

## Development Planning Proposal Review Bayside Council: Proposed Heritage Conservation Areas

Prepared for Bayside Council

Prepared by Niche Environment and Heritage | 1 February 2023



## Document control

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## Executive summary

### Project outline

Niche Environment and Heritage Pty Ltd (Niche) was commissioned by Bayside Council ('Council') to undertake an independent review of a Development Planning Proposal ('the proposal') prepared by Council to create certain Heritage Conservation Areas (HCAs) in the Bayside Local Government Area (LGA).

The selection of the HCAs has been informed by the *Bayside Heritage Study – Review of Heritage Conservation Areas* (2019) report by GML Heritage, which proposed six new HCAs, alongside community feedback. The outcome of this review and subsequent community feedback was reported to Council in 2020, where Council resolved to proceed with four of the six HCAs following refinements to their extents. Council determined not to proceed with two HCAs that had been proposed.

This report has assessed the original heritage advice which recommended six HCAs, and the changes made to the proposed HCAs after community feedback was provided. This report then provides further heritage advice in response to the current proposal before Council.

### Conclusions

After reviewing the original 2019 report, the development Planning Proposal (DPP) and the materials provided by Bayside Council, as well as undertaking site inspections of the six areas put forward by the 2019 report, this review has concluded the following for each area:

**Table 1: Conclusions and Justifications of determinations made on the six originally proposed HCAs**

Potential HCA Name	Conclusions of Review	Justification for Findings
Brighton Le Sands HCA	<ul style="list-style-type: none"><li>That the 2019 recommendation to list this HCA remains justified.</li><li>That the items and uncharacteristic structures which are located on the eastern end of Brighton Street are necessary to the overall integrity of the HCA.</li><li>That the decision to amend the boundary in the DPP from what was recommended in 2019 is not warranted.</li></ul>	The 2019 recommendation to list this area is based on the nature of the intactness of the streetscape and the representative value of the inter-war architectural style in evidence. The 'cohesive character' referenced in the draft statement of significance is witnessed in the brick curbs, the scale and consistent form of the structures, and the intactness of the area which has been largely shielded from unsympathetic development. The properties at the eastern end of the street, while neutral or uncharacteristic, do perform a critical bounding function for the HCA, and are critical to retain the integrity of this space.
Banksia HCA	<ul style="list-style-type: none"><li>That the 2019 recommendation to list this HCA remains justified.</li><li>That the community feedback provided valuable assistance in the understanding of this HCA</li><li>That the decision to amend the boundary in the DPP from what was recommended in 2019 was mostly warranted, with the</li></ul>	<p>The 2019 recommendation to list this area is based on the significance provided by the relatively intact Jackson's Row Victorian workers terrace cottages, which provide a valuable representative example of nineteenth-century development in Bayside LGA. The streetscape in Farr and Gibbes streets has aesthetic value and preservation of the scale, form and style of these structures would be a positive management outcome. The majority of the properties located within the proposed HCA boundary are of contributory value.</p> <p>The structures along Tabrett Street could be considered a physical linking element between the rows of significant</p>

Potential HCA Name	Conclusions of Review	Justification for Findings
	exception of the exclusion of No.21 Gibbes Street.	structures along Gibbes and Farr Streets, but they bear little connection to those structures, and could be easily removed from the boundary of this proposed HCA. Likewise, the structures excluded at the south of Farr Street would not affect the integrity of the HCA as a whole, as they are uncharacteristic and on the edge of this HCA. The boundary of this HCA is designed around the characteristic structures, so the removal of structures south of No.39 is acceptable. The exclusion of No. 21 Gibbes Street, however, makes little sense from a management perspective, as while it is uncharacteristic this structure is located within a row of characteristic structures, and any development of this property will certainly affect the surrounding houses and the streetscape.
<b>Bardwell Valley HCA</b>	<ul style="list-style-type: none"> <li>• That the 2019 recommendation to list this HCA remains justified.</li> <li>• That the community is generally supportive of this HCA.</li> <li>• That ongoing development currently poses an issue for this area without appropriate planning controls in place.</li> <li>• That the decision to proceed with this area in the DPP is warranted.</li> </ul>	<p>The 2019 recommendation to list this area is based on the remaining integrity of the largely homogenous architectural style which is representative of an early twentieth-century subdivision. The majority of the area is considered of contributory value.</p> <p>There was a new uncharacteristic development in the final stages of construction, which provides some incentive for moving soon to protect the integrity of this area.</p>
<b>Oceanview Estate HCA</b>	<ul style="list-style-type: none"> <li>• That the 2019 recommendation to list this HCA remains justified.</li> <li>• That this community feedback is biased from an individual viewpoint, which does not properly consider the overall effect of excluding too many individual structures.</li> <li>• That the decision to amend the boundary in the DPP from what was recommended in 2019 was not warranted across the majority of the HCA, with the exception of some properties which are not located on streetscapes which are significant to the HCA.</li> </ul>	<p>The 2019 recommendation to list this area are based on the attested significance of the area as an example of a historically relevant type of development, the several heritage listings across the area, and the presence of representative examples of several significant architectural styles witnessed in a large percentage of the properties in the area. While there are several locations within the area proposed by GML which are not considered contributory, they still add to the overall significance of the area.</p> <p>the exclusion of properties which are situated on streetscapes which form an integral part of the HCA poses a threat to the overall integrity of the area, especially in the eastern section. The exclusion of properties assessed as neutral in Watkin Street does not make sense, especially as uncharacteristic structures on the southern side of this street section are retained. Watkin Street is an important linking element of the HCA, and the exclusion of these properties – most of which do not detract from the significance of this streetscape (even the structures assessed as uncharacteristic in this location) – would be detrimental to the overall integrity of the area.</p> <p>Likewise, the structures which front onto Beaconsfield Street on the southern side should not be excluded. This Street forms another linking element between the eastern section of the area and the park at the union of the two axis which form this</p>

Potential HCA Name	Conclusions of Review	Justification for Findings
		<p>HCA. It is important that the streetscape and views across this park, and to characteristic structures along this street is preserved, and improved where possible. Certainly, unsympathetic development should be prevented from being undertaken in these areas, which suggests that inclusion within the proposed HCA is warranted. This same situation should inform the decision to exclude properties which have façades facing the heritage-listed park – none of these should be excluded from the HCA, as the planning controls suggested would prevent further degradation of this space.</p> <p>Where exclusion is acceptable is in the case of properties which are adjacent to, but are not situated on, the streetscapes included in the proposed HCA. The three properties on Forest Road are unconnected to this area, as are the few properties in Dunmore Street South, Caledonian Street and Gladstone Street which do not connect with the main axis streets which form the HCA.</p> <p>The presence of uncharacteristic structures within this potential HCA does not reduce the integrity of the area when assessed as a whole, as many uncharacteristic structures are less intrusive than witnessed in other locations. The introduction of planning controls will work to bolster remaining heritage value should the structures be included as mentioned above.</p>
<b>Mascot potential HCA</b>	<ul style="list-style-type: none"> <li>• That the 2019 recommendation to list this HCA is not supported by assessed heritage value or significance.</li> <li>• That there is as lack of cultural significance in this area.</li> <li>• That ongoing development has further weakened this area's integrity.</li> <li>• That the decision not to proceed with this area as an HCA is warranted.</li> </ul>	<p>The 2019 recommendation to list this area relies on association with the 1927 subdivisions of previous nineteenth century land grants in the Mascot district. The area chosen for the HCA is not fully aligned with these two 1927 subdivisions. The Mascot Town Hall Estate and Mascot Tollis Estate is not well represented by the proposed HCA.</p> <p>In addition, the buildings classified as contributory only make up 62% of structures within the HCA, with distribution of uncharacteristic and neutral buildings reducing a cohesive nature to the streetscape – the 2019 report admits as much in the statement of significance: "The streetscape is somewhat intact" (GML 2019 p62) is hardly a strong endorsement. The appearance of contributory structures presented in the 2019 report also provides some variance of type and construction materials used – it is harder to see a unified type of significant architectural style or form than in previous HCAs assessed within the 2019 report. There are some elements of significance within the area but these are suppressed by the distribution of uncharacteristic structures, and the fact that the boundary of the proposed HCA does not align with the relevant historical subdivisions.</p> <p>The inspection of this area found that the architectural style of many of the structures considered characteristic by the 2019 report rather anachronistic, and their form diluted by renovations and modifications made previously. There was a certain lack of uniformity in design which suggested against an</p>

Potential HCA Name	Conclusions of Review	Justification for Findings
		intact streetscape in this area. The layout of the HCA was confused, and from the street the former housing estates were not easily apparent. Further development of this area has been undertaken in the years since the 2019 report was written, further reducing the integrity of this area.
<b>Moorefield Estate potential HCA</b>	<ul style="list-style-type: none"> <li>• That the 2019 recommendation to list this HCA was only partially justified, and the area has some issues related to the overall integrity and significance.</li> <li>• That the local community has doubts about the significance and practicality about this proposed HCA.</li> <li>• That the decision not to proceed with this area as an HCA is warranted.</li> </ul>	<p>The 2019 recommendation to list this area is based on its representative value as an example of a 1957 subdivision carried out by the LJ Hooker company, similar to many that were introduced on the east coast of Australia during the latter half of the twentieth century. The recommendation to list this area as an HCA is supported by some evidence as assessed in 2019, but some evidence presented in support of the significance of this area does not hold under scrutiny. In addition, the classification of structures may need to be re-assessed. The decision to recommend this area as an HCA in 2019 is not unwarranted, but there is less to support this area than others presented by the 2019 report.</p> <p>The community feedback outlines one of the fundamental issues with this proposed HCA, as seen in the previous section: that the area's significance is provided only from the 1957 LJ Hooker subdivision. This style of suburban development is not considered to be significant by the local community.</p> <p>The site inspection of the Moorefield Estate area revealed a larger number of structures which were determined to be uncharacteristic or neutral elements than indicated by the 2019 assessment. The majority of these were later brick structures which were of a different scale, or which contained garages as part of the front façade, rather than parking to the side as was noted in the character assessment for this area. The streetscapes, while still retaining the overall layout of the former housing subdivision, did not retain the original elements of scale and setting outlined in the 2019 report, and which are still evidenced by some rows of characteristic structures within the area. The general maintenance and presentation of the area did not reflect the significance criteria overall, although some properties were obviously proudly maintained. There was also evident several ongoing developments, further reducing the integrity of the area. A more targeted approach towards heritage management (such as recording, or listing/group listing of specific structures) may be more appropriate for this area.</p>

## Recommendations

On the basis of this review, the following recommendations have been developed for each potential HCA:

### Recommendations: Brighton Le Sands HCA

- That the original boundary as recommended in 2019 be upheld and included as a heritage conservation area of local significance in Schedule 5 of the Bayside Local Environment Plan (LEP) 2021.
- That the proposed character statement and development controls specific to the Brighton Le Sands HCA as recommended and previously prepared be adopted and included in the Bayside Development Control plan (DCP) 2022.
- That the current group heritage listing for 3, 5, 9, 11, 23 and 33 Brighton Parade should be reviewed and updated. These properties may be more appropriately identified as contributory items rather than heritage items.

### Recommendations: Banksia HCA

- That the current boundary as described in the DPP, and not the boundary recommended in 2019 be upheld (with the exception of No.21 Gibbes Street which should be included in the HCA boundary) and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021.
- That the proposed character statement and development controls specific to the Banksia HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.

### Recommendations: Bardwell Valley HCA

- That the current boundary of the proposed Bardwell Valley as described in the DPP, (which matches the 2019 recommendation) be upheld and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021.
- That the proposed character statement and development controls specific to the Bardwell Valley HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.

### Recommendations: Oceanview Estate HCA

- That the original boundary of the proposed Oceanview Estate HCA as recommended in 2019 be upheld and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021 as per the below:
- That only the following properties be excluded from the original 2019 listing boundary:
  - Forest Road: No.462, 464 and 466
  - Monomeeth Street: No. 24 and 23A
  - Gladstone Street: No. 23A (2/23A, 1/23A), 25 (1/25, 2/25, 3/25, 4/25, 5/25, 6/25, 7/25) and 26A
  - Caledonian Street: No. 1D, 1E, 1B, 1C and 1A
  - Harrow Road: No. 122
  - Beaconsfield Street: No. 20
  - Dunmore Street South: No. 46, 48, 50, 52, 54, 56, 45, 47, 49, 51, 51A, 53, 53A, 57, 59
  - Seaforth Street: No. 16A
- That the proposed character statement and development controls specific to the Oceanview Estate HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.

**Recommendations: Mascot potential HCA**

- That the proposed Mascot HCA does not proceed or be included in the Bayside LEP2021, or in the Bayside DCP 2022 as a heritage conservation area.

**Recommendations: Moorefield Estate potential HCA**

- That the proposed Moorefield Estate HCA does not proceed or be included in the Bayside LEP 2021, or in the BaysideDCP

2022 as a heritage conservation area.

- That that the proposed Moorefield Estate HCA be the subject of a community-based history and archive project only.

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## 1. Introduction

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### 1.1 Project Background

Niche Environment and Heritage Pty Ltd (Niche) was commissioned by Bayside Council ('Council') to undertake an independent review of a Development Planning Proposal ('the proposal') prepared by Council to create certain Heritage Conservation Areas (HCAs) in the Bayside Local Government Area (LGA).

The selection of the HCAs has been informed by the *Bayside Heritage Study – Review of Heritage Conservation Areas* (2019) report by GML Heritage, which proposed six new HCAs, alongside community feedback. The outcome of this feedback and associated review was reported to Council in 2020, where Council resolved to proceed with the four HCAs following refinements to their extents. Council also determined not to proceed with two HCAs that had been proposed.

This independent review will cover the following scope:

- Undertake a desktop review of the Planning Proposal and associated documents and inform Council of any inconsistencies or fundamental issues with:
  - the justification provided for the updates to the HCA extents
  - and the exclusion of both the proposed Moorefield's Estate and Mascot HCAs, following the 2019 community consultation period.
- Undertake site visits of the four proposed HCAs, as well as those that were not supported by Council prior to initiating the Planning Proposal (Moorefield's Estate and Mascot)

### 1.2 Location of the Subject Area and HCAs

The six proposed HCAs under consideration in this report are located in Banksia, Bardwell Valley, Brighton Le Sands, Bexley, Moorefield's Estate and Mascot, within the Bayside LGA (see Figure 1 for location).

### 1.3 Project objectives

This independent review addresses the following outcomes:

- **Independent Review of planning proposal:** completion of an independent merit and technical based desktop review of the Heritage Conservation Areas Planning Proposal.
- **Independent Review of additional associated documents:** completion of an independent merit and technical based desktop review of any additional associated documents in accordance with relevant NSW and Commonwealth statutory planning and environmental legislation, relevant regional and strategic planning legislation, and Council plans and policies (the relevant legislation).
- **Extent and Accuracy of HCAs:** determine the extent and accuracy of the proposed HCAs reported to the Bayside Local Planning Panel.
- **Site Inspections:** undertake site inspections for the four proposed HCAs, as well as Moorefield's Estate and Mascot.
- **Verify Justifications:** verify the justification to only proceed with the four HCAs and verify the justification of the four HCA's extents.

### 1.4 Methodology

This Independent Review has been prepared in accordance with the principles and methodology contained in *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (2013), hereafter referred to as 'the Burra Charter'.

The Burra Charter outlines a series of best practice principles and measures for heritage investigation and conservation. The Burra Charter is supported by a series of Practice Notes that provide practical advice in the application of the Burra Charter. The Burra Charter was first adopted in 1979 and has been subject to numerous updates with the most recent iteration adopted in October 2013. The policies and legislative guidelines developed by the Heritage Council of NSW are guided by the Burra Charter.

This report has also been prepared in accordance with the best practice standards set out by Heritage NSW, and relevant legislation and heritage registers including:

- *Assessing Heritage Significance* (Heritage Office (former), 2001)
- *Assessing Significance for Historical Archaeological Sites and 'Relics'* (Heritage Council, 2009).
- *The National Heritage List*
- *The Commonwealth Heritage List*
- *The State Heritage Register (NSW)*
- *Bayside Council Local Environment Plan 2021*
- *Botany Bay Development Control Plan 2013*
- *Rockdale Development Control Plan 2011*

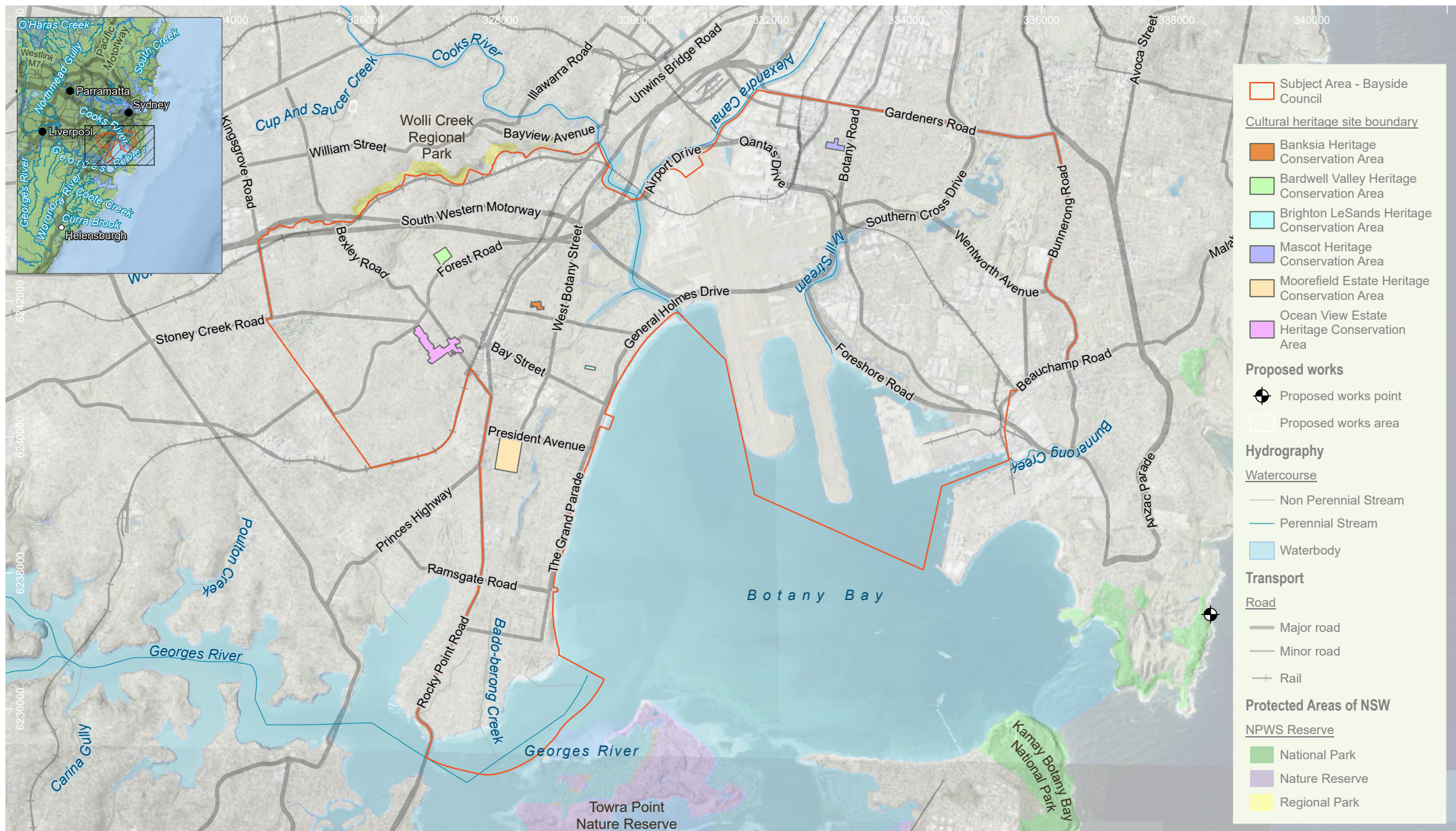
The following documents provided by Bayside Council were consulted in the course of this independent review. No other documents (either provided by Bayside Council, obtained through separate research or through a third party) other than those listed in this section was consulted for the purpose of this review.

