

**ATTACHMENTS FOR: AGENDA NO. 9/19  
COUNCIL MEETING**



**Meeting Date:** Tuesday 27 August 2019  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde  
**Time:** 7.00pm

**ATTACHMENTS FOR COUNCIL MEETING**

**Item**

**9 PLANNING PROPOSAL - 68 DENISTONE ROAD, DENISTONE -  
OUTCOMES OF EXHIBITION**

Attachment 1 Planning Proposal – Exhibition copy with attachments



City Planning

**68 Denistone Road  
Denistone  
Planning Proposal**

May 2019

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1. Ryde Local Environmental Plan 2014 Site Identification Map
2. Interim Heritage Order No. 4 published in Government Gazette No.99 dated Wednesday, 26 September 2018
3. Mayoral Minute – 25 September 2018 MM12/18 “Heritage Protection – 68 Denistone Road, Denistone”
4. Heritage Study – to be attached
5. Schedule 5 Environmental heritage and Draft Heritage Map

## Executive Summary

This Planning Proposal seeks to amend the Ryde Local Environmental Plan (LEP) 2014 to protect the dwelling and associated landscaped grounds at 68 Denistone Road, Denistone from any development which would have a negative impact on its heritage significance and its contribution to the surrounding landscape.

This would be achieved by including 68 Denistone Road, Denistone as a Heritage item in *Ryde LEP 2014, Schedule 5 Environmental Heritage* and including the property in *Ryde LEP 2014 Heritage Map*.

The property is currently subject to an Interim Heritage Order authorised by Council on 25 September 2018 and notified in the Government Gazette 26 September 2018, which is a temporary measure protecting a potential heritage item from demolition while the necessary investigations are carried out to determine its heritage significance.

An experienced heritage consultant was engaged by Council to undertake a heritage assessment of the property in accordance with NSW Heritage Office guidelines. The assessment concludes that the property at 68 Denistone Road has heritage significance and merits inclusion in *Ryde LEP 2014, Schedule 5 Environmental Heritage* and in the *Ryde LEP 2014 Heritage Map*.

This Planning Proposal is in alignment with all relevant strategic plans, including the Greater Sydney Commission's *Our Greater Sydney 2056: Metropolis of Three Cities (Updated March 2018)* and *Our Greater Sydney 2056: North District Plan (March 2018)*, and City of Ryde's *The City of Ryde 2028 Community Strategic Plan* and *The City of Ryde Local Planning Study 2010*.

## 1. Introduction

This Planning Proposal has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act 1979 (in particular section 3.33) and relevant guidelines produced by the Department of Planning and Environment. It explains the intended effect of a proposed amendment to the Ryde Local Environmental Plan (LEP) 2014 and sets out the justification for making that amendment.

The Department of Planning and Environment requires a Planning Proposal to contain the following information:

Section 3.33 Part 2 states:

*The Planning Proposal is to include the following:*

- (a) a statement of the objectives or intended outcomes of the proposed instrument, (see 2.0)*
- (b) an explanation of the provisions that are to be included in the proposed instrument, (see 3.0)*
- (c) the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1), (see 4.0)*
- (d) if maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument, (see 5.0)*
- (e) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument. (see 6.0)*

### 1.1 Planning Proposal

This Planning Proposal aims to amend the existing Ryde LEP 2014 to:

- Conserve and protect the heritage of the built environment of the property to which this plan applies,
- To ensure that any new development on the land does not adversely affect the heritage significance of the building(s) and their setting and
- Include the property 68 Denistone Road, Denistone in LEP 2014 as a Heritage Item in *Schedule 5 Environmental Heritage* and on the *Heritage Map*

## 1.2 Site Description

This Planning Proposal applies to the land known as: **68 Denistone Road, Denistone (Lots 1-3 DP 1096437)** identified on the map titled *Draft Site Identification Map* shown in Figure 1 (Refer also to Attachment 1)

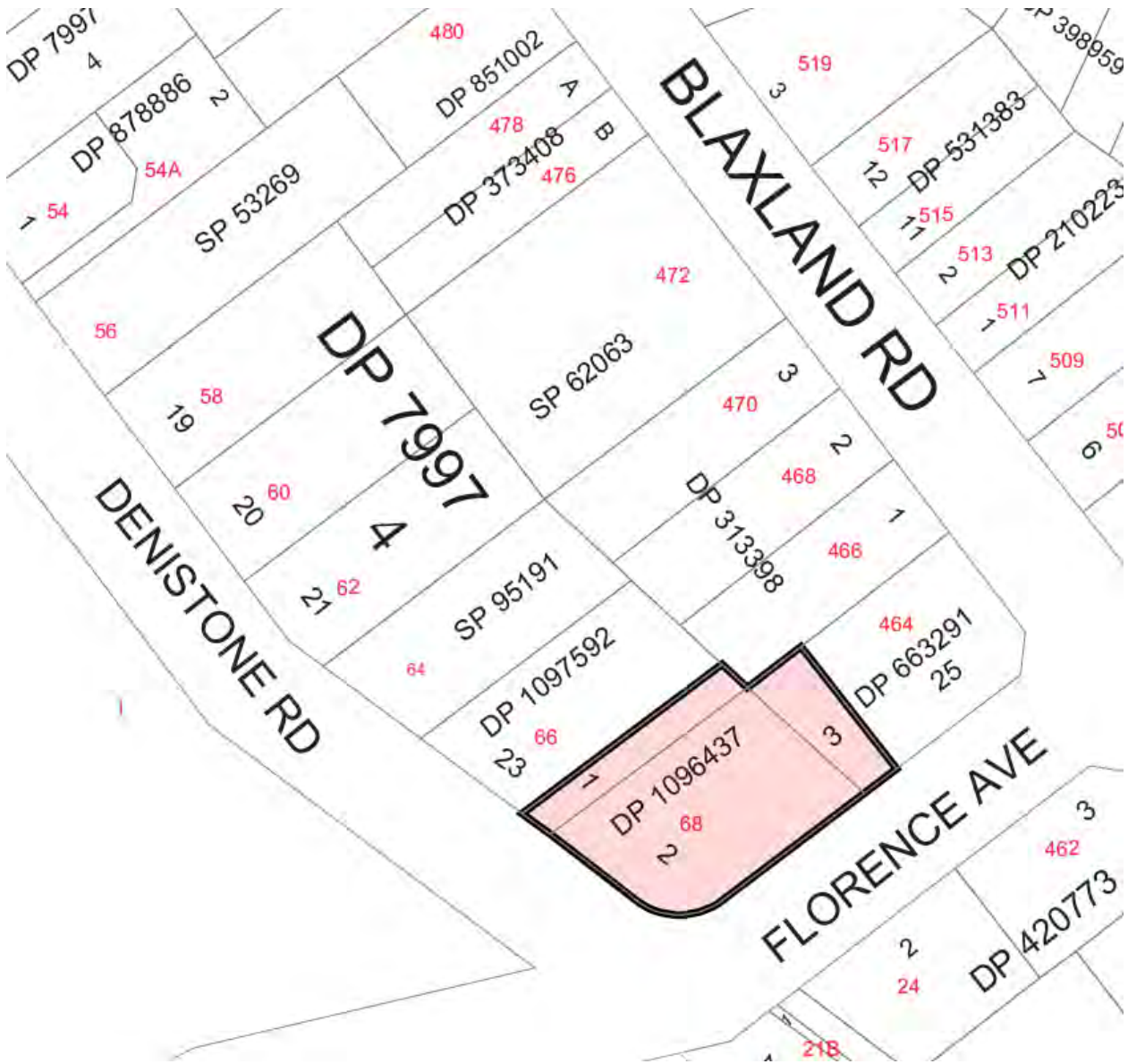


Figure 1: Subject site, 68 Denistone Rd, Denistone

A site location plan is shown at **Figure 2** and an aerial photo of the site is shown at **Figure 3**. Ground level photographs of the site and building interior are shown at **Figure 4**.

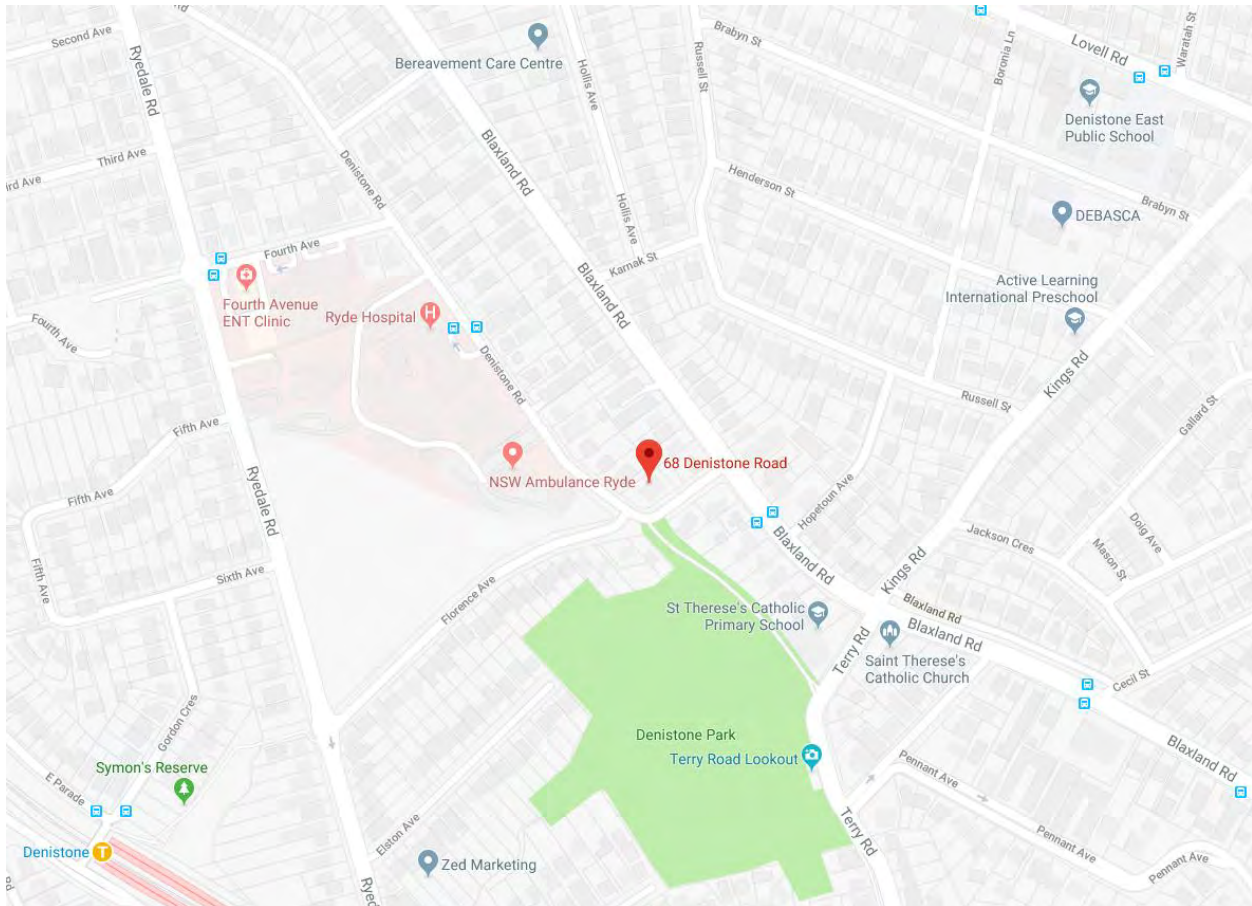


Figure 2: the site located at the red drop pin

The subject site which is approximately 1,606m<sup>2</sup> contains a substantial inter-war California Bungalow style dwelling and associated landscape setting with inter-war period garden features, as shown in Figures 3 and 4.





Figure 3: Aerial Photograph of the site (Source: Paul Davies Pty Ltd, Heritage Assessment Report p7)



Figure 4: Front Façade of 68 Denistone Road, Denistone (top) and photographs indicating intact interior and architectural detail of this California bungalow style building (bottom). (Sourced 10 Dec 18: <https://www.realestate.com.au/sold/property-house-nsw-denistone-127703430>)



### 1.3 Context

The site is located south east of the Eastwood Town Centre at the intersection of Denistone Road and Florence Avenue (just off Blaxland Road) in the suburb of Denistone. The site is in the vicinity of a number of local heritage items listed under the RLEP 2014.

Excerpt of Ryde LEP 2014 Schedule 5 Environmental Heritage

Suburb	Item name	Address	Property description	Significance	Item no
Denistone	“Denistone House” and “Trigg House” (Ryde Hospital)	1 Denistone Road	Lot 1, DP 869614	Local	47
Denistone East	“Highbury House”	495 Blaxland Road	Lot 1, DP 514007	Local	18
Denistone	Open space, Denistone Park	62 Terry Road		Local	125
Denistone	Stone marker	Road reserve (outside 456 Blaxland Road)		Local	26
Denistone	House	89-91 Terry Road	Lot 5, DP 29054	Local	126
Denistone	House	37 Pennant Avenue	Lot 1, DP 1005675	Local	91
Denistone	Open Space	Darvall Park, Chatham Road		Local	26
Eastwood	Seat	East Parade (outside 36A)		Local	50
Eastwood	House	2 Second Avenue	Lot 1, DP 931131	Local	114

Locations of local heritage items in the vicinity of the site are shown in Figure 5. The subject site is outlined in black.

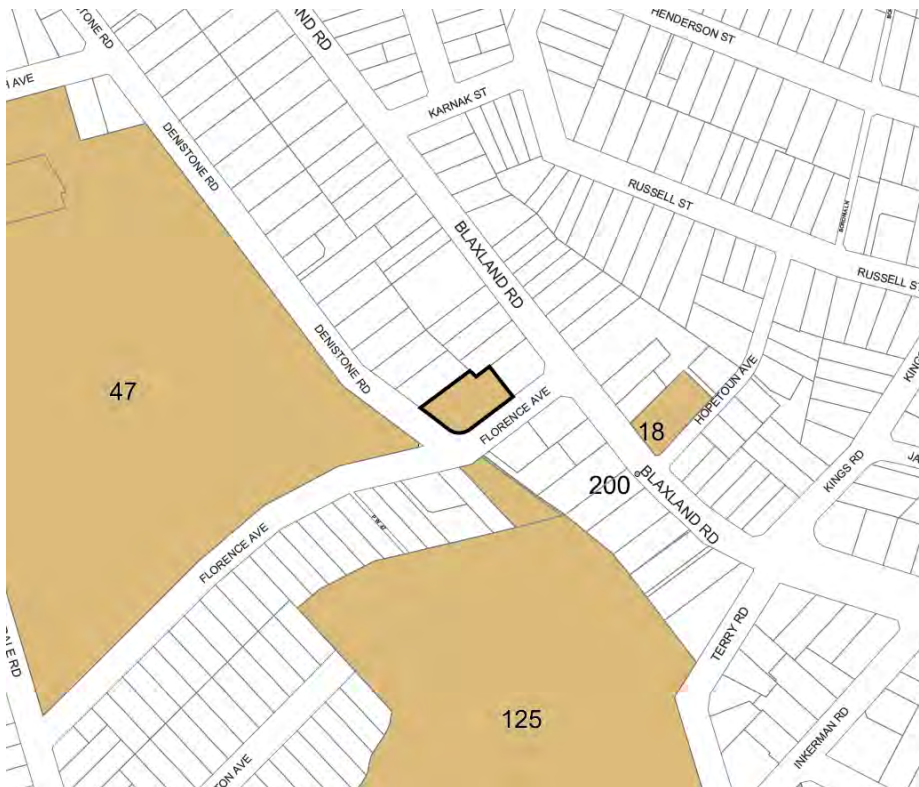


Figure 5: Heritage Items in the vicinity of the property

## 1.4 Current Planning Controls

### Environmental Planning Instruments

Ryde LEP 2014 is the principle planning instrument applying to the site.

### Zoning

The site is currently zoned under the Ryde LEP 2014 as R2 – Low Density Residential (see Figure 6).

Under the zone the following uses are permitted with consent:

*Bed and breakfast accommodation; Boarding houses; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Multi dwelling housing; Places of public worship; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings.*

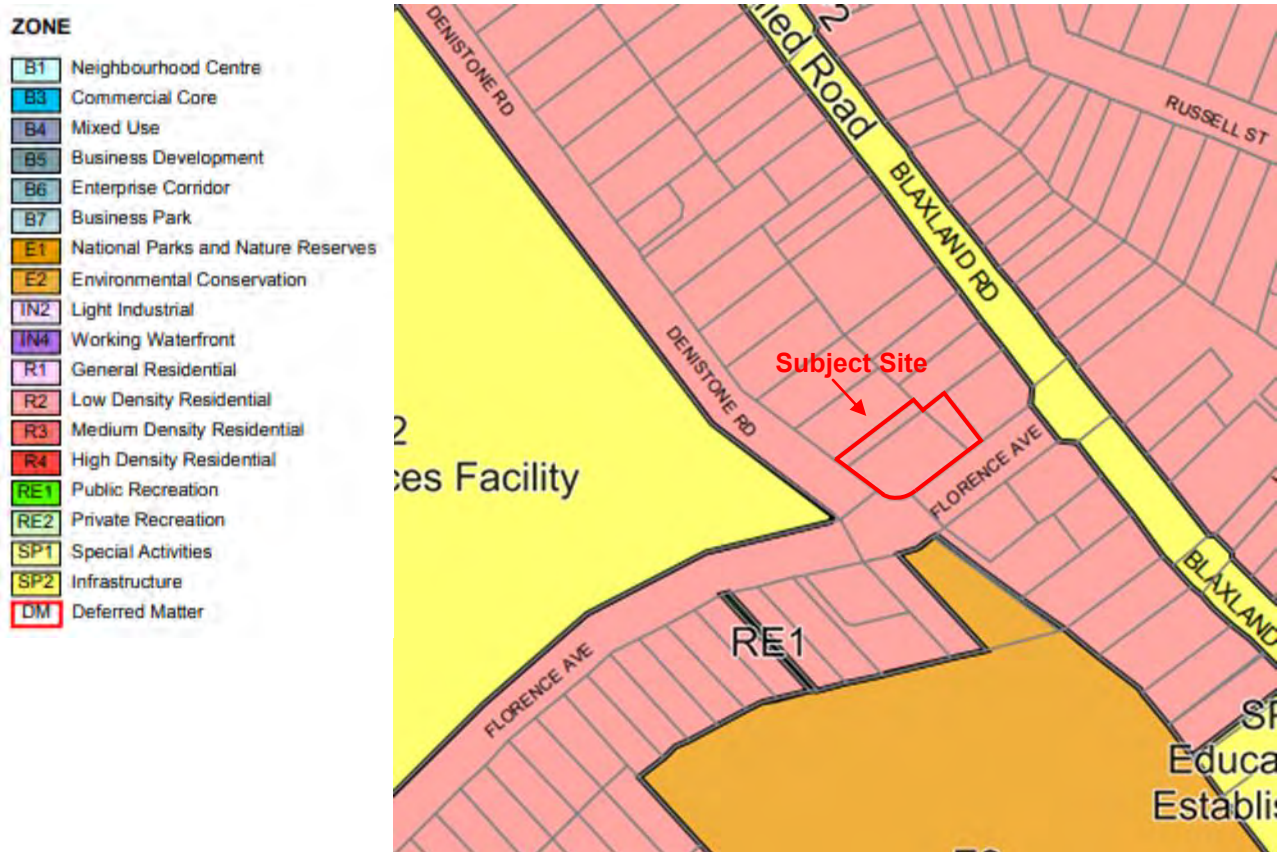


Figure 6: Current Site Zoning (Land Zoning Map – Sheet LZN\_002 of the RLEP2014)



## Building Height

The maximum building height relating to the site, is 9.5m as per Ryde LEP 2014 Height of Buildings Map. (see Figure 7 below)



Figure 7: Current Height of Buildings (Height of Buildings Map – Sheet HOB\_002 of the RLEP2014)

## Floor Space Ratio

The maximum floor space ratio relating to the site is 0.50:1 as per Ryde LEP 2014 Floor Space Ratio Map. (See Figure 8 below)

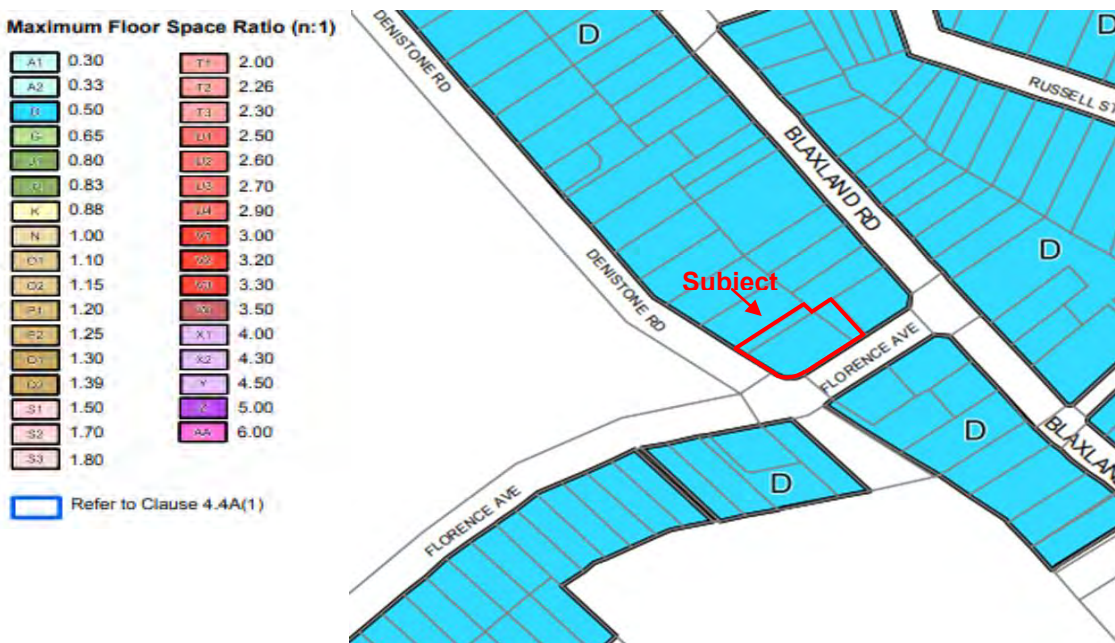


Figure 8: Current Floor Space Ratio as per Ryde LEP 2014

## 1.5 Background

*Ryde Heritage Study 2010* was commenced in 2003 and approximately 71 properties were identified and recommended for heritage listing, together with amendments to existing heritage listings. On 17 August 2010, Council considered the *Draft Ryde Heritage Study 2010*, and resolved not to pursue the heritage listing of any property unless the land owner applied for a heritage listing.

