

25 June 2018

The Sydney central City Planning panel
C/- City of Parramatta Council
PO BOX 32
PARRAMATTA
NSW 2124

44-48 OXFORD STREET, EPPING - HERITAGE PEER REVIEW

1. INTRODUCTION

The following peer review was requested by the Central Sydney Planning Panel. This review has been prepared in relation to Development Application (DA/485/2016) for the demolition of 44-48 Oxford Street, Epping (subject site).

The heritage item is recognised as an item of local heritage significance, "House" (item 394) under schedule five of the Hornsby Local Environmental Plan (2013).

2. BRIEF

The Sydney Central City Planning Panel (Panel) has recently deferred consideration of a development application (DA) at 44-48 Oxford Street, Epping (panel reference 2016SYW114).

Part of the reason for the deferral is that the Panel has received conflicting advice from Council's heritage advisor and heritage advisors employed by the applicant on the value of a heritage listed residence.

The Panel has requested specialist heritage advice to help resolve the conflicting advice it has received from experts.

Council is procuring the independent assessment on behalf of the Panel, and whilst staff are available to answer questions, the report is to be provided directly to the Planning Panel Secretariat.

OUTPUTS SOUGHT

Services are sought to:

1) review relevant background material, including:

- a. Applicant's heritage report*
- b. Letter from Lucas Stapleton (from objector)*
- c. Letter from Damien Tudehope MP*
- d. Any resident objection letters regarding heritage*

Council's assessment report.

f. Any comments from Council's heritage advisor

2) That Stephen Davies prepares a clear and concise report on the proposal to demolish the heritage listed residence (including on the value of the heritage listed residence), in view of the zoning and planning issues for the site in the precinct. This must be suitable for use by the Panel in resolving conflicting advice it has got from experts about the heritage listed residence. advise the Panel on the proposal to demolish the local heritage item, in view of the zoning and planning issues for the site in the precinct.

3. THE HERITAGE ITEM

3.1. SITE LOCATION

The heritage item is located at 48 Oxford Street, Epping. The site is legally identified as Lot 1 DP 206646.

The heritage item is now located within the Epping business district, now subject to the Epping Town Centre Urban Activation Precinct.

Figure 1 – Site location and aerial – the heritage item is outlined in blue and the whole subject site (44-48 Oxford Street) is indicated in red.