- *Resources for Niche – HCA Desktop Review* (Bayside Council)
- *Heritage Proposed Heritage Conservation Area Report* (GML Heritage 2019)
- *Draft Planning Proposal – Bayside HCAs* (Bayside Council)
- *Bayside Local Planning Proposal – Other Applications Meeting 22 March 2022 – Minutes* (Bayside Council)
- *Council Agenda 11 November 2020* (Bayside Council)
- *Council Minutes 11 November 2020* (Bayside Council)
- *Proposed Amendments to Rockdale Development Control Plan 2011* (Bayside Council)
- *Rockdale Local Environment Plan 2011 – Proposed HCAs Maps* (Bayside Council)
- *Heritage Inventory Sheet – Banksia HCA* (GML Heritage 2019)
- *Heritage Inventory Sheet – Bardwell Valley HCA* (GML Heritage 2019)
- *Heritage Inventory Sheet – Brighton Le Sands HCA* (GML Heritage 2019)
- *Heritage Inventory Sheet – Oceanview Estate HCA* (GML Heritage 2019)

The Site Inspections undertaken for this project was undertaken by Samuel Ward over the course of the independent review process. There was no participation in these site visits by additional parties. All the HCAs under consideration in this review were covered in a systematic foot inspection and any areas of significance were closely inspected and recorded.

## **1.5 Authorship and acknowledgements**

This Independent Review has been written by Samuel Ward (Historical Heritage Consultant, Niche) with document review and quality control provided by Stewart Armstrong (Heritage Architect, Niche) and Ben Slack, (Associate Consultant, Niche) with technical assistance provided by Harrison Binks (GIS Consultant, Niche). Unless otherwise attributed, images used in this report are produced by Niche.



## 2. Regulatory and Assessment Framework

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This section provides a summary of relevant legislation and associated planning instruments designed to protect and conserve significant heritage items and their values.

### 2.1 The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013)

This report has been prepared in accordance with the principles and methodology contained in the Burra Charter.

The Burra Charter outlines a series of best practice principles and measures for heritage investigation and conservation. The Burra Charter is supported by a series of Practice Notes that provide practical advice in the application of the Burra Charter. The Burra Charter was first adopted in 1979 and has been subject to numerous updates with the most recent iteration adopted in October 2013. The policies and legislative guidelines developed by the Heritage Council of NSW are guided by the Burra Charter.

### 2.2 Commonwealth and National Legislation

#### 2.2.1 Environment Protection and Biodiversity Conservation Act 1999

*The Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. Under the EPBC Act, protected heritage items of significance are listed on the National Heritage List (NHL) or the Commonwealth Heritage List (CHL). The NHL provides protection to places of cultural significance to the nation of Australia, while the CHL comprises natural, Aboriginal and historic heritage places owned and controlled by the Commonwealth.

### 2.3 NSW State Legislation

#### 2.3.1 Heritage Act 1977

The *Heritage Act 1977* (hereafter referred to as 'the Act') affords statutory protection to those items identified as having heritage significance and which form part of the NSW heritage record. The Act defines a heritage item as "a place, building, work, relic, moveable object or precinct". Items that are assessed as having State heritage significance are listed on the NSW State Heritage Register (SHR). Proposals to alter, damage, move or destroy heritage items listed on the SHR (or protected by an Interim Heritage Order [IHO]), require an approval under s60 of the Act.

Archaeological features and deposits are afforded statutory protection by the 'relics provisions' of the Act. A relic is defined as "any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and is of State or local heritage significance". Land disturbance or excavation that will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed is prohibited under the provisions of the Act, unless carried out in accordance with a permit issued under s140 or s139 for Local heritage sites and s60 for State heritage sites of the Act.

#### 2.3.2 State Agency Heritage and Conservation (s.170) registers

Under s.170 of the Act, NSW government agencies are required to maintain a register of heritage assets under their control or ownership. Each government agency is responsible for ensuring that the items

entered on its register under s.170 are maintained with due diligence in accordance with State Owned Heritage Management Principles. Items listed on s.170 Heritage and Conservation Registers are listed on the State Heritage Inventory (SHI), and some are also listed on the SHR.

### **2.3.3 Environmental Planning and Assessment Act 1979**

*The Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning process in NSW. The EP&A Act also requires local governments to prepare planning instruments, such as Local Environmental Plans (LEPs) or Development Control Plans (DCP) to provide guidance on the level of environmental assessment required.

#### **Bayside Council Local Environmental Plan 2021**

#### **Botany Bay Development Control Plan 2013**

#### **Rockdale Development Control Plan 2011**

Heritage items within the Bayside LGA are listed in Schedule 5 of the Bayside LEP 2021. The Bayside LEP 2021 is a development and combination of the former Rockdale LEP 2011 and the Botany LEP 2013 (the Bayside LGA is an amalgamation of the former Rockdale and Botany LGAs, which each had separate LEPs). It is worthy of note that at the time of the GML report on proposed conservation areas (GML 2019) the Bayside LEP had not yet been compiled. There are currently two Development Control Plans (DCPs) which are active within the Bayside LGA. The Botany Bay Development Control Plan (BB-DCP) 2013 and Rockdale Development Control Plan (R-DCP) 2011 give guidance and outlines controls in place to regulate development within the Bayside LGA.

The heritage items which are listed on Schedule 5 of an LEP are subject to the planning controls and provisions set out in Clause 5.10 (Heritage Conservation) of that LEP. The objectives of Clause 5.10 are as follows:

- a) *To conserve the environmental heritage,*
- 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 objects and Aboriginal places of heritage significance.*

Development control plans, including the BB-DCP 2013 and R-DCP 2011, aim to regulate development within the LGAs to which they apply by providing objectives and controls, particularly by creating Heritage Conservation Areas (HCAs). Prior to the 2019 Heritage review, there were no general controls for HCA in either the BB-DCP 2013 and R-DCP 2011, and only the BB-DCP 2013 had specific HCA controls for the two existing HCAs within the (former) Botany Bay LGA (now part of Bayside LGA): Botany Town Centre HCA and Daceyville HCA.

The 2019 Heritage review provided the following clarification about the nature and purpose of Heritage Conservation Areas (per GML 2019 pp9-10):

#### ***Heritage Conservation Area***

#### ***What is a Heritage Conservation Area?***

*HCA are streetscapes, suburbs, areas and precincts that are recognised by a community for their distinctive historic character. They often evidence a particular historic period of development and an*

architectural style and generally have a high proportion of original buildings. HCAs are protected because they create a cohesive sense of place and character which is valued by the community. Their significance is often a function of the subdivision and street pattern, and buildings that share common periods of development, historical associations, materials, form and scale. Heritage conservation areas are afforded the same statutory protections within LEPs as individual heritage buildings. More than a collection of significant items, they are places in which the historic origins and relationships between the various elements create a sense of place that is worth keeping. A heritage conservation area is identified by analysing its historic development and significance, its physical expression and the special characteristics which make up that significance. These may include its subdivision pattern, the consistency of buildings typologies or the common age of its building stock.

#### **Classification of Buildings within Heritage Conservation Areas:**

Buildings within HCAs are identified as contributory, neutral or uncharacteristic.

- **Contributory buildings** generally originate from the significant era of development of the HCA and display the key characteristics of the area through their architectural style and typology, scale, form, features and materials.
- **Neutral Buildings** usually originate from the original era of development but have been much altered, although the alterations can usually be reversed. Contemporary buildings that respond to the significant scale and character of the HCA can also be neutral.
- **Uncharacteristic buildings** are usually buildings from a later era that are inconsistent with the scale and form of characteristic development.

Some properties in HCAs will also be listed as individual heritage items; such places may be particularly fine examples of their type or may have significance for their associations with a particular person or group of people, distinguishing them from the other places in the HCA. The classification of buildings within a HCA assists property owners and developers to better understand the opportunities and constraints on their site, allows Council to develop specific controls that clearly identify the type of development appropriate for each class of building, gives property owners certainty and assists Council planners in the assessment of development applications.

The Botany Bay DCP 2013 outlines the following principles which should be considered when managing heritage value through administrative and legislative controls:

*Various terms such as, massing, scale, proportion, rhythm, symmetry and articulation are used to describe a building's architectural style and form. Buildings with consistent massing, scale and siting play an important part in the definition of streetscapes and the underlying character of an area.*

*The heritage significance of Heritage Items and Heritage Conservation Areas can be affected by inappropriate development on adjoining lots or in the vicinity of a Heritage Item where there are changes in the pattern and scale of development within a street. According to the NSW Heritage Office's definition vicinity may be understood to mean surroundings, context, environment or vicinity of a Heritage Item.*

*Where new or infill development is proposed, and it is in the vicinity of a Heritage Item, consideration must be given to the potential impact of that development on the Heritage Item (BB-DCP 2013)*

The Botany Bay DCP also provides the following objectives for the general management of heritage value:

#### **Objectives:**

- O1 To ensure infill or new development respects the character of an adjoining, adjacent or nearby Heritage Item or Heritage Conservation Area,

- O2 To encourage simple roof forms consistent with maintaining the context of Heritage Items and Heritage Conservation Areas,
  - O3 To ensure that new development, or additions and alterations to existing development reflect the scale, height, proportion, and setbacks of adjoining Heritage Items or the Heritage Conservation Areas,
  - O4 To conserve and maintain established setbacks of streets on which Heritage Items and Heritage Conservation Areas are located, by ensuring that adjoining developments maintain similar front and side setbacks,
  - O5 To ensure that new development, or alterations and additions are located so that they do not impact on the setting, streetscape or views associated with any Heritage Item or item within a Heritage Conservation Area,
  - O6 To ensure that the introduction of fencing for new and/or infill development does not detract from the heritage significance of adjoining Heritage Items or Heritage Conservation Areas,
  - O7 To ensure that a new development is compatible with and does not overwhelm the Heritage Item or Heritage Conservation Area, and
  - O8 To ensure that the bulk, scale, proportion and detailing of facades of new and infill development are compatible with adjoining Heritage Items or Heritage Conservation Area.
- (BB-DCP 2013)

In summary, HCAs are created in order to manage heritage value in a defined area or groups of properties. When considering a potential new HCA, it is important to consider the specific purpose of the potential HCA when instituting these controls. The potential area must be considered in the context of its heritage value, which results from the cultural significance of the HCA when viewed as a whole entity.

## 2.4 Assessing Cultural Heritage Significance

The NSW Heritage Manual guideline, 'Assessing Heritage Significance' (NSW Heritage Office 2001), provides the framework for assessing cultural heritage significance in NSW. These guidelines incorporate the seven aspects of cultural heritage value identified in the *Australia ICOMOS Charter for Places of Cultural Significance*, The Burra Charter, 2013 into a framework currently accepted by the NSW Heritage Council.

### 2.4.1 Criteria for Assessing Significance

The SHR criteria are outlined in *Assessing Heritage Significance* (Heritage Office 2000) and are summarised in Table 2. Using this criterion, a place can be assessed to be of local, state or no heritage significance.

**Table 2: Heritage Assessment Criteria**

Criteria	Value	Description
<b>Criterion A)</b>	Historical Significance	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion B)</b>	Associative significance	An item has strong or special association with the life or works of a person or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion C)</b>	Aesthetic significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Criteria	Value	Description
Criterion D)	Social significance	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
Criterion E)	Research potential	An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)
Criterion F)	Rarity	An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history (or the cultural or natural history of the local area).
Criterion G)	Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places, or cultural or natural environments. (or a class of the local area's cultural or natural places, or cultural or natural environments.)

An item is of state or local significance if it meets one or more of the criteria at an appropriate threshold. Heritage items can have contributory elements which can both contribute to, or detract from, the threshold assessment for each criterion. This can be summarised by the concept of 'integrity' of an item or HCA. Integrity of contributory elements can be measured by a grading process as described below.

### 2.4.2 Grading of significance

A five-tier system detailing levels of significance is outlined in *Assessing Heritage Significance* (Heritage Office 2000). The grading system is used to identify the overall significance of items or sites being assessed. The levels of significance and their justification to be applied to items is listed in Table 3 below.

**Table 3: Gradings of significance**

Grading	Justification	Status
<b>Exceptional</b>	Rare or outstanding element directly contributing to an item's local or State listing.	Fulfills criteria for local and/or State significance.
<b>High</b>	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfills criteria for local and/or State significance.
<b>Moderate</b>	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfills criteria for local and/or State significance.
<b>Little</b>	Alterations detract from significance. Difficult to interpret.	Does not fulfill criteria for local or State listing.
<b>Damaging</b>	Damaging to the item's heritage significance.	Does not fulfill criteria for local or State listing.

When recommending a potential HCA, the area being assessed needs to be considered with a point to identifying the elements of significance and understanding the significance of existing heritage items within this area. The ratio of elements which support and those which detract from overall significance should be considered when evaluating a potential HCA. The assessment of cultural significance, and its level of integrity or intactness, can be then used when considering the best regulatory framework to employ to

safeguard assessed heritage value, or to explain why a potential HCA does not meet the threshold of significance, or why regulation may not be the best method of management.

### 3. Desktop Review of Original GML Review and Proposed HCAs

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The Bayside Council Development Planning Proposal (DPP) under assessment in this review was advised by the previously mentioned 2019 heritage review report (the 2019 report) undertaken by GML Heritage Pty Ltd. The 2019 report was undertaken in accordance with the aforementioned principles of heritage assessment and assessed a number of potential HCAs presented by Bayside Council, eventually suggesting six HCAs for listing by Council.

GML identified the following limitations which apply to their report:

- *The report did not assess the archaeological potential or Aboriginal Cultural values of the sites. The HCAs may have archaeological values, but these values were not a key factor in defining the boundaries of areas.*
- *The report used established statements of significance where relevant for existing items within the HCA.*
- *The interiors of the buildings within the HCAs were not inspected and an analysis of internal fabric is not included in this report. The contribution of individual buildings to the HCA was based upon external character only (GML 2019 p5)*

The outcome of the 2019 report stated that the following areas warranted consideration as HCAs within the Bayside LEP:

- Oceanview Estate, Bexley,
- Lansdowne and Hamilton Streets, Bardwell Valley,
- Brighton Parade, Brighton Le Sands,
- Farr and Gibbes Streets, Banksia,
- Moorefield Estate, Kogarah, and
- Aloha and Forster Streets, Mascot.

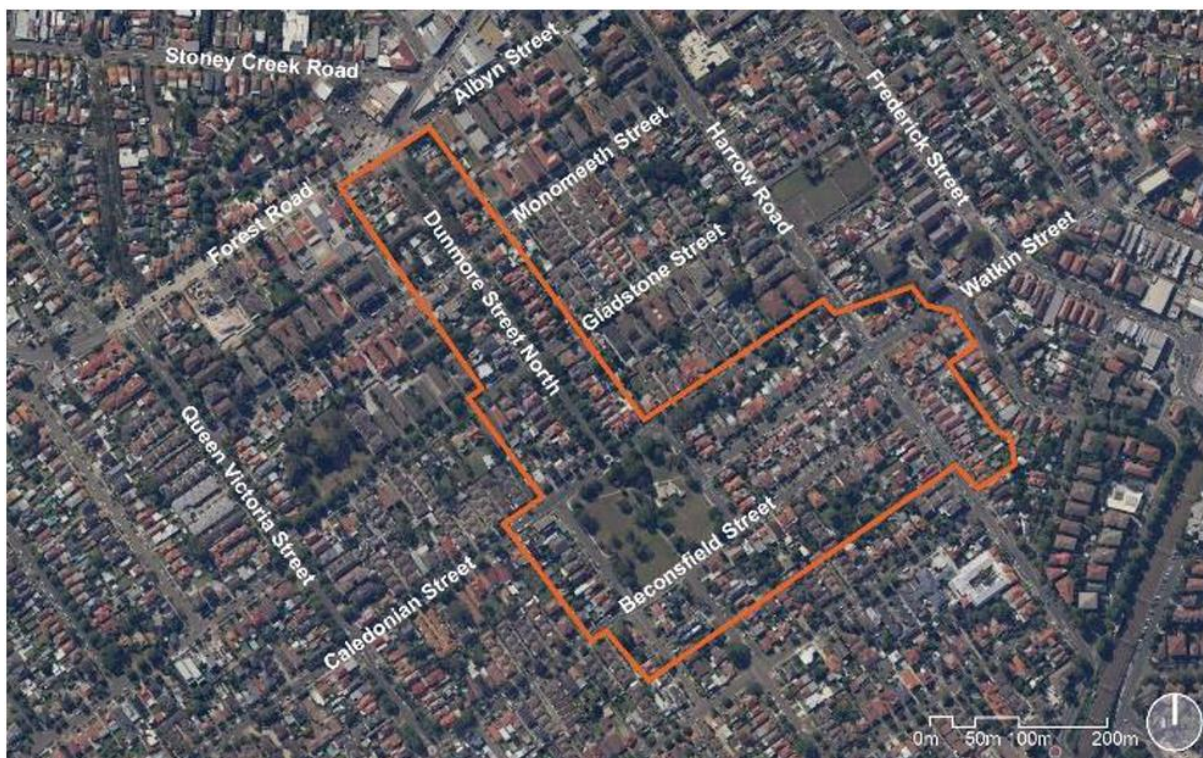
The other areas assessed were not put forward for consideration for listing as HCAs.

