

**PROPOSED  
ALTERATIONS & ADDITIONS  
37 OCEAN ST.  
WOOLLAHRA**

**HERITAGE REPORT**

For

JCP Construction

Revised: November 2021

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## Background

It is proposed to undertake alterations and additions to the two storey shop / house at 37 Ocean St. Woollahra. The work is fully described in architectural drawings by *Garry Stanley architect: 2021- 01 to 10 dated 14th May 2021*, and Statement of Environmental Effects by *The Planning Hub, Report No. 21/124 dated May 2021*.

As the work is in the Woollahra Conservation Area, C19 of the Woollahra Local Environment Plan 2014, a heritage report is required by Woollahra Municipal Council as part of the Development Application submission.

*This revised report, supports the amended design proposal which deletes the first floor apartment and retains it as a storage area.*

## Author

This report has been prepared by Garry Stanley AAIA. As well as being qualified in architecture, he has post graduate qualifications in landscape architecture and has completed the course work for the Masters Degree in Building Conservation at the University of Sydney.

For the last twenty five years he has been heritage advisor to a number of Councils in NSW and is currently heritage advisor to the City of Mildura in Victoria.

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**PART A: HERITAGE ASSESSMENT**

## **A1: Historical Development of Site.**

### **A1.1: Land Grants**

The development of West Woollahra and Paddington evolved with land grants on the northern side of New South Head Road, (Oxford St.), and the New Victoria Barracks, relocated from Wynyard in the city in the 1840s.

The grants were made in the early 1800s and were of various sizes, many in Paddington were about 7 acres. The largest of these however was to Captain John Piper, a military officer and public servant. He received a grant of 190 acres in 1820, by Governor Macquarie. After Piper experienced financial difficulties, the estate was sold to Cooper and Levey in 1826. Cooper eventually over time acquired Levey's share plus other land. Their title to the land was confirmed in 1830 and it became the sole property of Daniel Cooper in 1847.

In 1844 Daniel Cooper and John Levey intending to liquidate some debts commissioned Surveyor General Thomas Livingstone Mitchell to prepare a trigonometrical survey of the estate that included its division into allotments.

Daniel Cooper arranged for some of his property to be offered for sale and lease between 1850 and 1853. In 1853 the builder, William Wallis and the ironmonger, Charles Scott, purchased 25 acres at Upper Paddington, (West Woollahra) for 400 pounds per acre in equal shares.

Wallis and Scott subdivided the land into 346 allotments suited for first-class 'Villa Residences' which they offered for sale by auction on 19 December 1854. The advertisement for sale lauded the *'desirableness of its situation' and 'healthfulness of position' that commanded 'magnificent panoramic views of Sydney Harbour, Botany Bay and surrounding country, constantly fanned by sea breezes, with an abundant supply of pure water, and of easy drainage, with building stone at hand, and communication with the city every half-hour by omnibus'.*