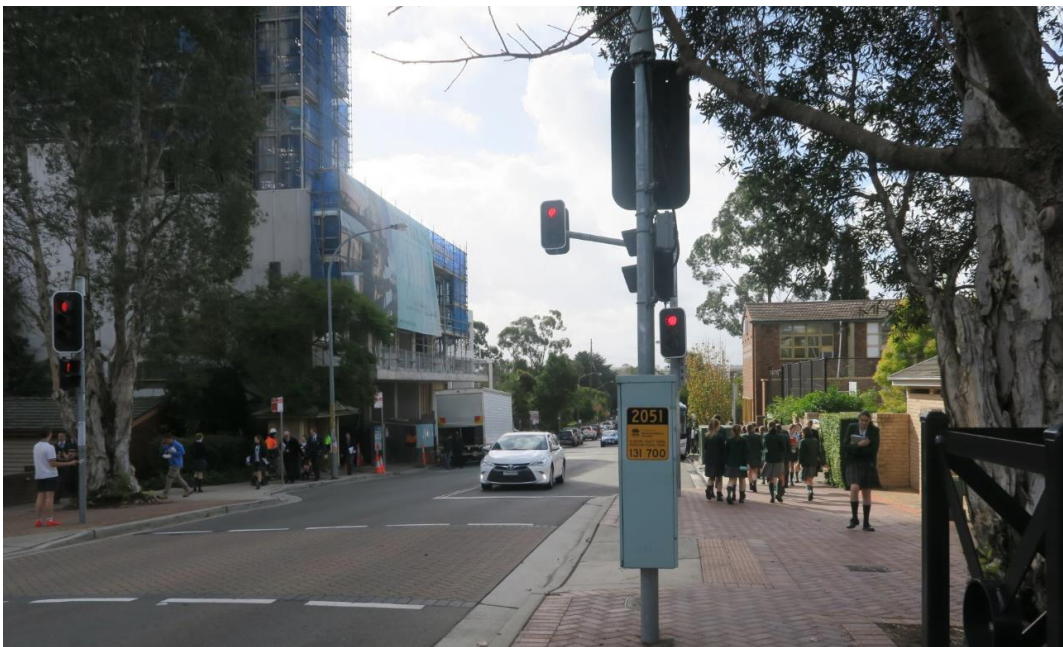
Source: Six maps 2018

Figure 2 – Looking south down Oxford Street



Source: Urbis

Figure 3 – Looking north down Oxford Street.



Source: Urbis

3.2. SITE DESCRIPTION

The heritage item is a cottage constructed c. 1900 with light common brick walls and a terracotta hipped tiled roof. There have been a number of modifications made to the item including the removal of the rear portion and the reconstruction of the veranda, roof and other various elements.

Figure 4 – The heritage item -48 Oxford Street.



Source: Urbis

Figure 5 – Heritage item site photographs



Picture 1 – Western façade (facing Oxford Street)

The front verandah is a later feaux addition.

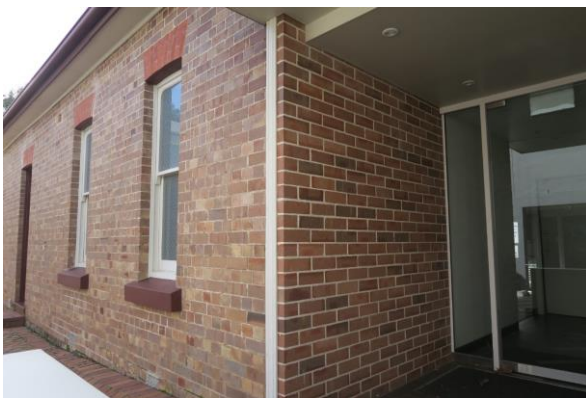
Source: Urbis



Picture 2 – Northern façade – with recent addition.

The verandah was constructed to house the glazed addition.

Source: Urbis



Picture 3 – Southern façade illustrating rear addition and recent brickwork replacing original rear wall.