The location of the six recommended heritage conservation areas can be seen in the Figure 2.1 to Figure 2.6 series below.

### 3.1 Review of evidence supporting Oceanview Estate HCA, Bexley

The proposed Oceanview Estate HCA is located in Bexley, in the former Rockdale LGA (See Figure 1). It consists of several streets which are centred on axis with a public open green space at the centre.

The original proposed limits of Oceanview Estate HCA can be seen on Plate 1:



**Plate 1: Location of the Oceanview Estate HCA original boundary (Source: Six Maps with GML overlay, in GML 2019).**

The HCA is based on a housing development (estate) which was created on land which used to be owned by the Lord family, which was purchased in 1879. The estate was sold in 1883. The architectural styles identified within the potential HCA include late Victorian, Federation Arts and Crafts, Federation Bungalow and Inter-War Bungalow styles with houses and cottages set within formal gardens with low brick fencing. The streetscape features grass verges and mature street trees.

The potential HCA contains several heritage items which provide significance to this area, and which outline several key structures which require heritage protection. The GML 2019 report provided an assessment of structure classifications within the HCA, which can be seen on Plate 2 below. While the distribution of heritage-listed structures and contributory items can be seen to be relatively prolific across the HCA, there are several concentrations of structures which were assessed to be uncharacteristic or neutral elements, and which are located to the south and east of the HCA in Watkin and Beaconsfield Streets. Dunmore, Gladstone, and Monomeeth Streets are all listed as heritage items in addition to the sixteen heritage-listed structures.



**Plate 2: Classification of buildings within the Oceanview Estate HCA (Source: GML and Bayside Council, from GML 2019).**

The 2019 report provided the following draft Character Statement to describe the balance of elements supporting significance, and to provide parameters for assessing integrity of the HCA:

*The character of the potential Oceanview Estate HCA is made up of a number of architectural styles, including fine examples of high-quality late Victorian, Federation Arts and Crafts, Federation Bungalow and Inter-War Bungalow style houses and cottages. This character should be preserved and retained through the retention of contributory buildings, public open space, the existing subdivision pattern and typical Garden Suburb layout, and large street trees. Characteristic elements to be preserved include:*

- *the range of surviving architectural styles and historic buildings, particularly the existing heritage items, landmark buildings and contributory buildings,*
- *the grid layout of wide streets centred around Seaforth Park,*
- *the consistency of low front fences and gates at the front boundary of private properties,*
- *original chimneys and roof forms,*
- *the consistent single-storey scale,*
- *prominent ornate decorative elements, particularly on surviving examples of late Victorian buildings and Federation houses,*
- *the dominant material palette of face brick, timber batten detailing and timber joinery elements, sandstone base courses, timber framed windows and window hoods, and*
- *established formal gardens and mature street trees.*

*Uncharacteristic development includes housing from the late twentieth and early twenty-first century, residential flat developments, over-scaled additions, rendering of face brickwork and the addition of garages and carports forward of the front building line. (GML 2019 pp19-20)*

The 2019 report provided the following Draft Statement of Significance to support the recommendation to list this area as an HCA:

*The potential Oceanview Estate Heritage Conservation Area has cultural heritage significance at a local level as an intact portion of one of the most ambitious and commercially successful estate developments in the Bayside LGA. The area shows evidence of the development and expansion of the early twentieth-century housing estates in the area, often led by speculative development. The area has aesthetic significance for its particularly fine examples of Federation Arts and Crafts and Federation Bungalow style dwellings set within formal gardens. Elements such as the early Christ Church at the northern entry to the HCA, wide streets with mature plantings and original dwellings orientated towards a central park contribute to the area's sense of place and create a distinct Garden Suburb character.*

*Individual properties (both those individually listed and those classified as contributory) within the Oceanview Estate HCA have aesthetic and representative significance, exhibiting excellent detailing, craftsmanship and generally high levels of intactness/integrity. Excellent examples of Federation Arts and Crafts and Federation Bungalow typologies are found throughout the HCA, with some earlier Victorian-era housing throughout.*

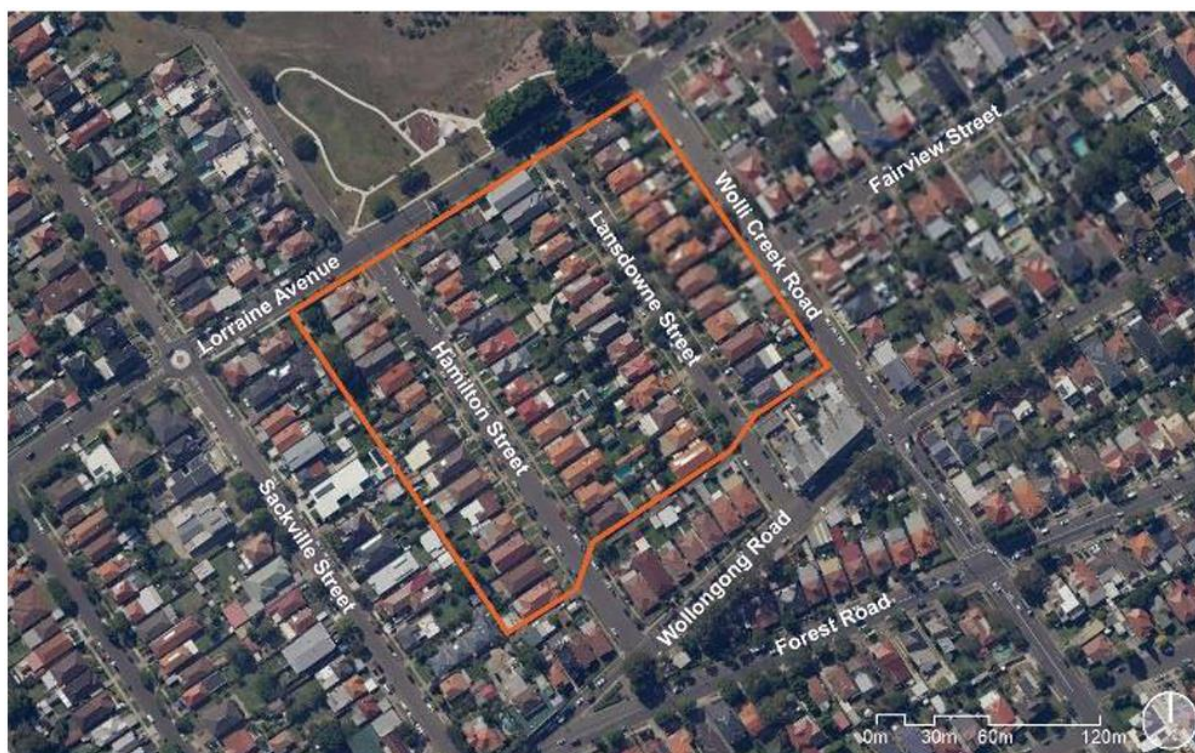
*The Oceanview Estate HCA has representative value through its collection of intact Federation-era dwellings, as well as the clear demonstration of early town planning principles evident in its Garden Suburb character and layout. Seaforth Park was planned as the grand square of the 1883 subdivision and is the oldest designation park in the former Rockdale LGA. The street plantings in Dunmore Street demonstrate the municipal approach to urban beautification in the Ocean View subdivision. The tree planting commemorated the reign of Queen Victoria (although the trees present today are not the original trees) (GML 2019 p19).*

### **Summary of Original Oceanview Estate HCA Proposal:**

The 2019 recommendation to list this area are based on the attested significance of the area as an example of a historically relevant type of development, the several heritage listings across the area, and the presence of representative examples of several significant architectural styles witnessed in a large percentage of the properties in the area. While there are several locations within the area proposed by GML which are not considered contributory, they still add to the overall significance of the area. The recommendation to list this area as an HCA is supported by the evidence as assessed in 2019.

### 3.2 Review of evidence supporting Lansdowne and Hamilton Street HCA, Bardwell Valley

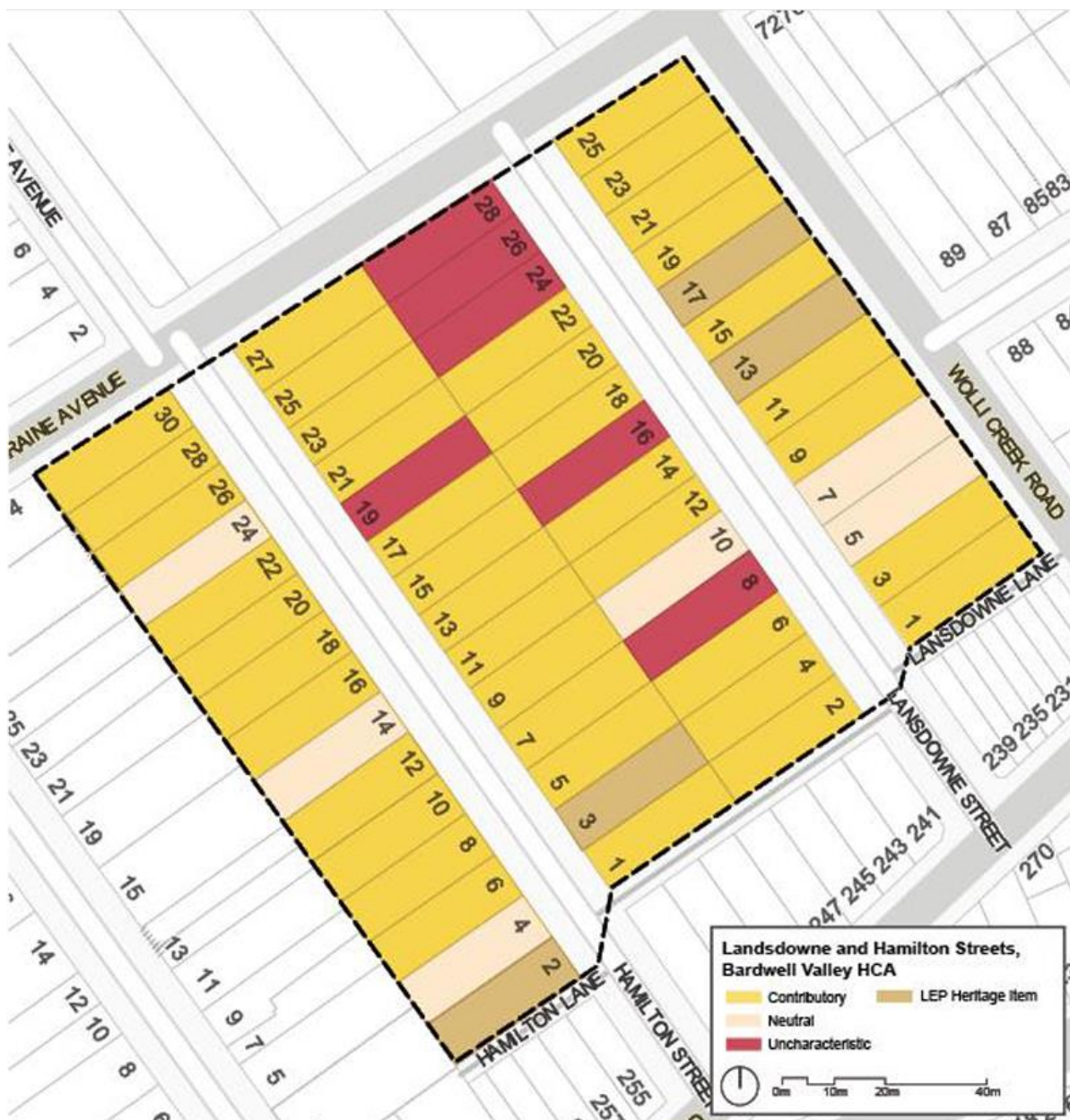
This potential HCA consists of two related streetscapes which are located at Bardwell Valley, between Wollongong Road and Silver Jubilee Park (see Figure 1). The location of this HCA can be seen on Plate 3, which shows the original proposed boundary of the HCA.



**Plate 3: Location of Lansdown and Hamilton Streets HCA original proposed boundary (source: Six Maps with GML overlay from GML 2019).**

The area consists of Lansdowne and Hamilton Streets which are parallel, which are between Lorraine Avenue in the north and Wollongong Road in the south. The houses along these streets are largely intact examples of Federation bungalows of similar size, form and detail. Front facings are characterised by double front gables with deep front porches and verandahs, terracotta pitched roofs and face brick walls. The houses are set within established formal gardens, and generally have low picket or brick fences. The streetscape has some street trees and are wide with grassed verges. Car parking is generally to the side of structures and not within garages but rather carports or concrete parking spaces. Some over-scaled development has intruded into the consistency of the scale and character of the HCA (GML 2019 p24).

Building classification within the HCA consisted of mainly contributory structures, as can be seen on Plate 4 below. There were six properties which were considered uncharacteristic in 2019, another six neutral elements, and four heritage items within the HCA. The remaining forty properties are contributory elements.



**Plate 4: Classification of buildings within the Lansdowne and Hamilton Streets HCA (Source: GML and Bayside Council, from GML 2019).**

The 2019 report provided the following draft Character Statement to describe the balance of elements supporting significance, and to provide parameters for assessing integrity of the HCA:

*The character of the potential Lansdowne and Hamilton Streets HCA is primarily made up of high-quality and relatively intact bungalow and cottage style houses. Mostly completed between 1920 and 1925, many original houses in this area share a common architectural typology and material palette which is important to the aesthetic values of the area. This character should be preserved and retained through the retention of contributory buildings, the existing subdivision pattern, and large street trees. Characteristic elements to be preserved include:*

- *the high proportion of surviving contributory buildings, particularly Federation and Inter-War bungalows and listed heritage items,*
- *the grid layout and wide streets,*

- *the consistency of low front fences at the front boundary of private properties,*
- *original chimneys and the consistency of forward-facing double-gabled roof forms stepping down the slope to the north,*
- *the prevalent single-storey scale,*
- *the dominant material palette of face brick, timber batten detailing and timber joinery elements, roughcast rendered elements, sandstone base courses, timber framed windows, leadlight casement windows, window hoods, and timber shingle cladding, and*
- *established gardens and consistent setbacks.*

*Uncharacteristic development includes housing from the late twentieth and early twenty-first century, residential flat developments, over-scaled additions, rendering of face brickwork and the addition of garages and carports forward of the front building line. (GML 2019 pp26-27)*

The 2019 report provided the following Draft Statement of Significance to support the recommendation to list this area as an HCA:

*The Lansdowne and Hamilton Streets HCA is of cultural heritage significance at a local level as an intact example of an early twentieth-century subdivision in the Bayside area. Part of the 1920 subdivision of the Lansdowne Estate, the area is associated with builder William Lansdowne, who was involved in the design and construction of several houses in the subdivision.*

*The area has aesthetic value for its high proportion of original bungalow and cottage style houses, many of which were constructed in a short period between 1920 and 1925 and retain their interwar architectural character. The consistent use of face brick, timber detailing and consistent roof and fence lines present a cohesive streetscape and have representative value as a demonstration of rapid suburban development in the early twentieth century. (GML 2019 p26).*

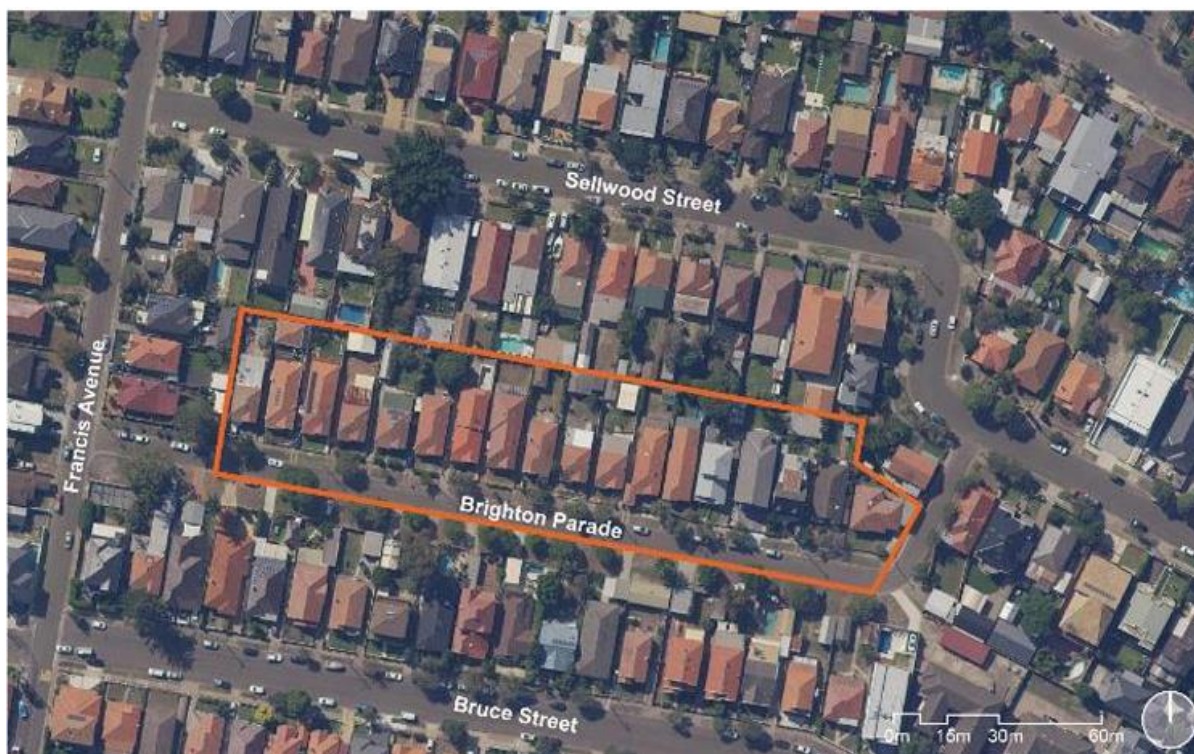
### **Summary of Original Lansdowne and Hamilton Streets HCA Proposal:**

The 2019 recommendation to list this area is based on the remaining integrity of the largely homogenous architectural style which is representative of an early twentieth-century subdivision. The majority of the area is considered of contributory value, and for these reasons the recommendation to list this area as an HCA is supported by the evidence as assessed in 2019.