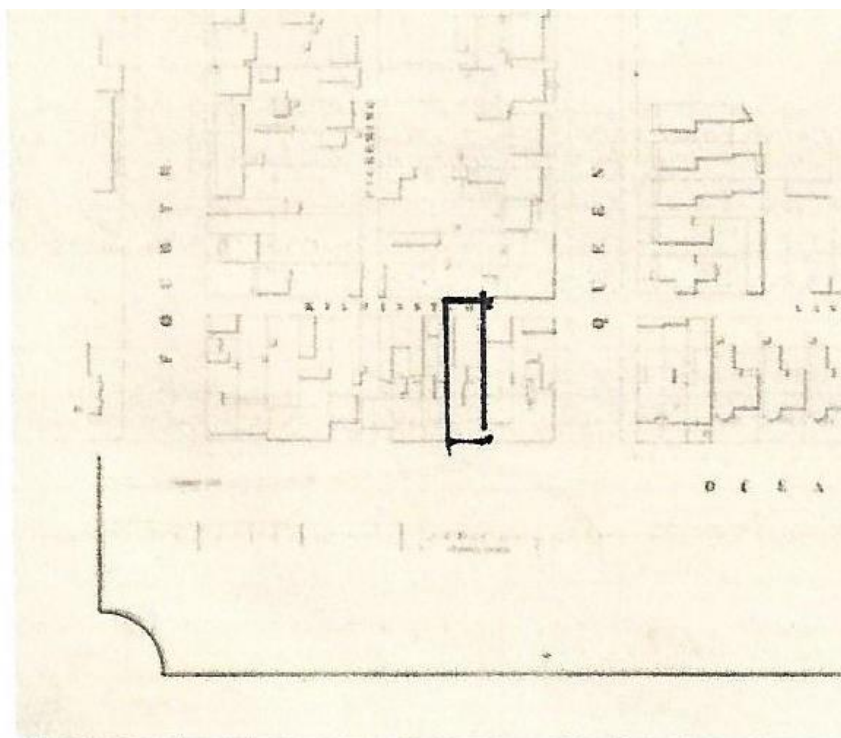
### **A1.2: Ocean St.**

Ocean St. first appears in the *Sands Directories* in the 1870s. and the precinct of number 37 around the Queen St. intersection in the 1880s. Some indicative dates to the present day demonstrate the variety of uses over time as shown on table 1. The extent of development is also shown on the *Water Board* map of 1887. The map also shows the single tram line turning from Ocean St. to Queen St. The line ran from the city through Woollahra along Queen St. to join the line along Oxford St. The line was constructed in 1881 and operated as a steam tram. The line was later electrified and eventually closed in 1960.

Kilminster Lane to the rear of the property and extending from south of Queen St. to Forth St., was named after the builder who lived at number 31 Ocean St from 1880.

	Five Commercial Properties on the eastern side of Ocean St. No. 41 Ocean St in the north to no. 31 on the corner of Queen St in the south.					
	No.41	No. 39	No. 37	No. 35	No. 33	No. 31
1880	Uhers	Holland	Roberts	Flook		Builder Kilminster
1885	Plumber <i>Alex Shaw</i>	Post & Telegraph Off	Ironmonger <b>C. Goodin</b>	Cab Prop <i>E Seawell</i>		
1932	Grocer. <i>Stanford</i>	Costumer <i>Hodginson</i>	Chemist <b>Green</b>	Dwelling <i>E Seawell</i>	Plumber	
2021	Bottle Shop	Restaurant <i>Café Nino</i>	Art gallery / vacant	Dwelling	Plant Nursery <i>Parterre Garden</i>	

**Table 1 Extract of Addresses and occupiers *Sands Directories***



**Map 1. Development in Ocean St. / Queen St. Woollahra 1890 (No. 37 Outlined)**

*Source; Water Board Map 1890*



**Photo 1. Development in Ocean St. / Queen St. 1943**

**No 37 outlined.**

*Source: SIXX Maps 1943 background Imagery*

Historically the site was developed with only the two storey gabled roof section fronting Queen St. The 1943 photograph shows other structures in the rear yard, possibly stables or storage sheds.

The present wing addition is relatively new, possibly Circa 1970?, built in a traditional wing form with skillion roof. There are other flat roof additions including two decks at first floor level plus landscape works of retaining walls and planter beds.

## **A2: Site Assessment.**

Number 37 Ocean St. is part of a group of six commercial properties, nos 41 to 31 along the east side Ocean street extending to the Queen St corner. Similar commercial terrace shop/houses extend into Queen St. which intersects with Ocean. This form of street commercial development is typical of late nineteenth century / early twentieth century commercial development that occurred along tramline routes throughout Sydney.

The rear of the six properties have access from Kilminster Lane. The lane is at a level approximately 2.3 metres above Ocean St.. Each of the rear of the properties has been individually developed with garages, and open parking spaces taking advantage of the rear lane access.