Source: Urbis



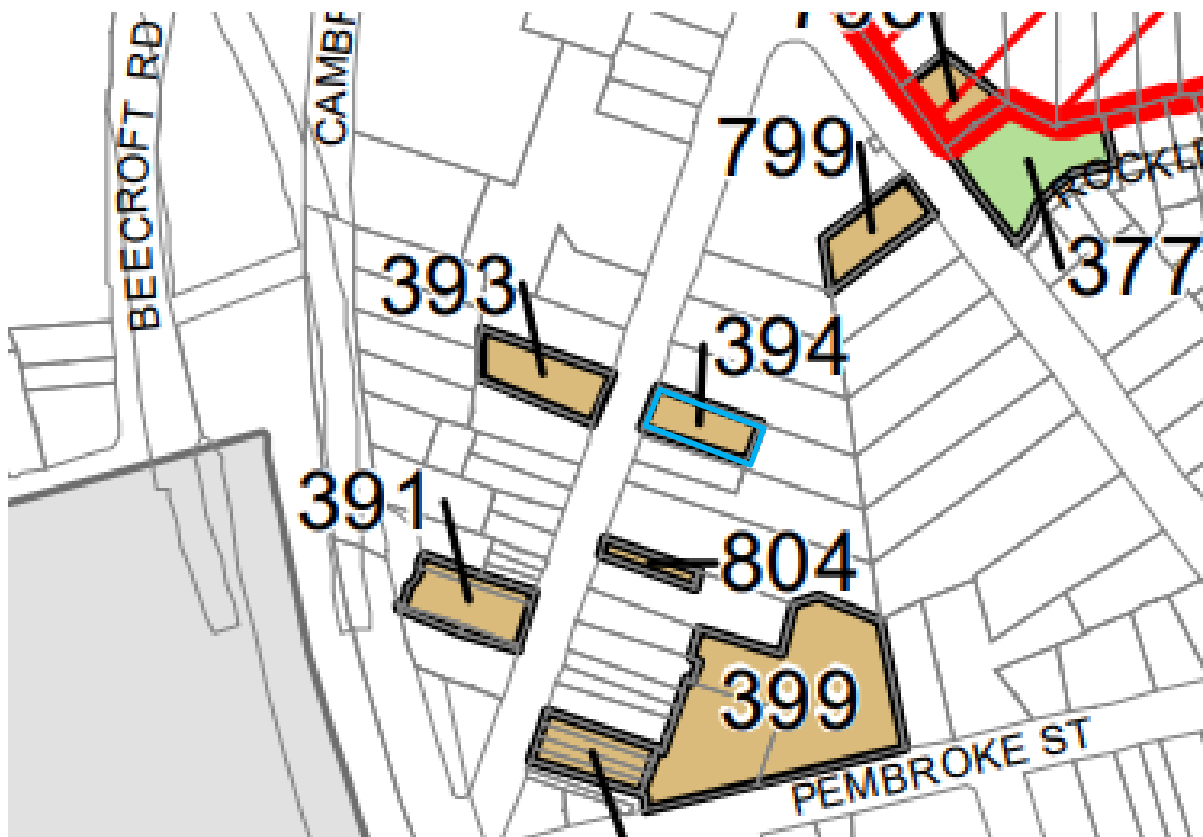
Picture 4 – Eastern façade and rear of the property – recent addition

Source: Urbis

3.3. STATUTORY LISTING

The heritage item is recognised as an item of local heritage significance under schedule five of the Hornsby LEP (2013). The item, "House" (item 394) is shown on the heritage map below.

Figure 6 – Heritage map – subject heritage item is indicated.



Source: Hornsby LEP 2013, heritage map_sheet HER_011

3.4. STATEMENT OF SIGNIFICANCE

The following statement of significance was sourced from the Heritage Division register.

Federation period cottage in good condition and little altered. Good quality face brick especially chimneys. Original iron lace valence and iron posts also of interest.¹

¹ Office of Environment & Heritage, *House*, accessed June 2018, <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=1780107>.

Council's heritage advisor has written:

"The house demonstrates the history of development of the Epping area. The house has had a number of unsympathetic modifications, most notably the enclosure of part of the original front verandah with a sunroom structure. However key original features remain or are readily discernible, including: the building form; the scale; the siting; the front garden terraces; and, architectural details. There is the opportunity to reinstate lost features and to bring the house up to a contemporary living (or commercial) standard.

The demolition of the house would inevitably adversely affect the item itself, the streetscape, and setting of the heritage items in the vicinity. The loss of the house would reduce the understanding of the heritage items being part of a settlement pattern of large houses set in large gardens, especially as relatively few of these houses remain.

Heritage Significance

The Statement of Significance for the item as entered on the NSW State Heritage Inventory briefly (assumed to be derived from the Hornsby Shire Heritage Study by Perumal Murphy Wu Pty Ltd in 1993) states:

"Federation period cottage in good condition and little altered. Good quality face brick especially chimneys. Original iron lace valence and iron posts also of interest."

A Heritage Assessment by NBRS+Partners dated September 2014 and referred to in the SoHI found that the significance of the heritage item on the site to be as follows:

"The former house provides an isolated, representation of suburban development near the main northern railway line in the late Nineteenth Century. As a conserved and adapted house, the front section of the building retains its late Victorian (Filigree) form and is representative of the style. The reconstructed fabric contributes to the aesthetic value of the building, but has less significance than the original Victorian fabric. Reconstructed fabric includes all of the veranda, the roof tiles, the cornices in the four major rooms, the capitals on the piers in the hallway and all the door and window furniture. The former house is a common type in its plan, materials and construction detailing, so it does not appear to contain any built element that could be the subject of research, nor would the larger subject site."