As a result of the *Ryde Heritage Study 2010*, 14 items were heritage listed including 3 dwellings, 2 public buildings and 9 stone markers. Since 2010, a study of the 57 buildings that were recommended but not listed reveals that:

- 1 has been significantly damaged by fire and is beyond salvageable repair,
- 9 have been demolished or consent granted for demolition, and
- Several have been the subject of DAs for alterations and additions.

68 Denistone Road, Denistone is not listed as an item of heritage significance under the provisions of Ryde Local Environmental Plan 2014, nor was it identified as part of the *Ryde Heritage Study 2010*. Council received correspondence requesting heritage consideration for the property when it appeared on the market in February 2018.

A Local Development Application (LDA) was received by Council on the 28 August 2018 to consolidate the existing 3 lots at 68 Denistone Road, Denistone, and subdivide them into 2 new lots. The LDA does not explicitly propose demolition of the existing dwelling, but is accompanied by an indicative site plan which shows the Applicant's redevelopment intentions (including the construction of a duplex and triplex that would be subject to future development applications). Council received six submissions during the notification period for this LDA, all of which cited heritage value as the primary concern for the property.

In response Council, on 25 September 2018, resolved:

*That Council delegate the General Manager to place an Interim Heritage Order over 68 Denistone Road, Denistone; and*

- (i) Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and*
- (ii) That the Planning Proposal seeking heritage listing of 68 Denistone Road, Denistone be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and*
- (iii) That upon receipt of the Gateway Determination, the General Manager place the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.*
- (iv) That a report on the outcomes of community consultation be presented to Council as soon as practicable.*



An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides time to assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted. The legal effect of an IHO made by a Local Council is that approval is required for any development for the life of the order and demolition is prohibited during that period. One of the key requirements for Council imposing an IHO over a property is that it must consider the property is being or is likely to be harmed.

Interim Heritage Order No. 4 (IHO) which relates to the subject property (68 Denistone Road, Denistone) was published in the Government Gazette No.99 dated Wednesday, 26 September 2018. (See attachment 2)

An experienced heritage consultant was subsequently engaged by Council to undertake a heritage assessment of the property. The study concludes that the property at 68 Denistone Road has heritage significance as follows:

*The house Lanark Brae at 68 Denistone Road (corner Florence Avenue), Denistone is of local historical significance as evidence of the suburban subdivision of the 19th century Denistone Estate, specifically the development of the Denistone Estate Subdivision No. 2, lots of which were offered for sale from December 1914, and of the operation of a building covenant on the land.*

*The house and property are of local aesthetic significance, as the house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house, built within the core period for this house style, on a large prominent corner site within a substantial garden setting which retains significant inter-war period garden features including three palm trees, brick and stone edging to paths and garden beds.*

*The house is remarkably intact and features distinctive exterior elements of the style including leadlight timber-framed casement windows, bay windows, return verandah and a small eastern verandah, dark face brickwork, terracotta tiled hipped and gabled roof, gable ends featuring timber shingling and imitation half timbering, brick verandah balustrades with timber posts above, and distinctive internal elements of the style including timber fretwork frieze and timber pilasters between main hallway and lounge/dining area, tiled fireplaces with timber mantelpieces to formal rooms, timber paneled doors, timber floors and decorative plaster ceilings.*

*The period garden setting which surrounds the house is a result of deliberate later land acquisitions to enlarge the site and enables the house to be viewed “in the round”, which is a distinctive aesthetic value of the site, along with the prominent corner location which affords views, views which the house has also been designed to take advantage of.*

*The house and property are rare at a local level as a substantial Inter-war California Bungalow style house on a prominent corner property retaining a substantial garden setting including interwar period garden features. The property is rare as having been enlarged through later deliberate land acquisitions to enable the garden to surround the house and enable the house to be viewed “in the round”.*

*The house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house within a substantial garden setting retaining inter-war garden features.*

The heritage study recommends that the City of Ryde Council proceed with the process of heritage listing the site by amending the Ryde LEP 2014 to include the site as a heritage item under Schedule 5 Part 1: Heritage Items of the Ryde LEP 2014 (See attachment 4)

## 2.0 Objectives and Intended Outcomes

This part of the Planning Proposal responds to Section 3.33 (2a) of the Environmental Planning and Assessment Act 1979, which requires an explanation of what is planned to be achieved by the proposed amendments to the Ryde LEP 2014.

This Planning Proposal seeks to amend RLEP 2014 by including the property 68 Denistone Road, Denistone as a Heritage item in *Schedule 5 Environmental Heritage* and including the property in *Ryde LEP 2014 Heritage Map*

The intended outcome of the Planning Proposal is:

- To ensure the protection of the dwelling and associated grounds 68 Denistone Road, Denistone from any development which could adversely affect the heritage significance of the property, and
- To preserve the contribution this site provides to the environmental heritage of Ryde
- To permit future use and development of this property consistent with the cultural significance of the item.

### 3.0 Explanation of Provisions

The Planning Proposal seeks to:

- Amend *Ryde LEP 2014 Schedule 5 Environmental Heritage* - to include the property 68 Denistone Road, Denistone (Lots 1-3 DP 1096437) (see Figure 9)
- Amend *Ryde LEP 2014 Heritage Map* – to include 68 Denistone Road, Denistone (Lots 1-3 DP 1096437) (see excerpt below)

A draft Schedule 5 Environmental heritage and Draft Heritage Map are included at **Attachment 5**

Denistone	“Poynton” (house)	25 Commissioners Road	Lot A, DP 28226	Local	36
Denistone	“Denistone House” and “Trigg House” (Ryde Hospital)	1 Denistone Road	Lot I, DP 869614	Local	47
Denistone	House	68 Denistone Road	Lots 1-3, DP 1096437	Local	224
Denistone	House	22 Miriam Road	Lot 80A, DP 6272	Local	219

Excerpt: Proposed Amendment to Ryde LEP 2014 Schedule 5 Environmental Heritage (Amendment shown in red)



Figure 9: Excerpt of Proposed Heritage Map



## 4.0 Justification

*Section 3.33 (3) of the Environmental Planning and Assessment Act 1979 enables the Planning Secretary to issue requirements with respect to the preparation of a Planning Proposal.*

### 4.1 Need for the Planning Proposal

#### **Is the Planning Proposal a result of any strategic study or report?**

The property is the subject of an Interim Heritage Order published in the Government Gazette No. 99 on Wednesday 26 September 2018.

A consultant was subsequently engaged by Council to provide a detailed heritage assessment of the house and site. The findings of this study identify this property as a rare California Bungalow style residence in Denistone. The study indicates that it is of local historical and aesthetic significance, is remarkably intact and finely detailed, and exhibits a substantial degree of integrity. The house is set within landscaped gardens that also include inter-war period features.

The study concludes that 68 Denistone Road Denistone warrants heritage listing under the provisions of Ryde LEP 2014 in order to protect its heritage significance.

#### **Is the Planning Proposal the best means of achieving the objectives or intended outcomes?**

This Planning Proposal represents the only means of ensuring the heritage significance of the site. This will ensure that the site is recognised and protected from development that may adversely affect the significance of the site and its contribution to the environmental heritage of the City of Ryde.

## 4.2 Relationship to strategic planning framework

Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The strategic planning context for the consideration of this Planning Proposal includes:

### ***Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018)***

The Greater Sydney Region Plan (GSRP) is the Greater Sydney Commission’s strategic document to coordinate and guide land use planning across all of Sydney. It defines the objectives and strategies which inform the District Plans, which in turn inform Local Strategic Planning Statements and decision making at the local level.

This Planning Proposal supports the following Objective from the GSRP:

*Objective 13 – “Environmental heritage is identified, conserved and enhanced”*

This objective explicitly upholds the importance of identifying, conserving, and enhancing environmental heritage when creating a “city of great places” (GSRP, p22).

This Planning Proposal supports Objective 13 and enacts Strategy 13.1 by responding to community interest in the retention of the existing local character and by managing the cumulative impact of development on the heritage values and character of places. The Planning Proposal is therefore consistent with GSRP.

### ***Our Greater Sydney 2056 – North District Plan (March 2018)***

The North District Plan (NDP) is the Greater Sydney Commission’s plan for priorities and actions for growth and development of the Northern District. The Greater Sydney’s North District includes the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, City of Ryde and Willoughby.

The NDP provides the means by which the GSRP can be implemented on a district level, by providing opportunities, priorities and actionable growth and development opportunities for the North District. This Planning Proposal supports the following Planning Priority in the retention and renewing of local heritage:

*Planning Priority N6 – “Creating and renewing great places and local centres, and respecting the District’s heritage”*

This planning priority promotes local heritage as an important component of local identity that creates a distinctive built character. The NDP states that “*Identifying, conserving, interpreting and celebrating Greater Sydney’s heritage values leads to a better understanding of history and respect for the experiences of diverse communities. Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations.*” (NDP, p49)

The heritage study attached to this Planning Proposal confirms the importance of 68 Denistone Road, Denistone as a place of heritage significance. The listing of this property under the Ryde LEP 2014 Schedule 5 Part 1 will ensure that future generations can appreciate the unique aesthetic significance of this property, which supports *Planning Priority N6* as a property that respects the District's heritage and can retain character of Denistone and the local centres in the City of Ryde.

Thus, the recognition and protection of 68 Denistone Road, Denistone as containing a building and grounds which are representative of dwellings during the inter-war period and contribute to the heritage of the City of Ryde, supports the Goals and Directions of *Our Greater Sydney 2056 North District Plan (March 2018)*.

## Is the Planning Proposal consistent with the local council's local strategy, or other local strategic plan?

City of Ryde Strategic Plans:

### 1. ***The City of Ryde 2028 Community Strategic Plan***

The Community Strategic Plan sets out the future vision for the City of Ryde. The plans set the desired outcomes and the aspirations of the community, and the goals and strategies on how they will be achieved. The seven outcomes for the City of Ryde are;

- Our vibrant and liveable city
- Our active and healthy city
- Our natural and sustainable city
- Our smart and innovative city
- Our connected and accessible city
- Our diverse and inclusive city
- Our open and progressive city

The Planning Proposal is in line with the goals and strategies of the Community Strategic Plan 2028. It speaks to both outcome one: Our Vibrant and Liveable City; and to outcome six: Our Diverse and Inclusive City.

Outcome one describes a city “designed with a strong sense of identity and place” (p16), relates the community’s desire to “protect and maintain Ryde’s character and heritage” (p17), and includes goals to “uphold and protect its unique character” (p17). The Planning Proposal responds to this vision by creating a legislative protection against character-damaging redevelopment of the Denistone area and streetscape.

Outcome six describes a city with a “rich social, cultural, historical and creative tapestry [which] provides an enduring legacy for future generations” (p26) and “a distinct local identity built on our city’s character and rich cultural heritage” (p27). The Planning Proposal responds to this vision by protecting key elements of the landscape which contribute to Ryde’s historical and cultural legacy.

### 2. ***The City of Ryde Local Planning Study (December 2010)***

Council adopted the *Ryde Local Planning Study (December 2010)* in response to the NSW Government’s *Metropolitan Strategy* and draft *Inner North Draft Subregional Strategy* to outline a vision for development of Ryde over the next 20 years. The Local Planning Study was the basis for the preparation of the Ryde LEP 2014. One of the aims of Ryde LEP 2014 that was derived from the Local Planning Study was:

*(d) to identify, conserve and promote Ryde’s natural and cultural heritage as the framework for its identity, prosperity, liveability and social development, (Ryde LEP 2014 Clause 1.2(d))*

The Planning Proposal is consistent with both the Study and Ryde LEP 2014.



## Is there a net community benefit?

The Planning Proposal will facilitate the retention of an item of local heritage significance that contributes to the character and identity of the City of Ryde and will assist to connect the local community to place. The item illustrates the history and development of Ryde.

The inclusion of 68 Denistone Road, Denistone in Ryde LEP 2014 Schedule 5 Environmental Heritage will enable Council to ensure;

- The protection of local heritage significance to the City of Ryde from any development that would adversely impact on the heritage value of the buildings and grounds.

The above outcome of the proposal is considered to be in the public's interest and responds to demonstrable community interest.

## Is the Planning Proposal consistent with applicable state environmental planning policies?

A summary assessment of the Planning Proposal in terms of State Environmental Planning Policies is contained in the table below (Table 1).

This assessment indicates that the draft LEP contained in this Planning Proposal is consistent with all relevant State Environmental Planning Policies

**Table 1 – Consistency with relevant SEPP's**

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	Yes	No		
State Environmental Planning Policy No 19 - Bushland in Urban Areas			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 21 - Caravan Parks.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 30 - Intensive Agriculture.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 33 - Hazardous and Offensive Development.			✓	Applies to the whole of the State. Not relevant to proposed amendment

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	Yes	No		
State Environmental Planning Policy No 50 - Canal Estate Development.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 55 - Remediation of Land.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 62 - Sustainable Aquaculture.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 64 - Advertising and Signage.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development.			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy No 70- Affordable Housing (Revised Schemes)			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	✓			The proposal will not affect the provisions of the SEPP. It is acknowledged that SEPP will cease to apply to the property under clause 1.16.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Infrastructure) 2007			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (State Significant Precincts) 2005			✓	Applies to the whole of the State. Not relevant to proposed amendment

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	Yes	No		
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (State and Regional Development) 2011			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Affordable Rental Housing) 2009			✓	Applies to the whole of the State. Not relevant to proposed amendment
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	✓			The Planning Proposal includes protections for trees and other vegetation on the property.
<b>Deemed SEPPs</b>				
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005			✓	Applies to the whole of the State. Not relevant to proposed amendment
<b>Proposed SEPPs</b>				
State Environmental Planning Policy (Environment)			✓	Applies to the whole of the State. Not relevant to proposed amendment

## Is the Planning Proposal consistent with applicable Ministerial Directions (Section 9.1)?

A summary assessment of the Planning Proposal in terms of the Directions issued by the Minister for Planning under section 9.1 of the EP&A Act is set out in Table 2.

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1 of the *Environmental Planning and Assessment Act 1979*. These directions apply to Planning Proposals lodged with the Department of Planning on or after the date the particular direction was issued:

**Table 2: Consideration of Relevant Section 9.1 Directions applying to Planning Proposal**

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
<b>1. Employment and Resources</b>				
<b>1.1 Business and Industrial Zones</b> <b>Objectives:</b> <ul style="list-style-type: none"> <li>(a) Encourage employment growth in suitable locations,</li> <li>(b) Protect employment land in business and industrial zones, and</li> <li>(c) Support the viability of identified centres</li> </ul>			✓	
<b>1.2 Rural Zones</b> <b>Objective:</b> To protect the agricultural production value of rural land			✓	
<b>1.3 Mining, Petroleum Production and Extractive Industries</b> <b>Objective:</b> To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development			✓	
<b>1.4 Oyster Aquaculture</b> <b>Objectives:</b> <ul style="list-style-type: none"> <li>(a) To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a Planning Proposal,</li> <li>(b) To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</li> </ul>			✓	
<b>1.5 Rural Lands</b> <b>Objectives:</b> <ul style="list-style-type: none"> <li>(a) To protect agricultural production value of rural land</li> <li>(b) facilitate the orderly and economic development of rural lands for rural and related purposes.</li> </ul>			✓	

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
<b>2. Environmental Heritage</b>				
2.1 Environment Protection Zones <b>Objective:</b> To protect and conserve environmentally sensitive areas			✓	
2.2 Coastal Management: <b>Objective:</b> To protect and manage coastal areas of NSW.			✓	
2.3 Heritage Conservation <b>Objective:</b> to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	✓			This PP aims to heritage list a property of heritage significance
2.4 Recreation Vehicle Areas <b>Objective:</b> To protect sensitive land or land with conservation values from adverse impacts from recreation vehicles.			✓	
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs <b>Objective:</b> To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast			✓	
<b>3. Housing, Infrastructure and Urban Development</b>				
3.1 Residential Zones <b>Objectives:</b> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	✓			The subject land is zoned <i>R2 Residential Low Density</i> . Residential development is permitted in the zone. No change is proposed to the land use zone.  The intent of the PP is to identify the land as a heritage item under Schedule 5 of Ryde LEP 2014. The subject land is currently used as a dwelling house.
3.2 Caravan Parks and Manufactured Home Estates <b>Objectives:</b> (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates			✓	
3.3 Home Occupations <b>Objective:</b> To encourage the carrying out of low-impact small businesses in dwelling houses	✓			The Planning Proposal does not affect the provisions of the Ministerial Direction.



Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
<p>3.4 Integrating Land Use and Transport</p> <p><b>Objectives:</b>  The objective of this direction is to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts achieved the following planning objectives:</p> <ul style="list-style-type: none"> <li>(a) improving access to housing, jobs, and services by walking, cycling and public transport, and</li> <li>(b) increasing choice of available transport and reduce dependence on cars, and</li> <li>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</li> <li>(d) supporting the efficient and viable operation of public transport services, and</li> <li>(e) providing for the efficient movement of freight.</li> </ul>			✓	
<p>3.5 Development Near Licensed Aerodromes</p> <p><b>Objective:</b></p> <ul style="list-style-type: none"> <li>(a) to ensure effective and safe operation of aerodromes</li> <li>(b) to ensure operation is not compromised by development that constitutes and obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</li> <li>(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measure so that the development is not adversely affected by aircraft noise.</li> </ul>			✓	
<p>3.6 Shooting Ranges</p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>(a) To maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</li> <li>(b) To reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</li> <li>(c) To identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</li> </ul>			✓	
<b>4. Hazard and Risk</b>				
<p>4.1 Acid Sulfate Soils</p> <p><b>Objective:</b> To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>			✓	

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
4.2 Mine Subsidence and Unstable Land <b>Objective:</b> to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.			✓	
4.3 Flood Prone Land <b>Objectives:</b> (a) To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts on both on and off the subject land.			✓	
4.4 Planning for Bushfire Protection <b>Objectives:</b> (a) To protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) To encourage sound management of bushfire prone areas.			✓	
<b>5. Regional Planning</b>				
5.1 Implementation of Regional Strategies ( <b>Revoked</b> 17 October 2017)			✓	
5.2 Sydney Drinking Water Catchment <b>Objective:</b> to protect water quality in the Sydney drinking water catchment.			✓	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast <b>Objectives:</b> (a) to ensure that the best agricultural land will be available for current and future generations to grow food and fibre, (b) to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and (c) to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.			✓	

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast <b>Objectives:</b> (a) To protect the Pacific Hwy's function, that is to operate as the North Coast's primary inter- and intra- regional road traffic route; (b) To prevent inappropriate development fronting the highway; (c) To protect public expenditure invested in the Pacific Highway; (d) To protect and improve highway safety and highway efficiency (e) To provide for the food, vehicle service and rest needs of travellers on the highway; and (f) To reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.			✓	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) ( <b>Revoked</b> 18 June 2010)			✓	
5.6 Sydney to Canberra Corridor ( <b>Revoked</b> 10 July 2008)			✓	
5.7 Central Coast ( <b>Revoked</b> 10 July 2008)			✓	
5.8 Second Sydney Airport: Badgerys Creek <b>Objective:</b> The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.			✓	
5.9 North West Rail Link Corridor Strategy <b>Objectives:</b> (a) To promote transit oriented development and manage growth around the stations of the North West Rail Link (NWRL) (b) Ensure development within the NWRL corridor is consistent with the proposal set out in the NWRL Corridor Strategy and precinct Structure Plans			✓	
5.10 Implementation of Regional Plans <b>Objective:</b> to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.			✓	
<b>6. Local Plan Making</b>				
6.1 Approval and Referral Requirements <b>Objective:</b> to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	✓			

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
6.2 Reserving Land for Public Purposes <b>Objectives:</b> (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.			✓	
6.3 Site Specific Provisions <b>Objective:</b> to discourage unnecessarily restrictive site specific planning controls.			✓	
<b>7. Metropolitan Planning</b>				
7.1 Implementation of the Metropolitan Plan for Sydney <b>Objective:</b> to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	✓			The acknowledgement and protection of 68 Denistone Road Denistone as an item of local heritage significance within the City of Ryde supports the Goals and Directions of A Plan for Growing Sydney
7.2 Implementation of Greater Macarthur Land Release Investigation <b>Objective:</b> to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy).			✓	
7.3 Parramatta Road Corridor Urban Transformation Strategy <b>Objectives:</b> (a) facilitate development within the Parramatta Road Corridor that is consistent with the <i>Parramatta Road Corridor Urban Transformation Strategy (November, 2016)</i> and the <i>Parramatta Road Corridor Implementation Tool Kit</i> (b) to provide a diversity of jobs and housing to meet the demands of a broad cross-section of the community, and (c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.			✓	

Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979	Consistent			Comment
	Y	N	N/A	
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan <b>Objective:</b> to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy.			✓	
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan <b>Objective:</b> to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017			✓	
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan <b>Objective:</b> to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.			✓	
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor <b>Objective:</b> to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.			✓	
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan <b>Objective:</b> to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018.			✓	
7.9 Implementation of Bayside West Precincts 2036 Plan <b>Objective:</b> to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan.			✓	
7.10 Implementation of Planning Principles for the Cooks Cove Precinct <b>Objective:</b> to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.			✓	



On 27 September 2018, the Minister for Planning gave an additional direction under 9.1 of the *Environmental Planning and Assessment Act 1979* with the objective of identifying the types of Planning Proposal that are to be advised on by Local Planning Panels on behalf of councils in the Greater Sydney Region and Wollongong and to establish the procedures in relation to those matters. This Direction is relevant to this Planning Proposal, and the proposal will be referred to the Ryde Local Planning Panel in early 2019 and prior to Council considering the outcomes of community consultation.

## 4.3 Environmental, social and economic impacts

### Impact on Critical Habitat, Threatened Species and Ecological Communities

The land is situated in a suburban context and is currently used as a dwelling house. The wider area has historically been developed for low density residential housing within an urban context.