### 3.3 Review of evidence supporting Brighton Parade HCA, Brighton Le Sands

The proposed Brighton Parade HCA is located in Brighton Le Sands (See Figure 1). It consists of a single street of which only the northern side has street-fronting properties – the southern side of the street consists of the rear fences and garages of the properties which front onto Bruce Street.

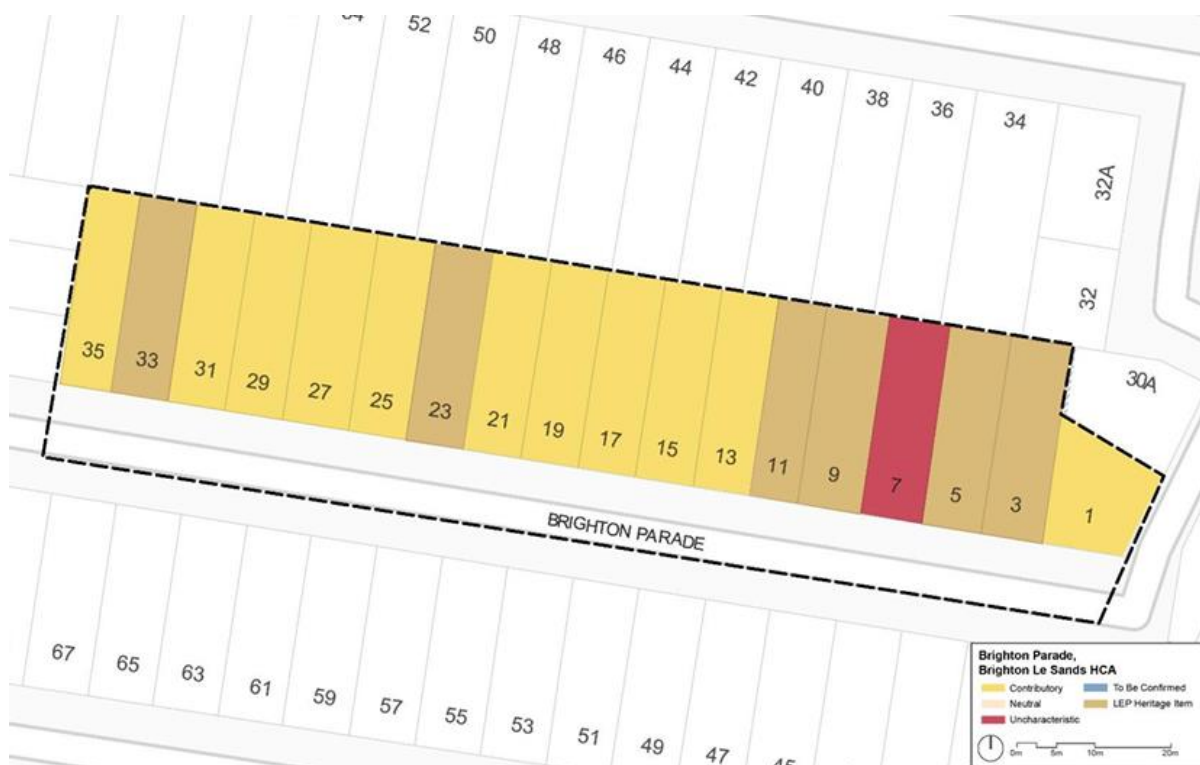
The original proposed limits of the proposed HCA can be seen on Plate 5:



**Plate 5: Location of the Brighton Parade HCA original boundary (Source: Six Maps with GML overlay, in GML 2019).**

The properties under consideration – those which are on the northern side of the street – are mostly single-story inter-war bungalows constructed in the late 1920s. The northern side of the street retains the original brick kerbs, and houses are of brick construction with timber detailing, sporting pitched tiled roofs and are set within modest front gardens. The southern side of the street consists of a grass verge with the rear fences and some garages of Bruce Street properties. Most properties are of similar scale, style and retain a large amount of similarity despite some development (GML 2019 p31).

The building classification carried out in 2019 found that only one property was uncharacteristic, the rest were contributory elements and there were three groups of heritage listed structures (of which one was a group listing – see Plate 6).



**Plate 6: Classification of buildings within the Brighton Parade HCA (Source: GML and Bayside Council, from GML 2019).**

The 2019 report provided the following draft Character Statement to describe the balance of elements supporting significance, and to provide parameters for assessing integrity of the HCA:

*The character of the potential Brighton Parade HCA is primarily made up of high-quality modest bungalow and cottage style houses. Many original houses in this area share a common architectural typology and material palette which is important to the aesthetic values of the area. This character should be preserved and retained through the retention of heritage listed and contributory buildings, the existing subdivision pattern, brick kerbing and large street trees. Characteristic elements to be preserved include:*

- *the high proportion of surviving contributory buildings, particularly Federation and Inter-War bungalows and listed heritage items,*
- *historical streetscape elements from the early period of development in the area, such as brick kerbing,*
- *the consistency of low front fences at the front boundary of private properties*
- *original chimneys, roof forms, and tiled roof cladding,*
- *the prevalent single-storey scale, and*
- *the dominant material palette of face brick, timber detailing and timber joinery elements, roughcast rendered elements, brick front verandahs, timber framed windows, and timber picket and masonry front fences.*

*Uncharacteristic development includes housing from the late twentieth and early twenty-first century, over-scaled additions, infilled verandahs, rendering of face brickwork, unsympathetic fencing and the addition of garages and carports forward of the front building line. (GML 2019 p33)*

The 2019 report provided the following Draft Statement of Significance to support the recommendation to list this area as an HCA:

*The Brighton Parade HCA is of cultural heritage significance at a local level as evidence of the development of commuter suburbs in the 1920s in Rockdale and the wider Bayside area. The group of houses in Brighton Parade are aesthetically significant as an intact streetscape of Inter-War bungalow style houses and cottages in a suburban setting with mature street plantings, as well as rare streetscape detailing such as brick kerbing. The high proportion of original building stock, together with the consistent material palette, scale, asymmetrical form, and roof and fence lines demonstrate a cohesive interwar architectural character that is representative of a distinct period of suburban development in Rockdale. (GML 2019 p33)*

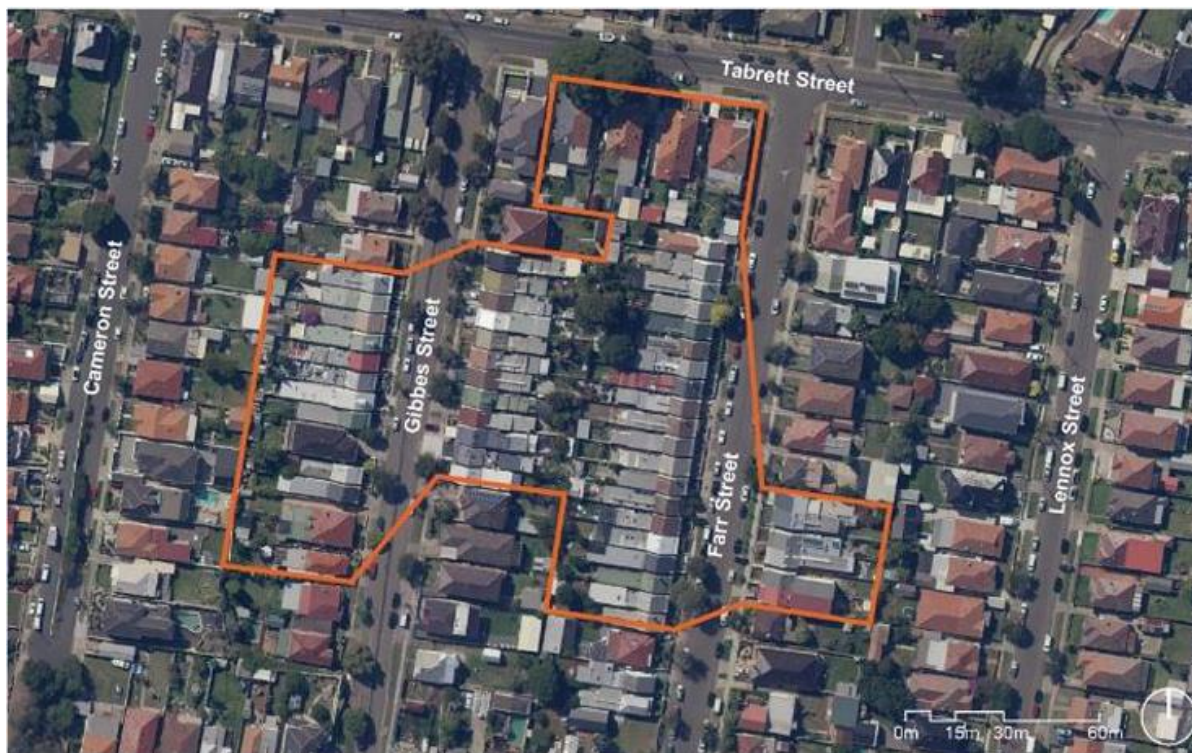
### **Summary of Original HCA Proposal:**

The 2019 recommendation to list this area is based on the nature of the intactness of the streetscape and the representative value of the inter-war architectural style in evidence. The 'cohesive character' referenced in the draft statement of significance is witnessed in the brick kerbs, the scale and consistent form of the structures, and the intactness of the area which has been largely shielded from unsympathetic development. The recommendation to list this area as an HCA is supported by the evidence as assessed in 2019. The additional recommendation to reconsider the group listing for Nos. 3, 5, 9, 11, 22 and 33 is warranted given the development of No. 5 and 7 and provided the area is listed as an HCA.

### 3.4 Review of evidence supporting Farr and Gibbes Street HCA, Banksia

The proposed Farr and Gibbes Streets HCA is located in Banksia (See Figure 1). It consists of several structures of consistent architectural style which are located across two parallel streets.

The original proposed limits of the proposed HCA can be seen on Plate 7:



**Plate 7: Location of the Farr and Gibbes Street HCA original boundary (Source: Six Maps with GML overlay, in GML 2019).**

The Banksia location retains the layout of the original subdivision, and the proposed area is characterised by intact and cohesive rows of Victorian workers cottages on both sides of Farr and Gibbes Streets. Both streets have some street planting consisting of native trees and banksias. The terraces are known as Jackson's Row and date from 1885, retain a consistent single-storey scale, hipped roofs, front verandahs, and modest features. Some examples of modifications to this baseline include replacement of roofs, modifications to front façades and fences and extensions to the rear of the structures. The properties along Tabrett Street consist of Federation detached and semi-detached cottages, and these are associated with a second phase of development of the area (GML 2019 p38).

The classification of buildings within the area found that in 2019 only two properties were uncharacteristic, and eight were considered neutral, with the boundary of the proposed HCA generally drawn to incorporate only those structures in Farr and Gibbes Streets which were of the terraced style (see Plate 8). There were two identified heritage items, and the remaining fifty-one properties were considered contributory elements.



- *consistent narrow setbacks, the dominant single-storey scale and lack of private car spaces,*
- *original chimneys and roof forms, and*
- *the dominant material palette of rendered brick terraces, decorative rendered elements, ornate façade windows, and painted brick front fences.*

*Uncharacteristic development includes housing from the late twentieth and early twenty-first century, over-scaled and unsympathetic additions, front facing dormers, infilled verandahs, the removal and replacement of original features including windows and doors, and uncharacteristic fencing. (GML 2019 p41)*

The 2019 report provided the following Draft Statement of Significance to support the recommendation to list this area as an HCA:

*The Farr and Gibbes Streets Heritage Conservation Area is culturally significant at a local level as it contains the substantially intact rows of single-storey nineteenth-century workers housing known as Jackson's Row as well as several other intact early twentieth-century houses. It is historically significant for its association with the Mercantile Building Land & Investment Co., a building society and speculative developer that had some influence in the development of the Rockdale area. The area is representative of three phases in the residential development of Bayside LGA: late Victorian row houses, early twentieth-century bungalow dwellings and interwar-era brick houses.*

*The Farr and Gibbes Streets Heritage Conservation Area has aesthetic value as it contains two intact streetscapes displaying a uniformity of housing type, interspersed with some neutral and newer developments. Views north and south down Farr and Gibbes Streets encapsulate the repetitive forms of the single-storey freestanding row houses with consistent gable roof forms and setbacks to the street. The Farr and Gibbes Streets Heritage Conservation Area has rarity value as it contains intact rows of single storey nineteenth-century workers housing, a typology that is rare within the Bayside LGA. (GML 2019 p41)*

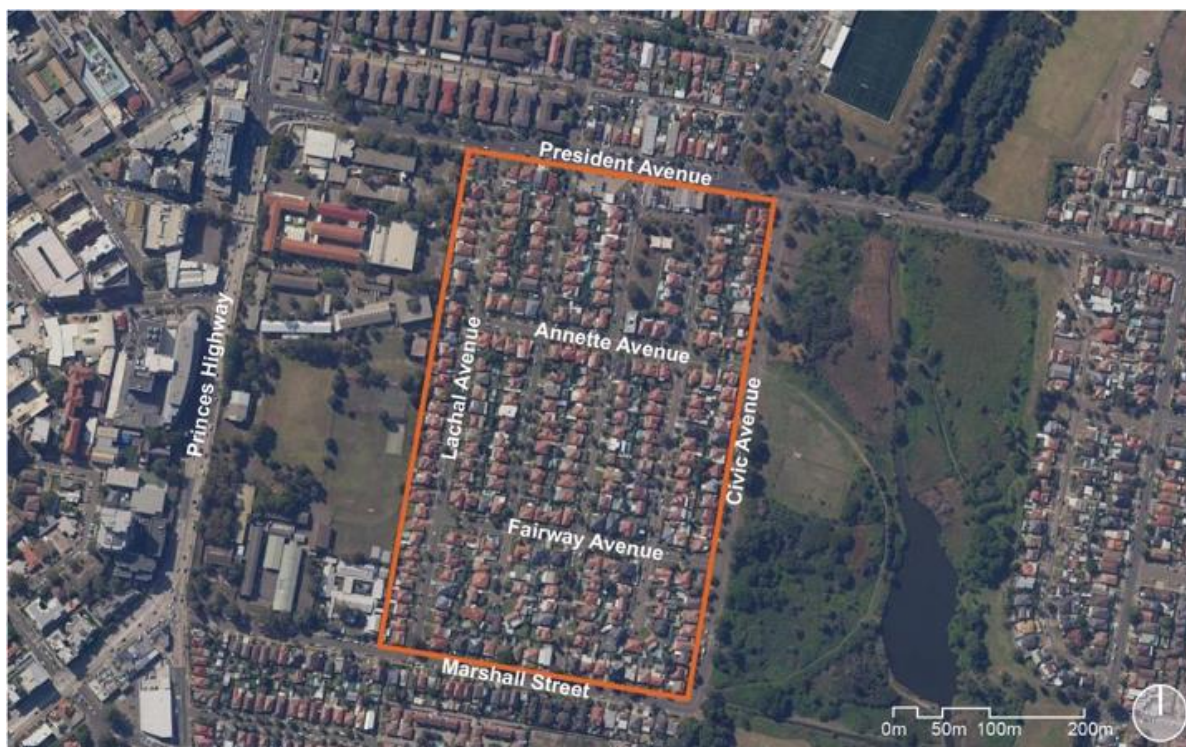
### **Summary of Original HCA Proposal:**

The 2019 recommendation to list this area is based on the significance provided by the relatively intact Jackson's Row Victorian workers terrace cottages, which provide a valuable representative example of nineteenth-century development in Bayside LGA. The streetscape in Farr and Gibbes streets has aesthetic value and preservation of the scale, form and style of these structures would be a positive management outcome. The majority of the properties located within the proposed HCA boundary are of contributory value. The recommendation to list this area as an HCA is supported by the evidence as assessed in 2019.

### 3.5 Review of evidence supporting Moorefield Estate HCA, Kogarah

The proposed Moorfield Estate HCA is located in Kogarah (See Figure 1). It consists of a former subdivision with several streets and cul-de-sacs which are arranged within a rectangular parcel of land, and which form a distinct neighbourhood or estate.

The original proposed limits of the proposed HCA can be seen on Plate 9:



**Plate 9: Location of the Moorefield Estate HCA original boundary (Source: Six Maps with GML overlay, in GML 2019).**

This area is representative of a 1957 rectangular subdivision created by real estate businessman LJ Hooker and his company, which comprises a contained design of space between President Avenue and Marshall Street, with the western boundary dedicated to a school and the eastern side wetlands (a Heritage Item). The arrangement of streets is rectilinear, with Lachal, Traynor, Oakdale, Moorefield and Civic Avenue running north to south from President Avenue intersected by Fairway and Annette Avenues which run east to west. Traynor and Moorefields Avenue terminate in cul-de-sacs, adding to the enclosed suburban feel of the precinct. An L-shaped park, provided for within the original subdivision, is located at the corner of Oakdale Avenue and Warren Avenue featuring some mature native trees. There are some remnant original street plantings throughout the estate. The 1957 housing stock (created in a 1950s austerity cottage style in single story brick/brick veneer, timber and fibro construction) describes the majority of structures, although many renovations and rebuilds are in evidence across the estate (GML 2019 p48).