The Peer Review of the SoHI by Weir Phillips Heritage (2017) noted a number of changes to external and internal fabric of the "House".

It is noted that Weir Phillips Heritage concurred with the conclusions made in the NBRS + Partners SoHI, in that the proposed demolition of the heritage item is an acceptable outcome. The conclusions contained in their Peer Review were based on two aspects of the site in its present state: its setting with the wider context and its extant fabric.

The NBRS + Partners Report identifies No. 48 Oxford Street Epping is remnant example of late Victorian suburban development in the proximity to Epping Railway Station. The report recognises the Epping Town Centre has evolved since the construction of the

former dwelling and that the town centre is continuing to evolve into a higher density development area.

Weir Phillips Heritage agrees that the retention of a low rise dwelling in a high rise commercial context is not a good heritage outcome and would further diminish any understanding of the original suburban setting. Retaining the former dwelling in this context would appear awkward and out of scale.

Weir Phillips Heritage also agrees that the existing setback of 14m from Oxford Street, further isolates the former dwelling from the surrounding streetscape which are mostly set to the boundary line. The setback makes integrating the item into the urban design context problematic as the consistency of the streetscape will be interrupted by a gap, with the only view corridors towards the former dwelling will be from directly in front of it."

"Extant Fabric

The NBRS + Partners Report outlined a number of alterations and additions undertaken to the former dwelling as a conserved and adapted house, which has been largely reconstructed with replica materials. The images and analysis of the setting contained in Section 3.0 show signs of internal and external modification which date from the mid twentieth century to the present day.

The HIS by NBRS + Partners (2016) included the following statement sourced from a Heritage Assessment dated 2014.

The former house provides an isolated representation of suburban development near the main northern railway line in the late Nineteenth Century. As a conserved and adapted house, the front section of the building retains its late Victorian (Filigree) form and is representative of the style. The reconstructed fabric contributes to the aesthetic value of the building, but has less significance than the original Victorian fabric. Reconstructed fabric includes all the veranda, the roof tiles, the cornices in the four major rooms, the capitals on the piers in the hallway and all the door and window furniture. The former house is a common type in its plan, materials and construction detailing, so it does not appear to contain any built element that could be the subject of research, nor would the larger subject site.

3.5. VICINITY ITEMS

The following items have been highlighted by City of Parramatta Council heritage advisor.

- Item 393 – "Our Lady Help of Christians Church", 31 Oxford Street.
- Item 804 – "House", 38 Oxford Street.

4. IMPACT ASSESSMENT REVIEW

In assessing this application neither the Council Assessment Report, the NBRS Report or the Weir Phillips Report reviewed the significance of the site in terms of the established assessment criteria.

The Statement of Significance for the item as entered on the NSW State Heritage Inventory briefly (assumed to be derived from the Hornsby Shire Heritage Study by

Perumal Murphy Wu Pty Ltd in 1993) states:

“Federation period cottage in good condition and little altered. Good quality face brick especially chimneys. Original iron lace valance and iron posts also of interest.”

This is clearly not the case at the present time as the dwelling has undergone significant alterations and additions. The detrimental changes have occurred since the original heritage survey was undertaken. The iron lace valance and iron posts may be “of interest” but cannot all be original as the verandah extends to a greater extent than indicated in Fig 9. of the NBRIS report that shows the 1943 aerial photograph of the site.

I will use the assessment table below to review the various statements of significance and not deal with the assessment in isolation. I have been requested to peer review the information and not prepare a new assessment of the site so the below assessment is done on the available information provided.

4.1. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been prepared in accordance with the ‘Assessing Heritage Significance’ guides.