The Planning Proposal will not affect any critical habitat, threatened species, populations, ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

### Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

#### *Environmental effects*

The subject site is not subject to flooding, bushfire hazard, soil instability, or noise impact. Furthermore, the property does not contain habitat, threatened species populations, ecological communities, or their habitats.

Therefore, this Planning Proposal is not expected to have any adverse environmental effects.

#### *Heritage*

The Planning Proposal aims to list the property 68 Denistone Road, Denistone as a heritage item within the Ryde LEP 2014, so that the property will be protected through *Clause 5.10 Heritage conservation* of LEP 2014 from work that would adversely affect the heritage significance of the site. This will result in a positive impact on the built environment and protection against damage to its character.

### Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal will have a positive impact on the social fabric of Ryde by ensuring that the streetscape maintains a strong sense of place and illustrates local cultural and developmental history. The impact of the listing on the value of the property is not known. The listing is not expected to impact on the viability of the area as a residential suburb.

## 4.4 State and Commonwealth Interests

### Is there adequate public infrastructure for the planning proposed?

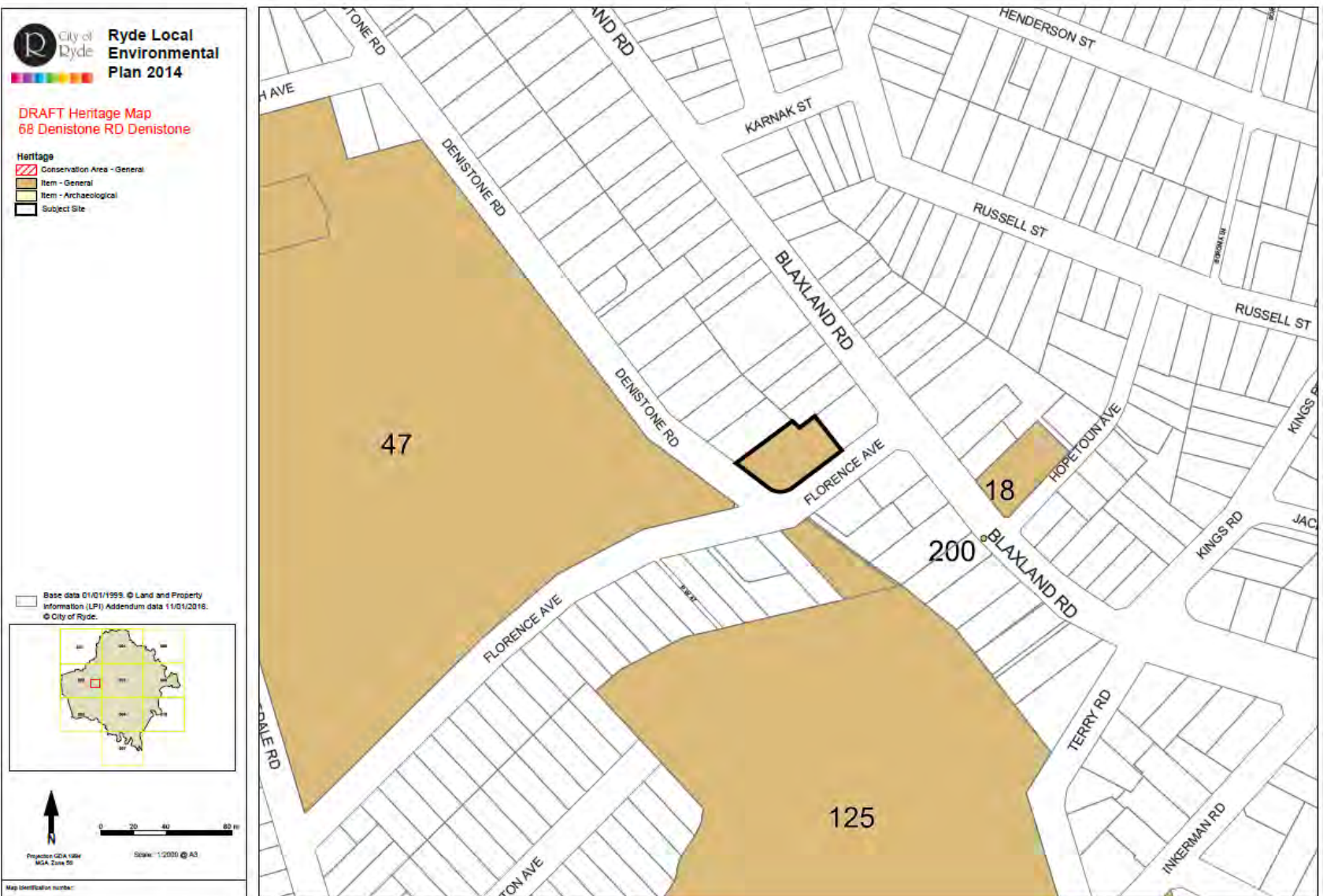
There is extensive public utility service infrastructure available in this area which supports the existing residential use of the site and the surrounding development.

### What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Condition 3 of the Gateway Determination stipulates that the Office of Environment and Heritage be consulted as part of the planning proposal process. Council has requested comments from the Office of Environment and Heritage and is currently awaiting their response.

## 5.0 Mapping

Proposed Draft Ryde LEP 2014 Heritage Map, indicating the proposed amendment being sought is provided in Attachment 5. (Preview included below)



## 6.0 Community Consultation

This section provides details of the community consultation that is to be undertaken on the Planning Proposal:

The community consultation process for this Planning Proposal will be undertaken in accordance with the conditions of the Gateway Determination.

Consultation will be for a 31 day period as follows:

- Written notice given
  - o In the local newspaper circulating in the area
  - o On Council's webpage
  - o To affected landowners
  - o To local state government representatives
  - o State and Commonwealth authorities as required
  
- The written notice will
  - o Provide a brief description of the objectives and intended outcomes of the Planning Proposal,
  - o Indicate the land affected,
  - o State where the Planning Proposal can be inspected,
  - o Indicate the last date for submissions, and
  - o Confirm that Minister has chosen not to delegate Council as the local plan-making authority for this Planning Proposal
  
- The following materials will be placed on exhibition
  - o The Planning Proposal and supporting documents
  - o The Gateway Determination



## 7.0 Project Timeline

Following is an indicative timeline

Milestone	Date
1. Resolution of Council to prepare Planning Proposal	September 2018
2. Planning Proposal submitted with request for Gateway Determination	December 2018
3. Gateway Determination received by Council	April 2019
4. Community Consultation	May/June 2019
5. Outcomes of Community Consultation presented to Council	August 2019
6. Planning Proposal submitted to Department of Planning and Environment requesting notification on Government website	August 2019

**ATTACHMENT 1**

**Ryde Local Environmental Plan 2014 Site Identification Map**



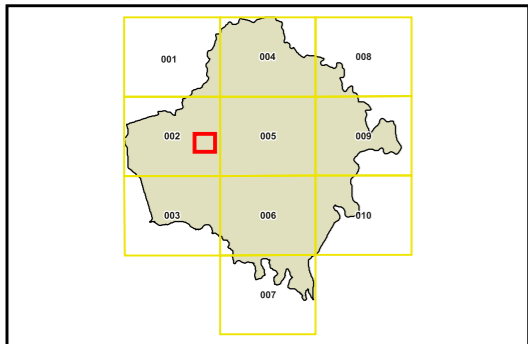
# Ryde Local Environmental Plan 2014

## DRAFT Site Identification Map

### Site Identification

- Subject Land
- Property Address Text
- Legal Description Text

Base data 01/01/1999. © Land and Property information (LPI) Addendum data 11/01/2018. © City of Ryde.



0 40 80 m

Projection GDA 1994  
MGA Zone 56

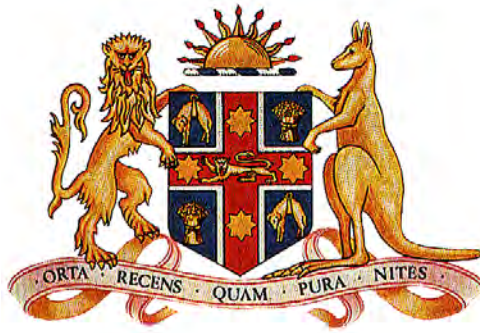
Scale: 1:2,000 @ A3

Map identification number:  
Site Identification Map 20171005



## ATTACHMENT 2

**Interim Heritage Order No. 4 published in Government Gazette  
No.99 dated Wednesday, 26 September 2018**



# *Government Gazette*

of the State of

New South Wales

Number 99

Wednesday, 26 September 2018

---

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

From 1 January 2018, each notice in the Government Gazette has a unique identifier that appears in square brackets at the end of the notice and that can be used as a reference for that notice (for example, [n2018-14]).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal – see Gazette Information.



## COUNCIL NOTICES

### COUNCIL OF THE CITY OF RYDE

#### HERITAGE ACT 1977

#### INTERIM HERITAGE ORDER NO. 4

Under Section 25 of the *Heritage Act 1977*, the Council of the City of Ryde does by this order:

- (1) make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule “A”; and
- (2) declares that the Interim Heritage Order shall apply to the curtilage or site of such an item, being the land described in Schedule “B”.

#### Schedule “A”

All landscaping, works, relics and buildings that are attached to, located upon or form part of the land described in Schedule B.

#### Schedule “B”

All that parcel of land known as Lot 1 DP 1096437, Lot 2 DP 1096437 & Lot 3 DP 1096437 (also known as 68 Denistone Road, Denistone 2114) shown edged heavy black on the plan catalogued Interim Heritage Order No.4 in the office of the Council of the City of Ryde.

#### Condition

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date; and

- (i) in the case of an item which, in the council’s opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; or
- (ii) In the case of an item which, in the Council’s opinion, is of State heritage significance, the resolution requests the Heritage Council to make a recommendation to the Minister for Heritage under section 32(2) of the Heritage Act to include the item on the State Heritage Register.

Executed this 26th day of September 2018 at North Ryde in the State of New South Wales, for and on behalf of the Council of the City of Ryde by **GEORGE DEDES**, General Manager, in accordance with his delegated authority under Section 377 of the *Local Government Act 1993*.

George Dedes

[n2018-3241]

## ATTACHMENT 3

**Mayoral Minute – 25 September 2018**

**MM22/18 “Heritage Protection – 68 Denistone Road,  
Denistone”**

---

**MM22/18 HERITAGE PROTECTION - 68 DENISTONE ROAD,  
DENISTONE - Mayor, Councillor Jerome Laxale**

**File Number: URB/08/1/10 - BP18/1031**

---

**REPORT SUMMARY**

Council on the 28 August 2018 received a Local Development Application (LDA) for the consolidation of the 3 existing lots and subdivision to create 2 lots at 68 Denistone Road, Denistone (LDA2018/340).

The LDA was available for community comment between 3 September and 19 September 2018. Council received six (6) submissions during the notification period, all objected to the development raising heritage as a concern, five (5) submissions specifically refer to the heritage of the building, and one (1) refers more generally to the heritage of the area. Council also received correspondence prior to the lodgement of the Development Application, prompted by the sale of the property in February 2018. The correspondence requested consideration be given to listing.



Figure 1- 68 Denistone Rd, Denistone – External Façade and Landscaping

Additional images are attached for reference.

---

Council, dated 25 September 2018, submitted on 25 September 2018.

**ITEM 0 (continued)**  
**Background**

68 Denistone Road, Denistone is not listed as an item of heritage significance under the provisions of Ryde Local Environmental Plan 2014.

Whilst demolition of the dwelling at 68 Denistone Road, Denistone is not proposed as part of the present LDA, the application is accompanied by an indicative site plan which shows the Applicant's demolition and redevelopment intentions (the construction of a duplex and triplex that would be subject to future applications).

Council's Heritage Advisor has undertaken a preliminary assessment of the property and considers 68 Denistone Road, Denistone, to have cultural heritage significance and to be a good representative example of an Inter-War Californian Bungalow. The dwelling displays a high degree of design integrity and is significantly enhanced by its established landscaped garden setting, which contains a number of significant landscape features and comprises the heritage curtilage. The interior of the dwelling also displays a remarkably high degree of integrity with many fine features. It is also one of the more prominent dwellings in the streetscape.

Given that this property is considered to have local heritage significance and is under imminent threat of harm through demolition, it is prudent that Council resolve to follow the necessary process to impose an Interim Heritage Order (IHO) over the property.

**Interim Heritage Order (IHO)**

An IHO is a temporary heritage protection measure against the demolition of a potential heritage item. It also provides Council with the time to further assess the heritage significance of a potential item and take the appropriate steps to list the item if warranted.

The legal effect of an IHO made by a Local Council is that approval is required for any development for the life of the order and demolition is prohibited during that period.

One of the key requirements for Council imposing an IHO over a property is that it must consider that the subject property is being or is likely to be harmed. In this case, the lodgement of the Development Application foreshadowing the demolition of the property constitutes a threat of harm.

I am therefore proposing that due to the imminent threat of harm through demolition at 68 Denistone Road, Denistone, that Council delegate the General Manager to impose an IHO.

**RECOMMENDATION:**

---

Council, dated 25 September 2018, submitted on 25 September 2018.

**ITEM 0 (continued)**

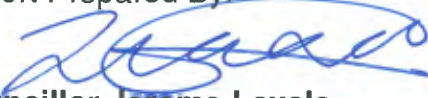
That Council delegate the General Manager to place an Interim Heritage Order over 68 Denistone Road, Denistone; and

- (i) Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and
- (ii) That the Planning Proposal seeking heritage listing of 68 Denistone Road, Denistone be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and
- (iii) That upon receipt of the Gateway Determination, the General Manager place the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.
- (iv) That a report on the outcomes of community consultation be presented to Council as soon as practicable.

**ATTACHMENTS**

1 Photos of 68 Denistone Road, Denistone

Report Prepared By:



**Councillor Jerome Laxale**  
**Mayor**



**EXTRACT FROM MINUTES OF COUNCIL MEETING  
NO. 12/18 HELD ON 25 SEPTEMBER 2018**

**MAYORAL MINUTE**

**22/18 HERITAGE PROTECTION - 68 DENISTONE ROAD, DENISTONE - Mayor  
Jerome Laxale**

Note: John Court (on behalf of himself and on behalf of William Lloyd), Patricia Lloyd and Ronald McKeon addressed the meeting in relation to this Item.

Note: Correspondence from William Lloyd dated 25 September 2018 was tabled in relation to this Item and a copy is ON FILE.

Note: Correspondence from Patricia Lloyd dated 25 September 2018 was tabled in relation to this Item and a copy is ON FILE.

Note: Undated Correspondence from Catherine Taffa was tabled in relation to this Item and a copy is ON FILE.

**RESOLUTION:** (Moved by The Mayor, Councillor Laxale and Councillor Maggio)

That Council delegate the General Manager to place an Interim Heritage Order over 68 Denistone Road, Denistone; and

- (i) Prepare a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014, and
- (ii) That the Planning Proposal seeking heritage listing of 68 Denistone Road, Denistone be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, and
- (iii) That upon receipt of the Gateway Determination, the General Manager place the Planning Proposal on Community Comment, in accordance with the conditions of the Gateway Determination.
- (iv) That a report on the outcomes of community consultation be presented to Council as soon as practicable.

**Record of the Voting**

For the Motion: Unanimous

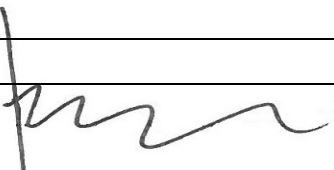
**ATTACHMENT4**  
**Heritage Study**

Lanark Brae  
68 Denistone Road,  
Denistone  
Heritage Assessment  
Report

May 2019



prepared by Paul Davies Pty Ltd  
for City of Ryde Council

Revision	Date	Issued By
Draft		Paul Davies, Heritage Architect
Final	21 May 2019	Paul Davies, Heritage Architect
		
	Report reviewed by:	Paul Davies Director B Arch MB Env ARIA Reg. No. 6653

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E pdavies@heritage-architects.com.au ABN 65 074 633 015 Nominated Architect Paul Davies Reg No, 6653



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## ATTACHMENT 1: DRAFT SHI FORM FOR 68 DENISTONE ROAD, DENISTONE FIGURES

Cover: The house Lanark Brae, 68 Denistone Road, as seen from Denistone Road. Source: Paul Davies Pty Ltd.	
Figure 1: Satellite view of the subject property at 68 Denistone Road, Denistone (shaded yellow, outlined in red ) showing the 3 separate allotments within the property. Source: NSW Land & Property Information Six Maps.....	4
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# 1.0 INTRODUCTION/BACKGROUND

## 1.1. THE BRIEF

The property at 68 Denistone Road, Denistone, was the subject of a Development Application (DA) to consolidate the existing 3 allotments on the property and then re-subdivide the property into 2 allotments. As the sub-division extended through the footprint of the existing building, it was considered by Council to be in effect a proposal for demolition of the existing building. The application was refused by City of Ryde Council on 31 October 2018 after resolving to place an Interim Heritage Order (IHO) on the property (25 September 2018) that took effect on the 26<sup>th</sup> of September 2018. The order was placed as it was likely that the property had local heritage significance.

The property is currently the subject of the IHO.

Council commissioned a heritage assessment report of the property as part of the IHO process in November 2018. This was prepared by Paul Davies Pty Ltd on behalf of City of Ryde Council. As access to the interior of the house was not available to Paul Davies Pty Ltd at that time, the November 2018 heritage assessment of the physical state of the house was based on site inspection of the exterior of the house and viewing of the interior through windows in addition to viewing real estate photographs of the interior taken around September 2018, prior to the purchase of the house by the current owners. The earlier report noted that without an internal inspection it was difficult to fully understand the potential significance of the place.

The purpose of the current (May 2019) report is to update the November 2018 Heritage Assessment report by incorporating new information:

- Arising from inspection of the interior of the house as access to the interior has been made available;
- Further assessment of the building, site and setting;
- The provision of a structural engineer's report on the condition of the house commissioned by Council.

The initial report was prepared by Chery Kemp, heritage specialist, this report has been revised by Paul Davies, principal and heritage architect.

The purpose of the heritage assessment is to ascertain if the property should be recommended for inclusion on the Ryde LEP as a Heritage Item. While condition is considered (as it needs to be as the house has deteriorated over the last 18 months) it is a well-established principal that an assessment of heritage significance is independent of condition and that issues such as condition, conservation, maintenance etc. relate to how a place is managed once its significance has been understood.

## 1.2. APPROACH AND METHODOLOGY

The methodology used in this report is in accordance with the guidelines of the NSW Heritage Manual and in accordance with the latest version of The NSW Heritage Division, Office of Environment & Heritage (OEH) Assessing Heritage Significance guidelines. This report is also in accordance with the principles and definitions set out in the Australia ICOMOS Burra Charter 2013 and its Practice Notes.

### 1.3. LIMITATIONS

The site was visited by Paul Davies, Director & Heritage Architect of Paul Davies Pty Ltd on 13<sup>th</sup> May 2019 and previously in November 2018 by Wendy Crane and Chery Kemp of Paul Davies Pty Ltd. The site was inspected, and the site and the exterior and interior of the house photographed in May 2019 (noting that interior access was not available in November 2018).

All photographs of the house and site in this report were taken on either 14 November 2018 by Wendy Crane, Graduate Architect or on 13<sup>th</sup> May 2019 by Paul Davies, of Paul Davies Pty Ltd unless otherwise captioned.

The historical background in this report was researched for the November 2018 report by historian Dr. Anne-Maree Whitaker from a mix of primary (e.g. Sand's Directory, Lands Titles) and secondary sources, and is considered to be a detailed history sufficient to provide the basis to establish if the place has heritage significance that could support a local heritage listing in the LEP.

### 1.4. AUTHOR IDENTIFICATION

This report was prepared by Paul Davies Pty Ltd, Architects and Heritage Consultants, 180 Darling St Balmain NSW 2041.

This report was authored by Paul Davies, Director and Chery Kemp, Heritage Specialist, with historical research undertaken and history written by Dr. Anne-Maree Whitaker, Historian sub-consultant.

### 1.5. ACKNOWLEDGEMENTS

Angela Phippen, Local Studies & Family History Librarian, City of Ryde, is acknowledged for her assistance with historical research for the November 2018 report.

### 1.6. DEFINITIONS

For the purposes of this report

Local	Refers to City of Ryde Council
State	refers to New South Wales

The following definitions used in this report and are from Article 1: Definitions of The Burra Charter 2013, the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance.

Place	means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.
Cultural significance	means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.
Fabric	means all the physical material of the place including elements, fixtures, contents and objects.
Conservation	means all the processes of looking after a place so as to retain its cultural significance.



Maintenance	means the continuous protective care of a place, and its setting. Maintenance is to be distinguished from repair which involves restoration or reconstruction.
Preservation	means maintaining a place in its existing state and retarding deterioration.
Restoration	means returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
Reconstruction	means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material.
Adaptation	means changing a place to suit the existing use or a proposed use.
Use	means the functions of a place, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.
Compatible use	means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.
Setting	means the immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character.
Related Place	means a place that contributes to the cultural significance of another place.
Related object	means an object that contributes to the cultural significance of a place but is not at the place.
Associations	mean the connections that exist between people and a place.
Meanings	denote what a place signifies, indicates, evokes or expresses to people.
Interpretation	means all the ways of presenting the cultural significance of a place.

## 1.7. SITE LOCATION

The site at 68 Denistone Road, Denistone is located on the eastern side of Denison Road, on the north-eastern corner of the Denison Road and Florence Avenue intersection, west of Blaxland Road, and opposite the Ryde Ambulance Station. The real property details are outlined in Table 1 below. The property encompasses three separate allotments within the same DP (see Table 1 below), with the house being located on Lot 2.

Table 1: Real Property Details for 68 Denistone Road, Denistone

Street address	Real property description
68 Denistone Road, Denistone	Lots 1,2 & 3, DP1096437



Figure 1: Satellite view of the subject property at 68 Denistone Road, Denistone (shaded yellow, outlined in red ) showing the 3 separate allotments within the property. Source: NSW Land & Property Information Six Maps



Figure 2: 1943 aerial photo of subject property (shaded yellow, outlined in red). Note there appears to be an outbuilding to the east of the house that was most likely a garage, on the boundary between Lot 2 and Lot 3 of the property. Source: NSW LPI Six Maps



Figure 3: Location map showing the location of 68 Denistone Road, Denistone, opposite the Ryde Ambulance Station, with Ryde Hospital to the north-west, and Blaxland Road to the east. Source: NSW Land & Property Information

## 1.8. STATUTORY LISTINGS AND CONTROLS

### NSW HERITAGE ACT 1977 (AS AMENDED)

The property is not included on the State Heritage Register (SHR).