A second phase of development in the 1960s added further diversity to the architectural style of the suburb, as the triple fronted brick face wall and simple but formal gardens with low brick fencing was exchanged for some two-storey houses and houses with flat skillion roofs introduced (GML 2019 p48).

The 2019 report also acknowledged that: *“Some of the original houses have been modified to suit expanding families and evolving housing trends, including second-storey additions, replacement of windows*

and rendering of brickwork. Recent development, including over-scaled contemporary houses, has eroded the integrity of some areas of the estate” (GML 2019 p48).

The 2019 report also classified the majority of structures as contributory, however given the evidence supplied in the pictures which accompany this section of the report, there is some grounds to question the classification given across this area. Only thirty-five structures were considered uncharacteristic in 2019, with a further fifteen structures listed as of neutral value. The remaining two hundred and thirty structures were considered contributory in 2019. However, while several rows of houses certainly retain a uniform character and appear contributory from the 2019 pictures supplied, several houses captioned “infill development” and some which are captioned as contributory items do not appear to be in the 1950s austerity architectural style, and certainly do not conform to a sympathetic scale or design. The structures shown in the 2019 report’s figures 3.91, 3.88, 3.92, 3.87 and even in 3.85 (GML 2019 pp48-51) have unsympathetic elements or are wholly uncharacteristic of the style considered to be significant for this area. This assessment is based off the evidence collected in 2019, fieldwork conducted as part of this report may confirm or refute this criticism. There are no heritage items within the HCA, but one located at the wetlands to the east of this area.



**Plate 10: Classification of buildings within the Moorefield Estate HCA (Source: GML and Bayside Council, from GML 2019).**

The 2019 report provided the following draft Character Statement to describe the balance of elements supporting significance, and to provide parameters for assessing integrity of the HCA:

*The character of the potential Moorefield Estate HCA is defined by its collection of largely intact post-war brick and brick veneer cottages, reflecting the typical post-war austerity of the 1950s and 1960s. This character would be preserved and retained through the retention of contributory buildings and the existing subdivision pattern. Characteristic elements to be preserved include:*

- *the surviving contributory buildings, consisting of modest 1950s and 1960s housing,*
- *landscape elements including street trees, public open space, the grid-layout of streets and cul-de-sacs,*
- *the consistent building front and side setbacks,*
- *the consistency of low brick front fences at the front boundary of private properties,*
- *the dominant single-storey scale, and*
- *the dominant material palette of dark face brick, tiled roofs, simple detailing and characteristic lack of ornamentation.*

*Uncharacteristic development includes housing from the late twentieth and early twenty-first century, over-scaled additions, rendering of face brickwork, replacement of original windows and doors, and the addition of garages and carports. (GML 2019 pp51-52)*

The 2019 report provided the following Draft Statement of Significance to support the recommendation to list this area as an HCA:

*The potential Moorefield Estate Heritage Conservation Area has cultural heritage significance at a local level as a substantially intact post-war subdivision with a high proportion of original brick and brick veneer cottages reflecting the austerity of the post-war era of development. The area was subdivided on the land of the former Moorefield Racecourse, which was an important place of recreation for the Kogarah area until the 1950s. The site has historic links to the former Moorefield Racecourse which operated from 1888 to 1953 until its purchase and ultimate sale by the Sydney Turf Club in the late 1950s. The racecourse shaped and influenced the local area and identity during its operation and led to stables being established in the nearby streets and even a dedicated siding for horses at Kogarah Station. The historic links to the Racecourse are memorialised in the street names of the estate.*

*Moorefield Estate is associated with Peter Moore (descendent of Patrick Moore) and the Moore family. Patrick Moore was the original grantee of the area in the 1850s and the namesake of Moorefield Estate. The Estate is strongly associated with real estate developer Sir Leslie Joseph Hooker and the LJ Hooker company, who were responsible for the planning, sale and development of the subdivision with early input into the rezoning of the racecourse land.*

*Moorefield Estate is a good representative example of a 1950s post-war era estate. The redevelopment and subdivision of the site is representative of the changing built form of the Kogarah area in the post-war years, including residential growth and expansion of the suburbs coinciding with a spike in home ownership. (GML 2019 p51)*

### **Summary of Original HCA Proposal:**

The 2019 recommendation to list this area is based on its representative value as an example of a 1957 subdivision carried out by the LJ Hooker company, similar to many that were introduced on the east coast of Australia during the latter half of the twentieth century. However, while there are several rows which retain integrity and contribute to this aspect of the area's significance, the likely presence of a greater number of uncharacteristic structures than was originally assessed might question the integrity of this area's representative value.

The assessment of significance provided in 2019 links the proposed HCA and the redevelopment with the original estate owner, Patrick Moore and his house of Moorfield. The subdivision development by Hooker in the 1950s and '60s, while named after this former house, does not bear any relationship with the former estate, unlike other former estate HCAs discussed earlier. The Moorefield Racecourse, while developed by descendants of Patrick Moore, completely changed the character of the district, and fundamentally erased the connection to a Moorfield estate and Patrick Moore from the landscape. The subdivision, encouraged by Council to undo the racecourse, and designed in such a comprehensive fashion that no trace of this feature remained, leaves no reference to the previous history of this site. Therefore, this potential HCA cannot be considered to retain any associative or historic significance related to a connection to Patrick Moorfield or the Moorfield Racecourse beyond the superficial connection of the overall name of the suburb. This name would be unaffected by the form or shape of the structures within this area, or even the layout of the streets. This aspect of the significance statement was mis-applied. However, the association with LJ Hooker and the birth of sub-urban development in post-war Australia is a source of significance for this area as an HCA. The question of representativeness and integrity remains the key factor in whether this HCA should be listed.

The recommendation to list this area as an HCA is supported by some evidence as assessed in 2019, but some evidence presented in support of the significance of this area does not hold under scrutiny. In addition, the classification of structures may need to be re-assessed. The decision to recommend this area as an HCA in 2019 is not unwarranted, but there is less to support this area than others presented by the 2019 report.

### 3.6 Review of evidence supporting Oceanview Estate - Aloha and Forster Street HCA, Mascot

The proposed Oceanview Estate HCA is located in Mascot (See Figure 1). It consists of Forster and Aloha Streets which are aligned at right-angles with each other.

The original proposed limits of the proposed HCA can be seen on Plate 11:



**Plate 11: Location of the Aloha and Forster Street HCA original boundary (Source: Six Maps with GML overlay, in GML 2019).**

The Aloha and Forster Street HCA is described in the 2019 report as being “*characterised by cohesive streetscapes on intact California bungalows and more modest Inter-War cottages, interspersed with some later housing. Characteristic houses are single story in scale, with dark face brick walls and hipped and gabled terracotta tiled roofs. The houses have a consistent setback from the street and sit within modest but formal gardens with original low brick fences*” (GML 2019 p59).

The 2019 report also mentions that the slight bend in Forster Street provides evidence for the two separate small subdivisions and land developments which determined the current street layout and remains unchanged. While this assertion is true, the layout of the streets is lost in the surrounding suburb and does not clear without other evidence such as plans or historical reference to make this clear. The choice of streets to include within the HCA also does not align with the two former subdivisions, with only portions of both former subdivisions included (see Plate 12). This is presumably due to subsequent development within the area reducing the integrity of structures.

The classification of buildings within this area found that thirty-one structures were considered contributory, ten were uncharacteristic, and nine were neutral. While there are more contributory structures than not, this is only 62% of structures, which means that only a slim majority of the structures inside the HCA are considered contributory. In addition, the uncharacteristic items have some concentration to the western end of Forster Street, with neutral structures scattered along the rows of houses, breaking up the visual landscape of structures and producing a disrupted streetscape (see Plate 13).



Plate 12: Location of the 1927 estate subdivisions at Aloha and Forster Streets. (Source: Six Maps, with GML overlay, using information from the State Library of New South Wales, from GML 2019)



Plate 13: Classification of buildings within the Aloha and Forster Street HCA (Source: GML and Bayside Council, from GML 2019).

The 2019 report provided the following draft Character Statement to describe the balance of elements supporting significance, and to provide parameters for assessing integrity of the HCA:

*The character of the potential Aloha and Forster Street HCA is defined by its range of housing styles, including Inter-War brick bungalows and cottages interspersed with California Bungalow style houses. This character would be preserved and retained through the retention of contributory buildings and the existing subdivision pattern. Characteristic elements to be preserved include:*

- *the surviving heritage items and contributory buildings, consisting of predominantly interwar brick bungalows and cottages,*
- *the consistent building front and side setbacks,*
- *the uniform fence line and use of low brick pier fences,*
- *the dominant single storey scale, and*
- *the material palette of dark face brick, tiled roofs, timber pickets, simple detailing and characteristic lack of ornamentation.*

*Uncharacteristic development includes housing from the late twentieth and early twenty first century, residential flat developments, over-scaled additions, infilled verandahs, and the addition of garages and carports. (GML 2019 p62-63)*

The 2019 report provided the following Draft Statement of Significance to support the recommendation to list this area as an HCA:

*The Aloha and Forster Street Heritage Conservation Area (HCA) is of cultural heritage significance at a local level as a remnant early twentieth-century Inter-War streetscape in the Mascot area. Constructed on two 1927 subdivisions of land that was originally part of the 1838 Hatfield Grant, the street contains several original dwellings that would have once been found throughout the immediate area. It is historically significant for its ability to demonstrate subdivision lot planning and housing development reflected through the design, character and architectural styles from the interwar period. The area is representative of the historical development of Mascot and the shift from market gardens and industrial land to denser subdivision and suburban development during the early twentieth century. The streetscape is somewhat intact. (GML 2019 p62)*

### **Summary of Original HCA Proposal:**

The 2019 recommendation to list this area relies on association with the 1927 subdivisions of previous nineteenth century land grants in the Mascot district. The area chosen for the HCA is not fully aligned with these two 1927 subdivisions. The Mascot Town Hall Estate and Mascot Tollis Estate is not well represented by the proposed HCA.

In addition, the buildings classified as contributory only make up 62% of structures within the HCA, with distribution of uncharacteristic and neutral buildings reducing a cohesive nature to the streetscape – the 2019 report admits as much in the statement of significance: “The streetscape is somewhat intact” (GML 2019 p62) is hardly a strong endorsement. The appearance of contributory structures presented in the

2019 report also provides some variance of type and construction materials used – it is harder to see a unified type of significant architectural style or form than in previous HCAs assessed within the 2019 report.

In conclusion, the recommendation to list this area as an HCA is not fully supported by the evidence as assessed in 2019. There are some elements of significance within the area but these are suppressed by the distribution of uncharacteristic structures, and the fact that the boundary of the proposed HCA does not align with the relevant historical subdivisions.

### 3.7 Summary of 2019 Heritage Advice and Recommendations

The 2019 report undertaken by GML considered eleven areas proposed by Council as potential HCAs and recommended six of these.

After the analysis above, this review has concluded that four of these potential HCAs are well supported by evidence:

- Oceanview Estate, Bexley,
- Lansdowne and Hamilton Streets, Bardwell Valley,
- Brighton Parade, Brighton Le Sands,
- Farr and Gibbes Streets, Banksia,

One of these potential HCAs was a borderline case for inclusion as an HCA:

- Moorefield Estate, Kogarah,

And the final of the six recommended HCAs did not meet the evidentiary burden required:

- Aloha and Forster Streets, Mascot.

This analysis was undertaken from the assessment presented in the 2019 report only, the rest of this review will undertake analysis of subsequent actions made on the strength of this report, and other influences which might shape and modify the original recommendations made in 2019.

## 4. Review of Modifications to Originally Proposed HCAs

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This section assesses the subsequent changes to the recommendations made in the 2019 report and the Development Planning Proposal (DPP) which was created as a result. There will be a brief discussion about the consultation process undertaken by council and the influence of this process on the changes incorporated into the DPP.

### 4.1 Discussion of the DPP

The DPP largely adopted the heritage advice and recommendations made to Council by GML Pty Ltd in the 2019 report. The Council adopted four of the proposed areas for inclusion as HCAs within the Botany Local Government Area (LGA). These areas are:

- Oceanview Estate HCA
- Bardwell Valley HCA
- Banksia HCA, and
- Brighton Le Sands HCA.

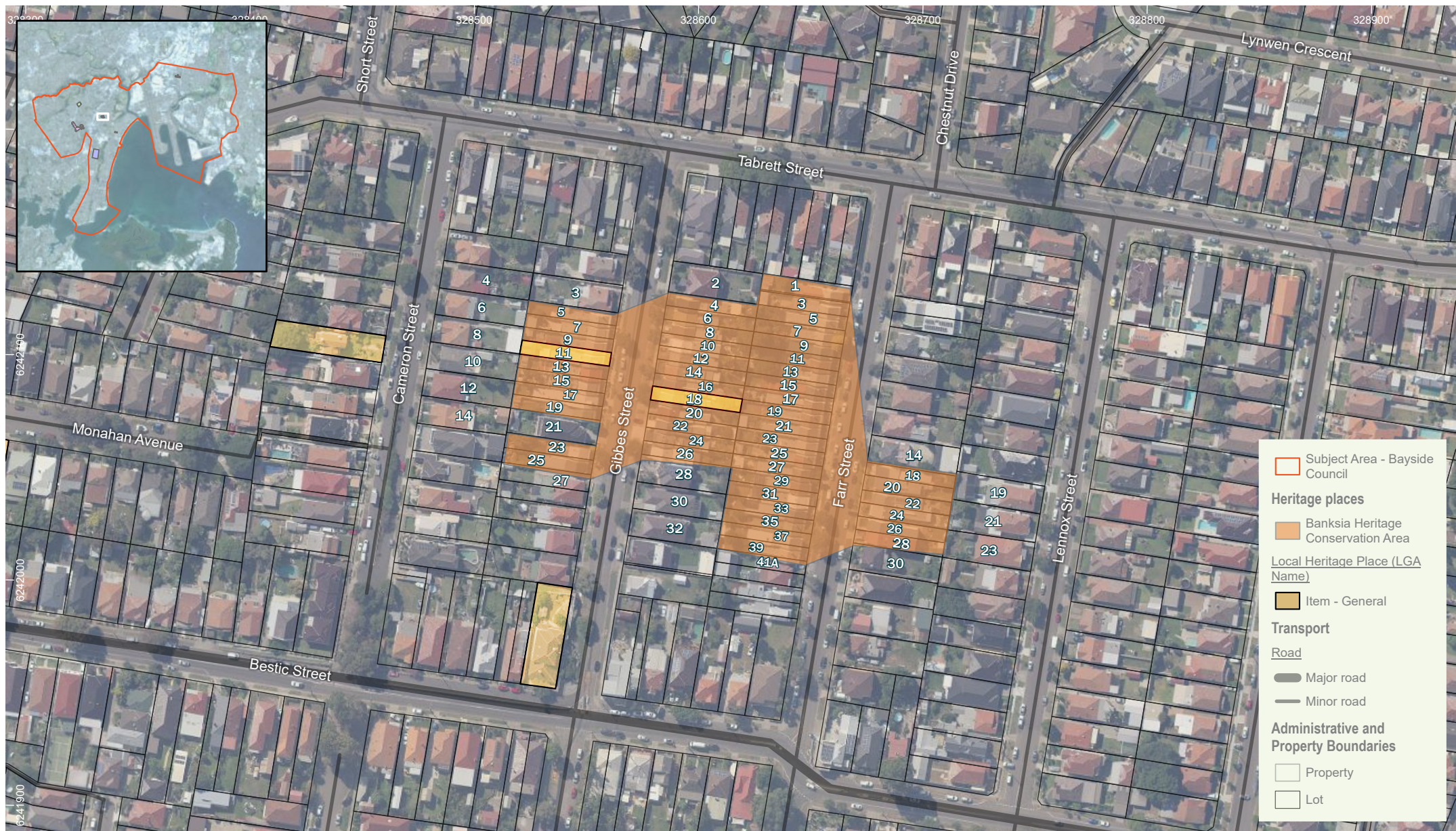
Council chose not to adopt the following two areas in the DPP:

- Moorfield Estate potential HCA, and
- Mascot potential HCA.

Council also chose to amend the boundaries of some of the HCAs included in the DPP:

- The boundaries of Oceanview Estate HCA were amended in order to exclude the following properties:
  - Watkin Street: No's 59, 61, 63, 65, 67, 71, 75, and 77,
  - Caledonian Street: No's 1D, 1E, 1B, 1C, 24 and 36,
  - Harrow Road: No's 98, 100, 102, 104, and 106,
  - Seaforth Street: No's 2, 2A, 2B, 4, 16, 18A
  - Beaconsfield Street: No's 1, 1A, 3, 9, 11, 11A, 17, 19, 21, 23, 25, 27, 28, and 31,
  - Dunmore Street South: No's 44, 46, 48, 50, 43, 45, 47, 49 and 51,
  - Forest Road: No's 462, 464 and 466,
  - And Monomeeth Street: No's 23A and 24.
- The boundaries of Banksia HCA were amended to exclude the properties along Taberett Street, No's 41, 43 and 45 on Farr Street, and No. 21 on Gibbes Street.
- The boundaries of Brighton Le Sands HCA were amended to exclude the properties at No. 7, 5, 3 and 1 along Brighton Parade.

The current boundaries of the proposed HCAs (and the two HCAs which were not proposed to be listed) can be seen on Figures 2.1 to 2.6 below. These figures can be compared with the original boundaries proposed in the 2019 report, presented in the previous section of this review.