Table 1 – Assessment of heritage significance

Criteria	Significance Assessment
A – Historical Significance <i>An item is important in the course or pattern of the local area’s cultural or natural history.</i>	A review of the history prepared by NBRIS would indicate that the dwelling was erected in 1896. It is part of the subdivision sold in 1886. This would indicate an early subdivision for the area however it is a standard subdivision and does not relate to a significant event or period in the history of this part of Sydney. It does represent the first subdivision for dwellings in the area and relates to the growth around railway stations.

Criteria	Significance Assessment
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> shows evidence of a significant human activity <input type="checkbox"/> is associated with a significant activity or historical phase <input checked="" type="checkbox"/> maintains or shows the continuity of a historical process or activity <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important activities or processes <input type="checkbox"/> provides evidence of activities or processes that are of dubious historical importance <input type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association <input type="checkbox"/>
<p>B – Associative Significance</p> <p><i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.</i></p>	<p>The site is associated with E.L. Puckering, a “well known Draper from Redfern” who was associated with the local Methodist church, according to the LSJ report, however all dwellings of this type were generally associated with business people or professionals who were local community members and the association is not significant enough to satisfy this criterion.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> shows evidence of a significant human occupation <input type="checkbox"/> is associated with a significant event, person, or group of persons <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important people or events <input type="checkbox"/> provides evidence of people or events that are of dubious historical importance <input checked="" type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association <input type="checkbox"/>

Criteria	Significance Assessment
<p>C – Aesthetic Significance</p> <p><i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i></p>	<p>Both the NBRS and Weir Phillips reports detail the change in the property. These include:</p> <ul style="list-style-type: none"> • The roof tiles are new along with metal sheeting to the rear in the valley leading to the rear box gutter; • The verandah has been unsympathetically reconstructed in Colourbond and new lace; • The veranda on the northern side has been extended and then infilled with contemporary materials; • A large single storey rear addition with flat metal deck roof has been added to the site; • The front fence is not original; • The original lot has been subdivided to create a battle axe lot with a concrete carpark to the rear; • A concrete and glass building has been constructed on the north western boundary of the site; • The front garden has been altered, the axial entry path remains; • Much of the internal of the building appears to have been remodelled; • Ceilings and cornices are not original; • Fire breasts remain with no mantelpieces or fire places; • All the doors and windows have recent stainless steel door furniture, including hinges. <p>The dwelling has lost its rear wing, its original roof, its interior detailing and fireplaces, its verandahs, rear wall and much joinery. LSJ has argued that the building could be restored and this is true in principle - the façade could be restored, however for the period and quality of the dwelling there is little incentive to fully restore the interiors in this location and the rear wing has been completely removed without evidence of its former configuration.</p> <p>It is agreed that the building still remains a representative example of its type aesthetically with its roof form, chimneys and three external walls. Its context as one of a group of dwellings of the period has however disappeared.</p>

Criteria	Significance Assessment
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • shows or is associated with, creative or technical innovation or achievement <input type="checkbox"/> • is the inspiration for a creative or technical innovation or achievement <input type="checkbox"/> • is aesthetically distinctive <input type="checkbox"/> • has landmark qualities <input type="checkbox"/> • exemplifies a particular taste, style or technology <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is not a major work by an important designer or artist <input checked="" type="checkbox"/> • has lost its design or technical integrity <input checked="" type="checkbox"/> • its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded <input checked="" type="checkbox"/> • has only a loose association with a creative or technical achievement <input checked="" type="checkbox"/>
<p>D – Social Significance</p> <p><i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i></p>	<p>There is no known social significance associated with the site.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • is important for its associations with an identifiable group <input type="checkbox"/> • is important to a community's sense of place <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is only important to the community for amenity reasons <input checked="" type="checkbox"/> • is retained only in preference to a proposed alternative <input type="checkbox"/>