### LOCAL ENVIRONMENTAL PLAN (LEP)

The Ryde LEP 2014 does not include the property at 68 Denistone Road, Denistone in its heritage item Schedule 5, and does not include the property within any heritage conservation area listed in the LEP. The only heritage items in the vicinity are "Denistone House" and "Trigg House" (Item No. 47) which are within the Ryde Hospital property to the north-west of the site.

Figure 4 below shows the statutory heritage context of the site



Figure 4: The heritage context of the site (indicated with blue shading), showing it is not within any heritage conservation area listed in the LEP. The property is in the vicinity of heritage item Nos. 47 (Ryde Hospital "Denistone House" and "Trigg house") and Item No. 125 (Denistone Park) Source: Ryde LEP 2014 Heritage Map 002

## INTERIM HERITAGE ORDER

The property was the subject of a development application (DA) to consolidate the existing 3 allotments on the property and re-subdivide the property into 2 allotments, an application considered to indicate a future threat to the existing house on the property. This application was refused by City of Ryde Council on 31 October 2018 for the following reasons:

1. The proposal will require demolition of a building subject to an Interim Heritage Order under the Heritage Act 1977. The Interim Heritage Order prevents the buildings on the site from being demolished until further investigation regarding the site's heritage significance has occurred. Therefore, approval of this application would conflict with the Interim Heritage Order.
2. The development does not achieve the objectives of Clause 5.10 of the Ryde Local Plan 2014 in that it does not conserve the environmental heritage of the area.
3. The development is not considered suitable for the site, as subdivision is not possible without the demolition of the existing dwelling.
4. The development is not considered to be in the public interest.

City of Ryde Council resolved to place an Interim Heritage Order on the property on 25 September 2018, taking effect on 26 September 2018 prior to determination of the application.

## 1.9. NON- STATUTORY LISTINGS

No National Trust listings<sup>1</sup> or Australian Institute of Architects listings<sup>2</sup> have been noted for the subject property.

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<sup>1</sup> Checked via inquiry with the NSW National Trust

<sup>2</sup> Checked against July 2018 NSW Chapter, AIA list of significant architecture

## 2.0 HISTORICAL BACKGROUND

### 2.1. INDIGENOUS HISTORY

The geology of this region is Hawkesbury sandstone and the Wianamatta group of sedimentary rocks, predominantly Ashfield shale. The area lies between the Parramatta and Lane Cove Rivers, a plateau which slopes gradually southward from an east-west ridge. The Lane Cove River banks are dominated by sandstone bluffs and steep rocky hillsides, while the Parramatta River is less steep and characterised by mudflats and bays. This district between the rivers was the home of the Wallumedde Indigenous people, and at the time of the arrival of the First Fleet in 1788 was a significant population centre. Prominent indigenous residents of the area included Bennelong and his kinsman Bidgee Bidgee. By 1797 the Aboriginal community of the Lane Cove valley was reported to be actively resisting the new settlers and was responsible for burning a house and killing some hogs. 'Native raiders' were mentioned again in 1804 and 1809, but there are no later references to Aborigines living in the area. Around 40 Aboriginal sites have been recorded in the Lane Cove National Park including shelters, cave art, rock engravings, middens and grinding grooves.<sup>3</sup>

### 2.2. DENISTONE AREA HISTORY

The site of 68 Denistone Road is part of a land grant known as 'Porteous Mount' issued on 22 July 1795 to John Varnice, Humphrey Evans and William Ternan. Varnice was granted 45 acres (18.2 hectares), Evans 45 acres and Ternan 30 acres (12.1 hectares), but the grants totalling 120 acres (48.5 hectares) were not subdivided (see Figure 5 below).

Just on a month later, on 24 August 1795, the colony's chaplain the Reverend Richard Johnson acquired the property. On 7 March 1800, Johnson sold it to Michael Connor, who transferred to Roger Connor on 12 June 1816.<sup>4</sup>

Gregory Blaxland, a free settler, purchased the nearby 450-acre (182-hectare) Brush Farm Estate in 1806 shortly after his arrival in the colony. This estate covered most of the area south from Terry Road to Victoria Road and Tramway Street and east from Brush Road to Shaftsbury Road. In 1829 he transferred Brush Farm Estate to his eldest daughter Elizabeth and her husband Dr Thomas Forster. The following year Forster expanded the estate by purchasing the 'Porteous Mount' grants of 120 acres, east of his Brush Farm Estate. Forster built an eight-room house which he called Deniston after his birthplace, possibly Dennistoun in Lanarkshire, Scotland.<sup>5</sup>

On May 23 1840, Dr Forster leased 'the dwelling houses known by the name of Deniston' and 100 acres (40.4 hectares) of land to Major Edward Darvall for a period of 12 years. Darvall did not remain at Deniston for the 12 years mentioned in the lease, as the property was again advertised to let in the Sydney Morning Herald on 8 March 1849.

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<sup>3</sup> Megan Martin, *A Pictorial History of Ryde*, Kingsclear Books, Sydney, 1998, pp 1-5; NSW National Parks and Wildlife Service, *Lane Cove National Park Plan of Management*, Sydney, 1998, p 25.

<sup>4</sup> Angela Phippen, 'Denistone', Dictionary of Sydney online.

<sup>5</sup> Angela Phippen, 'Denistone', Dictionary of Sydney online; *Sydney Gazette*, 1 June 1830, p 3.





Figure 5: Early map of the parish of Hunters Hill showing land grant to Varnice, Evans and Ternan. Source: NSW Land Registry Services

After the Darvalls' departure, Deniston House was occupied by Andrew Hardie McCulloch and his family.

The house was destroyed by bushfires on 30 December 1854:

*The fire at this place ['The Hermitage'] being partially subsided, attention was attracted by the awful conflagration which was going on at the estate of Dennison, the property of Mr. Blaxland and residence of Mr. M'Culloch, solicitor; here the destruction of property was considerable, and, in a word, with the exception of a few articles of furniture which was saved, the bare walls of that once fine house are all that is to be seen.<sup>6</sup>*

Deniston Estate was purchased by Richard Rouse Terry on 9 December 1872. Terry was the grandson of the 'Botany Bay Rothschild' Samuel Terry and of Richard Rouse who gave his name to Rouse Hill.<sup>7</sup> RR Terry built the present two-storey sandstone Denistone House and resided there for many years after its completion in 1874 (see Figures 6 and 7 below). The property, comprising 140 acres, was brought under Torrens title in 1884.<sup>8</sup> After Terry's death in 1898,

<sup>6</sup> *Sydney Morning Herald*, 1 January 1855, p 8.

<sup>7</sup> Samuel Terry <http://adb.anu.edu.au/biography/terry-samuel-2721>; Richard Rouse <http://adb.anu.edu.au/biography/rouse-richard-2612>.

<sup>8</sup> Primary Application 3303 and title vol 686 fol 191, NSW Land Registry Services.

ownership passed to his son John Edgar Terry, accountant of Sydney, and son-in-law Frank David Muller, gentleman of Sydney.<sup>9</sup>



Figure 6: Richard Rouse Terry. Source: HR88/10, Hamilton Rouse Hill Trust Collection, Sydney Living Museums



Figure 7: Richard Rouse Terry and his wife Jane Emma with their children in 1892. Source: P1/1742, State Library of NSW

<sup>9</sup> Title vol 1115 fol 59, NSW Land Registry Services.



Figure 8: Denistone subdivision no 2, 1914, with the location of the subject site at Lot 24, 68 Denistone Rd (corner Florence Avenue) marked with red arrow. Source: Local Studies Collection, Ryde Library Service

In November 1913 it was reported that the first of three subdivisions of the Denistone Estate into 169 quarter-acre blocks would be offered for sale. Also, in 1913, 6.8 hectares of the estate, including Denistone House, was purchased by the New South Wales Government for use as a convalescent hospital for men, complementing the Carrara convalescent hospital for women at Vaucluse. Patients began moving into the hospital in August 1914 although it was not officially

opened until 25 February 1915. The site later grew into the Ryde District Soldiers' Memorial Hospital which opened on 12 May 1934 with 56 beds, with Denistone House converted into the nurses' quarters. The house was later used for a maternity ward.<sup>10</sup>

The second subdivision of the Denistone Estate, including the current 68 Denistone Road, was offered for sale between August and November 1914<sup>11</sup> (see Figure 8 below). While many lots were sold in 1914 and 1915, 68 Denistone Road site was not sold until its purchase by Christina Ann Jones, widow, on 15 November 1917.<sup>12</sup>

## 2.3. SITE HISTORY

Mrs Christina Ann Jones was the widow of the Reverend Henry Jones, a Methodist minister who had served in New South Wales and Queensland in a long career, before dying in 1910 at the age of 61.<sup>13</sup> Mrs Jones was born in Ryde in 1853, the daughter of Andrew and Janet Short.<sup>14</sup> After her husband's death their only child, Henry Spencer Jones, enlisted in World War I and returned after service in France. During his absence overseas Mrs Jones moved in with her relatives at Clyde Cottage, North Road, Ryde.<sup>15</sup> When Mrs Jones bought the land now known as 68 Denistone Road, there was a covenant on the property requiring the erection of a building worth at least £300.<sup>16</sup>

Historical records indicate the house at 68 Denistone Road was built in 1920. Mrs Jones sold her previous home at 36 Wisdom Road, Greenwich on 6 November 1916 to Walter Berry, grazier, retaining a mortgage over the property.<sup>17</sup> Her address was amended on her son's war record to Clyde Cottage on 1 November 1916.<sup>18</sup> After her son's return from the war in 1919 the mortgage on her previous home in Greenwich was discharged on 7 February 1920.<sup>19</sup> Henry Spencer Jones married Margaret Kavanagh on 29 April 1920.<sup>20</sup>

By 1920 Mrs Jones had received the funds from the sale of her previous home, and her son had returned from the war and married. This provided both the means and reason for the construction of the new house in Denistone. Mrs Jones first appears in the Sands Directory at the Denistone address in 1921. The directory was published in January each year, with entries closing in the first week of the preceding October.<sup>21</sup> Therefore, 68 Denistone Road must have been completed and occupied by early October 1920. Mrs Jones named the house Lanark Brae after her previous marital home in Greenwich.

The first change to the site had already taken place in 1919 when a small area of approximately 10 perches was added to the block from the adjoining lot 23.<sup>22</sup> This area is now Lot 1 of DP 1096437. On 1 August 1922, after building the house, Mrs Jones bought lot 25 to the north-east,

<sup>10</sup> Ryde Heritage Inventory, SHI no 2340199, study no 136, p 38.

<sup>11</sup> *Sydney Morning Herald*, 21 November 1914, p 9.

<sup>12</sup> Transfer no A347891 of Lot 24 section 4 DP 7997 and title vol 1115 fol 59, NSW Land Registry Services.

<sup>13</sup> 'The Late Rev. Henry Jones', *The Methodist*, 3 December 1910, p 11.

<sup>14</sup> 'Mrs Christina Jones', *The Methodist*, 3 November 1934, p 15.

<sup>15</sup> Garth Jones, 'The Short Story', typescript contained in vertical file 'Short family', Ryde Library Service.

<sup>16</sup> Title vol 2807 fol 89, NSW Land Registry Services.

<sup>17</sup> Title vol 1840 fol 250, NSW Land Registry Services.

<sup>18</sup> Henry Spencer Jones, SERN 7691, National Archives of Australia.

<sup>19</sup> Title vol 1840 fol 250, NSW Land Registry Services.

<sup>20</sup> Marriage certificate 5142/1920, NSW Registry of Births Deaths and Marriages.

<sup>21</sup> See eg *Sunday Times*, 27 August 1911, p 4; *Sydney Morning Herald*, 11 January 1921, p 8.

<sup>22</sup> Title vol 2996 fol 136, NSW Land Registry Services.

then subdivided off a portion of around 10 perches (Lot 2 of DP 1096437) expanding the original site of 68 Denistone Road (26<sup>th</sup> September 1924)<sup>23</sup> (see Figure 9 below). The enlarged property was then transferred to her son Henry Spencer Jones on 24 October 1924.<sup>24</sup>

Tenders were called in 1926 by H. Jones for a garage on the Florence Avenue frontage with a price of £40.<sup>25</sup> A sewage plan from the 1930s and aerial photograph from 1943 show the house on its expanded block with its garage accessed off Florence Avenue (see Figures 10, 11 and 12).

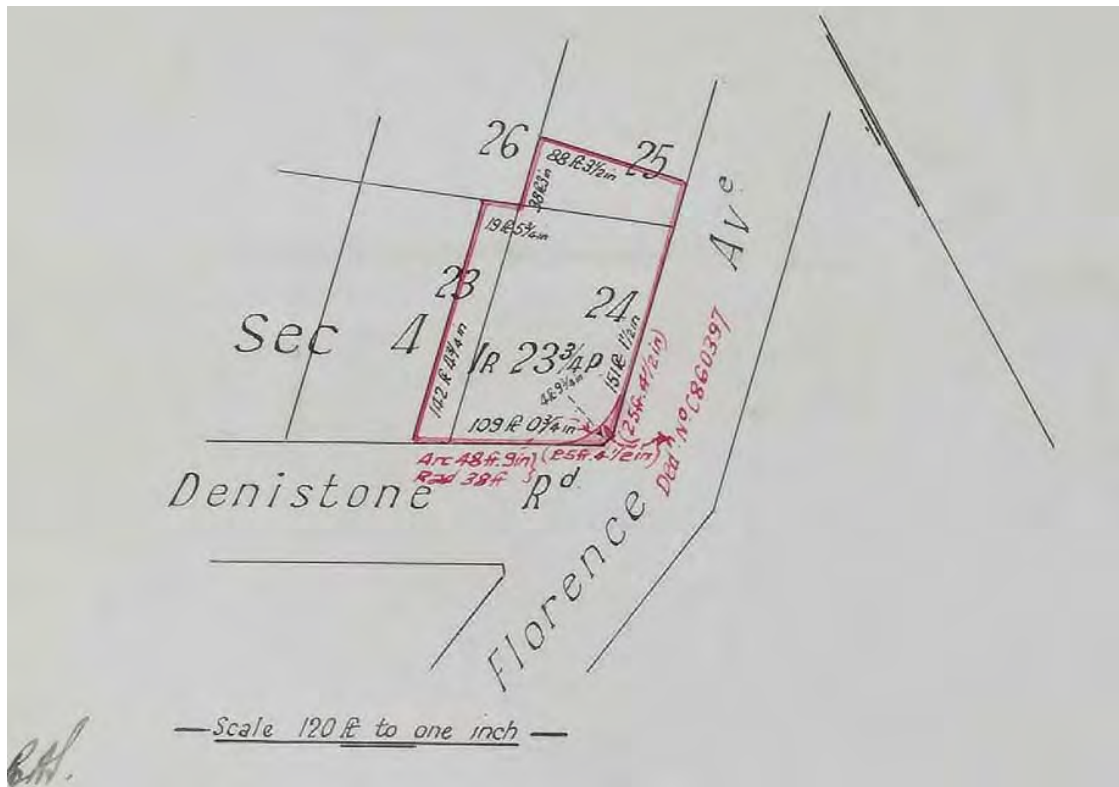


Figure 9: Site map showing the consolidated site in 1924 from land title vol 3643 fol 41. Note the resumption of land on the corner for road construction. Source: NSW Land Registry Services

<sup>23</sup> Title vol 3345 fol 189 and title vol 3643 fol 41, NSW Land Registry Services.

<sup>24</sup> Title vol 3643 fol 41 and transfer no B142710, NSW Land Registry Services.

<sup>25</sup> *Construction and Local Government Journal*, 19 May 1926, p 1.

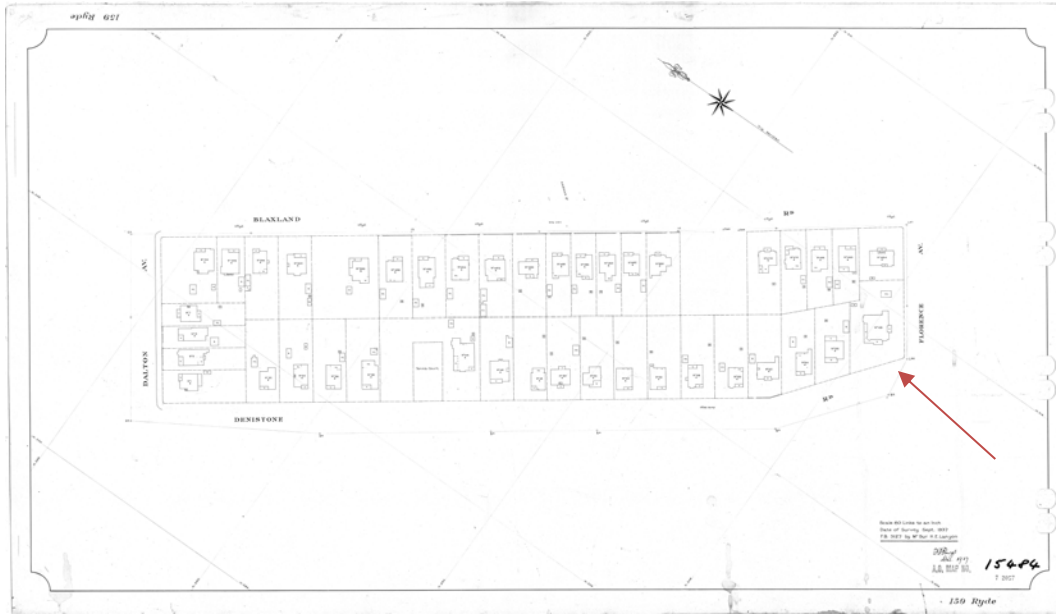


Figure 10: 1930s Sewerage plan showing completed houses on the Denistone Estate Subdivision No. 2, with subject site arrowed. The lots were almost taken up and built upon by this time. Source: Ryde Library Service

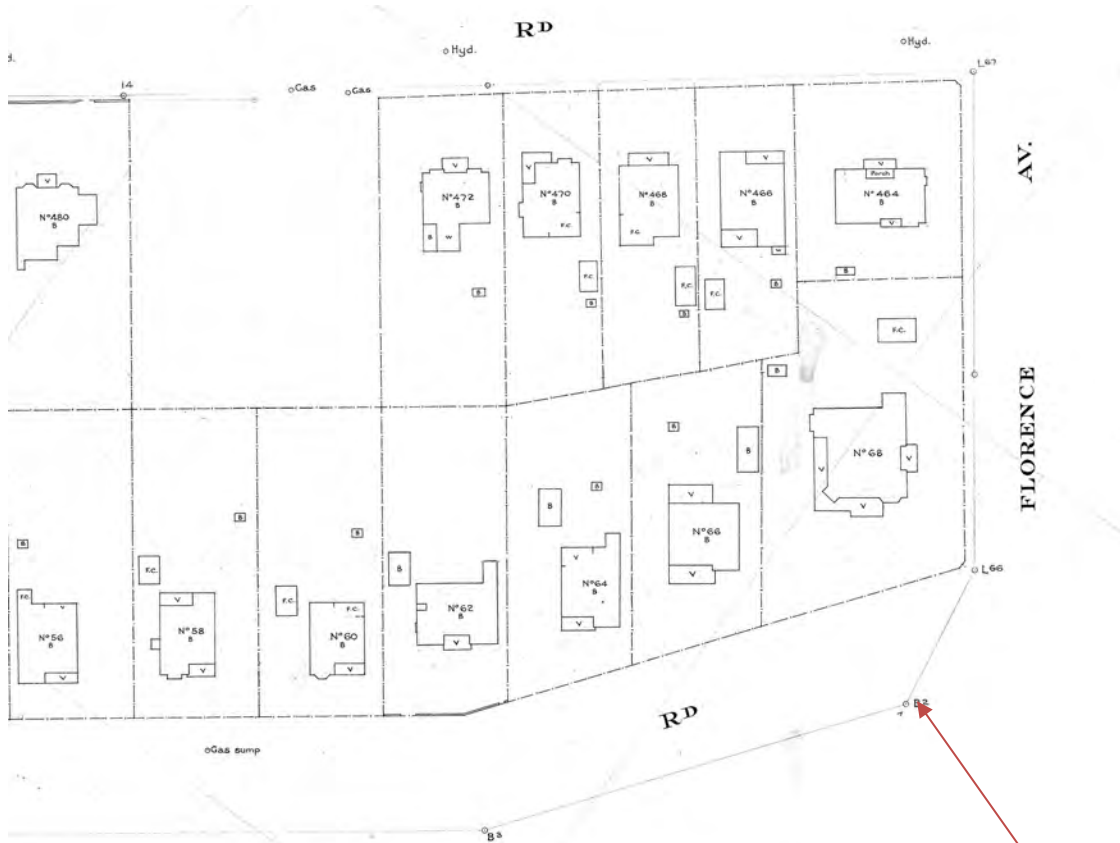


Figure 11: Closeup of the site at 68 Denistone Road from the 1930s sewerage plan above, with subject site arrowed. Note this shows the garage off Florence Street constructed in 1926 and a brick outbuilding (WC) in the northern corner. Source: Ryde Library Service

Mrs Christina Jones died in 1934.<sup>26</sup> The aerial photo in Figure 12 below shows the house and site in 1943.

Henry Spencer Jones retained the house until 9 November 1961 when it was transferred to Olga Blanche Scott, married woman of Eastwood.<sup>27</sup>

Mrs Scott sold the property on 13 February 1990 for \$395,000 to Graeme Lloyd Willis and Doreen Myfanwy Willis as joint tenants.<sup>28</sup> During this period (date not known) additions and some changes were made to the house by extending a wing to the northern corner, adding a new garage and workshop and adding a rear deck. The 1926 garage was probably removed as part of this work.

Following the death of Mrs Willis in January 2018 the house was sold to the current owners, this time for \$3,601,000<sup>29</sup> (see Figure 13 below for a site plan and floor plan of the house from the real estate website in 2018).



Figure 12: Detail of 1943 aerial photo showing the site (arrowed), with the house and garage. Source: NSW Land and Property Information

<sup>26</sup> Death certificate 16969/1934, NSW Registry of Births Deaths and Marriages.