**Photo 2. Ocean Street, east side, Street elevation: L to R Number 41, 39 and 37**



**Photo 3. L to R, 35, 33, 31 then Queen St.**





**Photo 4. Number 35 and 37 Ocean St. Woollahra**

Number 37 is one of a pair of two storey Late Victorian shop houses. At ground level there is a frameless glass shopfront with a central timber framed pair of doors, with a single entry door accessing the level above, on the northern side of the shopfront. There are two circular metal columns either side of the front door which support the first floor above. The wall surface surrounding the glass is treated with black slate tiles. None of these architectural elements are original. Originally the shop windows were probably in the order of 3m wide set into a masonry wall. There is an original multi-paned window to the rear. Internally there are no original features except the marble fire surround in the 'reception' room on the ground floor.



**Photo 5. Marble Fire surround**

The cantilevered awning is considered to be a later addition. It is possible that there was no awning over the Ocean St. footpath or a post supported timber verandah when the property was built. There is no evidence of either ever having been erected.



### **A3: Streetscape.**

#### **A3.1 Ocean St.**

Ocean St. traverses in a general north-south direction from New South Head Road to Oxford St in the south. It has varying streetscapes along its length determined by street alignments, buildings and their setbacks. Queen St. is an important cross street intersection, with Ocean St. and number 37 is an integral part of the precinct of six late Victorian properties which contribute to the identification of this important Woollahra street intersection.

#### **A3.2 Kilminster Lane**

Kilminster Lane is a 'service lane - narrow street', extending from Forth St., crossing Queen St. and terminating at a 'dead end' to the south behind Ocean St.. The rear of number 37 is an open paved area which has been planted with four Olive trees to create a formal open space, which is utilised as a carpark area. There is a new steel 'heritage' steel fence to the lane. On the south side of the site at number 35 there is a garage structure with roller door to the lane and first floor above with a steep roof to the lane.. Other properties along the lane present concrete hard stand at number 39 and garages and cottages north.



**Photo 6. Rear of number 37 Ocean St. from Kilminster Lane. Wall on boundary of garage to number 35 beyond.**



**Photo 7. Rear of no. 37: original chimneys and multi-paned window**

#### **A4: Statement of Significance**

##### **A4.1 West Woollahra Precinct**

The significant characteristics of the West Woollahra Precinct are:

- Its subdivision grid pattern of primary streets with secondary service lanes dating from the 1850s. The grids are generally rectangular, but are angled at their junctions with Jersey Road and Oxford Street.
- The retention of most of its original consistently narrow lots which run perpendicular to street frontages.
- A strong pedestrian character reflected in the narrow streets and interconnecting lanes.
- A varied scale of consistently Victorian character generated by its mix of small- to medium-sized Victorian houses and different building types,
- Individual single-storey houses, detached, attached or in small single-storey terrace groups. Some of these are very narrow with no setback from the street, while others have front verandahs and gardens.
- Various sized groups of two and three-storey semi-detached and terrace houses. Generally, these houses are built with front verandahs and small front gardens, but some smaller examples are built to the front boundary with a cast iron palisade fence to the verandah at the boundary.
- The sandstone and brick villa houses set back from the street boundary at the western end of Jersey Road.
- A restricted palette of building materials and forms, typically:

- external walls of painted stucco, sandstone or face brick. Many of the face brick houses in the precinct are the result of the inappropriate removal of an original painted stucco finish. The several painted timber-clad cottages are now rare in the conservation area.
- Steeply pitched roofs which were originally clad in slate, corrugated iron or (possibly) timber shingles. Some (but not all) terrace houses and cottages were designed with attic spaces and dormer windows.
- Its front fences, typically cast iron palisade fences set on sandstone or rendered brick bases. Some houses, depending on their style, size or age, have timber picket fences or sandstone boundary walls. Original front fences usually allowed views through to the house, but many have been replaced by high masonry walls which have a negative impact on the streetscape.
- Its street tree plantings, particularly the plane trees in Victoria Avenue, Wallis Street, Ocean Street and the western end of John Street.
- Culturally significant landscape elements located at the rear lanes, including paling fencing pedestrian gates, Victorian brick toilets and backyard planting.
- Garages and carports located in rear lanes rather than along street frontages. The few garages facing primary streets are generally intrusive.
- Its mid-Victorian corner shops, many now converted to residences, and the small retail precincts in Ocean and Moncur Streets and late-Victorian hotels.