Criteria	Significance Assessment
E – Research Potential <i>An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.</i>	<p>The LSJ report highlights the archaeological potential of the site. Whilst it has been subdivided and been the subject of a carpark and new buildings there may be the potential to uncover relics of the sawing establishment of the convict era. The archaeological investigation should be undertaken in accordance with the NSW Heritage Act.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • has the potential to yield new or further substantial scientific and/or archaeological information <input checked="" type="checkbox"/> • is an important benchmark or reference site or type <input type="checkbox"/> • provides evidence of past human cultures that is unavailable elsewhere <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • the knowledge gained would be irrelevant to research on science, human history or culture <input type="checkbox"/> • has little archaeological or research potential <input type="checkbox"/> • only contains information that is readily available from other resources or archaeological sites <input type="checkbox"/>
F – Rarity <i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i>	<p>A dwelling of this period is not rare in Sydney. If the building had been in very intact condition located in a group it may have achieved a rarity status.</p>

Criteria	Significance Assessment
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> provides evidence of a defunct custom, way of life or process <input type="checkbox"/> demonstrates a process, custom or other human activity that is in danger of being lost <input type="checkbox"/> shows unusually accurate evidence of a significant human activity <input type="checkbox"/> is the only example of its type <input type="checkbox"/> demonstrates designs or techniques of exceptional interest <input type="checkbox"/> shows rare evidence of a significant human activity important to a community <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> is not rare <input checked="" type="checkbox"/> is numerous but under threat <input type="checkbox"/>
<p>G – Representative</p> <p><i>An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area's):</i></p> <ul style="list-style-type: none"> cultural or natural places; or cultural or natural environments. 	<p>The building, a former dwelling, was a representative example of its type on Oxford Street. It is considered that the loss of the original rear service wing, the loss of much of its original fabric and its consequent additions for a change of use have reduced the representativeness of the former dwelling.</p> <p>It is noted that the then Council has approved all the detracting alterations and additions since the building was listed.</p>

Criteria	Significance Assessment
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • is a fine example of its type <input type="checkbox"/> • has the principal characteristics of an important class or group of items <input type="checkbox"/> • has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity <input type="checkbox"/> • is a significant variation to a class of items <input type="checkbox"/> • is part of a group which collectively illustrates a representative type <input type="checkbox"/> • is outstanding because of its setting, condition or size <input type="checkbox"/> • is outstanding because of its integrity or the esteem in which it is held <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is a poor example of its type <input type="checkbox"/> • does not include or has lost the range of characteristics of a type <input checked="" type="checkbox"/> • does not represent well the characteristics that make up a significant variation of a type <input checked="" type="checkbox"/>

5. CONCLUSION AND RECOMMENDATIONS

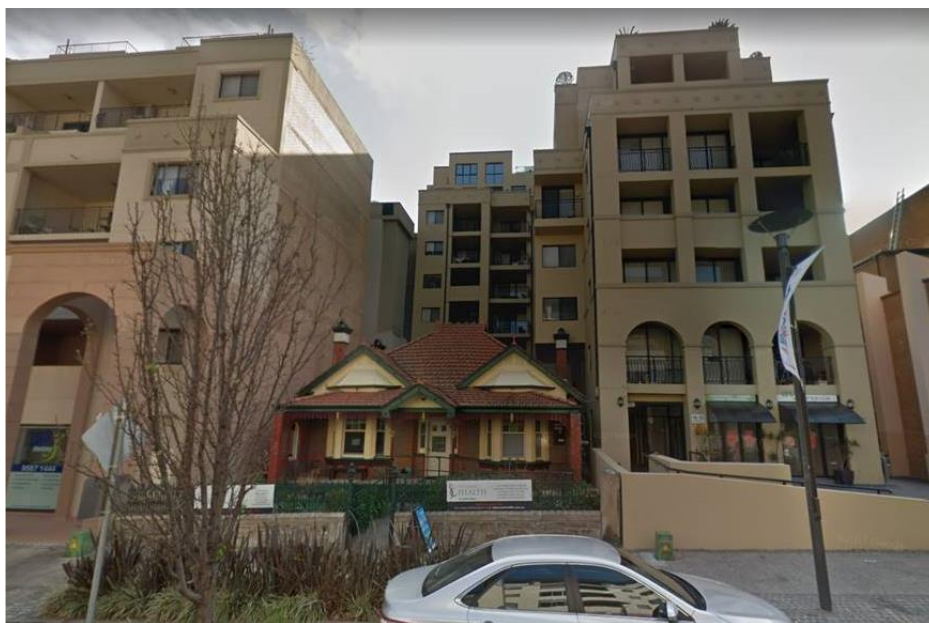
I have reviewed the relevant correspondence and objections.