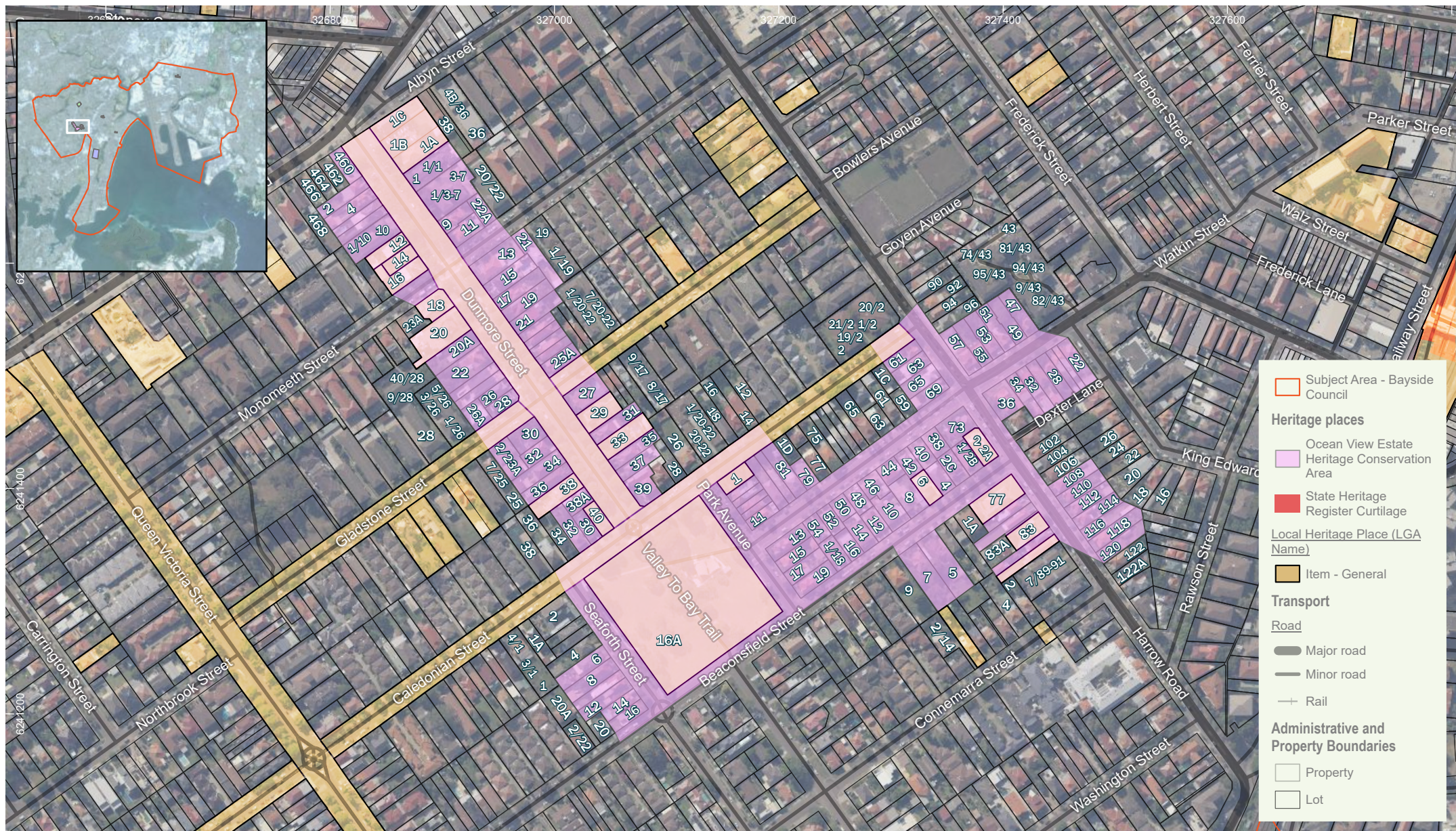












## 4.2 Community consultation and changes made to the original boundary areas

Council undertook community consultation as part of the program of creating the DPP which was undertaken in 2019 and was in the form of letters posted to residences of the affected areas. The recipients of the consultation materials received an outline of the proposed HCAs, some explanation of what listing would entail, and feedback forms.

As detailed in minutes of the Bayside Council meeting on 11<sup>th</sup> November 2020, out of over 580 letters sent out to residents, 220 submissions and 66 telephone enquiries were received, including a petition. Support was received for the Bardwell Valley and Banksia HCA, whereas the majority of submissions were against the Kogarah and Mascot HCA. There were two submissions regarding Brighton Le Sands HCA, one for and one against. Submissions regarding Oceanview Estate HCA were mixed with owners of uncharacteristic dwellings against the HCA and owners of contributory items expressing support (Bayside Council, 2020).

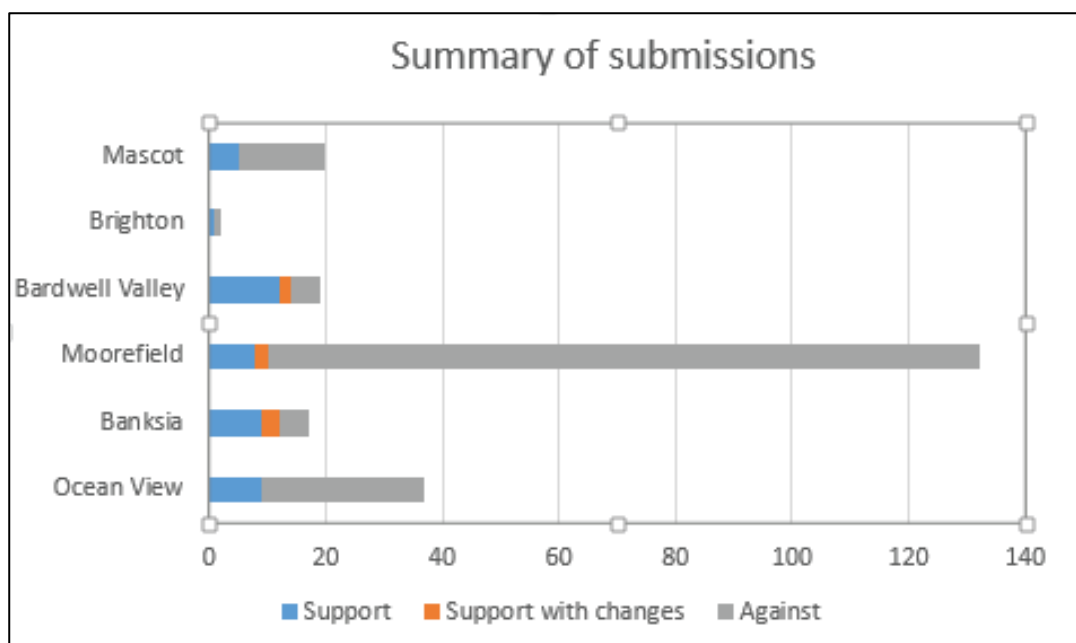
The Council decided, on the strength of the community feedback, that the Moorfield Estate HCA and Mascot HCA not proceed to listing, and that amendments be made to boundaries of three of the remaining HCAs and that they proceed after this adjustment (as shown by the current boundaries displayed on the Figures above).

It is important to understand how community consultation can be used in the context of heritage assessments. While not every heritage assessment coincides with community consultation, the Heritage NSW guidelines recommends consultation as part of the SoHI process (Heritage Office (former), 2001). Heritage items only retain significance if there is a community to whom they hold some significance, whether this is historical, associative, social or other forms of significance. Particularly more so for local significance, potential heritage items require community involvement and acceptance for heritage listings to be relevant. However, in order to interpret and understand the implications of community feedback in the context of a heritage assessment, the feedback data must be analysed to mitigate bias, and to interpret statements about cultural significance which are expressed in layperson's terms. Communities often conceptualise cultural significance and understand heritage value within their local landscape on an intuitive level or view cultural significance as a matter of common sense. Where opposing statements are present, opinions which are focussed on mitigating perceived personal impacts may bear less weight than overall impressions of an area's worth. All opinions are valuable as data, and it is the task of a heritage consultant in the case of opposing opinions to consider these factors when utilising community feedback data to inform decisions regarding preservation of heritage value.

The General Manager's report to Council advised that the breakdown of submissions from the program of community consultation was distributed according to the following summary contained within the Council meeting minutes (see Plate 14 below). Niche has not been privy to original statements, and so any analysis has been formed from the meeting minutes and the summary of data contained within.

The graph below (Plate 14), identifies that the majority of engagement coincided with the Moorfield Estate HCA, with the majority of submissions against listing this area as an HCA. Mascot and Oceanview Estate were ranked third and second in the amount of feedback received, and this feedback was likewise negative in the majority. Banksia and Bardwell Valley received feedback which mostly supported, or conditionally supported, these proposed HCAs, with Brighton receiving only two submissions, split for and against.

This data must be considered in the light of the demographic surveyed: the submissions were provided by homeowners and residents who have a personal and potential financial incentive which might move to shape the opinions provided. In addition, the non-resident locals and other residents from the surrounding suburbs would not have their perspective heard. This demographic might be just as important as residents when considering cultural significance on a local level and have just as valid a perspective. The submissions must be considered with this perspective included in the interpretation.



**Plate 14: Summary of community consultation contributions (Source: Bayside Council Minutes 11/11/2020)**

The minutes of the Council Meeting of 11<sup>th</sup> November 2020 also provides further information on the feedback received by the community, with comments divided by each HCA. The following section will summarise the conclusions which have been drawn by this review for each HCA.

#### 4.2.1 Moorefield Estate HCA - Kogarah

A supposed reason provided for the large number of submissions in the Moorefield HCA was due to an organised campaign against the proposed HCA. While this could be relevant, the presence of an organised campaign against the submission does not detract from the submissions but could indicate the presence of a local community who are focussed on community issues. The issues raised were mainly practical in nature, but underlying the concerns raised was a perception that the architectural style (post-war austerity brick bungalows) was not significant in and of itself. This is revealed by the statements about the houses being too small, and the comments about the age precluding heritage listing.

Submissions in support of the HCA were made on an individual basis, with original owners not wanting the area to change – this opinion does not appear to be shared by their local community.

The community feedback outlines one of the fundamental issues with this proposed HCA, as seen in the previous section: that the area's significance is provided only from the 1957 LJ Hooker subdivision. This style of suburban development is not considered to be significant by the local community.

#### 4.2.2 Aloha and Forster Streets HCA – Mascot

The majority of residents opposed this proposed HCA by a two-thirds majority. While the report to Council speculates that this is skewed by a lack of previous community consultation unlike the other proposed areas, it is not clear that this area would have provided a different result.

The expressed concern over the lack of development opportunity exposes an assumption that the structures and streetscape are not of cultural significance, and thus should be re-made to improve the area. This perceived lack of cultural value of the area is also expressed by concern of lower intrinsic property values should the HCA go ahead.

#### 4.2.3 Brighton Le Sands HCA

The two submissions - one for and one against – this proposed HCA do not provide much evidence to show community support or not for the proposed area. The submission against comments that their house is at the end of the street, and is considered uncharacteristic, so should not be included. This opinion is

obviously provided from a perspective of an affected party, but also misunderstands the purpose of an HCA as opposed to a group heritage item listing, which is also present at this end of the street. The HCA has been proposed to preserve the streetscape and overall significance of the area, not only to protect individual structures from unsympathetic modification. Should a house remain outside of the HCA, it will not remain unaffected, as building in proximity to an HCA or heritage item should also consider the potential effects of development and design on the streetscape as a whole.

Individual considerations such as the negative submission for this HCA should be entertained with caution when re-defining the boundaries of an HCA.

#### **4.2.4 Bardwell Valley HCA**

The majority of submissions were for the proposed HCA in this case and reflects a local community of residents who view the similarity of the architectural style and the proposed HCA to preserve this in a positive light. While there were some concerns about property value, this is not at the scale of response seen in the Mascot proposed HCA, and the positive submissions outweigh this perception of value.

The consideration of “past their use by date” related to heritage items is common and reflects the general community perception that “new is always better” which does not rise to the level of an analysis of heritage value.

#### **4.2.5 Banksia HCA**

While submissions were generally in support of this proposed HCA, there were some targeted suggestions made for the re-drawing of boundaries of the HCA. One common theme expressed was that the HCA should be restricted to the particular architectural style expressed as significant for this HCA. This feedback reflects that the local community understands the cultural significance and intent of the HCA and is a positive suggestion. However, careful consideration must be given when re-drawing boundaries, that the purpose is not to simply exclude an unsympathetic property, but also preserve (maybe conserve or retain?) the streetscape and overall nature of the HCA – not only to protect individual structures.

#### **4.2.6 Oceanview Estate HCA - Bexley**

The submissions for this proposed HCA were in the majority, negative. The summary to Council suggests that “Those against the proposal generally live in uncharacteristic houses in streets that are no longer historically intact” (Bayside Council Minutes, 2020). This assessment of historical value is provided alongside the advice as accepted fact, although this assessment was not reached through proper historical analysis. The fact that those opinions are provided by residents of uncharacteristic structures indicates an individual perspective which does not consider the many heritage items across the original extent of this proposed HCA, and personal motives which does not include the preservation of remaining heritage value. Opinions for the proposed HCA are described as they “tend to live in original historic contributory houses located in more intact streets” (Bayside Council Minutes, 2020). These two perspectives are not equal in weighting, although it could appear so. To provide a supporting opinion for the proposed HCA, a resident would have to consider the potential community value of the proposed area, rather than focus on self-interest. The unheard voices of the surrounding community of non-residents who might use the park, or who actively view the streetscapes of the original proposal are conspicuous in their absence. Without a personal motive for opposing the HCA, the heritage value in the integrity of the area as a whole might be more apparent from community submissions.

Council should be very careful when re-defining boundaries of this HCA, lest the overall integrity of the area be undermined by aggressive reduction in area.

### **4.3 Summary of DPP and Community Consultation**

The Council listened to community submissions, and on the 11<sup>th</sup> of November 2020 Council meeting moved to adopt the changes in the DPP to institute the re-drawn four HCAs, and not move forward with Moorefield and Mascot potential HCAs.

This review has considered the factors involved in this decision, particularly the use of community consultation and resident canvassing to inform the final boundaries of HCAs. Bayside Council is best advised to use caution when re-drawing boundaries, in order to preserve heritage value. This review will next consider the physical nature of the HCAs in 2022 prior to providing heritage advice on the current DPP.

## 5. Site Inspections of the HCAs

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### 5.1 Site Inspection

#### 5.1.1 Methodology

The site inspection was carried out across all six potential HCAs by Samuel Ward (Heritage Consultant, Niche) on 14<sup>th</sup> and 17<sup>th</sup> October 2022. The site inspection involved a pedestrian inspection of the four HCAs proposed in the DPP and the two unsupported HCAs. The focus of the inspection was on assessing and identifying heritage value and cultural significance and assessing proposed extents of the HCAs as presented in the DPP. No private or residential properties were accessed as part of this inspection, which was undertaken from the public streetscape. There was no canvassing of residents, and the site inspections used photographic recording to document progress throughout the landscape of the areas inspected. The findings of these inspections are recorded in this section.

#### 5.1.2 Site Inspection of Brighton Le Sands HCA

The site inspection of this potential HCA largely confirmed the findings presented by the 2019 report. The group heritage listing on the eastern end of the street confirmed the uncharacteristic nature of no. 5 and No.7, while No. 1 was considered of neutral contributory value. However, it is considered that this section of houses forms an important 'entrance' to the streetscape, and removal of these houses from the HCA (beginning the eastern extent at No.9) would not be an optimal arrangement. It is important that future development of these properties be sympathetic to the heritage streetscape, so that the integrity of the HCA is preserved (maybe conserved using Burra Charter terms or retained).



**Plate 15: View of contributory structures at the western side of the HCA.**



**Plate 16: View of unsympathetic development at No.7 Brighton Pde.**



**Plate 17: View of the streetscape of the HCA looking towards the east.**



**Plate 18: View of the streetscape of the HCA looking towards the west.**

### **5.1.3 Site Inspection of Banksia HCA**

The 2019 assessment of this potential HCA remain valid, and the site inspection considered those parts of the original HCA which were considered for exclusion. The structures along Tabrett Street could be considered a physical linking element between the rows of significant structures along Gibbes and Farr Streets, but they bear little connection to those structures, and could be easily removed from the boundary of this proposed HCA. Likewise, the structures excluded at the south of Farr Street would not affect the integrity of the HCA as a whole, as they are uncharacteristic and on the edge of this HCA. The boundary of this HCA is designed around the characteristic structures, so the removal of structures south of No.39 is acceptable. The exclusion of No. 21 Gibbes Street, however, makes little sense from a management perspective, as while it is uncharacteristic, this structure is located within a row of characteristic structures, and any development of this property will certainly affect the surrounding houses and the streetscape. This structure should be included in the HCA.



**Plate 19: View of structures at the southern end of the HCA boundary in Farr Street, showing the uncharacteristic structures south of No.39.**



**Plate 20: View of contributory structures in Farr Street, looking northwest.**



**Plate 21: View of the streetscape in Gibbes Street, looking south.**



**Plate 22: View of the Gibbes Streetscape, showing contributory structures with No.21 in the background.**

#### **5.1.4 Site Inspection of Bardwell Valley HCA**

The inspection of the Bardwell Valley potential HCA confirmed the findings of the 2019 report, and the decision to list this area in the DPP. There was an uncharacteristic new development in the final stages of construction, which provides some incentive for moving soon to protect the integrity of this area.



**Plate 23: View of the streetscape in Hamilton Street, showing unsympathetic development in progress.**



**Plate 24: View of uncharacteristic structures at the northern end of Lansdowne Street.**



**Plate 25: View of the streetscape of Lansdowne Street.**



**Plate 26: View of the streetscape of Hamilton Street.**

#### **5.1.5 Site Inspection of Oceanview Estate HCA**

The site inspection of the Oceanview Estate proposed HCA provided an opportunity to understand the relationship and layout of the area and connecting spaces to the overall preservation of heritage value in this proposed HCA. The proposed exclusion of many properties from the originally proposed area is complex, and reflects a desire to incorporate feedback from residents, but does not properly address the importance of preserving streetscapes, views and vistas, and the overall layout of the originally proposed and assessed HCA. While it may be acceptable to modify boundaries on the edge of a proposed HCA to exclude structures which do not contribute to the significance of an area, if too many properties are removed the overall HCA will suffer and may lose integrity. When choosing to exclude structures, the impact on the remaining streetscape and remaining contributory elements must be understood and properly considered from a perspective of preservation of remaining heritage value. The planning implications must also be considered, as unsympathetic development within sightlines of an HCA will still be required to conform to planning controls – something an affected resident may be seeking to avoid and would be the same even if the uncharacteristic structure within proximity to the HCA boundary was included.