#### **A4.2 37 Ocean St.**

The criteria for heritage significance of no. 37 John St. has been assessed using the guidelines of the New South Wales Heritage Office and against the significance of the West Woollahra Conservation Area as follows:

##### *Historic Value.*

The property is historic as an essential part of the development of the successive subdivisions of the 1820s Captain Piper Land Grant, particularly in the late nineteenth century. It is one of the oldest shophouses associated with the Ocean St. - Queen St tramline.

##### *Aesthetic Value.*

The property as one of a pair, and part of a group of six Late Victorian shop-houses which demonstrate the forms, materials and details characteristic of the West Woollahra Conservation area.

##### *Social Value.*

The shop house demonstrates the form of construction and house planning in the latter part of the nineteenth century generally in West Woollahra and Inner Sydney.

##### *Rarity.*

The dwelling of Victorian style terrace house is common in West Woollahra and typical of shop houses built in other parts of Sydney in the late nineteenth century..

## **PART B: HERITAGE IMPACT**

### **B1: Description of Work.**

It is proposed to undertake alterations and additions to the two storey shop house at 37 Ocean St. as follows:

#### *Ground Level*

Generally to retain existing room layout and repurpose rooms as a funeral home. One rear room to the rear will be a viewing room, other rooms will be reception and service rooms.

The rear open space of the property is to be developed with a carport / covered loading bay including a lift for transferring coffins from a van to the display room. There will be a roller door to the structure to Kilminster Lane.

The purpose of the structure is to provide all-weather workings and to screen the activities specially from the extensive glass areas of the adjoining residence at number 35 Ocean St.

The manouvering / paved area will be landscaped with paving and shrub planting to achieve soft landscape objectives and provide a setting appropriate to the building, and the conservation area

#### *First Floor*

The first floor space will be retained as a storage space.

Stair access to be re-activated from Ocean St.

Access from a rear car park space to be maintained by rebuilt steel stair.

Screens to two existing decks to screen the ground level courtyard from first floor decks.

The whole of the existing black painted exterior is to be painted an off-white colour the same exterior first floor colour as number 39. This initiative will unite the two buildings as one under the same roof line, and is considered more in keeping with the colours of late nineteenth century buildings in the Conservation Area. The awning fascia will be kept black colour. The proposed structure at the rear will be clad with "*Standing seam*" metal cladding colour mid grey - '*Basalt*'

### **B2: Effect of Work**

The effect of the work has been assessed on the Woollahra LEP heritage conservation provisions and the DCP provisions.

#### **B2.1 Woollahra LEP 2014**

##### **Clause 5.10 Heritage Conservation**

###### **(1) Objectives**

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Woollahra.

(b) to conserve the heritage significance of heritage items and heritage conservation areas , including associated fabric, settings and views.

- (c) to conserve archaeological sites.
- (d) to conserve Aboriginal artefacts and aboriginal places of heritage significance.

## (2) Requirement for Consent

Development Consent is required for any of the following.

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including in the case of a building making changes to its detail, fabric, finish or appearance)

- (i) a heritage item

- (ii) an Aboriginal object,

- (iii) a building work, relic or tree within a conservation area,

- (b) altering a heritage item that is a building by making structural changes to its interior

Or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.

- (c) disturbing or excavating an archaeological site while knowing or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed moved, damaged or destroyed,

- (d) disturbing or or excavating an Aboriginal place of heritage significance,

- (e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or

- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

- (f) subdividing land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or

- (ii) on which an Aboriginal place of heritage significance.

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

The consent authority may before granting consent to any development (a) (b) (c) on land on which a heritage item is located or on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assess the extent to which the carrying out of proposed development would affect the heritage significance of the heritage of the heritage item or heritage conservation area concerned.

**Response:** The proposal requires consent by Woollahra Council and the Council must consider the heritage impact of the proposed development on the Woollahra Conservation Area. This heritage impact statement has been prepared in accordance with the LEP by an experienced heritage professional.

## B2.2 Woollahra DCP 2015

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015		
OBJECTIVES		
O1	To ensure that the established historical pattern of development is continued in terms of siting, levels and front and rear setbacks	Appropriate levels are retained. The characteristic set backs are nil setbacks to Ocean St. and side boundaries. There are varying setbacks to Kilminster Lane.