<sup>27</sup> Title vol 5112 fol 217 and transfer no H915076, NSW Land Registry Services.

<sup>28</sup> Title vol 5112 fol 217 and transfer no Y836451, NSW Land Registry Services.

<sup>29</sup> Death notice, *Sydney Morning Herald*, 13 January 2018; Sale prices from <https://www.realestate.com.au/property/68-denistone-rd-denistone-nsw-2114?pid=p4ep-pdp|sold-pdp:property-history-cta#timeline>.





Figure 13: Site plan and Floor plan of house at the time of the 2018 sale. Source: McGrath Real Estate website.

## 2.4. REFERENCES USED FOR THIS HISTORY

Reference: Old Form Torrens Registers, Parish maps.

Source: NSW Land Registry Services, Historical Land Records viewer:

[http://www.nswlrs.com.au/land\\_titles/historical\\_records\\_online/where\\_to\\_look](http://www.nswlrs.com.au/land_titles/historical_records_online/where_to_look)

Reference: Sands Sydney Directory, 1858-1933.

Source: Council of the City of Sydney:

<http://www.cityofsydney.nsw.gov.au/learn/search-our-collections/sands-directory>

Reference: Trove: Digitised newspapers and more.

Source: National Library of Australia:

<http://trove.nla.gov.au/>

Reference: Aerial photographic survey of Sydney, 1943.

Source: Six Maps, NSW Department of Finance and Services:

<https://maps.six.nsw.gov.au/>

Reference: Water Board survey, 1937, and 'The Short Story', typescript contained in vertical file 'Short family'.

Source: Ryde Library Service.

## 3.0 PHYSICAL DESCRIPTION

### 3.1. SITE AND CONTEXT, SETTING OF THE HOUSE

The site is a prominent and large corner site fronting Denistone Road and Florence Avenue. The site is adjoined to the north, east and south by low-scale detached residences dating from the 1915 sub-division onwards. The street boundary to Denistone Road is defined by hedging and a modern timber picket front fence and the boundary to Florence Avenue has a solid timber fence with mature plantings and garden behind it. The side driveway entry remains in place from Florence Avenue. The house sits within a generous garden setting which retains inter-war period elements including palm trees, jacarandas, azalea and camellia hedges and individual plantings, areas of lawn, a stand of very mature camphor laurel trees, various ornamental plantings, garden beds and a defined path system with brick and stone garden edging. The early outdoor WC is located in the north corner of the site.

The garden in May 2019 (the date of the recent inspection) is overgrown and is not maintained but the plantings remain, and the elements and structure of the garden are intact.



Figure 14: View of the site at 68 Denistone Road from the opposite (southern) side of Denistone Road 2018. The front hedging is reasonably recent planting that now obscures the house from the street frontage.



Figure 15: The house Lanark Brae, as seen from the Denistone Road entry gate in its garden setting. Note the three palm trees at the southern front (visible in photo) of the house appear on the 1943 aerial photo of the site (Figure 12 above). 2018 photo.



Figure 16: Zoomed image of the house Lanark Brae, 68 Denistone Road as seen from the Denistone Road entry gate in its garden setting. 2018 photo.



Figure 17: Main front entry to the house from the front garden. Note the use of camellias and formal garden plantings as hedges and ornamental plantings. 2018 photo.





Figure 18: (Left) the palm tree at the south-western corner, front of the house. Garden and path edging can be seen although paths are now overgrown with grass. 2018 photo.



Figure 19: View along the western side of the house looking south towards Denistone Road, showing two of the three palm trees with the third palm tree just visible at left. Note specimen plantings of camellia and azalea, a remnant path dissects the two plantings. 2018 photo.



Figure 20: Stone edged garden beds in the rear garden. These likely date from the period 1930s-1950s. 2018 photo.



Figure 21: Brick edging marking the edge of an overgrown path to the western side of the house. 2018 photo.

The site is distinctive for a number of reasons:

- 1 The site was increased in size, both width and depth to allow the house to be sited within a generous landscape and garden setting and set well back from the street frontage. This is the only house in the locality that achieves this, and this sets it apart from the surrounding houses that are all on smaller lots with one principal frontage and side driveways with rear garages. It is not simply the increase in the lot size that is significant, rather it is the creation of a more substantial lot onto which a house 'in-the-round' within a fine garden setting could be placed that is of interest and significance.
- 2 The house is designed to take advantage of views and its primary setting overlooking the park with views to the distance in the south-west and views across the open ground of the former Denistone House (then hospital) to the north-west. No 68 has the most commanding setting and position of the lots in the various sub-divisions of the period. The 1943 aerial

illustrates the open character of the land opposite that provided aspect and setting for no 68.

- 3 The house is well designed on the lot. It features a range of good design features from the period and while they are not individually exceptional, they combine to create a house of substance and elegance. The living spaces exemplify the style and period of the house in their use of informal and formal elements, the creation of spaces around internal features such as recesses for furniture and fireplaces, built in furniture, bay windows to a number of rooms and the strong links of the spaces to the exterior of the building through the two separate verandahs.
- 4 The house, unlike almost any other house from the period in the locality, is designed 'in the round', it is sited to take advantage of its corner location with the driveway and garage (slightly later) set back on land added to the lot and well out of sight. The entrance is impressive for a suburban house with the curved path with two entry gates, presenting the house to advantage. This contrasts with other houses built at the time in the area which address their frontage, have side driveways and simple entry paths. This also applies to other corner houses from the period (in the area) that largely have a principal frontage. The house and setting are significant in the area.
- 5 The house is sited in the middle of a large block with gardens to all sides including the rear. The addition of land to the rear of the house allowed the planting of the very substantial stand of camphor laurels that were clearly intended as a backdrop to the house and to separate it from development in that direction. The row plantings of camellia and azalea that are now mature hedges and stands created privacy and external open spaces that allowed garden use all around the house with careful layout of trees, gardens and lawn. Lawns were enclosed by garden and row plantings to create separated garden spaces. These features again are not exceptional except that in combination with the intentional design of the house and garden as an entity, they form a locally rare garden and house setting.
- 6 Unlike many houses from the period, the verandahs were usable, livable and wide enough and private enough to use for daily life. This is reinforced by the setback of the house from streets and public view.
- 7 Tree plantings are very good examples of the period of development with specimen trees used carefully, including palms, jacarandas, camphor laurels. The garden contains very mature plantings from the interwar period that contribute to the value of the place.
- 8 The rear additions are subtle and carefully designed and while they are capable of removal or reworking do not disturb significance.

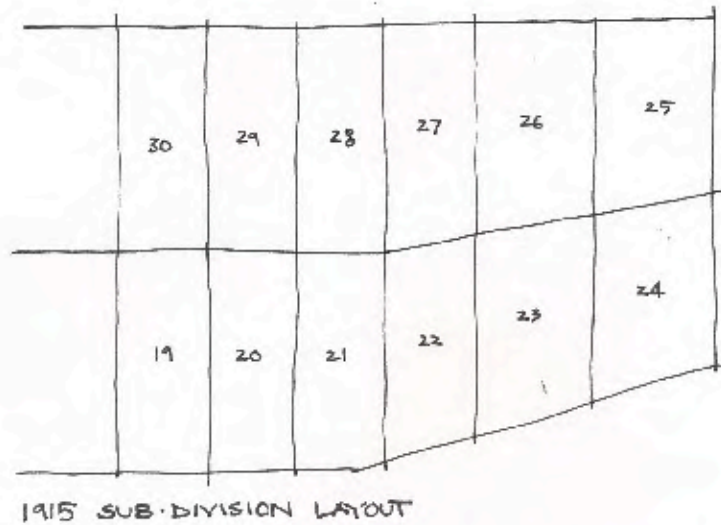
The site has significance and value in combination with the house.



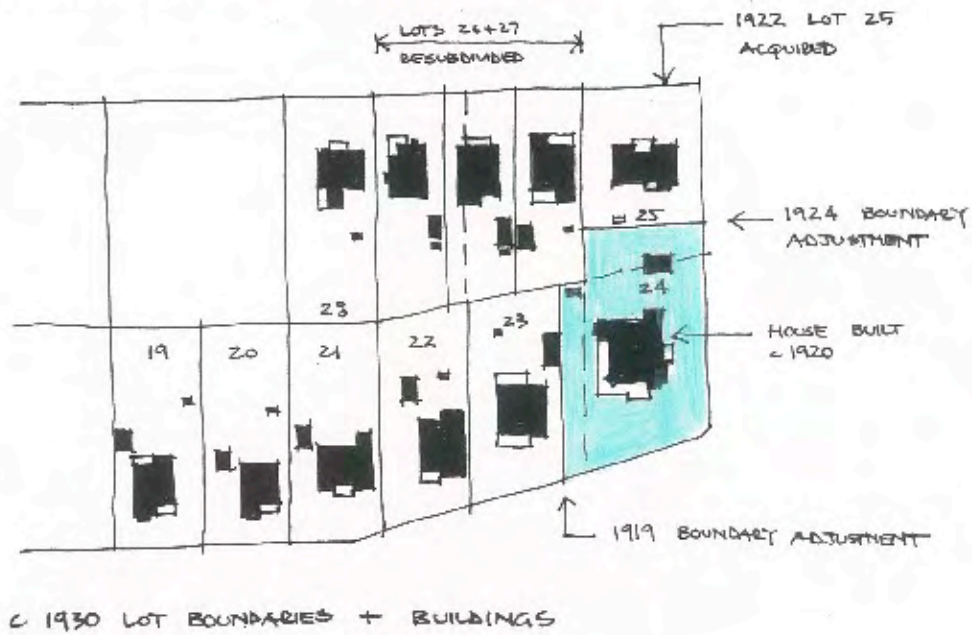


Figure 22: A site plan showing the lot and house in relation to Denistone House and Denistone Park around the time of the sub-division and construction of the residence. The house was sited carefully to exploit views around to the north-west. Views south and south-west were across open parkland that fell away from the house allowing more distant views and aspect. Views to the north-west were across then open parklike land around Denistone House. It is noted that later sub-division took place along the southern edge of Florence Avenue (but not directly opposite the house and that later again the grounds of Denistone House were developed.





1915 SUB-DIVISION LAYOUT



~ 1930 LOT BOUNDARIES + BUILDINGS

Figure 23: Diagrammatic layout of the 1915 Sub-division plan for the area around the subject site and the layout of the area shortly after development of the lots took place and boundary adjustments and re-subdivision which took place to lots 23-27. 68 Denistone Road is coloured. The careful addition of land to the north and east allowed a house of greater scale than was generally being built in the area to be sited within a generous landscape setting with space for verandahs on three sides of the house that all opened onto garden settings. This would not have been possible on the original lot 24. Paul Davies

## 3.2. THE EXTERIOR OF THE HOUSE

The house, Lanark Brae, is a single storey dark face brick Inter-war California Bungalow style house located on the north-western corner of Denistone Road and Florence Avenue, featuring a hipped and gabled terracotta tiled roof, simple stuccoed brick chimneys, and timber-framed casement windows and fanlights.

The house features a return verandah on the south and west elevations, returning around the front south-west corner and an eastern verandah opening off the dining room. The verandahs feature timber floors and brick balustrades with pairs of timber posts above. The ceiling to the main return verandah is a plain paneled ceiling, however the ceiling to the eastern verandah is a decorative plaster paneled ceiling. There are steps flanked by stuccoed brick dwarf walls onto the return verandah from the south and west.

The timber-panelled front door features a leadlight panel and is surrounded by leadlight sidelights and fanlights. The house also features bay windows to the front (south) and western side elevations, and leadlight windows including two small leadlight windows to the eastern elevation to either side of the lounge room fireplace.

The house appears remarkably intact, however evident alterations include:

- Circa 1950s partial verandah enclosure to the western side of the return verandah to form a sunroom. The original western steps onto the verandah at this point have been retained, and the enclosure is lightweight and easily removeable.
- Removal of a section of external wall opening into the sunroom to connect it to bedroom 2 (as referenced on McGrath 2018 floor plan).
- Solar panels have been added to the west facing roof plane.
- A solar tube skylight has been added near the centre of the roof to light the central hallway.
- Covered decking to the rear of the house, which appears relatively modern.
- Single storey brick extension to the rear north-western corner of the house to create Bedroom 4/study room. This has been constructed in brickwork to match existing and roofed with terracotta tiling. The bay window form of the adjacent wing has been replicated on the western elevation and French doors to the north. It is considered to be a sympathetic rear addition to the house.
- The original 1926 garage accessed off Florence Avenue appears to have been replaced with the garage/workshop which now exists, in the late 20<sup>th</sup> century, and a roof installed to connect this building to the rear of the house.

Apart from these changes, that are either easily removable (apart from wall removal to sunroom) or are located at the rear of the building, the exterior of the house is very intact.

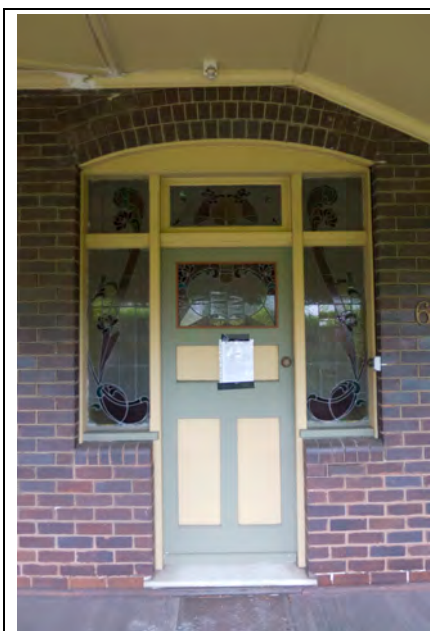


Figure 24: (Left) front door with leadlight sidelights, fanlights and marble step.



Figure 25: View along front verandah to the west, showing complex ceiling form and bay window.



Figure 26: Detail of timber-framed casement bay windows with fanlights and window hood.



Figure 27: Detail of south-western corner of the return verandah showing brick balustrade, timber posts and timber verandah floor



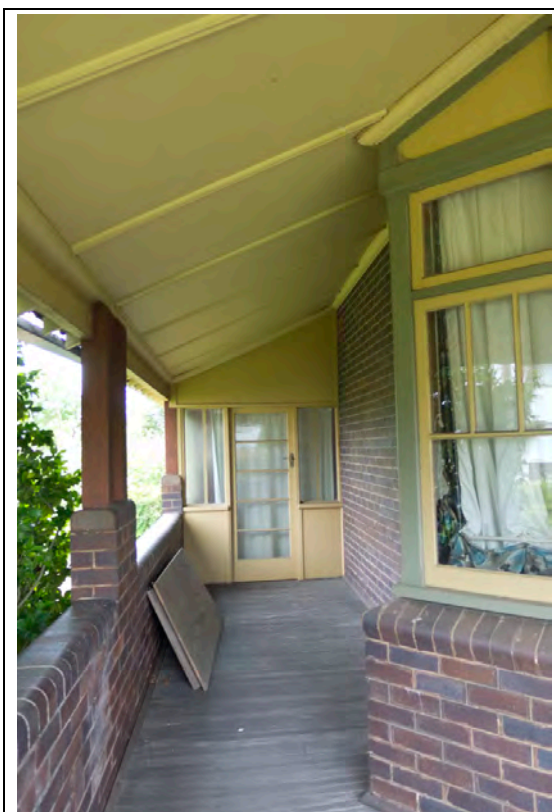


Figure 28: (Left) View along the western side of the return verandah showing circa 1950s infill at the northern end of the verandah. According to the real estate floor plan, this partial verandah enclosure is a sunroom, however the original steps onto the verandah on the western side of the house remain (see below).



Figure 29: The western elevation of the house, showing the circa 1950s partial verandah enclosure to form a sunroom (centre) with the original western steps onto the verandah remaining.



Figure 30: Detail of western verandah circa 1950s sunroom enclosure and original western steps onto verandah. Note cracking of stairs and brickwork in verandah wall to the right of photo.



Figure 31: (Left) rear (north) end of the western elevation of the house





Figure 32: Detail of gable ends, windows and awning on the western elevation of the house.



Figure 33: View south along the west elevation of the house towards Denistone Road, showing 3 palm trees which also appear on the 1943 aerial photo of the site.





Figure 34: View of the rear (north elevation) of the house including a chimney, with the garage/workshop at left



Figure 35: North-west corner of the house

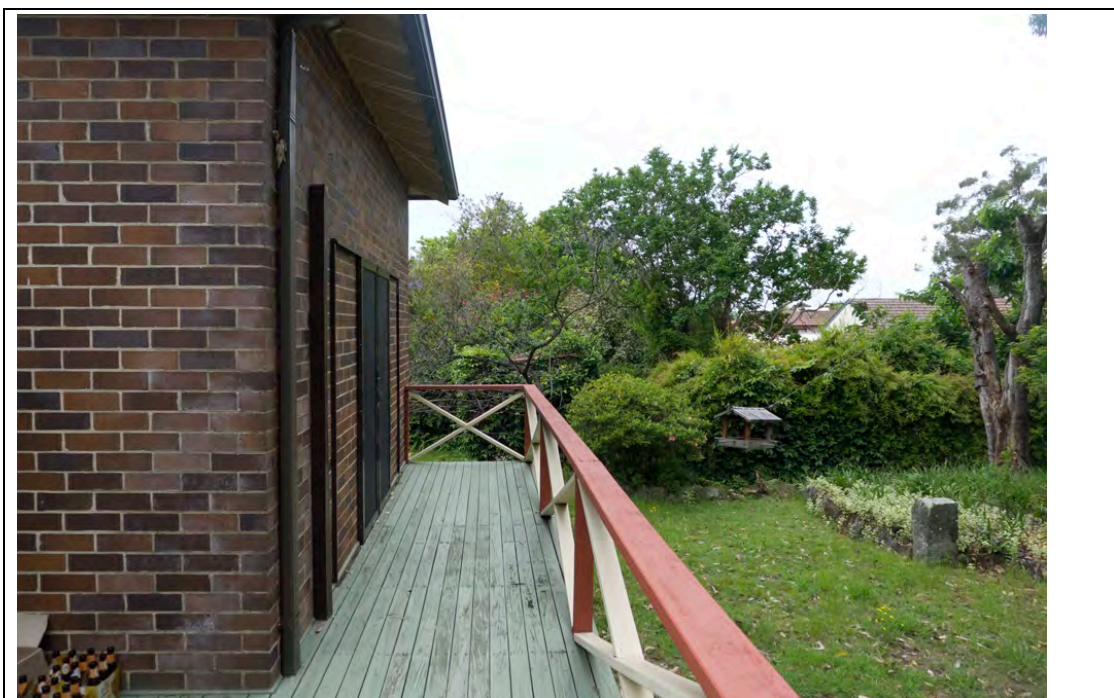


Figure 36: View along the rear (north) elevation looking west with recent decking



Figure 37: Central section of the rear (north) elevation



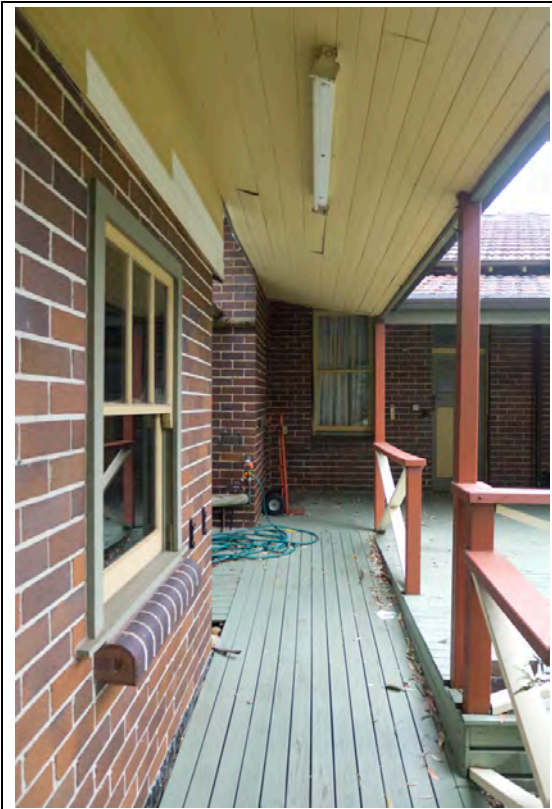


Figure 38: (Left) View along the central section of the rear elevation looking west



Figure 39: (Left) the north-eastern corner of the house. The two windows shown here are to the kitchen (left) and laundry (right)





Figure 40: View of the rear of the house from the east, showing the chimneys to the rear of the dining room and to bedroom 3



Figure 41: View north towards the garage/workshop along the eastern elevation of the house with the eastern verandah at left.





Figure 42: View of the southern end of the eastern elevation showing the eastern verandah (marked "patio" on real estate floor plan).



Figure 43: Detail of small leadlight window to the northern (rear elevation, near the south-eastern corner of the house). This is one of the two leadlight windows to either side of the loungeroom fireplace.



Figure 44: (Left) View south along the eastern elevation, showing bay window (foreground) and small eastern verandah



Figure 45: View of small verandah on the eastern elevation of the house (facing Florence Avenue)





Figure 46: Decorative plaster ceiling to eastern verandah



Figure 47: The eastern elevation of the carport and garage/workshop off Florence Avenue





Figure 48: The southern and eastern elevations of the garage/workshop with (at left) the covered area connecting the house to the garage/workshop



Figure 49: The western elevation of the modern garage (at left) and workshop (at right).



Figure 50: The eastern end of the rear (north elevation) of the house with the garage/workshop at left

### 3.3. THE INTERIOR OF THE HOUSE

The interior of the house features fine details typical of its circa 1920 period of construction including paneled plaster ceilings, timber mantelpieces and tiled surrounds to fireplaces, decorative timberwork including timber columns and a fretwork frieze to define a formal entry from the front hallway into the lounge/dining room area.

The main rooms feature recesses, leaded windows, bays, window seats, corner windows, built-in furniture, extensive storage spaces and rooms, and a cross hall to access the side verandah. The house is divided into clear zones for public and private living with a separated hallway connecting directly to the formal living and dining rooms. The house is also clearly designed for an aspirational owner with a substantial living/dining room with direct external connections, a breakfast room and a morning or day room to the north-west. Each of the main living spaces features a fireplace. as does the main bedroom.