Specifically, the exclusion of properties which are situated on streetscapes which form an integral part of the HCA poses a threat to the overall integrity of the area, especially in the eastern section. The exclusion of properties assessed as neutral in Watkin Street does not make sense, especially as uncharacteristic structures on the southern side of this street section are retained. Watkin Street is an important linking element of the HCA, and the exclusion of these properties – most of which do not detract from the significance of this streetscape (even the structures assessed as uncharacteristic in this location) – would be detrimental to the overall integrity of the area.

Likewise, the structures which front onto Beaconsfield Street on the southern side should not be excluded. This Street forms another linking element between the eastern section of the area and the park at the union of the two axis which form this HCA. It is important that the streetscape and views across this park, and to characteristic structures along this street is preserved, and improved where possible. Certainly, unsympathetic development should be prevented from being undertaken in these areas, which suggests that inclusion within the proposed HCA is warranted. This same situation should inform the decision to exclude properties which have façades facing the heritage-listed park – none of these should be excluded from the HCA, as the planning controls suggested would prevent further degradation of this space.

Where exclusion is acceptable is in the case of properties which are adjacent to, but are not situated on, the streetscapes included in the proposed HCA. The three properties on Forest Road are unconnected to this area, as are the few properties in Dunmore Street South, Caledonian Street and Gladstone Street which do not connect with the main axis streets which form the HCA.

The presence of uncharacteristic structures within this potential HCA does not reduce the integrity of the area when assessed as a whole, as many uncharacteristic structures are less intrusive than witnessed in other locations. The introduction of planning controls will work to bolster remaining heritage value should the structures be included as mentioned above.



**Plate 27: View of streetscape of Dunmore Street North showing contributory structures and the heritage streetscape.**



**Plate 28: View of uncharacteristic structures in Caledonian Street which overlook the heritage park.**



**Plate 29: View of uncharacteristic structures along Watkin Street, showing the important streetscape as a connecting element of the HCA.**



**Plate 30: View of 'neutral' structures along Watkin Street showing the intact streetscape.**

#### 5.1.6 Site Inspection of Mascot potential HCA

The inspection of this area found that the architectural style of many of the structures were considered characteristic by the 2019 report rather anachronistic, and their form diluted by renovations and modifications made previously. There was a certain lack of uniformity in design which suggested against an intact streetscape in this area. The layout of the HCA was confused, and from the street the former

housing estates were not easily apparent. Further development of this area has been undertaken in the years since the 2019 report was written, further reducing the integrity of this area.



**Plate 31: View of the intersection of Aloha and Forster Street. Both characteristic and uncharacteristic structures are shown.**



**Plate 32: View of the streetscape of Aloha Street, showing uncharacteristic structures.**



**Plate 33: View of Forster Street Streetscape looking southwest showing mixed development values.**



**Plate 34: View of the Forster Street Streetscape looking southwest showing mixed development values.**

#### **5.1.7 Site Inspection of Moorefield Estate potential HCA**

The site inspection of the Moorefield Estate area revealed a larger number of structures which were determined to be uncharacteristic or neutral elements than indicated by the 2019 assessment. The majority of these were later brick structures which were of a different scale, or which contained garages as part of the front façade, rather than parking to the side as was noted in the character assessment for this area. The streetscapes, while still retaining the overall layout of the former housing subdivision, did not retain the original elements of scale and setting outlined in the 2019 report, and which are still evidenced by some rows of characteristic structures within the area. The general maintenance and presentation of the area did not reflect the significance criteria overall, although some properties were obviously proudly maintained. There was also evident several ongoing developments, further reducing the integrity of the area. A more targeted approach towards heritage management (such as recording, or listing/group listing of specific structures) may be more appropriate for this area.



**Plate 35: View of streetscape looking north towards the southeast corner of the proposed HCA.**



**Plate 36: View of streetscape within the proposed HCA showing mixed classification of structures present.**



**Plate 37: View of streetscape within the proposed HCA showing mixed classification of structures present, and abandoned construction project.**



**Plate 38: View of a row of characteristic structures within the proposed HCA, with an uncharacteristic infill structure on the left of frame.**

## 6. Conclusions, Justifications for Findings and Recommendations

### 6.1 Conclusions

After reviewing the original 2019 report, the DPP and the materials provided by Bayside Council, as well as undertaking site inspections of the six areas put forward by the 2019 report, this review as concluded the following for each area:

**Table 4: Conclusions and Justifications of determinations made on the six originally proposed HCAs**

Potential HCA Name	Conclusions of Review	Justification for Findings
<b>Brighton Le Sands HCA</b>	<ul style="list-style-type: none"> <li>That the 2019 recommendation to list this HCA remains justified.</li> <li>That the items and uncharacteristic structures which are located on the eastern end of Brighton Street are necessary to the overall integrity of the HCA.</li> <li>That the decision to amend the boundary in the DPP from what was recommended in 2019 is not warranted.</li> </ul>	<p>The 2019 recommendation to list this area is based on the nature of the intactness of the streetscape and the representative value of the inter-war architectural style in evidence. The ‘cohesive character’ referenced in the draft statement of significance is witnessed in the brick curbs, the scale and consistent form of the structures, and the intactness of the area which has been largely shielded from unsympathetic development. The properties at the eastern end of the street, while neutral or uncharacteristic, do perform a critical bounding function for the HCA, and are critical to retain the integrity of this space.</p>
<b>Banksia HCA</b>	<ul style="list-style-type: none"> <li>That the 2019 recommendation to list this HCA remains justified.</li> <li>That the community feedback provided valuable assistance in the understanding of this HCA</li> <li>That the decision to amend the boundary in the DPP from what was recommended in 2019 was mostly warranted, with the exception of the exclusion of No.21 Gibbes Street.</li> </ul>	<p>The 2019 recommendation to list this area is based on the significance provided by the relatively intact Jackson’s Row Victorian workers terrace cottages, which provide a valuable representative example of nineteenth-century development in Bayside LGA. The streetscape in Farr and Gibbes streets has aesthetic value and preservation of the scale, form and style of these structures would be a positive management outcome. The majority of the properties located within the proposed HCA boundary are of contributory value.</p> <p>The structures along Tabrett Street could be considered a physical linking element between the rows of significant structures along Gibbes and Farr Streets, but they bear little connection to those structures, and could be easily removed from the boundary of this proposed HCA. Likewise, the structures excluded at the south of Farr Street would not affect the integrity of the HCA as a whole, as they are uncharacteristic and on the edge of this HCA. The boundary of this HCA is designed around the characteristic structures, so the removal of structures south of No.39 is acceptable. The exclusion of No. 21 Gibbes Street, however, makes little sense from a management perspective, as while it is uncharacteristic this structure is located within a row of characteristic structures, and any development of this property will certainly affect the surrounding houses and the streetscape.</p>
<b>Bardwell Valley HCA</b>	<ul style="list-style-type: none"> <li>That the 2019 recommendation to list this HCA remains justified.</li> </ul>	<p>The 2019 recommendation to list this area is based on the remaining integrity of the largely homogenous architectural style which is representative of an early twentieth-century</p>

Potential HCA Name	Conclusions of Review	Justification for Findings
	<ul style="list-style-type: none"> <li>That the community is generally supportive of this HCA.</li> <li>That ongoing development currently poses an issue for this area without appropriate planning controls in place.</li> <li>That the decision to proceed with this area in the DPP is warranted.</li> </ul>	<p>subdivision. The majority of the area is considered of contributory value.</p> <p>There was an uncharacteristic new development in the final stages of construction, which provides some incentive for moving soon to protect the integrity of this area.</p>
<b>Oceanview Estate HCA</b>	<ul style="list-style-type: none"> <li>That the 2019 recommendation to list this HCA remains justified.</li> <li>That this community feedback is biased from an individual viewpoint, which does not properly consider the overall effect of excluding too many individual structures.</li> <li>That the decision to amend the boundary in the DPP from what was recommended in 2019 was not warranted across the majority of the HCA, with the exception of some properties which are not located on streetscapes which are significant to the HCA.</li> </ul>	<p>The 2019 recommendation to list this area are based on the attested significance of the area as an example of a historically relevant type of development, the several heritage listings across the area, and the presence of representative examples of several significant architectural styles witnessed in a large percentage of the properties in the area. While there are several locations within the area proposed by GML which are not considered contributory, they still add to the overall significance of the area.</p> <p>The exclusion of properties which are situated on streetscapes which form an integral part of the HCA poses a threat to the overall integrity of the area, especially in the eastern section. The exclusion of properties assessed as neutral in Watkin Street does not make sense, especially as uncharacteristic structures on the southern side of this street section are retained. Watkin Street is an important linking element of the HCA, and the exclusion of these properties – most of which do not detract from the significance of this streetscape (even the structures assessed as uncharacteristic in this location) – would be detrimental to the overall integrity of the area.</p> <p>Likewise, the structures which front onto Beaconsfield Street on the southern side should not be excluded. This Street forms another linking element between the eastern section of the area and the park at the union of the two axis which form this HCA. It is important that the streetscape and views across this park, and to characteristic structures along this street is preserved, and improved where possible. Certainly, unsympathetic development should be prevented from being undertaken in these areas, which suggests that inclusion within the proposed HCA is warranted. This same situation should inform the decision to exclude properties which have façades facing the heritage-listed park – none of these should be excluded from the HCA, as the planning controls suggested would prevent further degradation of this space.</p> <p>Where exclusion is acceptable is in the case of properties which are adjacent to, but are not situated on, the streetscapes included in the proposed HCA. The three properties on Forest Road are unconnected to this area, as are the few properties in Dunmore Street South, Caledonian Street</p>

Potential HCA Name	Conclusions of Review	Justification for Findings
		<p>and Gladstone Street which do not connect with the main axis streets which form the HCA.</p> <p>The presence of uncharacteristic structures within this potential HCA does not reduce the integrity of the area when assessed as a whole, as many uncharacteristic structures are less intrusive than witnessed in other locations. The introduction of planning controls will work to bolster remaining heritage value should the structures be included as mentioned above.</p>
<b>Mascot potential HCA</b>	<ul style="list-style-type: none"> <li>• That the 2019 recommendation to list this HCA is not supported by assessed heritage value or significance.</li> <li>• That there is as lack of cultural significance in this area.</li> <li>• That ongoing development has further weakened this area's integrity.</li> <li>• That the decision not to proceed with this area as an HCA is warranted.</li> </ul>	<p>The 2019 recommendation to list this area relies on association with the 1927 subdivisions of previous nineteenth century land grants in the Mascot district. The area chosen for the HCA is not fully aligned with these two 1927 subdivisions. The Mascot Town Hall Estate and Mascot Tollis Estate is not well represented by the proposed HCA.</p> <p>In addition, the buildings classified as contributory only make up 62% of structures within the HCA, with distribution of uncharacteristic and neutral buildings reducing a cohesive nature to the streetscape – the 2019 report admits as much in the statement of significance: "The streetscape is somewhat intact" (GML 2019 p62) is hardly a strong endorsement. The appearance of contributory structures presented in the 2019 report also provides some variance of type and construction materials used – it is harder to see a unified type of significant architectural style or form than in previous HCAs assessed within the 2019 report. There are some elements of significance within the area, but these are suppressed by the distribution of uncharacteristic structures, and the fact that the boundary of the proposed HCA does not align with the relevant historical subdivisions.</p> <p>The inspection of this area found that the architectural style of many of the structures considered characteristic by the 2019 report rather anachronistic, and their form diluted by renovations and modifications made previously. There was a certain lack of uniformity in design which suggested against an intact streetscape in this area. The layout of the HCA was confused, and from the street the former housings estates were not easily apparent. Further development of this area has been undertaken in the years since the 2019 report was written, further reducing the integrity of this area.</p>
<b>Moorefield Estate potential HCA</b>	<ul style="list-style-type: none"> <li>• That the 2019 recommendation to list this HCA was only partially justified, and the area has some issues related to the overall integrity and significance.</li> <li>• That the local community has doubts about the significance and practicality about this proposed HCA.</li> </ul>	<p>The 2019 recommendation to list this area is based on its representative value as an example of a 1957 subdivision carried out by the LJ Hooker company, similar to many that were introduced on the east coast of Australia during the latter half of the twentieth century. The recommendation to list this area as an HCA is supported by some evidence as assessed in 2019, but some evidence presented in support of the significance of this area does not hold under scrutiny. In addition, the classification of structures may need to be re-assessed. The decision to recommend this area as an HCA in</p>

Potential HCA Name	Conclusions of Review	Justification for Findings
	<ul style="list-style-type: none"> <li>That the decision not to proceed with this area as an HCA is warranted.</li> </ul>	<p>2019 is not unwarranted, but there is less to support this area than others presented by the 2019 report.</p> <p>The community feedback outlines one of the fundamental issues with this proposed HCA, as seen in the previous section: that the area's significance is provided only from the 1957 LJ Hooker subdivision. This style of suburban development is not considered to be significant by the local community.</p> <p>The site inspection of the Moorefield Estate area revealed a larger number of structures which were determined to be uncharacteristic or neutral elements than indicated by the 2019 assessment. The majority of these were later brick structures which were of a different scale, or which contained garages as part of the front façade, rather than parking to the side as was noted in the character assessment for this area.</p> <p>The streetscapes, while still retaining the overall layout of the former housing subdivision, did not retain the original elements of scale and setting outlined in the 2019 report, and which are still evidenced by some rows of characteristic structures within the area. The general maintenance and presentation of the area did not reflect the significance criteria overall, although some properties were obviously proudly maintained. There was also evident several ongoing developments, further reducing the integrity of the area. A more targeted approach towards heritage management (such as recording, or listing/group listing of specific structures) may be more appropriate for this area.</p>

## 6.2 Recommendations

On the basis of this review, the following recommendations have been developed for each potential HCA:

### 6.2.1 Recommendations: Brighton Le Sands HCA

- That the original boundary as recommended in 2019 be upheld and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021.
- That the proposed character statement and development controls specific to the Brighton Le Sands HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.
- That the current group heritage listing for 3, 5, 9, 11, 23 and 33 Brighton Parade should be reviewed and updated (removed in favour of the proposed HCA). These properties may be more appropriately identified as contributory items rather than heritage items.

### 6.2.2 Recommendations: Banksia HCA

- That the current boundary as described in the DPP, and not the boundary recommended in 2019 be upheld (with the exception of No.21 Gibbes Street which should be included in the HCA boundary) and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021.
- That the proposed character statement and development controls specific to the Banksia HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.

### **6.2.3 Recommendations: Bardwell Valley HCA**

- That the current boundary of the proposed Bardwell Valley as described in the DPP, (which matches the 2019 recommendation) be upheld and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021.
- That the proposed character statement and development controls specific to the Bardwell Valley HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.

### **6.2.4 Recommendations: Oceanview Estate HCA**

- That the original boundary of the proposed Oceanview Estate HCA as recommended in 2019 be upheld and included as a heritage conservation area of local significance in Schedule 5 of the Bayside LEP 2021 as per the below:
- That only the following properties be excluded from the original 2019 listing boundary:
  - Forest Road: No.462, 464 and 466
  - Monomeeth Street: No. 24 and 23A
  - Gladstone Street: No. 23A (2/23A, 1/23A), 25 (1/25, 2/25, 3/25, 4/25, 5/25, 6/25, 7/25) and 26A
  - Caledonian Street: No. 1D, 1E, 1B, 1C and 1A
  - Harrow Road: No. 122
  - Beaconsfield Street: No. 20
  - Dunmore Street South: No. 46, 48, 50, 52, 54, 56, 45, 47, 49, 51, 51A, 53, 53A, 57, 59
  - Seaforth Street: No. 16A
- That the proposed character statement and development controls specific to the Oceanview Estate HCA as recommended and previously prepared be adopted and included in the Bayside DCP 2022.

### **6.2.5 Recommendations: Mascot potential HCA**

- That the proposed Mascot HCA does not proceed or be included in the Bayside LEP 2021, or in the Bayside DCP 2022 as a heritage conservation area.

### **6.2.6 Recommendations: Moorefield Estate potential HCA**

- That the proposed Moorefield Estate HCA does not proceed or be included in the Bayside LEP 2021, or in the Bayside DCP 2022 as a heritage conservation area.
- That that the proposed Moorefield Estate HCA be the subject of a community-based history and archive project only.

## 7. References

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Australia ICOMOS (2013). *The Burra Charter, the Australia ICOMOS Charter for Places of Cultural Significance*, ICOMOS Australia.

Bayside Council (2022) *Draft Planning Proposal – Bayside HCAs*. Unpublished planning proposal prepared by Bayside Council in draft form.

Bayside Council (2022a) *Other Applications Meeting 22 March 2022 – Bayside Local Planning Proposal – Minutes*. Record of Bayside Local Planning Panel Meeting of 22<sup>nd</sup> March 2022.

Bayside Council (2022b) *Resources for Niche – HCA Desktop Review*. Unpublished briefing document.

Bayside Council (2020) *Council Agenda 11 November 2020, Council Minutes 11 November 2020*. Record of Bayside Council meeting of 11<sup>th</sup> November 2020.

Bayside Council (2020a) *Rockdale Local Environment Plan 2011 – Proposed HCAs Maps*. Unpublished LEP maps prepared by Bayside Council.

Bayside Council (2020b) *Proposed Amendments to Rockdale Development Control Plan 2011*. Unpublished DCP amendments prepared by Bayside Council.

Commonwealth of Australia (1999). *Environment Protection and Biodiversity Act (EPBC Act) 1999*, Canberra, Australia.

GML Heritage (2019). *Bayside Heritage Study Review of Potential Heritage Conservation Areas*. Unpublished report prepared for Bayside Council.

GML Heritage (2019a) *Heritage Inventory Sheet – Banksia HCA*. Unpublished inventory sheet prepared for Bayside Council.

GML Heritage (2019b) *Heritage Inventory Sheet – Bardwell Valley HCA*. Unpublished inventory sheet prepared for Bayside Council.