I include below, at figure 7, a photo of a dwelling isolated in a residential flat zone. One of the issues for the retention of dwellings in such locations is the 'setting' of the dwelling. The NBRS and Weir Phillips reports refer to the importance of setting and difficulty of achieving this outcome in the Oxford Street planning context. The LSJ report in objection states *"the problem is not that the large setback for No. 48 Oxford Street does not contribute to the creation of a continuous active street frontage, but*

rather that current planning provisions are supporting development that overwhelms the traditional main street character to the south of the subject property and enveloping the adjacent residential precinct. The compliance of the current proposal with current zoning requirements does not justify demolition, which would have an adverse impact on the significance of the property. Responding to the desired future character for the area as envisaged in the Hornsby LEP 2013 and the Hornsby DCP 2013 in order to facilitate the planned transformation of the Epping Town Centre should not be considered a factor that strongly favours the current proposal for demolition. Alternative schemes in terms of design, location and form and that do not involve demolition could also be developed so as to respond to the desired future character of the area, whilst retaining the heritage item.”

I am concerned that unless a very large curtilage, with generous street setbacks on adjoining sites, are provided for the building then the result recommended by LSJ could be similar to the example in Figure 7, but hopefully with better architectural and urban design outcomes. A solution to resolve this type of development would entail a whole of street block urban solution that involves numerous sites to achieve a suitable urban design outcome.

Figure 7: Example of a retained dwelling in a higher density residential zone. Kogarah Town Centre.



I have been asked to respond in terms of the relevant documents and the significance of the building in view of the zoning and planning issues for the site.

In summary I consider:

- Council’s original statement of significance is outdated and much of the detrimental work that has occurred to the building was approved by the then Council since the listing was made.

- The building was a good representative example of its type prior to its setting and fabric being detrimentally affected since the original study in 1993.
- The building is not now considered to reach the threshold for individual listing, despite retained representative characteristics.
- The building does not have contributory significance to the streetscape due to the changes over time in Oxford Street.
- The current zoning and potential for the site and sites in the immediate vicinity are not conducive to contemplate that the recommended reconstruction of missing fabric would be a valuable exercise in heritage terms.
- If the building were in original form and detail and the controls allowed for reallocation of density for the expansion of the setting, then I would recommend the retention of the building. I consider that having regard to the current state of the former dwelling and the current buildings in Oxford Street that the building does not warrant retention in this context.

The principle issues for me are the amount of change to the building and the amount of change to the original setting. If the building were in a group of original dwellings dating from the 1886 subdivision then I would recommend the conservation of the current building as its contributory value would be the most important aspect of the exercise. I consider that the alterations to the dwelling and the potential of having the building being meaningfully restored, combined with its position within the town centre, are such that retention is unlikely to be a sympathetic heritage outcome.

The conservation of this building was dependent on Council preparing a detailed DCP in association with the zoning controls to properly protect the setting of this and other buildings. This did not occur. The actual recognition of the building in 1993 did not even assist in protecting the fabric of the building and the ongoing development in the vicinity has also reduced its contribution significantly.

In conclusion, although cognisant of Council's internal heritage report and the robust arguments put by LSJ Heritage, I do not recommend the retention of the subject former dwelling at 44- 48 Oxford Street, Epping. I support the arguments put by both NBRS and Weir Phillips in this regard.

Yours sincerely,



Director Heritage