The house is also interesting in that it has four living spaces but only two bedrooms - a house designed for its owner, a widowed woman, and not a speculative home as is seen in the houses surrounding it.

The house is well designed and is a fine example of the Inter-war California Bungalow style that demonstrates key design features of the period in a cohesive built form.

The following photographs combine pre-sale real estate photos and photos taken in November 2018 (through windows) with those taken in May 2019. There is an approximately 15 month gap between the first and last photographs taken. Refer to the photos for details of the various spaces.

### 3.4. CONDITION

It is difficult to understand the current condition of the building when comparing photos from early 2018 to the present condition of the house. There is a separate structural report that draws a range of conclusions on the current state of the building, but it is rare and unusual to see such a dramatic change in the condition of a building in a 15-month period without some form of major intervention.

This report does not attempt to determine how the house has fallen into such a sudden and dramatic state of disrepair, but it does conclude that the house is recoverable, and the damage is repairable. The condition of the house can be recovered with relative ease even though the deterioration is extensive.

It is also clear that without remedial work the building is at risk of further deterioration and as a heritage item, even though not a state significant item, it requires urgent intervention.

A close examination of the building fabric reveals that the house has had considerable cracking and movement that is mostly evident in the interior but is also seen in a number of external locations. Interestingly the interior damage does not align in scale with the external damage, that is, an external inspection for cracking suggests that there would be some internal cracking and possibly some minor loss of render and plaster, but the extensive internal damage and plaster loss is clearly the result of other intervention. The change in the condition of the ceiling from largely intact (as evidenced in the real estate photos) to severe damage is not explainable by natural deterioration or water damage. There is no evidence of water damage within the building (noting that the roof space was not accessed) and usually staining, water runs or fabric

deterioration due to water would be visible with the extent of damage that has taken place to the ceilings across the building. Often damage is a result of water ingress, however there is no evidence of water damage in the building at all.

It is also clear that elements of the house that were extant when the house was advertised for sale are now removed, including nib walls, fire surrounds, plasterwork, ceilings etc. This damage has also not occurred naturally as a result of structural or other building failure.

It is also noted that the house, despite notices warning of structural risk, is occupied, which suggests that to continue in occupation repair and conservation work needs to be undertaken.

It was also observed during the site inspection that the sewer is blocked, and that sewage is bubbling out of the ground. This further adds to the deterioration of the property.

As the building is under an IHO there is an obligation to ensure that the building does not further deteriorate and that either the building is secured and vacated or the owner attends to urgent works.

While the condition of the building has deteriorated since the first inspection for this report, it does not affect the assessment of significance, the IHO or the ability to reinstate damaged and missing fabric.



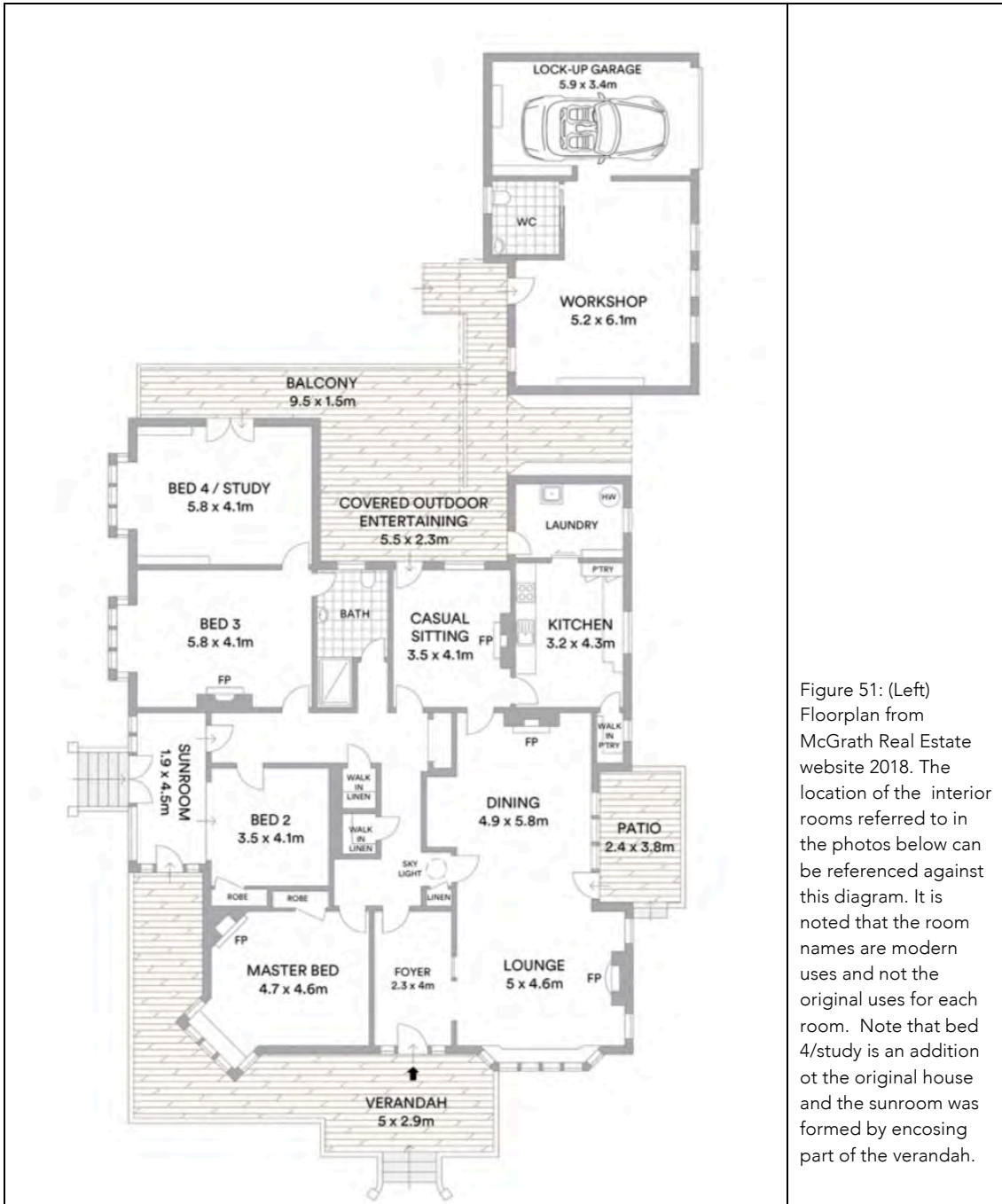


Figure 51: (Left) Floorplan from McGrath Real Estate website 2018. The location of the interior rooms referred to in the photos below can be referenced against this diagram. It is noted that the room names are modern uses and not the original uses for each room. Note that bed 4/study is an addition to the original house and the sunroom was formed by enclosing part of the verandah.



Figure 52: View of loungeroom looking towards the bay window and the main front hallway onto the front verandah through the front door at right . Note faceted bay window to the front of the loungeroom (at the front, south elevation of the house). The house appears to be in very good condition with intact finishes. Compare this view to figure 51 below. Source: January 2018 real estate photo from McGrath website



Figure 53: View of lounge room to hall, note wall damage and collapsing ceilings.

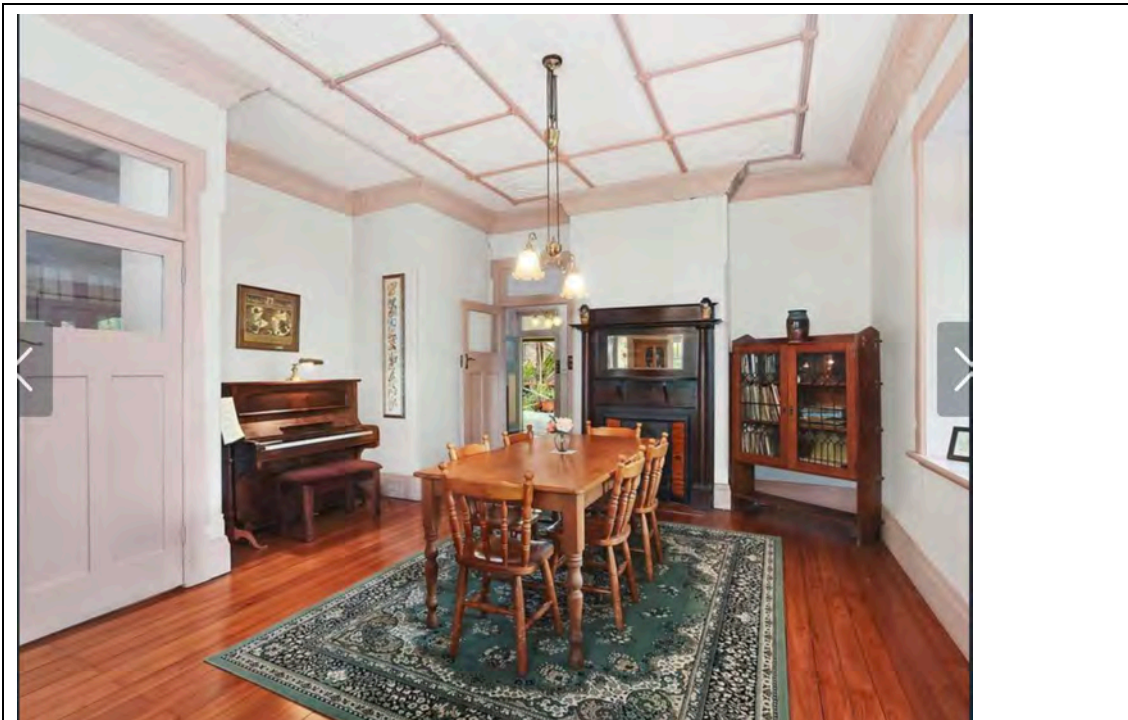


Figure 54: View of dining room looking north towards the rear of the house. Note mantelpiece to the rear fireplace to the dining room. Source: January 2018 real estate photo from McGrath website



Figure 55: Same view of the dining room looking north towards the rear of the house, May 2019, noting ceiling and plasterwork damage.





Figure 56: View of lounge room and dining room looking north, May 2019. Note damage to walls and collapsing ceilings



Figure 57: The loungeroom and loungeroom fireplace, November 2018 (taken through window).





Figure 58: Loungeroom ceiling, taken through front bay window, November 2018



Figure 59: View of wall between loungeroom and hallway (foyer). Note the damage to the wall plaster is a result of illegal building works which occurred prior to the IHO on the site. Taken November 2018

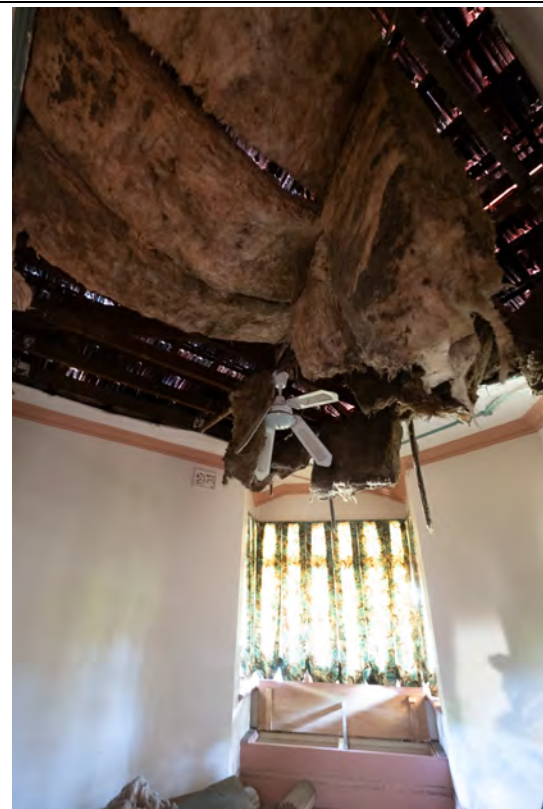


Figure 60: Damaged ceiling main bedroom, May 2019



Figure 61: Breakfast room wall damage. May 2019.



Figure 62: Main hallway earlier cracking in wall with plaster remaining intact. May 2019

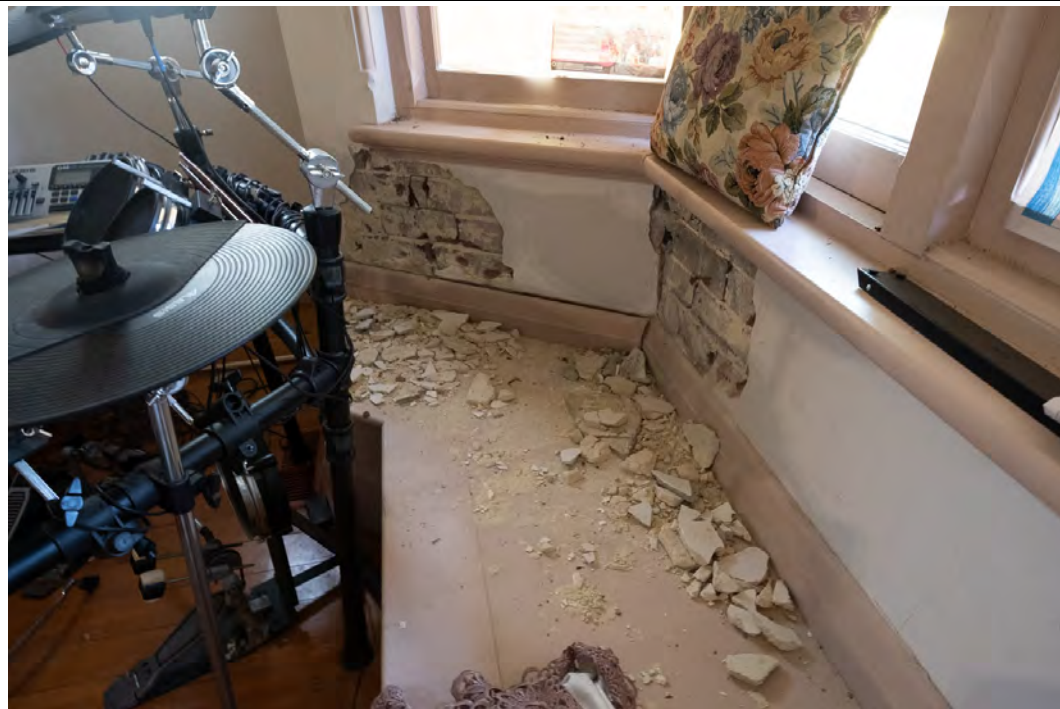


Figure 63: Damage to plasterwork near front bay window of the lounge room. May 2019





Figure 64: Minor cracking evident on north-western wall (arrowed). May 2019



Figure 65: (Left) Minor cracking to verandah balustrade (arrowed). May 2019





Figure 66: Sunroom to north-western elevation – enclosure of part of the side verandah. This alteration is easily reversible, with the original verandah steps in the foreground. May 2019.

## 4.0 COMPARATIVE ANALYSIS

### 4.1. BASIS OF COMPARATIVE ANALYSIS

This comparative analysis compares the Inter-war California Bungalow style house on the subject site with:

- Inter-war period heritage listed brick houses within the City of Ryde LGA, dating from the period 1920-1935, and
- Inter-war period brick houses within two Ryde LGA Heritage Conservation Areas (Eastwood House Estate HCA 4 and Maxim Street West Ryde HCA 2).



Comparative analysis is useful in understanding how a place relates to other similar places and whether they are heritage listed or not. Comparative analysis is not however definitive. It relies on existing data and observation but cannot be a comprehensive analysis of places that may be similar within the LGA or beyond.

If a place is listed on a heritage register there is a reasonably clear indication that it has heritage value, although, again this is not definitive.

Given the period of development of the subject house and others around it arising from the 1915 sub-division and the number of sub-divisions that took place around that period it would appear that the Interwar period is an important phase of development within the City of Ryde LGA and that there would be a number of individual listings (of more important examples) and potentially precinct listings of groups of buildings.

## 4.2. COMPARATIVE ANALYSIS TABLE

Table 2: Comparative Analysis of house at 68 Denistone Road Denistone with brick Inter-war period houses (heritage listed or within HCAs) within Ryde LGA

Property address	Heritage listing details	Notes/Comments
Subject property – 68 Denistone Road, Denistone	Subject to an IHO	Fine representative example of Inter-war California Bungalow style house on a prominent corner site, within a substantial garden setting.
 <p data-bbox="240 1025 1002 1055">Figure 67: Lanark Brae, 68 Denistone Road, Denistone (corner Florence Avenue)</p> <p data-bbox="240 1059 608 1088">Source: Image from realestate.com.au</p>		
8 Rutledge Street (corner Trelawney Street, Eastwood	Listed in the RMS Section 170 register. Not listed in the Ryde LEP 2014.	Listed as an “Interwar Arts & Crafts style bungalow” of local significance. The building shares some characteristics with the subject site, located on a corner with a design that responds to the corner. However, the building is not sited in a landscape setting nor does the house design respond to the setting as intentionally as no 68.
 <p data-bbox="240 1787 1257 1841">Figure 68: No. 8 Rutledge Street (corner Trelawney St) Eastwood, Source: Image from SHI form, taken from Trelawney Street</p>		



Property address	Heritage listing details	Notes/Comments
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Figure 69: No. 8 Rutledge Street (Corner Trelawney Street) Rutledge Street façade, taken January 2010. Source: Google Streetview

64 Tarrants Avenue, Eastwood (Corner Rutledge Street)	Listed in the RMS Section 170 register. Not listed in the Ryde LEP 2014.	Listed as a fine representative Inter-war California Bungalow of local significance. The building is a good modest example of the style on a typical lot. It is a building that could be a local heritage item. No 68, in contrast, is a very fine example of the style.
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Figure 70: No. 64 Tarrants Avenue, Eastwood Source: Image from SHI form

Property address	Heritage listing details	Notes/Comments
"Wallington", 16 Miriam Road, West Ryde	Item No. 218, Ryde LEP 2014, Local significance	Constructed 1921-22, Inter-war California Bungalow style brick house, part of the 1 <sup>st</sup> subdivision of the Darvall Estate, evidence of a building covenant & early development of West Ryde, fine example of an Inter-war Bungalow style dwelling in a garden setting.  This is perhaps the closest example in the LEP listings to no 68. It has a similar construction date and appears to be a well-designed dwelling. It does not however have the response to site as no 68 and represents a standard design response to a typical sub-division lot. No 68 demonstrates a rare siting and setting in comparison to the small number of listed Inter-war buildings in the LGA.



Figure 71: "Wallington", 16 Miriam Street, West Ryde Source: Image from SHI form

Eastwood House Estate (HCA4) examples of Inter-war California Bungalows. It is noted that none of the examples. Are individual heritage items.

Clive Road Eastwood	Within HCA	Good typical Californian Bungalow forms on regular lots that typify the period.
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Figure 72: Houses in Clive Road, Eastwood Source: Image from Google Streetview



Property address	Heritage listing details	Notes/Comments
Hillview Road Eastwood	Within HCA	A modest group of Inter-war dwellings.



Figure 73: Houses in Hillview Road, Eastwood Source: Image from Google Streetview

Maxim Street West Ryde (HCA2) examples of Inter-war California Bungalows

17 to 21 Maxim Street, West Ryde	Within HCA	A range of examples of different scales and detailing that typify development and sub-division patterns from the Inter-war period.
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Figure 74: Houses at 17-21 Maxim Street, West Ryde Source: Image from Google Streetview

32 & 34 Maxim Street West Ryde	Within HCA	Modest speculative examples of the Californian Bungalow.
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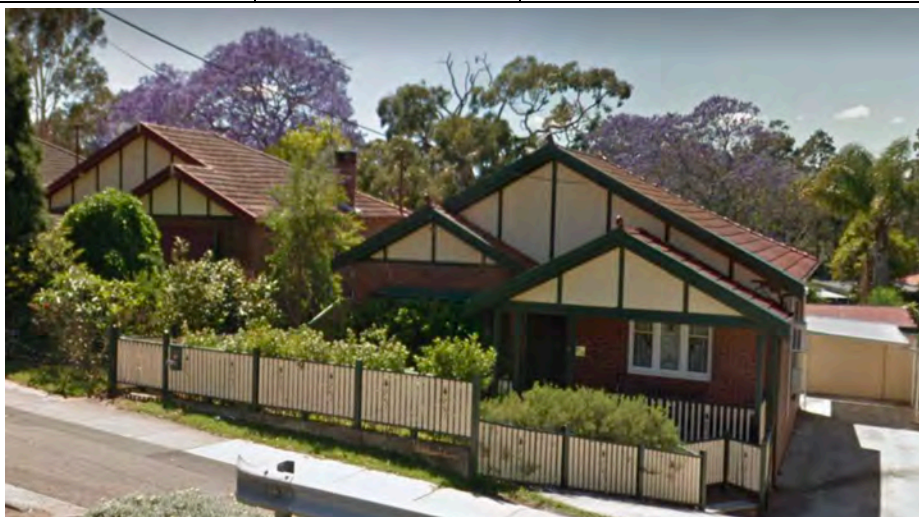


Figure 75: Houses at Nos. 32 & 34 Maxim Street, West Ryde Source: Image from Google Streetview

Property address	Heritage listing details	Notes/Comments
35 Maxim Street West Ryde (Corner Gaza Road)	Within HCA	The site is also of interest in relation to the palm plantings that are found from this period.



Figure 76: House at 35 Maxim Street West Ryde (Corner Gaza Road) Source: Google Streetview

### 4.3. CONCLUSION OF COMPARATIVE ANALYSIS

There is only one comparative Inter-war California Bungalow heritage listed in the Ryde LEP 2014, being “Wallington” in West Ryde, however 2 other Inter-war California Bungalows within the Ryde LGA have been listed on the RMS Section 170 register, though not in the LEP heritage schedule. Two of the heritage listed comparative examples are also on corner sites, as is the subject house.

The LEP listed house “Wallington” and the RMS listed house at 64 Tarrants Avenue Eastwood appear to be less substantial and less finely detailed houses than the subject house at 68 Denistone Road. They also do not have the same or a similar setting and relationship of house to its site with surrounding garden and the house designed ‘in the round’ as is seen at 68 Denistone Road.

The RMS listed house at 8 Rutledge Street (corner Trelawney Street) Eastwood, appears to be of a similar size to the subject house, however that house was described in its SHI form as a Federation Bungalow style house (though it also shows the influence of the Inter-war California Bungalow style - in particular in its gabled roof form with gable ends facing both street frontages), and due to stylistic differences, is not directly comparable to the subject house at 68 Denistone Road, though it is similar in size, quality of detail, and corner location.