GML Heritage (2019c) *Heritage Inventory Sheet – Brighton Le Sands HCA*. Unpublished inventory sheet prepared for Bayside Council.

GML Heritage (2019d) *Heritage Inventory Sheet – Oceanview Estate HCA*. Unpublished inventory sheet prepared for Bayside Council.

Heritage Office (former) (2001) *Assessing Heritage Significance*. Heritage Council of NSW.

Heritage Office and Department of Urban Affairs & Planning (former), 1996 revised 2002, *Statements of Heritage Impact*.

NSW State Government (1974). *National Parks and Wildlife Act (NPW Act) 1974*, NSW.

NSW State Government (1977). *NSW Heritage Act 1977 (Heritage Act) 1974*, NSW.

NSW State Government (1979). *Environmental Planning and Assessment Act (EP&A Act) 1979*, NSW.

## 8. Appendix 1: List of included properties

The following tables record the properties included in each of the proposed HCAs as per Niche 2023 recommendations:

### Brighton Le Sands HCA

Street Name within HCA	Included Street Numbers per Street	Included Lot and DPs per Street (Lot//Deposited Plan)
Brighton Parade	1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33 & 35	2//DP204678, 4//DP78024, 3//DP78024, 2//DP78024, 1//DP78024, 16//DP15057, 15//DP15057, 14//DP15057, 13//DP15057, 12//DP15057, 11//DP15057, 10//DP15057, 9//DP15057, 8//DP15057, 7//DP15057, 6A//DP15057, 5//DP15057 & 6//DP15057

### Banksia HCA

Street Name within HCA	Included Street Numbers per Street	Included Lot and DPs per Street (Lot//Deposited Plan)
Farr Street	1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37 & 39; 18, 20, 22, 24, 26 & 28	15//DP664955, 1//DP929969, 1//DP928009, 1//DP928656, 1//DP928801, 1//DP134316, 12//DP650056, 1//DP980415, 2//DP981142, 1//DP981141, 10//DP1050212, 1//DP517787, 9//DP653270, 1//DP927781, 1//DP571700, 1//DP126773, 1//DP103956, 1//DP32427, 1//DP983812, 2//DP983812; 1//DP998087, 1//DP780533, 1//DP780473, 1//DP795230, 1//DP948188 & 2//DP949609
Gibbes Street	4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24 & 26; 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 & 25	23//DP667137, 1//DP928176, 2//DP102504, 1//DP102504, 1//DP930803, 25//DP1095485, 1//DP984067, 2//DP984067, 27//DP659501, 1//DP104842, 1//DP1083640, 28//DP655365; 1//DP921326, 1//DP102013, 122//DP573172, 1//DP900433, B//DP420412, A//DP420412, 1//DP119807, 1//DP1099341, 1//DP1099352, A//DP443778 & B//443778
Tabrett Street	None	None

## Bardwell Valley HCA

Street Name within HCA	Included Street Numbers per Street	Included Lot and DPs per Street (Lot//Deposited Plan)
Lansdowne Street	1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 & 25; 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 & 28	4//DP9171, 5//DP9171, 6//DP9171, 7//DP9171, 8//DP9171, 9//DP171, 10//DP171, 11//DP9171, 12//DP171, 13//DP9171, 14//DP9171, 15//DP9171, 16//DP9171; 30//DP9171, 29//DP9171, 28//DP9171, 27//DP9171, 26//DP9171, 25//DP9171, 24//DP9171, 23//DP9171, 22//DP9171, 21//DP9171, 20//DP9171, 19//DP9171, 18//DP9171, 17//DP9171
Hamilton Street	1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25 & 27; 2, 4, 6, 8, 10, 12 (1/12 & 2/12), 14, 16, 18, 20, 22, 24, 26, 28 & 30	37//DP9171, 38//DP9171, 39//DP9171, 40//DP9171, 41//DP9171, 42//DP9171, 43//DP9171, 44//DP9171, 45//DP9171, 46//DP9171, 47//DP9171, 48//DP9171, 49//DP9171, 50//DP9171; 65//DP9171, 64//DP9171, 63//DP9171, 62//DP9171, 61//9171, //SP53840, 59//SP9171, 58//DP9171, 57//DP9171, 56//DP9171, 55//DP9171, 54//DP9171, 53//DP9171, 52//DP9171, 51//DP9171

## Oceanview Estate HCA

Street Name within HCA	Included Street Numbers per Street	Included Lot and DPs per Street (Lot//Deposited Plan)
Forest Road	460 (1/460, 2/460)	2//DP961634
Monomeeth Street	22A	A//DP103536
Gladstone Street	24A, 24	A//DP447891, B//DP447891
Caledonian Street	28, 28A, 30, 32, 34, 36	C//DP312212, 2//DP1143587, C//DP414121, 1//DP929566, 1//DP933175, 1//DP979486

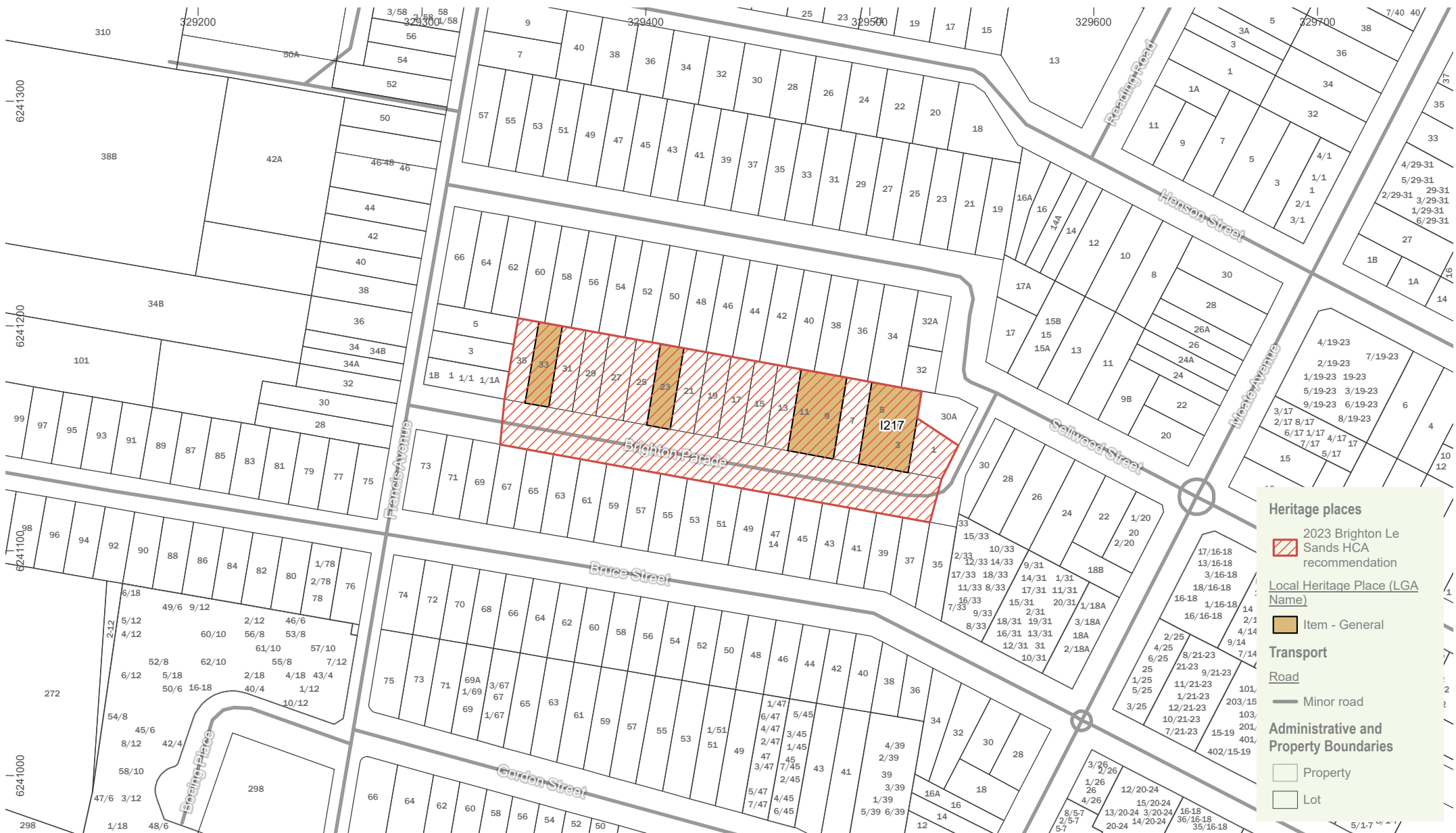
Street Name within HCA	Included Street Numbers per Street	Included Lot and DPs per Street (Lot//Deposited Plan)
Watkin Street	22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52 & 54; 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75 (1/75), 77, 79, 81, 83 & 85	8//DP5800, 1//DP216540, 2//DP216540, 6//DP5800, 5//DP5800, 4//DP5800, 3//DP5800, A//DP385220, E//DP402564, B//DP322673, 5A//DP329521, A//DP100322, 1//DP210234, 1//DP213778, 1//DP515615, 1//DP500925 & A//DP360589
Beaconsfield Street	1A, 1, 3, 5, 7, 9, 11 (1/11, 2/11, 3/11, 4/11, 5/11), 11A, 15, 17, 19 (19A), 21 (21A), 23, 25, 27, 29 & 31; 2 (2A), 2B (1/2B, 2/2B, 3/2B, 4/2B), 2C, 4, 6, 8, 10, 12 (2/12), 14, 16 & 18 (1/18, 2/18)	3//DP219456, 1//DP951532, 1//DP185865, 22/14/DP1680, 21/14/DP1680, 20/14/DP1680, //SP9127, 1//DP921514, 1//DP120911, 17//DP650248, 1//DP930556, 16//DP662928, 15/14/DP1680, 2//DP518493, D//DP372545, 2//DP215986, 1//DP215986; C//DP400028, //SP20689, D//DP402564, A//DP322673, 5B//DP329521, B//DP100322, 2//DP210234, 2//DP213778, 2//DP515615, 2//DP500925, B//DP360589
Harrow Road	61, 63, 65, 69, 73, 77, 79, 81, 83A, 83, 85 & 87; 98 (1/98, 2/98), 100, 102, 104, 106, 108, 110, 112, 114, 116, 118 & 120	2//DP921197, 1//DP668848, 1//DP921622, 1//DP921863, A//DP400028, 1//DP219456, 2//DP219456, 10//DP661922, 2//DP585490, 1//DP585490, 1//DP902392, 2//DP902392; B//DP385220, 1//DP930051, 30//DP654640, 29//DP4027, 28//DP4027, 27//DP4027, 26//DP4027, 25//DP4027, 24//DP4027, 23//DP4027, 22//DP4027, 21//DP4027
Park Avenue	1, 3, 5, 7, 9, 11, 13, 15, 17 & 19	1//DP960924, 1//DP559497, 2//DP559497, A//DP440684, B//DP440684, 2//DP972867, 501//DP631452, 502//DP631452, B//DP326305, A//DP326305
Dunmore Street North	1C, 1B, 1A, 1 (1/1, 2/1, 3/1, 4/1), 3-7 (1/3-7, 2/3-7, 3-3-7, 4-3-7, 5/3-7, 6/3-7, 7/3-7, 8/3-7, 9/3-7, 10/3-7, 11/3-7, 12/3-7, 13/3-7, 14/3-7), 9, 11, 13, 15, 17, 19, 21, 21A, 23, 23A, 25, 25A, 27, 29, 31, 33, 35, 37 & 39; 2, 4, 6, 8, 10 (1/10, 2/10, 3/10, 4/10, 5/10, 6/10, 7/10, 8/10, 9/10, 10/10, 11/10, 12/10, 13/10, 14/10,	20/2/DP1036, 19/2/DP1036, 18/2/DP1680, //SP64206, //SP8992, C//DP103536, B//DP103536, 2//DP104316, 1//DP812332, B//DP313039, C//DP313039, A//DP320466, 1//DP447843, 2//DP447843, 3//DP447843, 4//DP447843, 1//DP573311, A//DP900366, B//DP900366, A//DP324948, B//DP324948, C//DP324948, B//DP312212, 1//DP1143587; 1//DP949870, 2//DP949870, A//DP441697, B//DP441697, //SP55, 3//DP412732, 2//DP412732, 1//DP412732, 100//DP1050077, B//DP322348, 3//DP226502, 4/6/DP1680, 700//DP1221085, 701//DP1221085, 700//DP1216133, 701//DP1216133, A//DP411745, 10//DP530123, A//DP327436, B//DP327436, 4//DP659447, E//DP414121, D//DP414121

Street Name within HCA	Included Street Numbers per Street	Included Lot and DPs per Street (Lot//Deposited Plan)
	15/10, 16/10, 17/10, 18/10, 19/10, 20/10, 21/10, 22/10), 12, 14, 16, 18, 20, 20A, 22, 24, 24A, 26, 28, 30, 32, 34, 36, 38, 38A & 40	
Dunmore Street South	43, 44	X//DP416406, C//DP372545
Seaforth Street	2, 2A, 2B, 4, 6, 8, 10, 12, 14, 16	1//DP387626, 700//DP1090337, 701//DP1090337, 1//DP168540, 2//DP168540, 3//DP168540, 1//DP217473, 2//DP217473, 1//DP220112, 2//DP220112

## 9. Appendix 2: Figures of recommended HCAs

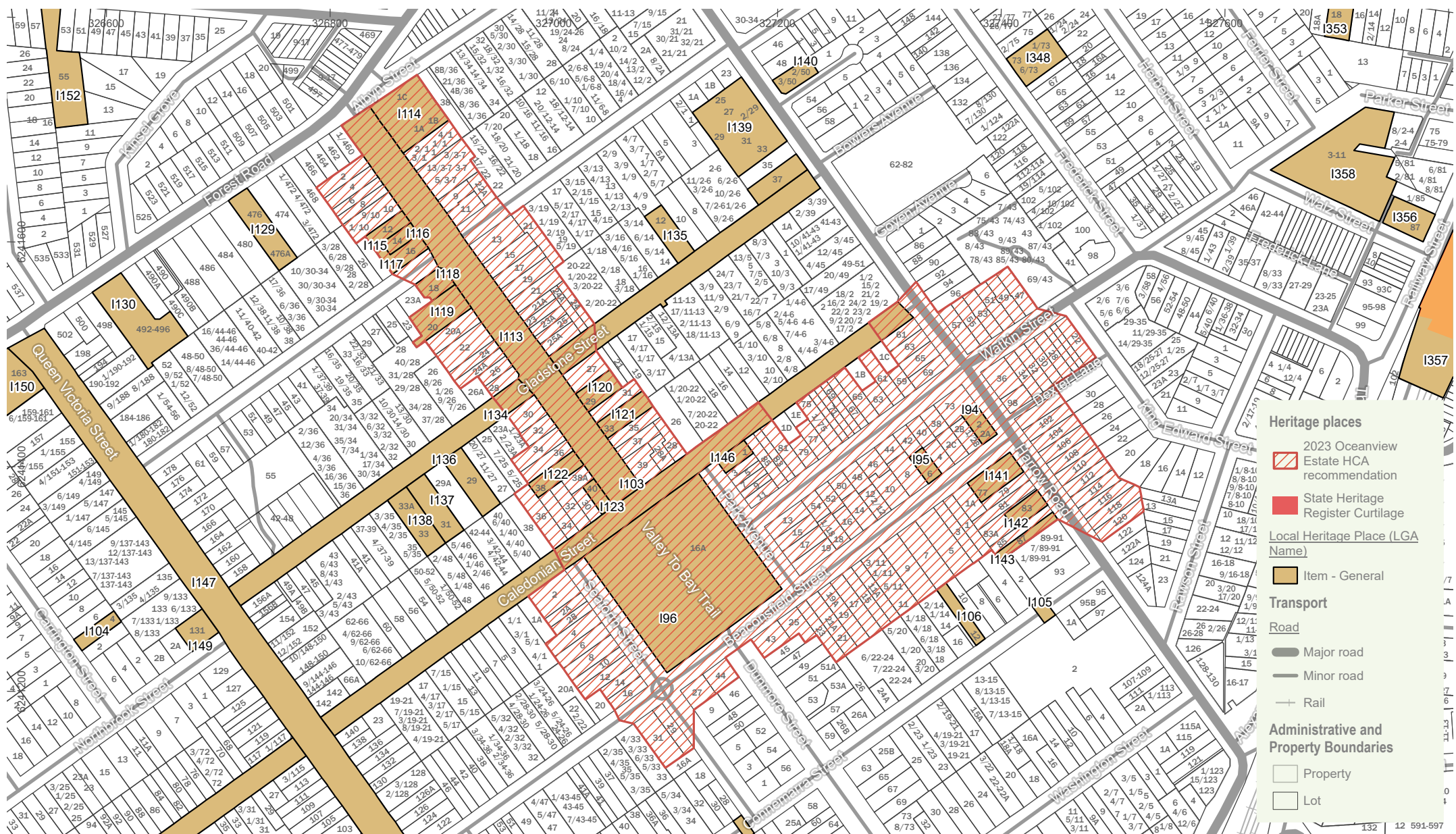
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The following figures provide an outline of the proposed HCAs as per Niche 2023 recommendations:









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Cairns  
Port Macquarie  
Illawarra  
Coffs Harbour  
Central Coast  
Gold Coast  
Canberra



## Our services

### Ecology and biodiversity

Terrestrial  
Freshwater  
Marine and coastal  
Research and monitoring  
Wildlife Schools and training

### Heritage management

Aboriginal heritage  
Historical heritage  
Conservation management  
Community consultation  
Archaeological, built and landscape values

### Environmental management and approvals

Impact assessments  
Development and activity approvals  
Rehabilitation  
Stakeholder consultation and facilitation  
Project management

### Environmental offsetting

Offset strategy and assessment (NSW, QLD, Commonwealth)  
Accredited BAM assessors (NSW)  
Biodiversity Stewardship Site Agreements (NSW)  
Offset site establishment and management  
Offset brokerage  
Advanced Offset establishment (QLD)