lots limits the views and vistas around the subject site. The works would be entirely confined within the subject site. Therefore, the proposed scheme will not negatively impact views and vistas within the HCA.</p> <p>The proposed development will not impact views to the State heritage item on Tyron Road (Uniting Church Tyron Road), or the nearby heritage items at 9 and 15 Nelson Road, that are at present difficult to read from the subject site due to vegetation and the slope in the landscape.</p> <p>The proposed development will be viewed from the heritage items along Lightcliff Avenue. Vegetation will screen the development from these heritage items. While views to and from the heritage items on Lightcliff Avenue are not noted in the statement of significance, there will be no visual impact.</p> |
| 19C.3 Gardens and Landscaping | |
| <p>1. <i>The established landscape character (height of the tree canopy, early gardens, remnant trees, historic tree plantings) that contributes to the significance of the streetscape and the HCA as a whole are to be retained and conserved in any new development. The reinstatement of original planting, where known, is encouraged</i></p> | <p>It is understood that some extant vegetation and mature trees on site are required to be removed as a part of the proposal. This will be primarily from the rear of the existing dwellings. The loss of vegetation will be mitigated through retaining plantings along Nelson Road and new landscaping which will soften the appearance of the development from the street and established continuity with the vegetation in other parts of the HCA.</p> |

| Control | Response |
|--|---|
| 2. <i>Original garden features such as gates, paths, stonework, garden terracing, tiling, cement crazy paving, walling and garden edging are to be retained and conserved.</i> | All extant garden features date from contemporary renovations, and the removal of these elements will not detract from the character of the surrounding HCA. |
| 3. <i>New paving and hard surfacing, particularly to front setbacks is to be limited.</i> | The proposed development at this stage is Concept only and minimally features hard surfacing such as the proposed entrance to the basement carparking from Nelson Road, which at this stage is in alignment with the existing driveway of 5 Nelson Road. |
| 4. <i>Front gardens are to avoid screening buildings from the street.</i> | The subject site and heritage items on Nelson Road are screened by mature dense vegetation, the majority of the surrounding dwellings contain mature dense vegetation along the streetscape and within front yards. Therefore, there is already an existing streetscape where dense vegetation screens building and should be considered acceptable for the proposed development. |
| 5. <i>Materials for new garden paving or pathways are to be appropriate to the architectural style for the HCA, such as gravel for Federation style and sandstone flagging for inter-war styles. Plain or stencilled concrete is not acceptable.</i> | The proposed materiality for paving to the front of the site has not been specified at this stage. |
| 6. <i>New driveways are to provide landscaping on side boundaries.</i> | The proposed driveway scheme is recommended to feature plantings to adhere to this provision. Further detail of the driveway and landscaping will be a part of the detailed design stages. |
| 7. <i>New, traditionally designed gardens that enhance historic and aesthetic character of the streetscape and the HCA as a whole are encouraged.</i> | The design of the proposed garden is to be fully resolved in the detailed design stage to adhere to this provision. However, the character of the immediate surroundings is one of dense vegetation with a mix of tree species, and hedges. The demolition plan reflects that a number of trees along the streetscape will be retained. |
| 19C.4 Access and Parking | |
| 4 <i>New parking areas, garages and driveways are to be designed carefully so that they do not dominate the principal elevations or detract from the immediate streetscape and incorporate provisions for landscaping.</i> | The establishment of underground carparking facilities will include an entrance in the location of the existing 5 Nelson Road driveway. The carpark entrance slopes down from the ground level following the natural slope of the subject sites lot. This has been carefully designed to minimise any impacts to streetscape values. |

| Control | Response |
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| 5 <i>The siting of new driveways are to be consistent with the established pattern in the immediate streetscape and the HCA as a whole.</i> | The new driveway will be in the location of the existing. Refer to the above discussion. |
| 9 <i>Excavation for a driveway is only permitted:</i> i. <i>in the side setback, at a minimum 3m behind the front building line;</i> ii. <i>a minimum 1m from the original building foundation;</i> iii. <i>where side setback requirements in the DCP are met;</i> iv. <i>only if a side gate is provided to hide the commencement of the excavated driveway slope.</i> | i. Complies, a queuing space setback of 9m is provided within the scheme. ii. N/A iii. Complies iv. The provision of a side gate as a part of the proposed scheme is to be confirmed. |
| 19C.5 Building Design | |
| 3 <i>Natural and recessive colour schemes are encouraged for rendered and painted finishes, especially on sites rated as neutral or uncharacteristic.</i> | The chosen materials of are not part of this application. At present the plans as part of this application are concept only, with materiality to form part of the future detailed design. |
| 4 <i>Contemporary materials are permitted for new work where the detailing, proportions, texture and colour range blend with the existing character of the HCA.</i> | |
| 8 <i>Materials used for new buildings are to be similar to, or compatible with, the original buildings in the HCA.</i> | |
| 9 <i>Development applications for new buildings are to provide a material board and details of colour scheme and finishes.</i> | Subject to detailed design. Refer to discussion above. |
| 10 <i>New buildings are to incorporate architectural language such as massing, proportions, coursing lines, materials and finishes, which are sympathetic to and complement the predominant character of the HCA.</i> | Subject to detailed design. Refer to discussion above. |
| 11 <i>New building colour schemes are not to detract from colour schemes in the streetscape and not to be in visual contrast with the colours of the contributory properties in the HCA. Recessive colours and traditional materials are preferred.</i> | The materials and colours for the new development have not been selected at this stage. However, in the detailed design stage materials and colour palettes that are contributory with the properties in the HCA and nearby heritage items will be incorporated. |

| Control | Response |
|---|--|
| 19C.8 Fencing | |
| <i>5 New front fencing, pedestrian and vehicular access gates are to match the architectural style of the house and the character of the immediate streetscape.</i> | The vehicular and pedestrian gate and fence design scheme is to be further resolved during detailed design to ensure compliance with this provision. |

6.3. Heritage NSW Guidelines

The table below provides an impact assessment of the proposal against the relevant questions posed in Heritage NSW's (former Heritage Office/Heritage Division) 'Statement of Heritage Impact' guidelines.

Table 7 Impact assessment against the relevant Heritage NSW Guideline Considerations

| Provision | Response |
|---|--|
| <i>Will the proposed works be the best conservation solution for the heritage item?</i> | The proposed development scheme is an acceptable solution for the subject site considering its proximity to the North Shore railway line and the consequent rising need for higher density residential complexes within the area. The proposed scheme is in line with the planned character of the area arising from Chapter 5 of the TOD SEPP and Chapter 6 (LMR) of the Housing SEPP. |
| <i>Will the works promote the ongoing use and upkeep of the item?</i> | The extant three dwellings are proposed for demolition as a result of the development. The proposal seeks to construct a residential development with an affordable housing component within the proximity of the local railway corridor as a result of Chapter 5 of the TOD SEPP and Chapter 6 (LMR) of the Housing SEPP. |
| <i>Do the proposed works include removal of unsympathetic alterations and additions? How does this benefit or impact the heritage item and its significance?</i> | The proposed works will involve demolition of three existing dwellings no longer considered to contribute to the HCA. |
| <i>Are the proposed works part of a broader scope of works?</i> | The proposed scheme is a part of a broader legislative context which will facilitate the revitalisation of and uplift in areas within the vicinity of public transport corridors. Developments of a similar nature are planned within the proximity of the subject site as a result of Chapter 5 of the TOD SEPP and Chapter 6 (LMR) of the Housing SEPP. The cumulative impacts of these developments should be assessed as required. |
| <i>Does this proposal relate to any previous or future works? If so, what cumulative impact (positive and/or adverse) will these works have on the heritage significance of the item?</i> | The proposed scheme in addition to further planned residential developments of a similar nature planned within the vicinity will serve to provide in demand residential accommodation solutions that are within the proximity of public transport options such as the North Shore railway corridor. |
| Works adjacent to a heritage item or within the heritage conservation area (listed on an LEP) | The proposed development will not result in adverse heritage impact to the Crown Blocks Conservation Area. As discussed above, detailed |

| Provision | Response |
|--|---|
| <p><i>Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?</i></p> <p><i>Will the proposed works affect views to, and from, the Interpretation heritage item? If yes, how will the impact be mitigated?</i></p> <p><i>Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?</i></p> | <p>analysis has identified that the subject site's ability to contribute to the HCA has been significantly diminished.</p> <p>The dense vegetation and topography within the immediate vicinity limits the views and vistas around the subject site. Therefore the proposed scheme will not negatively impact views and vistas within the HCA, and the nearby heritage items of 9 and 15 Nelson Road.</p> |

7. Conclusion and Recommendations

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report. The proposed development has been assessed to have an acceptable impact on the Crown Blocks Conservation Area (C22). Key aspects of the proposal assessment are listed below:

- The development scheme proposed for the subject site will establish a needed source of high-density residential living opportunities within the vicinity of multiple public transport corridors as per the provisions in Chapter 5 of the TOD SEPP and Chapter 6 LMR of the Housing SEPP (2021).
- The proposed development is of a different building typology and scale than the existing dwellings on the site. However the proposal exists in a legislative context which will facilitate significant uplift and greater density in the area.
- The development would have a similar setback to other dwellings within the HCA and would be minimally forward of the setback of the adjacent heritage item (at 9 Nelson Road) from the Street. This would ensure that existing views around the streetscape are not notably obscured.
- Demolition of the existing dwellings present on the subject site will not result in adverse impacts to the character of the local HCA or the nearby heritage items.
- The subject site's ability to contribute to the HCA has been significantly diminished. While they retain some original elements, they have been subject to alteration and are not considered to be highly intact, or highly representative examples of interwar architecture. Demolition of these buildings will not detrimentally impact the values of the HCA or nearby heritage items.
- Proposed setbacks will be consistent with existing setbacks along Nelson Road, and the existing entrance to 5 Nelson Road will be used to provide access to the new development.
- Retention of existing vegetation along Nelson Road and additional landscaping will visually soften the bulk of the development and to remain consistent with the mature landscaping existing in the streetscape.

The proposed development has been assessed to have an acceptable impact on the adjacent heritage item based on the current information provided. However, it is noted that this application includes a concept design only and the design requires further refinement and heritage impact assessment to confirm potential heritage impacts.

RECOMMENDATIONS

- A suitably qualified heritage consultant should be engaged to provide ongoing advice throughout the design development, contract documentation and construction stages of the project, and in particular should provide guidance on the façade treatment, colour and materials palettes to ensure greater integration within the HCA.

8. Bibliography & References

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[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

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Appendix A Appendix