O2	To retain the patterns of height, bulk and scale distinctive to individual streetscapes and precincts.	There are no proposed changes to the Ocean St. Elevation. Changes are proposed to the Kilminster Lane which retain the streetscape pattern.
<b>CONTROLS</b>		
C1	Where there are uniform levels or setbacks within the streetscape, infill. development and additions to existing buildings are to be consistent with the levels and setbacks of the adjoining buildings.	
a)	If there is a dominant pattern adjoining development is to align with that pattern. Where the pattern is stepped development is to provide an appropriate transitional front setback between adjoining properties.	There are no proposed changes to the Ocean St. Elevation. The Kilminster Lane developments are setback At varying distances, from on the property line to 10m Setback at 35 and 37.
b)	If there is no predominant pattern, development is to align with the existing adjoining development which is the most compatible in scale with the proposed development . Alternatively development can be setback between the properties on either side.	N/A
C2.3.2	West Woollahra Precinct Objectives and Controls	The proposal retains the applicable significant characteristics of the Conservation Area including the subdivision grid, the strong pedestrian character of the area, the Victorian character of shops , restricted palette of building materials, external walls of painted render and light weight steel. Carport located in rear lane.
C2.4.6	Retail and Commercial Buildings Objectives and Controls	The proposed development reinforces the main street characteristics of retail buildings. For this proposal the glass shopfront is retained and enhanced including the shopfront to no. 37 Ocean St.
C2.5.1	Building height form and character The height bulk and scale of new development and additions to existing Buildings have the potential to adversely affect the amenity of private and public lands. The controls are designed to ensure that the scale and bulk of new buildings and additions to new buildings are compatible with : site conditions the desired future character of the Woollahra HCA as outlined in Section 2.2.5 the significant characteristics of precincts described in section	The height of the proposed carport is less than the adjoining garage at no.35 in the streetscape of Kilminster Lane



	C2.3, in particular the characteristics of nearby contributory items.	
C5	The minimum landscaped area requirements and open space requirements outlined in section 2.5.6 must be met.	The minimum landscape requirement is based on the area of land. For number 37, which has an area of 230.9 sq. m, 15% is required. The existing soft landscape of 35sq. m complies.. 29 sq. m been provided in the proposal
C6	The rear setbacks should not extend beyond the established rear building setback and must allow sufficient space for a useable open space area and landscaped area	Most buildings in Kilminster Lane Extend to the propertyline. The proposed carport has been set back to enable ease of access of reversing vehicles,
C7	The height bulk, scale dominant roof forms, ridge line and building envelope of development must be consistent with those of contributory items in the streetscape that are a similar building type. The bulk of buildings should be distributed to minimise overshadowing of adjoining properties . In circumstances where where the infill site adjoins a prominent building or a building of excessive height or intrusive design conformity is not appropriate.	The height bulk, scale and roof forms . The low flat roof form over only part of the site enables the gable roof form of the structure fronting Ocean St. to be viewed from Kilminster Lane.
C8	The character of development is to be consistent with the character of nearby contributory items and of the streetscape . Solid to void ratios of elevations are to be similar to those of nearby contributory items.	The character of the proposed carport in form and colour is neutral, and does not replicate any of the surrounding building forms.
C10	Development is not to obstruct views or vistas from the public domain. a) along streets b) towards the harbour, city or local landscape and c) across the Woollahra HCA to landmark buildings, trees or skylines	The proposal including the rear covered loading area will not obstruct views along streets or towards the harbour or local landscape and across the harbour. Views from the adjoining property at number 35 Ocean St. looking north into the rear of number 37

## References;

1. Sands Directories.
2. Kelly and Crocker. *Sydney takes Shape* 1977
3. Max Kelly. *Paddock Full of Houses 1840 – 1890* 1978
4. Woollahra Municipal Council *Local Environment Plan 2014*
5. Woollahra Municipal Council *Draft Development Control Plan 2015*.

Garry Stanley  
November 2021