In relation to “Wallington”, 16 Miriam Road, West Ryde, the only Inter-war California Bungalow style house currently heritage listed in the Ryde LEP 2014, it is notable that the historical

significance of "Wallington" relates to its being "part of the 1st subdivision of the Darvall Estate, evidence of a building covenant & early development of West Ryde, fine example of an Inter-war Bungalow style dwelling in a garden setting."<sup>30</sup> This is similar to the situation with the subject house in relation to historical significance, as the subject house was:

- part of the Denistone Estate Subdivision No. 2 and the site as part of that subdivision was subject to a covenant requiring the erection of a building worth at least £300, and
- the subject house is considered to be a substantial, finely detailed example of an Inter-war California Bungalow style dwelling in a garden setting.

In relation to the Inter-war California Bungalows within the two HCAs examined in Table 2 above, these range from modest to occasional more substantial examples such as 35 Maxim Street, West Ryde (also a corner property). However, the house at 35 Maxim Street is, again, not as finely detailed as the subject house at 68 Denistone Road, Denistone, which features a return verandah and gable ends to the south and west.

While there may be other examples of Californian Bungalows in the LGA that have not been viewed and which may be similar or even have greater significance than no 68, several conclusions can be drawn from the brief analysis and examination of the LEP heritage schedule:

- Californian Bungalows are a significant aspect of the heritage of the LGA and are under-represented in the schedule of heritage items. This does not suggest a reason for listing no 68, rather it highlights that this form, style and period of building has not in the past been carefully assessed for heritage values within the City of Ryde LGA.
- In comparison to the several heritage-listed buildings of the period, no. 68 stands out as a very fine and rare example of the Inter-war California Bungalow style within an almost intact and also rare garden setting.
- No 68 is a fine house in a very fine setting in its own right apart from a comparative analysis and is a property that would in the course of undertaking a heritage study stand out as a potential heritage item. This is based on our experience of having undertaken over 25 council and regional heritage studies in Australia.
- On close examination (which does not always take place in heritage listing due to the difficulty of accessing sites), no 68 supports an initial assessment of the building having heritage value sufficient to be listed as a heritage item in the LEP.

In summary, it is considered that the house at 68 Denistone Road, Denistone is rare within the Ryde LGA as a substantial, finely detailed Inter-war California Bungalow style house within a very fine and also rare intact garden setting, that also provides evidence of an early subdivision and operation of a covenant on the site, similar to the significance of the only other building of the same style currently listed in the Ryde LEP 2014, "Wallington" at 16 Miriam Road, West Ryde.

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<sup>30</sup> Quote from the Statement of Significance in the SHI form for "Wallington", 16 Miriam Road, West Ryde

The setting is of particular interest as it was aggregated from adjoining lots to create a lot that allowed the siting of the house 'in-the-round' to address the garden on all sides and to take advantage of the outlook and views that are afforded from the property.

## 5.0 ASSESSMENT OF HERITAGE SIGNIFICANCE

### 5.1. CRITERIA FOR ASSESSING CULTURAL HERITAGE SIGNIFICANCE

The NSW Heritage Manual (1996, amended 2001) in the Assessing heritage significance section sets out the basis for assessment of the heritage significance of an item, place or site by evaluating its significance in reference to specific criteria. These criteria can be applied at national, state or local levels of significance.

The criteria used are:

#### Criterion (a) Historical significance

The item is important in the course of, or pattern of New South Wales' cultural or natural history (State significance) OR An item is important in the course, or pattern, of the local area's cultural or natural history.

Guidelines for Inclusion:

- Shows evidence of a significant human activity

Not applicable.

- Is associated with a significant activity or cultural phase

Applicable at a local level as the house is evidence of the development of the Denistone Estate Subdivision No. 2 lots of which were for sale from December 1914.

- Maintains or shows the continuity of a historical process or activity

Applicable at a local level as the property illustrates early twentieth century suburban development of the Denistone Estate and evidences the operation of a covenant on the property requiring the erection of a building worth at least £300. The property provides evidence of the suburban subdivision of 19<sup>th</sup> century estates in the early 20<sup>th</sup> century in Denistone.

Guidelines for Exclusion:

- Has incidental or unsubstantiated connections with historically important activities or processes

Not relevant. The house is illustrative of early 20<sup>th</sup> suburban development of the Denistone Estate No. 2 subdivision.

- Provides evidence of activities or processes that are of dubious historical importance

Not relevant. The development of the Denistone Estate subdivisions in the early twentieth century are clearly of historical importance to the history of the suburb of Denistone.

- Has been so altered that it can no longer provide evidence of a particular association

Not relevant. The house is remarkably intact and illustrates well its period of construction and history of development of the Denistone Estate No. 2 subdivision.



Types of items which meet criterion (a) include:

- Items which demonstrate strong associations to past customs, cultural practices, philosophies or systems of government, regardless of the intactness of the item or any structure on the place;

Not Applicable.

- Items associated with significant historical events, regardless of the intactness of the item or any structure on the place;

Applicable at a local level as the house is associated with the development of the Denistone Estate No. 2 subdivision, the suburban subdivision of 19<sup>th</sup> century estates in the early 20<sup>th</sup> century and the operation of a building covenant on the site.

- Significant cultural landscapes and other items demonstrating overlays of the continual pattern of human use and occupation; and/or

Not Applicable.

- Items where the physical fabric (above or below ground) demonstrates any of the points described above.

Applicable at a local level as the fabric of the house illustrates well its period of construction as a 1920 house built on a lot from the Denistone Estate No. 2 subdivision (later expanded), which illustrates the early 20<sup>th</sup> century suburban development of the Denistone Estate subdivisions, and the operation of a building covenant on the site.

#### Criterion (b) Historical Association

An item has strong or special association with the life or works of a person, or group of persons, of importance in New South Wales' cultural or natural history (State significance) OR

An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of the local area (Local significance).

Guidelines for Inclusion:

- Shows evidence of a significant human occupation

Not Applicable

- Is associated with a significant event, person or group of persons

Not Applicable.

Guidelines for Exclusion:

- Has incidental or unsubstantiated connections with historically important people or events

Not Applicable (no association with historically important people or events).

- Provides evidence of people or events that are of dubious historical importance

Not relevant (no association with historically important people or events).

- Has been so altered that it can no longer provide evidence of a particular association.

Not relevant (no association with historically important people or events).

Types of items which meet this criterion include:

- Items which demonstrate strong associations to a particular event, historical theme, people or philosophies, regardless of the intactness of the item or any of its structures;

Not Applicable (no association with historically important people or events).

- Items associated with significant historical events, regardless of the intactness of the item or any structure on the place; and/or

Not Applicable (no association with historically important people or events).

- Items where the physical fabric (above or below ground) demonstrates any of the points described above.

Not Applicable (no association with historically important people or events).

#### Criterion (c) Aesthetic/Technical significance

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in New South Wales (State significance); OR

An item is important is demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area (Local significance).

Guidelines for Inclusion:

- Shows or is associated with, creative or technical innovation or achievement

Not Applicable (as the house is a fine but typical Inter-war California Bungalow style house, built within the core period for this house style)

- Is the inspiration for a creative or technical innovation or achievement

Not Applicable (as the house is a fine but typical Inter-war California Bungalow style house, built within the core period for this house style)

- Is aesthetically distinctive

Applicable at a local level, as the Inter-war California Bungalow style house at 68 Denistone Road is a substantial, finely detailed house of the style, on a large prominent corner site within a garden setting, which has been designed to take advantage of views out of the site. The expansion of the size of the original allotment through later land acquisition is rare and unusual and has allowed the house to be set within a substantial and intact inter-war period garden setting.

- Has landmark qualities

Applicable at a local level due to the prominent corner location of the house.

- Exemplifies a particular taste, style or technology.

Applicable at a local level, as the house at 68 Denistone Road is a fine representative example of an Inter-war California Bungalow style house within a substantial period garden setting. The house is remarkably intact and features distinctive exterior elements of the style including leadlight timber-framed casement windows, bay windows, return verandah and a small eastern verandah, dark face brickwork, terracotta hipped and gabled roof, gable ends featuring timber shingling and imitation half timbering, brick verandah balustrades with timber posts above, and distinctive internal elements of the style including timber fretwork frieze and timber pilasters between main hallway and lounge/dining area, tiled fireplaces with timber mantelpieces to formal rooms, timber paneled doors, timber floor and decorative plaster ceilings. The garden setting

which surrounds the house includes substantial mature inter-war plantings including palm trees, camphor laurels, and original pathways.

Guidelines for Exclusion:

- Is not a major work by an important designer or artist

Applicable, as there is no known association with any architect or designer.

- Has lost its design or technical integrity

Not Applicable. The house at 68 Denistone Road is substantially intact and retains its design integrity.

- Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded

Not Applicable (see above)

- Has only a loose association with a creative or technical achievement.

Not relevant (as the house is a fine but typical Inter-war California Bungalow style house, built within the core period for this house style)

Types of items which meet this criterion include:

- Items which demonstrate creative or technical excellence, innovation or achievement;

Not Applicable, as the house is a typical, if fine, representative example of its style.

- Items which have been the inspiration for creative or technical achievement;

Not Applicable (see above).

- Items which demonstrate a highly original and influential style, such as an important early (seminal) work of a major architect; and/or

Not Applicable (no known association with any architect or designer).

- Items which demonstrate the culmination of a particular architectural style (known as climactic).

Applicable at a local level as the house at 68 Denistone Road is a fine representative example of the Inter-war California Bungalow style.

Criterion (d) Social significance

An item has strong or special association with a particular community or cultural group in New South Wales for social, cultural or spiritual reasons (State significance) OR

An item has strong or special association with a particular community or cultural group in the area for social, cultural, or spiritual reasons (Local significance).

Guidelines for Inclusion:

- Is important for its associations with an identifiable group

Not researched

- Is important to a community's sense of place.

Not researched.

Guidelines for Exclusion:

- Is only important to the community for amenity reasons

No information available on this point.

- Is retained only in preference to a proposed alternative.

No information available on this point.

Types of items which meet this criterion include:

- Items which are esteemed by the community for their cultural values;

No information available on this point

- Items which if damaged or destroyed would cause a community a sense of loss;

No information available on this point.

and/or

- Items which contribute to a community's sense of identity.

No information available on this point.

Items are excluded if:

- They are valued only for their amenity (service convenience); and/or

No information available on this point.

- The community seeks their retention only in preference to a proposed alternative.

No information available on this point.

Criterion (e) Research potential

An item has potential to yield information that will contribute to the understanding of New South Wales' cultural or natural history (State significance) OR

An item has potential to yield information that will contribute to an understanding of the area's cultural or natural history (Local significance).

Guidelines for Inclusion:

- Has the potential to yield new or further substantial scientific and/or archaeological information

Not applicable. The site is considered unlikely to have significant archaeological potential.

- Is an important benchmark or reference site or type

Not applicable (see above).

- Provides evidence of past human cultures that is unavailable elsewhere.

Not applicable (see above).

Guidelines for Exclusion:

- The knowledge gained would be irrelevant to research on science, human history or culture

Considered likely to be applicable.



- Has little archaeological or research potential

Considered likely to be applicable.

- Only contains information that is readily available from other resources or archaeological sites.

Considered likely to be applicable.

#### Criterion (f) Rarity

An item possesses uncommon, rare or endangered aspects of New South Wales' cultural or natural history (State significance); OR

An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history (Local significance).

Guidelines for Inclusion:

- Provides evidence of a defunct custom, way of life or process

Not Applicable.

- Demonstrates a process, custom or other human activity that is in danger of being lost

Not Applicable.

- Shows unusually accurate evidence of a significant human activity

Not applicable.

- Is the only example of its type

Not applicable as there are three other heritage listed houses of the same period within the Ryde LGA, however two of these are more modest examples, and the other has stylistic differences to the subject house. Inter-war California Bungalow style houses within the 2 Ryde HCAs examined are more modest examples and not as finely detailed as the subject house. While not the only example of its type, the house is considered rare within the LGA (see also below).

- Demonstrates designs or techniques of exceptional interest

Applicable as the comparative analysis table establishes, the house is locally rare as a house of the Inter-war California Bungalow style within Ryde LGA, and as a house which is a finely detailed, substantial representative example of the Inter-war California Bungalow style.

- Shows rare evidence of a significant human activity important to a community.

Not applicable.

Guidelines for Exclusion:

- Is not rare

Not Applicable. The subject house is considered rare at a local level (Ryde LGA) as a fine representative example of the Inter-war California Bungalow style within a substantial period garden setting.

- Is numerous but under threat

Not Applicable.

### Criterion (g) Representativeness

An item is important in demonstrating the principal characteristics of a class of New South Wales' cultural or natural places; or cultural or natural environments (State significance) OR

An item is important in demonstrating the principal characteristics of a class of the area's cultural or natural places; or cultural or natural environments (Local significance).

Guidelines for Inclusion:

- Is a fine example of its type

Applicable. The house at 68 Denistone Road is considered to be a fine representative example of the Inter-war California Bungalow style which retains a substantial garden setting including inter-war period features such as palm trees.

- Has the principal characteristics of a particular way of life, philosophy, custom, significant process, design, technique or activity

Applicable as the subject house has the principal characteristics of the Inter-war California Bungalow style, including terracotta tiled gabled and hipped roof form, shingled and imitation half-timbered gable ends, dark brickwork, verandahs with brick balustrades and pairs of timber posts, timber-framed casement windows with fanlights above, extensive use of lead lighting, decorative paneled plaster ceilings, use of timber fretwork friezes and timber paneled doors to the interior.

- Is a significant variation to a class of items.

Not Applicable. The house is considered to be a fine representative example of the Inter-war California Bungalow style.

- Is part of a group which collectively illustrates a representative type

Not Applicable.

- Is outstanding because of its setting, condition or size

Applicable at a local level due to the prominent corner location and substantial period garden setting of the house.

- Is outstanding because of its integrity or the esteem in which it is held.

Applicable at a local level due to the integrity of the house.

Guidelines for Exclusion:

- Is a poor example of its type.

Not Applicable.

- Does not include or has lost the range of characteristics of a type

Not Applicable. The house retains the characteristics of an Inter-war California Bungalow, and is substantially intact.

- Does not represent well the characteristics that make up a significant variation of a type.

Not Applicable. The house is a fine representative example of an Inter-war California Bungalow.

## 5.2. DETAILED ASSESSMENT OF HERITAGE SIGNIFICANCE

### CRITERION (A) HISTORICAL SIGNIFICANCE

The house Lanark Brae at 68 Denistone Road (corner Florence Avenue) is of local historical significance as evidence of the suburban subdivision of the 19<sup>th</sup> century Denistone Estate, specifically the development of the Denistone Estate Subdivision No. 2, lots of which were offered for sale from December 1914, and of the operation of a building covenant on the land.

### CRITERION (B) HISTORICAL SIGNIFICANCE (ASSOCIATION)

Not relevant, as there is no known historical association with significant persons.

### CRITERION (C) AESTHETIC/TECHNICAL SIGNIFICANCE

The house and property are of local aesthetic significance, as the house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house, built within the core period for this house style, on a large prominent corner site within a substantial garden setting which retains significant inter-war period garden features including three palm trees, brick and stone edging to paths and garden beds.

The house is remarkably intact and features distinctive exterior elements of the style including leadlight timber-framed casement windows, bay windows, return verandah and a small eastern verandah, dark face brickwork, terracotta tiled hipped and gabled roof, gable ends featuring timber shingling and imitation half timbering, brick verandah balustrades with timber posts above, and distinctive internal elements of the style including timber fretwork frieze and timber pilasters between main hallway and lounge/dining area, tiled fireplaces with timber mantelpieces to formal rooms, timber paneled doors, timber floors and decorative plaster ceilings.

The period garden setting which surrounds the house is a result of deliberate later land acquisitions to enlarge the site and enables the house to be viewed "in the round", which is a distinctive aesthetic value of the site, along with the prominent corner location which affords views, views which the house has also been designed to take advantage of.

### CRITERION (D) SOCIAL SIGNIFICANCE

Not researched.

### CRITERION (E) RESEARCH POTENTIAL

Not relevant. The property is considered unlikely to have significant archaeological potential.

### CRITERION (F) RARITY

The house and property are rare at a local level as a substantial Inter-war California Bungalow style house on a prominent corner property retaining a substantial garden setting including inter-war period garden features. The property is rare as having been enlarged through later deliberate land acquisitions to enable the garden to surround the house and enable the house to be viewed "in the round".

## CRITERION (G) REPRESENTATIVENESS

The house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house within a substantial garden setting retaining inter-war garden features.

## INTEGRITY

The house and property exhibit a substantial degree of integrity with only minor alterations including partial verandah enclosure to create a sunroom, rear addition for an additional bedroom, and construction of new garage/workshop to the rear of the house. The site is rare for the intact Inter-war garden setting of the house.

## 5.3. SUMMARY STATEMENT OF SIGNIFICANCE

The house Lanark Brae at 68 Denistone Road (corner Florence Avenue), Denistone is of local historical significance as evidence of the suburban subdivision of the 19<sup>th</sup> century Denistone Estate, specifically the development of the Denistone Estate Subdivision No. 2, lots of which were offered for sale from December 1914, and of the operation of a building covenant on the land.

The house and property are of local aesthetic significance, as the house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house, built within the core period for this house style, on a large prominent corner site within a substantial garden setting which retains significant inter-war period garden features including three palm trees, brick and stone edging to paths and garden beds.

The house is remarkably intact and features distinctive exterior elements of the style including leadlight timber-framed casement windows, bay windows, return verandah and a small eastern verandah, dark face brickwork, terracotta tiled hipped and gabled roof, gable ends featuring timber shingling and imitation half timbering, brick verandah balustrades with timber posts above, and distinctive internal elements of the style including timber fretwork frieze and timber pilasters between main hallway and lounge/dining area, tiled fireplaces with timber mantelpieces to formal rooms, timber paneled doors, timber floors and decorative plaster ceilings.

The period garden setting which surrounds the house is a result of deliberate later land acquisitions to enlarge the site and enables the house to be viewed "in the round", which is a distinctive aesthetic value of the site, along with the prominent corner location which affords views, views which the house has also been designed to take advantage of.

The house and property are rare at a local level as a substantial Inter-war California Bungalow style house on a prominent corner property retaining a substantial garden setting including inter-war period garden features. The property is rare as having been enlarged through later deliberate land acquisitions to enable the garden to surround the house and enable the house to be viewed "in the round".

The house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house within a substantial garden setting retaining inter-war garden features.



## 6.0 CONCLUSION/RECOMMENDATIONS

### 6.1. COUNCIL ACTIONS

This report has established the local heritage significance of the property at 68 Denistone Road, Denistone (Lots 1,2 & 3, DP1096437). It is recommended that City of Ryde Council proceed with the process of heritage listing the site by amending the Ryde LEP 2014 to include the site as a heritage item under Schedule 5 Part 1: Heritage Items of that LEP.

### 6.2. POLICY RECOMMENDATIONS WITH REGARD TO FUTURE DEVELOPMENT PROPOSALS FOR THE SITE

- Ensure the house “Lanark Brae” and early 20th Century garden elements on the site including the three palm trees, and brick and stone edging within the garden, are retained and conserved as part of any future proposals for the site
- Future proposals should ensure conservation and restoration of the property by retaining the internal spatial arrangement of the house, retaining and conserving exterior original features, finishes and details, and retaining, conserving, restoring or reinstating original interior features, finishes and details, while also allowing provision for an ensuite/bathroom to Bed 2, and new kitchen, laundry, bathroom fitouts.
- Preferably retain the use of the property as a residence.
- Future proposals may involve rear additions to the house or new structures at the rear of the property, provided they do not affect significant elements of the site, have an appropriate relationship to the street frontages and are of an appropriate height and scale that does not dominate or detract from the house.
- Require any development proposal for the site to include a Heritage Impact Statement including a Schedule of Conservation Works. The undertaking of work included in the Schedule of Conservation Works should be a Condition of any development consent for the site and should be certified as completed prior to the issue of any Occupation Certificate following a development approval. The Schedule of Conservation Works is to include:
  - Works to remove later accretions to the house which detract - such as removal of the circa 1950s sunroom (partial verandah enclosure) on the western side verandah and reinstatement of this area as part of the open verandah
  - Works to repair damaged plasterwork to interior walls and restore or reinstate any other elements damaged by illegal building works.

It should be noted that the following site elements are of low heritage significance:

- 4<sup>th</sup> bedroom to the north-west corner of the house, a later (post-1943) addition.
- decking to the rear of the house
- the garage/workshop, and
- roof connecting the rear of the house to the garage/workshop.



## 7.0 ATTACHMENTS

ATTACHMENT 1: DRAFT STATE HERITAGE INVENTORY (SHI) FORM FOR  
LANARK BRAE, 68 DENISTONE ROAD, DENISTONE

# SHI INVENTORY FORM – WORD VERSION

## ITEM

ITEM NO:

ITEM NAME:

*Lanark Brae*

LOCATION:

68 Denistone Road, Denistone

ALTERNATE ADDRESS:

Corner Florence Avenue

OTHER/FORMER NAMES:

ITEM TYPE:

Built

CATEGORY:

Residential

GROUP/COLLECTION:

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LGA:

City of Ryde

## SUMMARY STATEMENT OF SIGNIFICANCE:

The house Lanark Brae at 68 Denistone Road (corner Florence Avenue), Denistone is of local historical significance as evidence of the suburban subdivision of the 19th century Denistone Estate, specifically the development of the Denistone Estate Subdivision No. 2, lots of which were offered for sale from December 1914, and of the operation of a building covenant on the land.

The house and property are of local aesthetic significance, as the house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house, built within the core period for this house style, on a large prominent corner site within a substantial garden setting which retains significant inter-war period garden features including three palm trees, brick and stone edging to paths and garden beds.

The house is remarkably intact and features distinctive exterior elements of the style including leadlight timber-framed casement windows, bay windows, return verandah and a small eastern verandah, dark face brickwork, terracotta tiled hipped and gabled roof, gable ends featuring timber shingling and imitation half timbering, brick verandah balustrades with timber posts above, and distinctive internal elements of the style including timber fretwork frieze and timber pilasters between main hallway and lounge/dining area, tiled fireplaces with timber mantelpieces to formal rooms, timber paneled doors, timber floors and decorative plaster ceilings.

The period garden setting which surrounds the house is a result of deliberate later land acquisitions to enlarge the site and enables the house to be viewed “in the round”, which is a distinctive aesthetic value of the site, along with the prominent corner location which affords views, views which the house has also been designed to take advantage of.

The house and property are rare at a local level as a substantial Inter-war California Bungalow style house on a prominent corner property retaining a substantial garden setting including inter-war period garden features. The property is rare as having been enlarged through later deliberate land acquisitions to enable the garden to surround the house and enable the house to be viewed “in the round”.

The house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house within a substantial garden setting retaining inter-war garden features.

Assessed Significance: Local

LISTINGS:

Currently subject to an Interim Heritage Order

## LOCATION:

Owner:

Private – Individual

LOTS/DPS:

Lots 1,2 & 3, DP1096437



**BOUNDARIES:** The property has the following boundaries: North- east: boundary adjoins properties at 464 Blaxland Road and 466 Blaxland Road; North-west: boundary adjoins property at 66 Denistone Road; South-west: boundary to Denistone Road ; South-east: boundary to Florence Avenue.

## DESCRIPTION

**DESIGNER:** Not known  
**MAKER/BUILDER:** Not known  
**YEAR STARTED:** 1920 **YEAR COMPLETED:** 1920 **CIRCA:** NO

### PHYSICAL DESCRIPTION:

The house Lanark Brae is a single storey dark face brick house located on the north-western corner of Denistone Road and Florence Avenue, featuring a hipped and gabled terracotta tiled roof, simple stuccoed brick chimneys, and timber-framed casement windows and fanlights. The house features a return verandah on the south and west elevations, returning around the front south-west corner. The verandahs feature timber floors and brick balustrades with pairs of timber posts above. The ceiling to the main return verandah is a plain paneled ceiling, however the ceiling to the eastern verandah is decorative plaster. There are steps flanked by stuccoed brick dwarf walls onto the return verandah from the south and west. The timber-panelled front door features a leadlight panel and is surrounded by leadlight sidelights and fanlights. The house also features bay windows to the front (south) and western side elevations, and leadlight windows including two small leadlight windows to the eastern elevation either side of the lounge room fireplace.

The garden includes significant original features including three palm trees located near the house and brick and stone path and garden bed edging.

The front fence to Denistone Avenue is a timber picket fence which while not original is not unsympathetic.

**PHYSICAL CONDITION:** Good

### MODIFICATION DATE/S:

Evident alterations to the house and site include:

- Circa 1950s partial verandah enclosure to the western side of the return verandah to form a sunroom. The original western steps onto the verandah at this point have been retained, and the enclosure is lightweight and easily removeable.
- Covered decking to the rear of the house, which appears relatively modern.
- Single storey brick extension to the rear north-western corner of the house to create Bedroom 4/study room. This has been constructed in brickwork to match existing and roofed with terracotta tiling to match existing and is considered to be a sympathetic rear addition to the house.
- New garage/workshop to the rear of the house and covered link to the rear of the house.

### FURTHER COMMENTS:

During 2018 some illegal building works have taken place, including removal of plasterwork from small sections of interior walls.

## HISTORY

The land at Denistone was the home of the Wallumedde people, however European settlement of the area from the 1790s drove indigenous people out of the area, with no references to indigenous residents after 1809. Prominent indigenous residents of the area included Bennelong and his kinsman Bidgee Bidgee.

The site at 68 Denistone Road was part of a land grant made to John Varnice in 1795 known as "Porteus Mount".

In 1806 shortly after his arrival in the colony of New South Wales, Gregory Blaxland had purchased the nearby 450-acre Brush Farm grant. In 1829 Gregory Blaxland transferred Brush Farm Estate to his eldest daughter Elizabeth and her husband Dr. Thomas Forster. The following year Forster expanded the estate by purchasing the "Porteous Mount" grants of 120 acres, east of Brush Farm Estate. Forster built an eight-room house which he called Deniston after his birthplace, possibly Dennistoun in Lanarkshire, Scotland.

On May 23 1840, Dr Forster leased 'the dwelling houses known by the name of Deniston' and 100 acres (40.4 hectares) of land to Major Edward Darvall for a period of 12 years. After the Darvalls' departure, Deniston House was occupied by Andrew Hardie McCulloch and his family. The house was burned down by bushfires on 30 December 1854.

Deniston Estate was purchased by Richard Rouse Terry on 9 December 1872. Terry was the grandson of the 'Botany Bay Rothschild' Samuel Terry and of Richard Rouse who gave his name to Rouse Hill. R.R. Terry built the present two-storey sandstone Denistone House (now part of Ryde Hospital) and resided there for many years after its completion in 1874. The property, comprising 140 acres, was brought under Torrens title in 1884. After Terry's death in 1898, ownership passed to his son John Edgar Terry, accountant of Sydney, and son-in-law Frank David Muller, gentleman of Sydney.

In November 1913 it was reported that the first of three subdivisions of the Denistone Estate into 169 quarter-acre blocks would be offered for sale. Also, in 1913, 6.8 hectares of the estate, including Denistone House, was purchased by the New South Wales Government for use as a convalescent hospital for men, complementing the Carrara convalescent hospital for women at Vaucluse. . The site later grew into the Ryde District Soldiers' Memorial Hospital which opened on 12 May 1934 with 56 beds, with Denistone House converted into the nurses' quarters. The house was later used for a maternity ward.

The second subdivision of the Denistone Estate, including the current No. 68 Denistone Road, was offered for sale between August and December 1914. While many lots were sold in 1914 and 1915, the current 68 Denistone Road site was not sold until its purchase by Christina Ann Jones, widow, on 15 November 1917.

Mrs. Christina Ann Jones was the widow of the Reverend Henry Jones, a Methodist minister who had served in New South Wales and Queensland in a long career, before dying in 1910 at the age of 61. Mrs. Jones was born in Ryde in 1853, the daughter of Andrew and Janet Short. After her husband's death their only child, Henry Spencer Jones, enlisted in World War I and returned after service in France. During his absence overseas Mrs. Jones moved in with her relatives at Clyde Cottage, North Road, Ryde. When Mrs. Jones bought the land now known as 68 Denistone Road, there was a covenant on the property requiring the erection of a building worth at least £300.

Historical records indicate the house at 68 Denistone Road was built in 1920. Mrs. Jones sold her previous home at 36 Wisdom Road, Greenwich on 6 November 1916 to Walter Berry, grazier, retaining a mortgage over the property. Her address was amended to Clyde Cottage on 1 November 1916 on her son's war record. After her son's return from the war in 1919 the mortgage on her previous home in Greenwich was discharged on 7 February 1920. Henry Spencer Jones married Margaret Kavanagh on 29 April 1920.

Therefore in 1920 Mrs. Jones had received the funds from the sale of her previous home, and her son had returned from the war and married. This provides both the means and motive for the construction of the new house in Denistone. Mrs. Jones first appears in the Sands Directory at the Denistone address in 1921. The directory was published in January each year, with entries closing in the first week of the preceding October. Therefore 68 Denistone Road must have been completed and occupied by early October 1920. Mrs. Jones named the house *Lanark Brae* after her previous marital home in Greenwich.

In 1919 and 1922 Mrs. Jones purchased additional land to expand the site to the west and north, and then transferred the enlarged site to her son Henry Spencer Jones on 24 October 1924.

A sewerage diagram from circa 1930 shows the house on its enlarged site, with a rear garage erected in 1926 accessed off Florence Avenue.

Mrs Christina Jones died in 1934. Henry Spencer Jones retained the house until 1961 when it was transferred to Olga Blanche Scott, married woman of Eastwood, on 9 November 1961.

Mrs. Scott sold the property on 13 February 1990 for \$395,000 to Graeme Lloyd Willis and Doreen Myfanwy Willis as joint tenants.

Following the death of Mrs. Willis in January 2018 the house was sold again, this time for \$3,601,000.

## HISTORIC THEMES:

National Theme	State Theme	Local Theme
Developing Cultural Life	Creative Endeavour	Fine example of Inter-war California Bungalow style
Settlement	Accommodation	
Settlement	Towns, Suburbs and villages	Denistone Estate No. 2 subdivision 1914
Settlement	Land Tenure	Early 20 <sup>th</sup> century suburban subdivision of large 19 <sup>th</sup> century estates

Owner: Private- Individual

Current Use/s: Residence

Former Use/s: Residence

## ASSESSMENT

### SHR Criterion (a) Historical:

The house *Lanark Brae* at 68 Denistone Road (corner Florence Avenue) is of local historical significance as evidence of the suburban subdivision of the 19th century Denistone Estate, specifically the development of the Denistone Estate Subdivision No. 2, lots of which were offered for sale from December 1914, and of the operation of a building covenant on the land.

### SHR Criterion (b) Historical Association:

Not relevant

### SHR Criterion (c) Aesthetic/Technical:

The house and property are of local aesthetic significance, as the house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house, built within the core period for this house style, on a large prominent corner site within a substantial garden setting which retains significant inter-war period garden features including three palm trees, brick and stone edging to paths and garden beds.

The house is remarkably intact and features distinctive exterior elements of the style including leadlight timber-framed casement windows, bay windows, return verandah and a small eastern verandah, dark face brickwork, terracotta tiled hipped and gabled roof, gable ends featuring timber shingling and imitation half timbering, brick verandah balustrades with timber posts above, and distinctive internal elements of the style including timber fretwork frieze and timber pilasters between main hallway and lounge/dining area, tiled fireplaces with timber mantelpieces to formal rooms, timber paneled doors, timber floors and decorative plaster ceilings.

The period garden setting which surrounds the house is a result of deliberate later land acquisitions to enlarge the site and enables the house to be viewed "in the round", which is a distinctive aesthetic value of the site, along with the prominent corner location which affords views, views which the house has also been designed to take advantage of.

**SHR Criterion (d) Social:**

Not relevant

**SHR Criterion (e) Research:**

Not relevant

**SHR Criterion (f) Rarity:**

The house and property are rare at a local level as a substantial Inter-war California Bungalow style house on a prominent corner property retaining a substantial garden setting including inter-war period garden features. The property is rare as having been enlarged through later deliberate land acquisitions to enable the garden to surround the house and enable the house to be viewed "in the round".

**SHR Criterion (g) Representative:**

The house is a finely detailed, substantial representative example of an Inter-war California Bungalow style house within a substantial garden setting retaining inter-war garden features.

**Integrity/Intactness:**

The house and property exhibit a substantial degree of integrity with only minor alterations including partial verandah enclosure to create a sunroom, rear addition for an additional bedroom, and construction of new garage/workshop to the rear of the house. The site is rare for the intact Inter-war garden setting of the house.

Assessed Significance: Local

## REFERENCES

### REFERENCES USED FOR THIS ITEM

Author:

Title: Old form Torrens Registers, Parish maps

Year:

Publisher:

Page Nos:

Repository: NSW Land Registry Services

Type of info:

Client Name: Written, maps

Author:

Title: Sands Directories

Year:

Publisher:

Page Nos:

Repository: City of Sydney Archives

Type of info: Written

Client Name:

Author:

Title: Digitised newspapers

Year:

Publisher:

Page Nos:

Repository: NLA Trove

Type of info: Written

Client Name:

Author:  
Title: 1943 aerial photo  
Year:  
Publisher:  
Page Nos:  
Repository: NSW Land Registry Services, Six Maps  
Type of info: Photo  
Client Name:

Author:  
Title: Digitised newspapers  
Year:  
Publisher:  
Page Nos:  
Repository: NLA Trove  
Type of info: Written  
Client name:

Author:  
Title: Water Board Survey, 1937  
Year:  
Publisher:  
Page Nos:  
Repository: City of Ryde Library Service, Local Studies  
Type of info: Map  
Client name:

Author:  
Title: "The Short Story"  
Year:  
Publisher:  
Page Nos:  
Repository: Vertical file, 'Short family'. City of Ryde Library Service, Local Studies  
Type of info: Written  
Client name:

#### HERITAGE STUDIES WHICH INCLUDE THIS ITEM:

Study Author: Paul Davies Pty Ltd & Dr. Anne-Maree Whitaker

Study Title: Heritage Assessment report on 68 Denistone Road, Denistone  
for City of Ryde Council

Year: 2018  
Number in Study:

## ADMIN

#### MANAGEMENT CATEGORY AND TYPE:

Statutory Instrument: list in a Local Environmental Plan  
Develop a Statement of Heritage Impact



## RECOMMENDED MANAGEMENT:

- Ensure the house “Lanark Brae” and early 20th Century garden elements on the site including the three palm trees, and brick and stone edging within the garden, are retained and conserved as part of any future proposals for the site
- Future proposals should ensure conservation and restoration of the property by retaining the internal spatial arrangement of the house, retaining and conserving exterior original features, finishes and details, and retaining, conserving, restoring or reinstating original interior features, finishes and details, while also allowing provision for an ensuite/bathroom to Bed 2, and new kitchen, laundry, bathroom fitouts.
- Preferably retain the use of the property as a residence.
- Future proposals may involve rear additions to the house or new structures at the rear of the property, providing these do not affect significant elements of the site, have an appropriate relationship to the street frontages and are of an appropriate height and scale which does not dominate or detract from the house “Lanark Brae” as the main significant building on the property.
- Require any development proposal for the site to include a Heritage Impact Statement including a Schedule of Conservation Works. The undertaking of work included in the Schedule of Conservation Works should be a Condition of any development consent for the site and should be certified as completed prior to the issue of any Occupation Certificate following a development approval. The Schedule of Conservation Works is to include:
  - Works to remove later accretions to the house which detract - such as removal of the circa 1950s sunroom (partial verandah enclosure) on the western side verandah and reinstatement of this area as part of the open verandah
  - Works to repair damaged plasterwork to interior walls and restore or reinstate any other elements damaged by illegal building works.

It should be noted that the following site elements are of low heritage significance:

- 4th bedroom to the north-west corner of the house, a later (post-1943) addition.
- decking to the rear of the house
- the garage/workshop, and
- roof connecting the rear of the house to the garage/workshop.

# IMAGES

Image type	Map
Image Caption	1930s sewerage plan showing Lanark Brae on the corner of Denistone Road & Florence Avenue, with original rear garage constructed 1926
Thumbnail Caption	1930s sewerage plan showing Lanark Brae on the corner of Denistone Road & Florence Avenue
Image Number	
Image by	MWS & DB NSW
Image date	1930
Image copyright	Source Ryde Library Local Studies
Image filename	
Thumbnail filename	

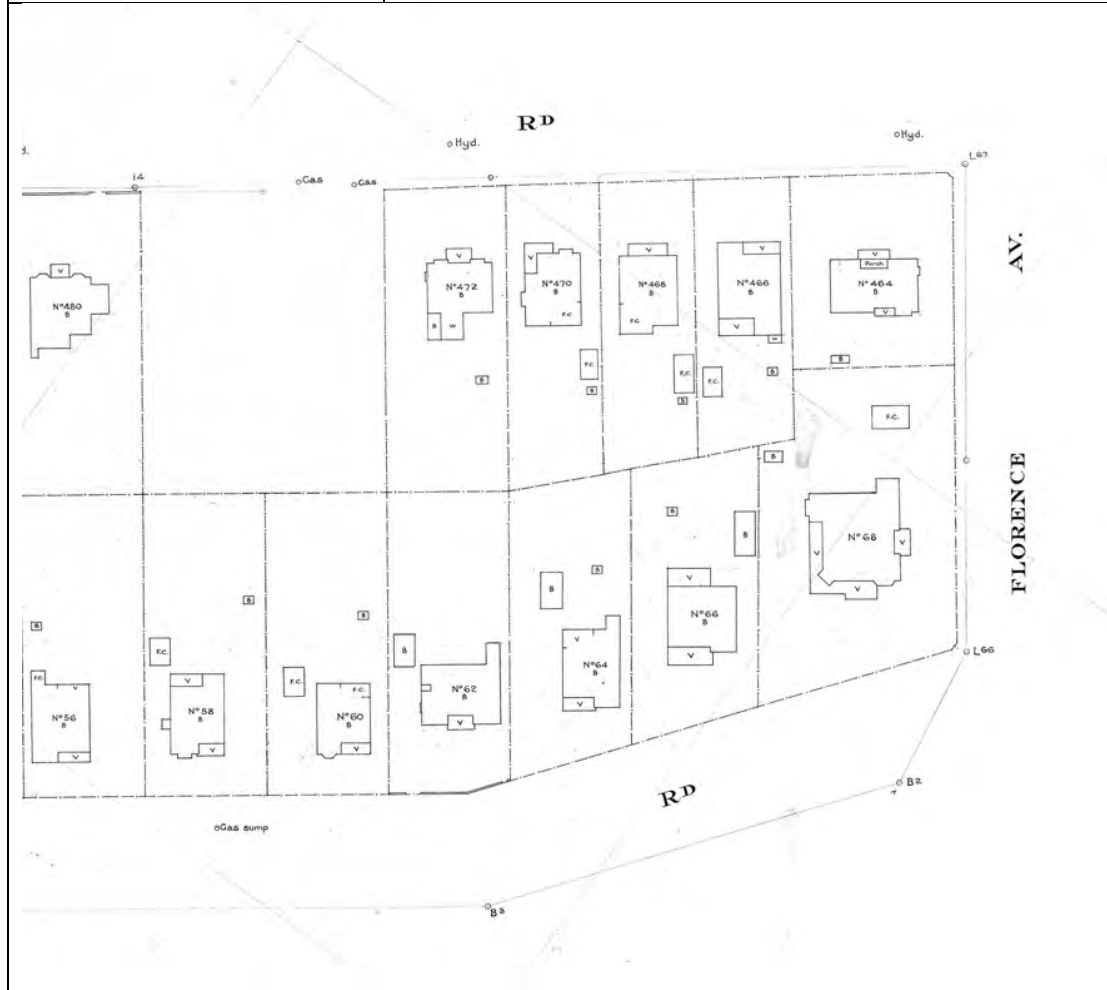


Image type	Subdivision map
Image Caption	Denistone Estate Subdivision No. 2 1914
Thumbnail Caption	Denistone Estate Subdivision No. 2 1914
Image Number	
Image by	
Image date	1914
Image copyright	Image source Ryde Library Local Studies
Image filename	
Thumbnail filename	

**EASTWOOD  
- RYDE**

**Denistone Estate  
SUBDN NO. 2.**  
*Estate of the late  
Richard Rouse Terry.*

**FOR  
PRIVATE  
SALE**

Torrens Title.  
*Rawlinson & Hamilton,  
Solicitors to the Estate,  
28 CASTLEREAGH ST. SYDNEY*

Building Covenant  
**£ 300.**

*Shaded Lots  
are sold.*

**J.E. GREEN & CO.**  
*Auctioneers,  
28 MOORE ST SYDNEY.*

**TERMS:** *One Tenth Deposit,  
Balance in quarterly payments  
extending over 5 years. Interest 5%.  
Right to pay off with interest to date of payment.*

SMITH & LANE, DRAWERS

Image type	Photograph
Image Caption	"Lanark Brae" 68 Denistone Road, Denistone
Thumbnail Caption	"Lanark Brae" 68 Denistone Road, Denistone
Image Number	
Image by	Paul Davies Pty Ltd
Image date	14/11/2018
Image copyright	City of Ryde Council & Paul Davies Pty Ltd
Image filename	
Thumbnail filename	



Image type	Photograph
Image Caption	West elevation of "Lanark Brae" 69 Denistone Road, Denistone
Thumbnail Caption	West elevation of "Lanark Brae" 69 Denistone Road, Denistone
Image Number	
Image by	Paul Davies Pty Ltd
Image date	14/11/2018
Image copyright	City of Ryde Council & Paul Davies Pty Ltd
Image filename	
Thumbnail filename	





Image type	Photograph
Image Caption	Palm trees at "Lanark Brae" 69 Denistone Road, Denistone
Thumbnail Caption	Palm trees at "Lanark Brae" 69 Denistone Road, Denistone
Image Number	
Image by	Paul Davies Pty Ltd
Image date	14/11/2018
Image copyright	City of Ryde Council & Paul Davies Pty Ltd
Image filename	
Thumbnail filename	



Image type	Photograph
Image Caption	Eastern verandah, "Lanark Brae" 69 Denistone Road, Denistone
Thumbnail Caption	Eastern verandah, "Lanark Brae" 69 Denistone Road, Denistone
Image Number	
Image by	Paul Davies Pty Ltd
Image date	14/11/2018
Image copyright	City of Ryde Council & Paul Davies Pty Ltd
Image filename	
Thumbnail filename	



Image type	Photograph
Image Caption	Leadlight window "Lanark Brae" 69 Denistone Road, Denistone
Thumbnail Caption	Leadlight window, "Lanark Brae" 69 Denistone Road, Denistone
Image Number	
Image by	Paul Davies Pty Ltd
Image date	14/11/2018
Image copyright	City of Ryde Council & Paul Davies Pty Ltd
Image filename	
Thumbnail filename	





Image type	Photograph
Image Caption	Timber fretwork freize and posts between hallway & lounge/dining room, "Lanark Brae" 69 Denistone Road, Denistone
Thumbnail Caption	Timber fretwork freize and posts between hallway & lounge/dining room, "Lanark Brae" 69 Denistone Road, Denistone
Image Number	
Image by	Paul Davies Pty Ltd
Image date	14/11/2018
Image copyright	City of Ryde Council & Paul Davies Pty Ltd
Image filename	
Thumbnail filename	



## ATTACHMENT 5

### Schedule 5 Environmental Heritage and Draft Heritage Map





#### Ryde Local Environmental Plan 2014

#### Inserted in alphabetical order item 224 shown red

Denistone	"Poynton" (house)	25 Commissioners Road	Lot A, DP 28226	Local	36
Denistone	"Denistone House" and "Trigg House" (Ryde Hospital)	1 Denistone Road	Lot I, DP 869614	Local	47
Denistone	House	68 Denistone Road	Lots 1-3, DP 1096437	Local	224
Denistone	House	22 Miriam Road	Lot 80A, DP 6272	Local	219



**DRAFT Heritage Map  
68 Denistone RD Denistone**

- Heritage**
-  Conservation Area - General
  -  Item - General
  -  Item - Archaeological
  -  Subject Site

Base data 01/01/1999. © Land and Property Information (LPI) Addendum data 11/01/2018. © City of Ryde.



Map identification number:

