

# HERITAGE IMPACT STATEMENT

45-57 Oxford St, Bondi Junction



## Planning Proposal

29 October 2020

Cover Image: Proposed front façade of the Planning Proposal looking west along Oxford St (Source: Provided by Evolve Project Consulting Pty Limited)

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## CONTENTS

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	Background.....	1
1.2	Methodology.....	1
1.3	Site Location.....	2
1.4	Heritage Management Framework.....	3
1.5	Authorship .....	3
1.6	Limitations .....	3
1.7	Copyright.....	3
<b>2.0</b>	<b>DOCUMENTARY EVIDENCE .....</b>	<b>4</b>
2.1	'Hope Farm' and the Mill Hill Estate .....	4
2.2	'The Rectory' at 45 Oxford Street .....	8
2.3	47-57 Oxford Street.....	11
<b>3.0</b>	<b>PHYSICAL EVIDENCE.....</b>	<b>15</b>
3.1	Site Context .....	15
3.2	Views .....	15
3.3	Description of the site.....	16
<b>4.0</b>	<b>ESTABLISHED HERITAGE SIGNIFICANCE .....</b>	<b>22</b>
4.1	Heritage Status .....	22
4.2	Significance of the Subject Site.....	22
4.3	Significance of the Heritage Conservation Area in the vicinity .....	23
4.4	Significance of Items in the Vicinity.....	24
<b>5.0</b>	<b>THE PROPOSAL.....</b>	<b>26</b>
5.1	Documentation Evaluated.....	30
<b>6.0</b>	<b>ASSESSMENT OF HERITAGE IMPACT .....</b>	<b>31</b>
6.1	Introduction .....	31
6.2	Overview of Potential Heritage Impacts.....	31
6.3	Evaluation of the Guidelines of the NSW Heritage Division .....	34
6.4	Heritage Objectives of the <i>Waverley LEP 2012</i> .....	37
6.5	Heritage Guidelines of the <i>Waverley DCP 2012</i> .....	38
<b>7.0</b>	<b>RECOMMENDATIONS AND CONCLUSION .....</b>	<b>40</b>
7.1	Recommendations .....	40
7.2	Conclusion .....	40

## LIST OF FIGURES

Figure 1: Aerial map with the subject site outlined in red, highlighted in yellow. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au) .....	2
Figure 2: Street map with the subject site outlined in red, highlighted in yellow. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au) .....	2
Figure 3: Henry Hough's Windmill, Old South Head Road, Sydney, by Samuel Elyard, 1873 (Source: Dixon Galleries, State Library of New South Wales, DG*D 22) .....	4
Figure 4: Detail from Plan of Canonbury, Waverley, showing Hough's Mill fronting South Head Road, C E Langley, Surveyor, 1857 (Source: National Library of Australia, MAP F 762) .....	5
Figure 5: Detail from Mill Hill Estate subdivision plan, 1881, showing the subject site outlined in red (Source: State Library of New South Wales, Z/SP/W6/321) .....	6
Figure 6: Detail from Mill Hill Estate subdivision plan looking north from the estate toward Woollahra and the harbour (Source: State Library of New South Wales, Z/SP/W6/321) .....	7
Figure 7: Detail from Mill Hill Estate subdivision plan featuring the district of Waverley as viewed from the estate (Source: State Library of New South Wales, Z/SP/W6/322) .....	7
Figure 8: Detail from Plan of the borough of Waverley, compiled to date by S Pollitzer, C E Sydney, Gibbs, Shallard & Co, 1887 (Source: National Library of Australia, MAP RM 4631) .....	8
Figure 9: The Rectory Medical Centre at 45 Oxford Street, 1987, Annette Green, 'Bondi Junction Heritage Study Item Identification Forms', September 1987, Inventory item no. Ox. St. 2 (Source: NSW Heritage Library, Q994.41 GRE) .....	11
Figure 10: Andy Mac's Timber and Hardware store at 47 Oxford Street, 1987, Annette Green, 'Bondi Junction Heritage Study Item Identification Forms', September 1987, Inventory item no. Ox. St. 3 (Source: NSW Heritage Library, Q994.41 GRE) .....	14
Figure 11: Andy Mac's Timber and Hardware, 47 Oxford Street, Bondi Junction, 8 February 1987, photograph by Marion Corry (Source: Waverley Library, Waverley Council, 101906) .....	14
Figure 12: View of Denison Street, facing north, close to the eastern boundary of the subject site (to the left). (NBR SARCHITECTURE, 2020) .....	15
Figure 13: View looking west from Denison Street. A portion of the subject site can be seen to the right. (NBR SARCHITECTURE, 2020) .....	15
Figure 14: View from Oxford Street, looking southwest towards the subject site. (NBR SARCHITECTURE, 2020) .....	15
Figure 15: View from the corner of Mill Hill Road and Oxford Street, looking east. (NBR SARCHITECTURE, 2020) .....	15
Figure 16: View of eastern portion of the subject site, looking south from Oxford Street. (NBR SARCHITECTURE, 2020) .....	16

Figure 17: View of the western portion of the subject site, looking south from Oxford Street. (NBRSARCHITECTURE, 2020).....	16
Figure 18: View of the subject site from Oxford Street, looking southeast. (NBRSARCHITECTURE, 2020).)	16
Figure 19: View of the rear portion of the building at 45 Oxford Street, looking west from Mill Hill Road. (NBRSARCHITECTURE, 2020).....	16
Figure 20: View of 45 Oxford Street looking southeast. (NBRSARCHITECTURE, 2020).....	17
Figure 21: View of the side (west) façade looking east from Mill Hill Road. (NBRSARCHITECTURE, 2020).	17
Figure 22: View of the front façade looking south from Oxford Street. (NBRSARCHITECTURE, 2020).....	17
Figure 23: View of the front, covered verandah entry. (NBRSARCHITECTURE, 2020).....	17
Figure 24: View of the rear façade, looking west. (NBRSARCHITECTURE, 2020).....	17
Figure 25: View of the side entrance. (NBRSARCHITECTURE, 2020).....	17
Figure 26: Internal view inside the front room, looking towards the main entry door. (NBRSARCHITECTURE, 2020).....	18
Figure 27: Internal view of the front room, with fireplace and stained glass window. (NBRSARCHITECTURE, 2020).....	18
Figure 28: Internal view of the main, detailed, stained glass window looking north from the front room. (NBRSARCHITECTURE, 2020).....	18
Figure 29: One of the original fireplaces. (NBRSARCHITECTURE, 2020).....	18
Figure 30: Internal view, with original, timber-framed, double hung window and fireplace. (NBRSARCHITECTURE, 2020).....	18
Figure 31: Internal view of the hallway with an arched opening. (NBRSARCHITECTURE, 2020).....	18
Figure 32: Internal view of the later kitchen fitout. (NBRSARCHITECTURE, 2020). ....	18
Figure 33: Internal view within the roof cavity which contains an attic space. (NBRSARCHITECTURE, 2020). ....	18
Figure 34: View of the side door, looking west onto Mill Hill Road. (NBRSARCHITECTURE, 2020).....	19
Figure 35: View of the internal staircase, connecting the main ground level to the attic contained within the roof space. (NBRSARCHITECTURE, 2020).....	19
Figure 36: View of 47-49 Oxford Street from Oxford Street looking southwest. (NBRSARCHITECTURE, 2020). ....	20
Figure 37: View of the entrance into the lean-to structure, looking southwest. (NBRSARCHITECTURE, 2020). ....	20

Figure 38: View of the lower level of the front façade of the two storey commercial building. (NBRSARCHITECTURE, 2020).....	20
Figure 39: View of the upper level of the front façade of the two storey commercial building. (NBRSARCHITECTURE, 2020).....	20
Figure 40: Internal view of the two storey commercial building including early windows and later fitout. (NBRSARCHITECTURE, 2020).....	20
Figure 41: Internal view of the remnant chimney hood within located within the two storey commercial building. (NBRSARCHITECTURE, 2020). ....	20
Figure 42: Internal view of the ground floor of the commercial building, (NBRSARCHITECTURE, 2020).....	20
Figure 43: Internal view of the lean-to structure adjoining the commercial building. (NBRSARCHITECTURE, 2020).....	20
Figure 44: View of 53-57 Oxford Street from Oxford Street, facing south, with the neighbouring allotment shown to the right of the image. (NBRSARCHITECTURE, 2020).....	21
Figure 45: View of the subject site from Denison Street, indicated by the red arrow, facing northwest. (NBRSARCHITECTURE, 2020).....	21
Figure 46: View from the subject site, looking south towards the neighbouring allotment to the rear of the site. (NBRSARCHITECTURE, 2020). ....	21
Figure 47: Internal view of the automobile servicing centre. (NBRSARCHITECTURE, 2020). ....	21
Figure 48: Excerpt from the Waverley LEP 2012 heritage map. Heritage items are shown brown and the Mill Hill Conservation Area is hatched red. The subject site is outlined in blue. (Source: Waverley LEP 2012, Heritage Map HER_001A) .....	22
Figure 49: Image of a parapet to a former grocer's store along Mill Hill Road. (Source: Waverley Council) .....	24
Figure 50: Image of the cottage at 1 Mill Hill Road. (Source: Waverley Council) .....	24
Figure 51: Image of one of the terraces located at 2-10 Ruthven Street. (Source: Waverley Council).....	25
Figure 52: Site Plan (Source: Team2 Architects).....	26
Figure 53: Ground Floor Plan (Source: Team2 Architects) .....	27
Figure 54: First Floor Plan (Source: Team2 Architects) .....	27
Figure 55: Level 2 Plan, showing typical floor arrangement (Source: Team2 Architects) .....	28
Figure 56: Roof Plan (Source: Team2 Architects).....	28
Figure 57: Section 1C (Source: Team2 Architects).....	29
Figure 58: Section 3 (Source: Team2 Architects).....	29

<i>Figure 59: Proposed Envelope, looking northwest (Source: Team2 Architects)</i> .....	29
<i>Figure 60: Proposed envelope, southwest (Source: Team2 Architects)</i> .....	30
<i>Figure 61: Oxford St south elevation diagram, showing the proposed transition between the site and neighbouring sites. (Source: RobertsDay, 2020)</i> .....	31
<i>Figure 62: Oxford St proposed concept scheme elevation looking southeast. (Source: RobertsDay, 2020)</i> .....	32
<i>Figure 63: Laneway and arcade allows circulation through the site. (Source: RobertsDay, 2020)</i> .....	33

# HERITAGE IMPACT STATEMENT FOR 45-57 OXFORD ST, BONDI JUNCTION

## 1.0 INTRODUCTION

### 1.1 BACKGROUND

This Heritage Impact Statement has been prepared in accordance with the standard guidelines of the NSW Heritage Division to accompany a Planning Proposal for the site at 45-57 Oxford Street, Bondi Junction.

The proposal includes amendments to the *Waverley Local Environmental Plan (LEP) 2012* to develop a multi-storey, mixed use development, comprising:

- Three, below ground, Basement levels;
- One storey, Ground Level podium for retail use;
- One storey, Level 1 for commercial purposes;
- Four storey, Levels 2-5 for residential use; and
- Attic Level, also for residential use.

Details of the development proposal have been prepared by Team2 Architects and included in documentation produced by RobertsDay.

The subject property at 45-57 Oxford Street, Bondi Junction, contains a number of listed items of local heritage significance on Schedule 5 of the *Waverley Local Environmental Plan (LEP) 2012*, including:

- "The Rectory," 45 Oxford Street, Item number I209;
- "Bondi Junction Timber and Hardware Co.," 47-49 Oxford Street, Item number I210; and
- Industrial archaeological potential of the "Bondi Junction Timber and Hardware Co.," Item number A527.

The subject site is also located within the vicinity of the Mill Hill Conservation Area and in the vicinity of a number of other individually listed items.

Accordingly, the proposal needs to be reviewed in terms of the relevant heritage provisions of the *Waverley LEP 2012* and the requirements of the *Waverley Development Control Plan (DCP) 2012*, and the Impact Assessment Criteria guidelines endorsed by the NSW Heritage Council.

### 1.2 METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the guidelines set out in the *Australia ICOMOS Charter for Places of Cultural Significance*, 2013, known as The Burra Charter, and the New South Wales Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) publication, NSW Heritage Manual.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of The Burra Charter. The NSW Heritage Manual explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

### 1.3 SITE LOCATION

The site is located on the southern side of Oxford Street, on a block bounded by Mill Hill Road to the west, Denison Street to the east and adjoining allotments to the west. It is identified as Lot 9, DP741932, Lot 1, DP626974 and Lot 1, DP818949 by the NSW Land Registry Services (LRS).



Figure 1: Aerial map with the subject site outlined in red, highlighted in yellow. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au)



Figure 2: Street map with the subject site outlined in red, highlighted in yellow. (Source: NSW LRS, SIX Maps, maps.six.nsw.gov.au)

#### **1.4 HERITAGE MANAGEMENT FRAMEWORK**

The subject property at 45-57 Oxford Street, Bondi Junction, contains a number of listed items of local heritage significance on Schedule 5 of the *Waverley Local Environmental Plan (LEP) 2012*, including:

- "The Rectory," 45 Oxford Street, Item number I209;
- "Bondi Junction Timber and Hardware Co.," 47-49 Oxford Street, Item number I210; and
- Industrial archaeological potential of the "Bondi Junction Timber and Hardware Co.," Item number A527.

The subject site is also located within the vicinity of the Mill Hill Conservation Area and in the vicinity of a number of other, individually listed items, including:

- Mill Hill Conservation Area (C12);
- 304-330 Oxford Street, Bondi Junction (Façade Group only) - Item No: I215;
- 1 Mill Hill Road, Bondi Junction (Cottage) – Item No: I197; and
- 2-10 Ruthven Street, Bondi Junction (Two Storey Terrace Row) – Item No: I231.

Other heritage listed items in the vicinity of the subject site are visually and physically separated from the site by intervening development, local topography, roadways and distance, and do not warrant assessment as part of this report.

#### **1.5 AUTHORSHIP**

This report was prepared by Samantha Polkinghorne, Director, and Christiane Moodie, Heritage Consultant, using research and a history written by Dr Martina Muller, Historian, all of **NBRS**ARCHITECTURE.

#### **1.6 LIMITATIONS**

This report is limited to the assessment of potential impacts on the European cultural heritage values of the site and does not include Aboriginal and Archaeological assessment. This report only addresses the relevant planning provisions that relate to heritage.

#### **1.7 COPYRIGHT**

Copyright of this report remains with the author, **NBRS**ARCHITECTURE. Unless otherwise noted, all images are by the author.

## 2.0 DOCUMENTARY EVIDENCE

### 2.1 'HOPE FARM' AND THE MILL HILL ESTATE

The subject site was once part of a 10-acre estate promised to Henry Hough by Governor Richard Bourke on 2 July 1832 and granted on 1 December 1832, in lieu of 60 acres originally promised by former Governor Lachlan Macquarie.<sup>1</sup> Hough named his estate 'Hope Farm'. Maps indicate Hough's windmill faced Old South Head Road (Oxford Street) and extended southerly along Denison Street (part of the subject site), although some sources place it on the site occupied by the former St Barnabas's Church on Mill Hill Road.<sup>2</sup> The mill was in operation from the early 1840s and was demolished in about 1881.<sup>3</sup>



Figure 3: Henry Hough's Windmill, Old South Head Road, Sydney, by Samuel Elyard, 1873 (Source: Dixon Galleries, State Library of New South Wales, DG\*D 22)

<sup>1</sup> 'Grants of Land', *New South Wales Government Gazette*, 30 November 1839, 1354, <http://nla.gov.au/nla.news-article230385171>.

<sup>2</sup> Catie Gilchrist, 'Windmills of Sydney', *The Dictionary of Sydney*, 2016, [https://dictionaryofsydney.org/entry/windmills\\_of\\_sydney](https://dictionaryofsydney.org/entry/windmills_of_sydney); Bernard Thomas Dowd, ed., *The History of the Waverley Municipal District 1859-1959* (Waverley, NSW: Waverley Municipal Council, 1959), 23.

<sup>3</sup> Paul Ashton and Ailsa McPherson, 'Waverley Heritage Study: Historical Context Report' (Perumal Murphy Wu, October 1993), 10, NSW Heritage Library; Gilchrist, 'Windmills of Sydney'; Dowd, *The History of the Waverley Municipal District 1859-1959*, 23.

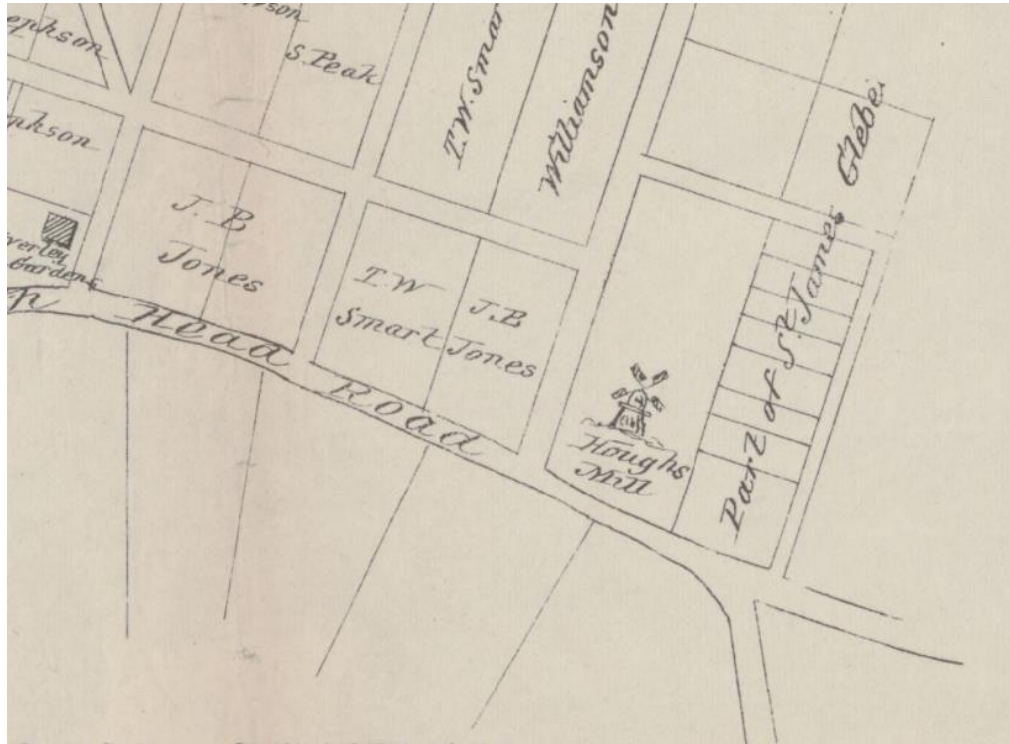


Figure 4: Detail from Plan of Canonbury, Waverley, showing Hough's Mill fronting South Head Road, C E Langley, Surveyor, 1857 (Source: National Library of Australia, MAP F 762)

The subject site was contained in lots one to nine of section B of the Mill Hill Estate subdivision, which was first auctioned on 2 May 1881.<sup>4</sup> Auctioneer pamphlets described it as the 'site of Hough's Old Windmill' on the South Head Road, 'commanding panoramic views of the Harbour, Bellevue Hill, Randwick, Waverley and Botany'.<sup>5</sup> *The Bulletin* described the 'air of Waverley' as 'pure and bracing', with land 'untainted by bad drainage' and the allotments on the estate being 'the last freehold property in this locality'.<sup>6</sup>

<sup>4</sup> 'Next Monday', *The Bulletin*, 30 April 1881, Vol. 6 No. 66 edition, 3, <https://nla.gov.au/nla.obj-132945489>.

<sup>5</sup> *Mill Hill Estate Subdivision Plan* (Sydney, NSW: Gibbs, Shallard & Co, 1881), Z/SP/W6/322, State Library of New South Wales.


<sup>6</sup> 'Next Monday', 3.

# MILL HILL ESTATE WAVERLEY

**Terms**

10 PER. CENT CASH  
BALANCE BY 36 EQUAL  
MONTHLY INSTALMENTS  
6% INTEREST

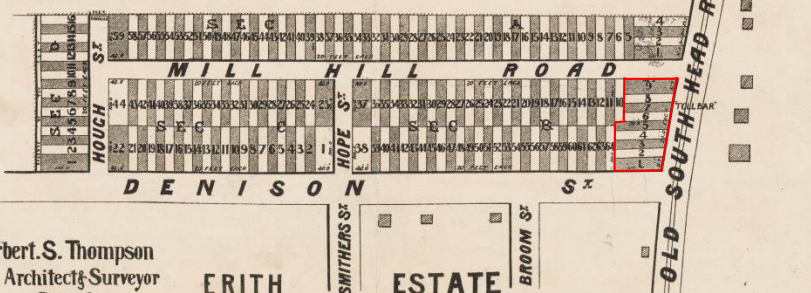
FOR SALE AT THE ROOMS  
**MONDAY 2<sup>ND</sup> MAY**  
AT 11 O'CLOCK  
BY  
**HARDIE CORMAN**



LOCAL SKETCH

'WESTGATE'

A & R. H. E. C. Robinso  
1980



Herbert S. Thompson  
Architect & Surveyor  
Bells Chambers ...

ERITH

ESTATE

GIBBS, SHALLARD, & CO., PRINTERS, SYDNEY.

Figure 5: Detail from Mill Hill Estate subdivision plan, 1881, showing the subject site outlined in red (Source: State Library of New South Wales, Z/SP/W6/321)

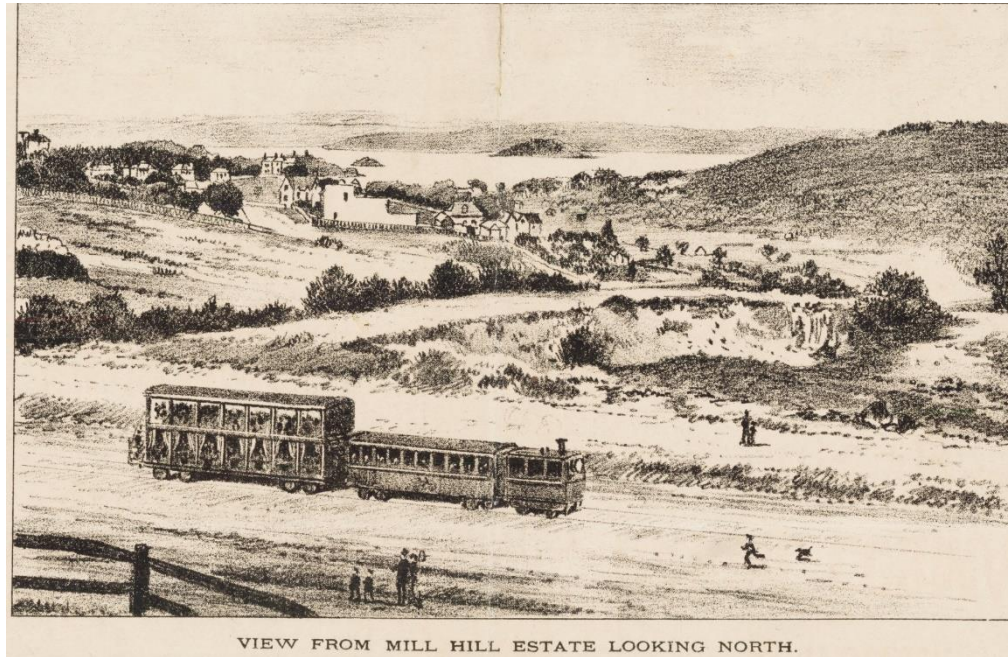


Figure 6: Detail from Mill Hill Estate subdivision plan looking north from the estate toward Woollahra and the harbour (Source: State Library of New South Wales, Z/SP/W6/321)

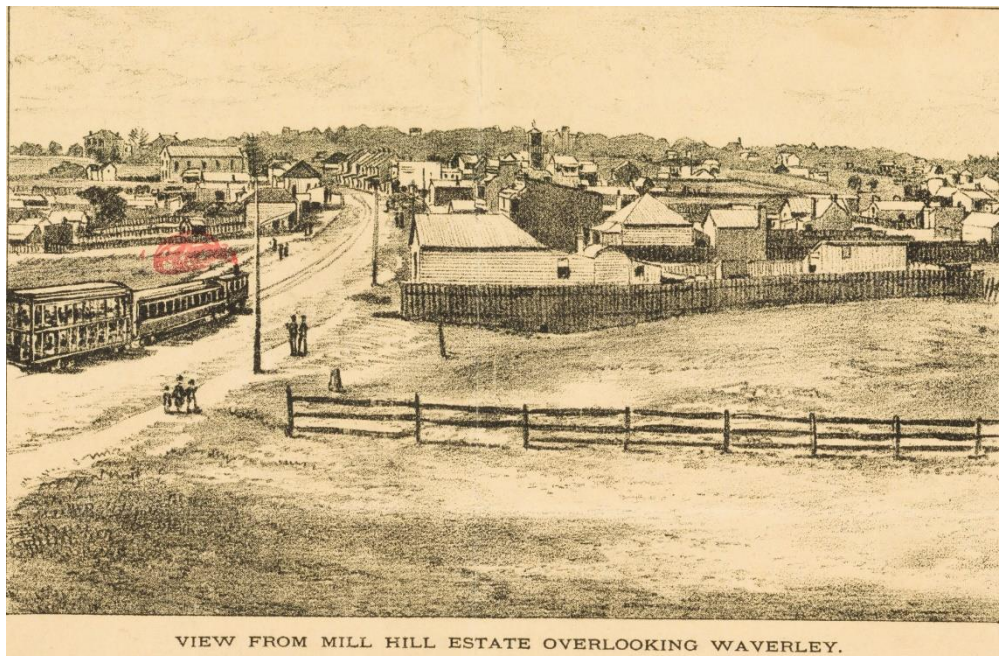


Figure 7: Detail from Mill Hill Estate subdivision plan featuring the district of Waverley as viewed from the estate (Source: State Library of New South Wales, Z/SP/W6/322)

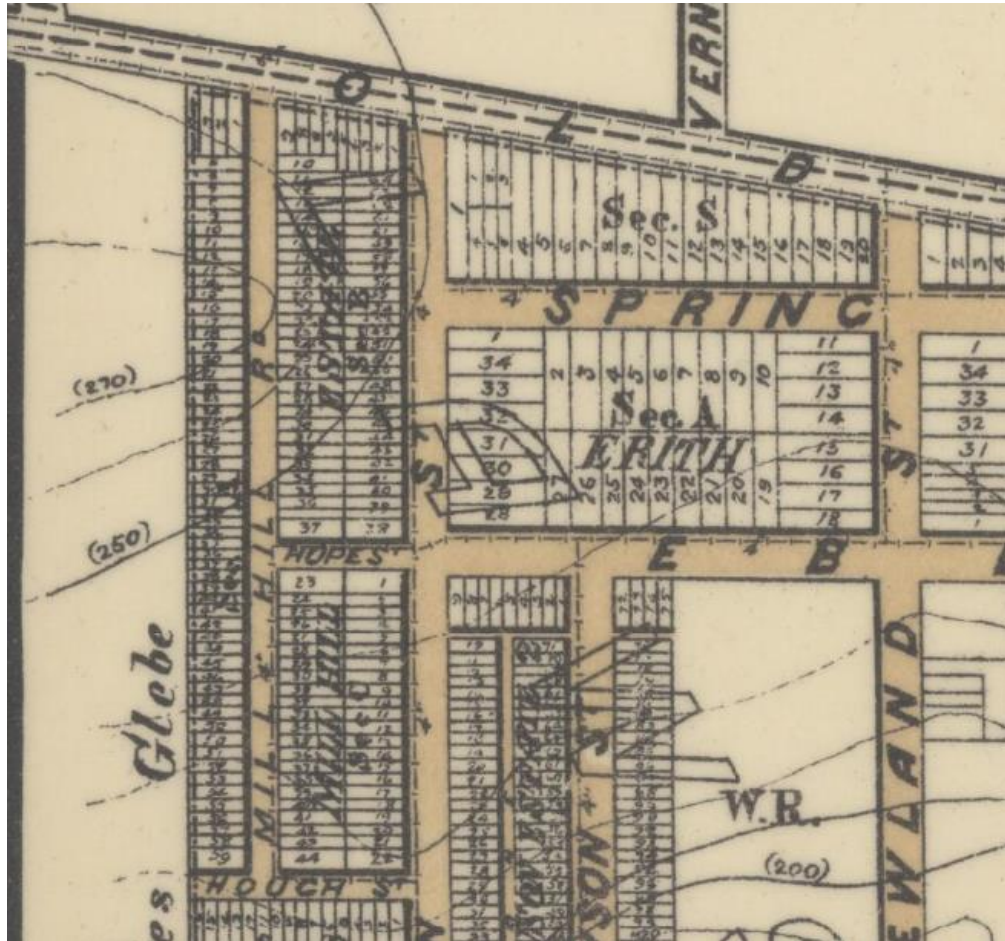


Figure 8: Detail from Plan of the borough of Waverley, compiled to date by S Pollitzer, C E Sydney, Gibbs, Shallard & Co, 1887 (Source: National Library of Australia, MAP RM 4631)

## 2.2 'THE RECTORY' AT 45 OXFORD STREET

On 27 June 1884, lot 9 of section B was sold by George Wigram Allen and Michael Chapman to Stephen Long for £292, two shillings and 11 pence.<sup>7</sup> On 26 August 1898 the property was sold to William Biggs, a professor of music, for £473, 15 shillings by the Permanent Trustee Company, who took over the property after Long's death in 1892.<sup>8</sup> In December 1899 Biggs mortgaged the property to John Biggs, of Newtown.<sup>9</sup> Later in 1903, a portion amounting to one rood contained in lot 8 was sold to William Biggs by Albert Hamlyn Warner.<sup>10</sup>

The house at 45 Oxford Street, Bondi Junction, known as 'The Bungalow', was probably constructed in about 1899-1900 for William Biggs. The 1987 Bondi Junction Heritage Study notes the house was built in about 1900 and was initially named 'Yathong' before its name changed to 'The Bungalow' in 1906.<sup>11</sup> This construction date is also given in the 1993 Waverley Heritage Study.<sup>12</sup>

<sup>7</sup> NSW Land Registry Services, General Register of Deeds, 1884, Book 291, Number 354.

<sup>8</sup> NSW Land Registry Services, General Register of Deeds, 1898, Book 627, Number 24.

<sup>9</sup> NSW Land Registry Services, General Register of Deeds, 1899, Book 655, Number 67.

<sup>10</sup> NSW Land Registry Services, General Register of Deeds, 1903, Book 747, Number 513.

<sup>11</sup> Annette Green, 'Bondi Junction Heritage Study Item Identification Forms', September 1987, Inventory item No. Ox. St. 2, NSW Heritage Library.

<sup>12</sup> 'Waverley Heritage Study: Building Inventory' (Perumal Murphy Wu, October 1993), Item 38/2 0224, NSW Heritage Library.

The first reference to 'Yathong' appears in the 1896 Sands Directory. 'The Bungalow' first appears in the 1906 directory, and is listed as the property on the corner of Oxford Street and Mill Hill Road, with 'Irene' and 'Yathong' behind at 2 and 4 Mill Hill Road.<sup>13</sup> The Sands Directories dating from 1900 indicate Biggs did initially live in a property on the corner of Mill Hill Road and Oxford Street named 'Yathong'. It is possible the name was changed to 'The Bungalow' and then 'Yathong' given to the property at 4 Mill Hill Road.

The following is a summary of the early occupancy of 'The Bungalow' at 45 Oxford Street, Bondi Junction and neighbouring residences on Mill Hill Road according to Sands Directory listings (including street numbers where provided):

Name of occupant (listed on Mill Hill Road from Oxford Street to Hough Street)	Year	Page number
2 W Rhodes, 'Irene' 4 J B Bowmaker, 'Yathong'	1899	579
William Biggs, professor of music, 'Yathong' 2 W Rhodes, 'Irene' 4 Phythian, H	1900	603
William Biggs, professor of music, 'Yathong' 2 Mrs E Wheeler, 'Irene' 4 Phythian, H	1903	636
William Biggs, professor of music, 'Yathong' 2 George Robinson, 'Irene' 4 Phythian, H	1904	619
William Biggs, professor of music, 'Yathong' 2 Frederick Allen, 'Irene' 4 Phythian, H	1905	636
William Biggs, professor of music, 'The Bungalow' 2 Frederick Allen, 'Irene' 4 Henry Phythian, 'Yathong'	1906	647
William Biggs, professor of music, 'The Bungalow' 2 Frederick Allen, 'Irene' 4 Henry Phythian, 'Yathong'	1907	661
William Biggs, professor of music, 'The Bungalow' 2 Frederick Allen, 'Irene' 4 Henry Phythian, 'Yathong'	1908	682-83
William Biggs, professor of music, 'The Bungalow' 2 Frederick Allen, 'Irene' 4 Henry Phythian, 'Yathong'	1909	704
William Biggs, professor of music, 'The Bungalow' 2 Mrs Eliza C McKay, 'Irene' 4 Henry Phythian, 'Yathong'	1910	715
William Biggs, professor of music, 'The Bungalow' John Biggs 2 Miss Mary McKay, 'Irene' 4 Henry Phythian, 'Yathong'	1915	915
Rev Robert L Houston John Biggs	1916	929
Reverend Robert L Houston (C. of E.)	1917	959
Reverend Robert L Houston (C. of E.)	1920	801

<sup>13</sup> Sands Directory (Sydney, NSW: John Sands Ltd, 1896), 494.

The property was mortgaged again to John Biggs in October 1910.<sup>14</sup> It was then purchased by John Campbell, Eugene Edward Walter Lewis and Joseph Ranger, all of Waverley, on 28 May 1914.<sup>15</sup> In August 1917 it was conveyed to William Sydney Rowley, schoolteacher and Robert Dawes, journalist, both of Waverley.<sup>16</sup> From the end of 1915 the residence was used as a rectory for the minister of nearby St Barnabas Church.<sup>17</sup> Listed in newspapers as 'St Barnabas Rectory', the first minister to be listed at the residence in the 1916 Sands Directory was Reverend Robert Lyle Houston (1869-1944).

In May 1980 in an auction advertisement, the 'Historic Rectory' at 45 Oxford Street, Bondi Junction was described as a:

*Large Edwardian Villa possessing great charm and potential with spacious rooms, lofty ceilings and marble fireplaces with sunny north aspect, situated close to City railway and commercial retail heart of the Junction. Huge livingroom [sic], 4 bedrooms, kitchen with pantry and rear verandah to garden. Great potential for home, professional consulting rooms or residential development.*<sup>18</sup>

A later advertisement in November 1980 offered the 'newly renovated' former rectory for lease at \$165 per week.<sup>19</sup> From the 1980s the property was converted into a medical centre, known as The Rectory Medical Centre.<sup>20</sup> Annette Green notes in the Bondi Junction Heritage study conducted in August 1987:

*The house, its brick and iron fence and the large oak tree [no longer extant] to the front garden combine to form a prominent corner element to Oxford Street, and as a well built early 20<sup>th</sup> century bungalow it helps to illustrate the status of the area as a well established middle class suburb in the period around the turn of the century. It is of local interest for its association with the Church of England.*<sup>21</sup>

<sup>14</sup> NSW Land Registry Services, General Register of Deeds, 1910, Book 919, Number 937.

<sup>15</sup> NSW Land Registry Services, General Register of Deeds, 1914, Book 1030, Number 139.

<sup>16</sup> NSW Land Registry Services, General Register of Deeds, 1917, Book 1113, Number 418.

<sup>17</sup> Green, 'Bondi Junction Heritage Study Item Identification Forms', Inventory item no. Ox. St. 2.

<sup>18</sup> 'Real Estate Auction Sales', *The Sydney Morning Herald*, 31 May 1980, 105.

<sup>19</sup> 'Herald Classified', *The Sydney Morning Herald*, 19 November 1980, 17.

<sup>20</sup> NSW Environment, Energy and Science, 'The Rectory Medical Centre', Office of Environment and Heritage, accessed 28 August 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2620239>.

<sup>21</sup> Green, 'Bondi Junction Heritage Study Item Identification Forms', Inventory item no. Ox. St. 2.



Figure 9: The Rectory Medical Centre at 45 Oxford Street, 1987, Annette Green, 'Bondi Junction Heritage Study Item Identification Forms', September 1987, Inventory item no. Ox. St. 2 (Source: NSW Heritage Library, Q994.41 GRE)

## 2.3 47-57 OXFORD STREET

The heritage listing for the subject site notes the subject site 'appears to occupy the site used by Smiths Foundry in the 1860's and 1870's, which was originally the site of the workshops built by Hough to service his mill (1840's-1881).'<sup>22</sup> It also notes the building at 47-49 Oxford Street postdates Smiths Foundry 'but the light industrial sheds may be on early foundations'.

The first occupant listed in the Sands Directory on Oxford Street between Mill Hill Road and Denison Street was Timothy Riordan, a builder, who occupied a building named 'Salisbury' from about 1887. The following is a summary of the early occupancy of 47-57 Oxford Street, Bondi Junction (after Hough's subdivision) according to Sands Directory listings (including street numbers where provided):

Name of occupant (listed on Oxford St from Mill Hill Road to Denison St)	Year	Page number
Timothy Riordan, 'Salisbury'	1888	410
Timothy Riordan, builder, 'Salisbury'	1892	457
Timothy Riordan, builder, 'Salisbury'	1893	478
James Hood, 'Vera'	1894	497
Timothy Riordan, builder, 'Salisbury'		
James Bardsley, 'Seely'	1897	524
Timothy Riordan, builder, 'Salisbury'		
Mrs Fletcher, midwife	1898	563
Timothy Riordan, builder, 'Salisbury'		
Henry Mills, 'Seely'	1899	580

<sup>22</sup> NSW Environment, Energy and Science, 'Bondi Junction Timber & Hardware Co.', Office of Environment and Heritage, accessed 28 August 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2620417>.

Timothy Riordan, builder, 'Salisbury'		
Henry Mills, 'Seely'	1900	604
Timothy Riordan, builder, 'Salisbury'		
Timothy Riordan, builder, 'Salisbury'	1903	638
Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder		
Timothy Riordan, builder, 'Salisbury'	1905	638
Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder		
Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder	1907	663
John Gilmour, timber merchant		
1 Timothy Riordan, builder, 'Salisbury'	1908	685
7 Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder		
11 John Gilmour, timber merchant		
1 Mrs Rose Riordan, 'Salisbury'	1909	706
7 Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder		
11 John Gilmour, timber merchant		
1 Miss Isoline? Cowley, 'Salisbury'	1910	718
7 Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder		
11 John Gilmour, timber merchant		
3-5-7 Walter V H Biddell and Co, manufacturers of Dr Lee's baking powder	1915	918
7-9-11 Dairy Farmers' Co-operative Milk Co. Ltd		
11 Thomas Cook and Sons, joinery works		
7-9-11 Dairy Farmers' Co-operative Milk Co. Ltd	1916	932
11 Thomas Cook and Sons, joinery works		
Mrs Rose Riordan, 'Salisbury'	1917	962
Waverley Laboratory		
7-9-11 Dairy Farmers' Co-operative Milk Co. Ltd		
Mrs Rose Riordan, 'Salisbury'	1918	803
7-9-11 Dairy Farmers' Co-operative Milk Co. Ltd		
Mrs Rose Riordan, 'Salisbury'	1919	775
3-5 Walter Biddell		
7-9-11 Dairy Farmers' Co-operative Milk Co. Ltd		
Mrs C Steffans	1920	805
3-5 Biddells Motor Garage		
7-9-11 Dairy Farmers' Co-operative Milk Co. Ltd		

Walter V H Biddell was a businessman and pioneer in surf lifesaving.<sup>23</sup> Nicknamed 'Biddy' amongst surfing enthusiasts he operated the 'Waverley Laboratory' as part of the long-running confectionary business, Biddell Bros, in Newland Street in the 1890s before moving to the subject site (47-49 Oxford Street) in about 1902. From the 1890s the company became known for making 'Dr Lee's Snowflake Baking Powder', and traded many products including 'essences (flavouring), table jellies, coffee essences and compounds, culinary powders and essences, sauces, condiments, confectionary, jams, jellies, cordials, pickles, farinaceous

<sup>23</sup> Kathy Hackett, 'Inspiration, Expiration and Methods of Release', *Inside the Collection* (blog), 21 September 2017, <https://maas.museum/inside-the-collection/2017/09/21/inspiration-expiration-and-methods-of-release/>; 'Mr W V H Biddell', *Sydney Morning Herald*, 26 April 1933, 9, <http://nla.gov.au/nla.news-article16958156>.

foods, cereal foods, preserves, oils, gingerbeer [sic] powders, fruit juices, poultry, horse and cattle spices, sarsaparilla, hop bitters'.<sup>24</sup> From the late 1910s, Biddell operated his premises as a 'motor garage'.

The 1987 Bondi Junction Heritage Study described the building at 47-49 Oxford Street as follows:

*The façade of the building was constructed in face brick (now painted) and features a flat parapet with raised central pediment. The simple rendered detailing includes a sunburst motif [sic] to the base of the pediment and moulded lions to the parapet. It would be interesting to conduct further research to determine whether these symbols were associated with its original use.*<sup>25</sup>

The 1993 Waverley Heritage Study concluded:

*There are few surviving industrial buildings of any architectural note. 47 Oxford Street is a late nineteenth century commercial building with a continuing commercial industrial use. It still retains its attractive upper level facade with excellent parapet.*<sup>26</sup>

The sunburst motif represents W V H Biddell and Co's original product logos, which were trademarked in 1898 and 1903. This indicates the building at 47 Oxford Street was likely constructed for Biddell in about 1902. In his 1898 trademark application the logo, which was to be applied to his baking powder, contained an 'oblong label of three panels' with the centre panel containing a 'representation of the sun and rays, upon which are the name, " Dr. Lees," and a scroll containing the words "Baking Powder."' On top of this panel were the words 'Never fails to rise'.<sup>27</sup> Biddell's 1903 trademark application, which was to be applied across all the company's products, described the logo as:

*A circular device containing a representation of the Sun and rays. On the sun is the name "W. V. H. Biddell & Co.," whilst superimposing and extending to each side of said Sun is a ribbon bearing the words "Waverley Laboratory." Above said Sun and on the rays thereof are the words "Never Eclipsed" whilst beneath and similarly placed are the words "New South Wales"....*<sup>28</sup>

The Sands Directory of 1907 indicates John Gilmour, a timber merchant, occupied the neighbouring premises, probably number 49 Oxford Street, until it was then taken over by a joinery works, Thomas Cook and Sons, in about 1914-15. The site was then occupied by the Dairy Farmers' Co-operative Milk Co. Ltd from about 1916-17. The land at 53-57 Oxford Street was used as 'motor engineering works' from about 1921.<sup>29</sup>

<sup>24</sup> 'Trade Marks', *Government Gazette of the State of New South Wales*, 19 May 1903, 3637, <http://nla.gov.au/nla.news-article226365646>.

<sup>25</sup> Green, 'Bondi Junction Heritage Study Item Identification Forms', No. Ox. St. 3.

<sup>26</sup> 'Waverley Heritage Study: Built Heritage Report' (Perumal Murphy Wu, October 1993), 33, NSW Heritage Library.

<sup>27</sup> 'Trade Mark', *New South Wales Government Gazette*, 15 July 1898, 5310, <http://nla.gov.au/nla.news-article221033494>.

<sup>28</sup> 'Trade Marks', 3637.

<sup>29</sup> Stephen Davies and Joseph Heng, 'Heritage Impact Statement 45-53 Oxford Street, Bondi Junction' (Urbis Pty Ltd, March 2013), 16.



Figure 10: Andy Mac's Timber and Hardware store at 47 Oxford Street, 1987, Annette Green, 'Bondi Junction Heritage Study Item Identification Forms', September 1987, Inventory item no. Ox. St. 3 (Source: NSW Heritage Library, Q994.41 GRE)



Figure 11: Andy Mac's Timber and Hardware, 47 Oxford Street, Bondi Junction, 8 February 1987, photograph by Marion Corry (Source: Waverley Library, Waverley Council, 101906)

### 3.0 PHYSICAL EVIDENCE

#### 3.1 SITE CONTEXT

The site is located on the southern side of Oxford Street, on a block bounded by Mill Hill Road to the west, Denison Street to the east and adjoining allotments to the west.

The site is in close proximity to the main business district of Bondi Junction, including the main Shopping Centre, Bondi Junction Bus Station and Train Station, which is located approximately 0.5 kilometres from the subject site. The immediate area is generally a mixture of small-scale, one to two storey residential areas to the west and south of the site, as well as medium- to large-scale commercial buildings and multi-level residential towers to the north and east of the site, located predominantly along Oxford Street.

#### 3.2 VIEWS

Primary views of the subject site are those available from Oxford Street, as well as close to the intersection of Oxford Street with Denison Street (to the east) and Mill Hill Road (to the west). Views of the facades become obscured in each direction along Oxford Street, due to the predominance of multi-storey buildings constructed to the street boundary. Views of the site also become obscured moving south along both Denison Street and Mill Hill Road, also because of the predominance of buildings constructed to the street boundaries.

Buildings located on neighbouring allotments to the south of the subject block most, if not all, views of the rear of the subject site.

There are no distant views or vistas available from, or of, the subject site.



Figure 12: View of Denison Street, facing north, close to the eastern boundary of the subject site (to the left). (NBR SARCHITECTURE, 2020).



Figure 13: View looking west from Denison Street. A portion of the subject site can be seen to the right. (NBR SARCHITECTURE, 2020).



Figure 14: View from Oxford Street, looking southwest towards the subject site. (NBR SARCHITECTURE, 2020).



Figure 15: View from the corner of Mill Hill Road and Oxford Street, looking east. (NBR SARCHITECTURE, 2020).



Figure 16: View of eastern portion of the subject site, looking south from Oxford Street. (NBR SARCHITECTURE, 2020).



Figure 17: View of the western portion of the subject site, looking south from Oxford Street. (NBR SARCHITECTURE, 2020).



Figure 18: View of the subject site from Oxford Street, looking southeast. (NBR SARCHITECTURE, 2020.)



Figure 19: View of the rear portion of the building at 45 Oxford Street, looking west from Mill Hill Road. (NBR SARCHITECTURE, 2020).

### 3.3 DESCRIPTION OF THE SITE

The subject site comprises three lots: 45 Oxford Street to the west, 53-57 to the east and 47-49 Oxford Street, located between the two other lots.

#### 3.3.1 45 OXFORD STREET

The building at 45 Oxford Street occupies a corner lot at the intersection of Oxford Street (to the north) and Mill Hill Road (to the west). The building has minimal setback from the road along its side (west) elevation. A small garden with a hedge perimeter is located directly in front of the building and a carpark is located at the rear (south) of the property.

The building is single storey and designed in the Federation style. It is of a small-scale, residential character, topped by a terracotta-tiled roof with a front gable ornamented with timber-batten detailing. It is constructed of brick, with portions of exterior walls with pebbledash render, including the front (north) façade.

The front façade, below the gable, contains a detailed window design comprising brick surrounds, portions of timber framing and a number of smaller, leadlight, stained glass panes. A smaller, less detailed window of a similar design is located at the northwest corner of the dwelling. The main entrance into the building is from a covered verandah located to the west of the gable.

The side (west) façade facing Mill Hill Road is of brick construction and contains no pebbledash render. Three dormer windows are located along the side (west), Mill Hill Road

elevation with a number of timber-framed, double hung windows with metal grilles, below. Along this façade is an additional entry, located below an arched brick opening.

The rear (south) façade contains a Dutch gable roof containing timber framed windows and timber-batten detailing. The wall below is of painted brick with a centrally located door and timber framed windows on either side.

Internally, the layout of the building, comprising several rooms divided by a hallway, is generally intact, apart from the later kitchen and bathroom fitouts to the rear and the addition of the attic spaces. The internal ground floor spaces also retain original arched openings along the hallway, timber flooring throughout, and fireplaces including original chimney breasts, hearths, mantles and surrounds. A staircase connects the ground floor to a later attic fitout above, within the roof cavity.



Figure 20: View of 45 Oxford Street looking southeast. (NBR SARCHITECTURE, 2020).



Figure 21: View of the side (west) façade looking east from Mill Hill Road. (NBR SARCHITECTURE, 2020).



Figure 22: View of the front façade looking south from Oxford Street. (NBR SARCHITECTURE, 2020).



Figure 23: View of the front, covered verandah entry. (NBR SARCHITECTURE, 2020).



Figure 24: View of the rear façade, looking north. (NBR SARCHITECTURE, 2020).



Figure 25: View of the side entrance. (NBR SARCHITECTURE, 2020).



Figure 26: Internal view inside the front room, looking towards the main entry door. (NBR SARCHITECTURE, 2020).



Figure 27: Internal view of the front room, with fireplace and stained glass window. (NBR SARCHITECTURE, 2020).



Figure 28: Internal view of the main, detailed, stained glass window looking north from the front room. (NBR SARCHITECTURE, 2020).



Figure 29: One of the original fireplaces. (NBR SARCHITECTURE, 2020).



Figure 30: Internal view, with original, timber-framed, double hung window and fireplace. (NBR SARCHITECTURE, 2020).



Figure 31: Internal view of the hallway with an arched opening. (NBR SARCHITECTURE, 2020).



Figure 32: Internal view of the later kitchen fitout. (NBR SARCHITECTURE, 2020).



Figure 33: Internal view within the roof cavity which contains an attic space. (NBR SARCHITECTURE, 2020).



Figure 34: View of the side door, looking west onto Mill Hill Road. (NBRSARCHITECTURE, 2020).

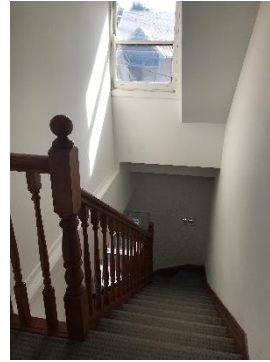


Figure 35: View of the internal staircase, connecting the main ground level to the attic contained within the roof space. (NBRSARCHITECTURE, 2020).

### 3.3.2 47-49 OXFORD STREET

The building at 47-49 Oxford Street occupies the middle of the subject site. It contains a two storey, late 19<sup>th</sup> Century/early 20<sup>th</sup> Century commercial building with minimal setback from Oxford Street, with a later, one storey, lean-to structure connected to the eastern side of the commercial building, setback from the street.

The two storey commercial building was most recently used as a hardware store. All four facades are of painted brick. The main façade, facing Oxford Street is decorated in stucco, including string courses sitting on brackets at first floor and parapet level. The building is topped by a flat parapet with two, moulded lions on each corner. A raised, centrally located pediment retains a sunburst motif. Openings on the first floor are symmetrically arranged across the façade, containing timber-framed, double hung windows with a centrally located, moulded pilaster between the two, more central windows. The ground floor contains two, large fixed pane windows closer to the eastern side of the façade, with a door closer to the west. There are minimal, if no openings along the other three façades, with the exception of: an arched opening with a fixed pane along the upper storey of the western façade, close to the northwest corner of the building; and a doorway along the ground floor of the eastern façade, close to the northeast corner.

The interior of the building, at both ground and first floors, has been significantly modified, containing a series of modern fitouts. The only remaining, early and original features include a remnant chimney hood, which suggests that there was at least one fireplace located on the first floor, as well as plastered walls with early cornices and skirtings.

The one storey lean-to structure connected to the eastern façade of the two storey building is clad in timber boards with a corrugated iron roof. Although single storey, it is oversized and stands above the ground floor ceiling height of the adjoining building. An oversized opening is located along the front façade facing Oxford Street. Internally, the structure contains shelving along the perimeter walls, used for timber and hardware storage.



Figure 36: View of 47-49 Oxford Street from Oxford Street looking southwest. (NBR SARCHITECTURE, 2020).



Figure 37: View of the entrance into the lean-to structure, looking southwest. (NBR SARCHITECTURE, 2020).



Figure 38: View of the lower level of the front façade of the two storey commercial building. (NBR SARCHITECTURE, 2020).



Figure 39: View of the upper level of the front façade of the two storey commercial building. (NBR SARCHITECTURE, 2020).



Figure 40: Internal view of the two storey commercial building including early windows and later fitout. (NBR SARCHITECTURE, 2020).

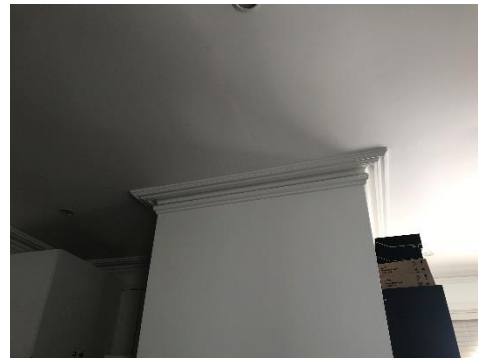


Figure 41: Internal view of the remnant chimney hood located within the two storey commercial building. (NBR SARCHITECTURE, 2020).



Figure 42: Internal view of the ground floor of the commercial building. (NBR SARCHITECTURE, 2020).



Figure 43: Internal view of the lean-to structure adjoining the commercial building. (NBR SARCHITECTURE, 2020).

### 3.3.3 53-57 OXFORD STREET

The building at 53-57 Oxford Street is a single storey, automobile service centre, located on the allotment at the corner of Oxford Street (to the north) and Denison Street (to the east). It adjoins the lean-to structure of the neighbouring allotment along its western elevation. The building is setback from Denison Street with carparking spaces along the eastern portion of the site. The building is also setback from Oxford Street, with a covered, vehicular drive-through area in front of the building, as well as further carparking spaces, to the north. This allotment is not heritage listed and does not contain any fabric of heritage significance.



Figure 44: View of 53-57 Oxford Street from Oxford Street, facing south, with the neighbouring allotment 47-49 Oxford Street shown to the right of the image. (NBR SARCHITECTURE, 2020).



Figure 45: View of the subject site from Denison Street, indicated by the red arrow, facing northwest. (NBR SARCHITECTURE, 2020).



Figure 46: View from the subject site, looking south towards the neighbouring allotment to the rear of the site. (NBR SARCHITECTURE, 2020).



Figure 47: Internal view of the automobile servicing centre. (NBR SARCHITECTURE, 2020).

## 4.0 ESTABLISHED HERITAGE SIGNIFICANCE

### 4.1 HERITAGE STATUS

The subject property at 45-57 Oxford Street, Bondi Junction, contains a number of listed items of local heritage significance on Schedule 5 of the *Waverley Local Environmental Plan (LEP) 2012*, including:

- "The Rectory," 45 Oxford Street, Item number I209;
- "Bondi Junction Timber and Hardware Co.," 47-49 Oxford Street, Item number I210; and
- Industrial archaeological potential of the "Bondi Junction Timber and Hardware Co.," Item number A527.

The subject site is also located within the vicinity of the Mill Hill Conservation Area and in the vicinity of a number of other, individually listed items, including:

- Mill Hill Conservation Area (C12);
- 304-330 Oxford Street, Bondi Junction (Façade Group only) - Item No: I215;
- 1 Mill Hill Road, Bondi Junction (Cottage) – Item No: I197; and
- 2-10 Ruthven Street, Bondi Junction (Two Storey Terrace Row) – Item No: I231.

Details of these items are included below.

Other heritage listed items in the vicinity of the subject site are visually and physically separated from the site by intervening development, local topography, roadways and distance.

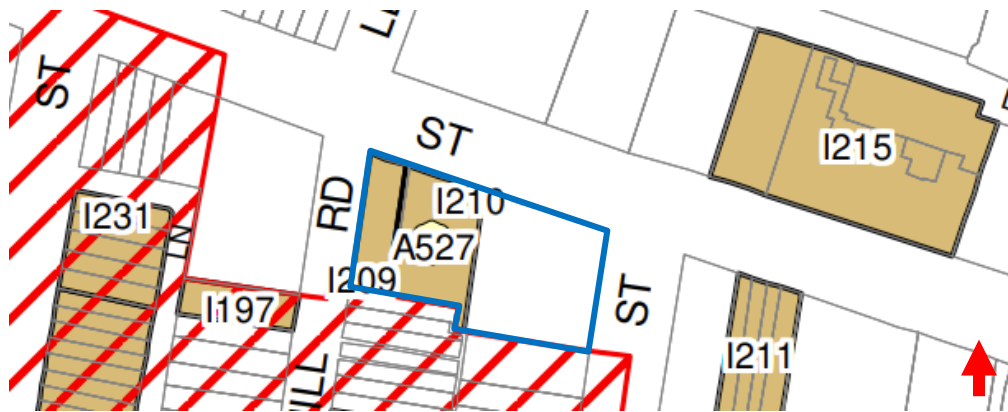


Figure 48: Excerpt from the Waverley LEP 2012 heritage map. Heritage items are shown brown and the Mill Hill Conservation Area is hatched red. The subject site is outlined in blue. (Source: Waverley LEP 2012, Heritage Map HER\_001A)

### 4.2 SIGNIFICANCE OF THE SUBJECT SITE

The following Statement of Significance for The Rectory Medical Centre, at 45 Oxford Street, Bondi Junction, is sourced from the NSW Heritage Database, reference number 2620239:

*Good example of a Federation house, with some individual interest. One of the few relatively intact examples in this area. Special historical interest for its association with St Barnabas Church. Local significance.*

The following Statement of Significance for the Bondi Junction Timber & Hardware Co, located at 47-49 Oxford Street, Bondi Junction, is sourced from the NSW Heritage Database, reference number 2620240:

*Façade retains some architectural interest in addition to the site's historical and archaeological interest. Local significance.*

#### **4.3 SIGNIFICANCE OF THE HERITAGE CONSERVATION AREA IN THE VICINITY**

The following Statement of Significance for the Mill Hill Conservation Area is sourced from the Waverley Council website,

[https://www.waverley.nsw.gov.au/building/heritage\\_and\\_design/heritage\\_conservation\\_areas](https://www.waverley.nsw.gov.au/building/heritage_and_design/heritage_conservation_areas):

*The Mill Hill Heritage Conservation Area comprises streetscapes, residential and retail structures recording the aesthetic character and qualities of late 19th and early 20th Century consolidation of Bondi Junction as a commuter suburb based upon improvements in transport and the rapid expansion of suburban Sydney between 1880 and 1915. The Mill Hill Heritage Conservation area street and subdivision patterns are derived from initial land grants of the 1830's-40's. The grants have historic association with established colonial society, early owners and settlers including Henry Hough mill operator at Hope Farm from the 1840's – 1880; the Anglican Church, initial owner of the St James Glebe to the western side of the Conservation Area; Jacob Josephson emancipist father in law of Barnett Levey builder of Waverley House (1827); Sydney retailer Samuel Peek; William Lawson (1774-1850) explorer and politician and Thomas Ware Smart (1810-1881) magistrate, grazier, business leader and politician. The grid pattern of these grants and initial streets established along the boundaries provided the basis for later subdivisions forming the existing pattern of residential and retail buildings and related outbuildings. The 19th Century subdivisions of the initial grants and the related construction - provide significant examples of late 19th and early 20th Century residential streetscapes.*

*Narrow fronted deep allotments are occupied by one and two storey terrace rows of late Victorian styles interspersed with grouped and single examples of worker cottages these appearing as the earliest forms of remaining residential construction. Later semi detached and single storey attached houses of Federation style combined with retail shops featuring post supported and cantilevered awnings and ecclesiastical buildings complete the streetscapes. The compositions provide significant demonstration of the forms, styles and settings of residential development in Waverley Municipality resulting from improved transport and population demands of the late 19th and early 20th Centuries.*



Figure 49: Image of a parapet to a former grocer's store along Mill Hill Road. (Source: Waverley Council)

#### 4.4 SIGNIFICANCE OF ITEMS IN THE VICINITY

There is no Statement of Significance for the "Façade Group only," located at 304-330 Oxford Street, Bondi Junction, Item number I215.

The following Statement of Significance for the Cottage located at 1 Mill Hill Road, Bondi Junction, is sourced from the NSW Heritage Database, reference number 2620212:

*Excellent example of a symmetrical, Federation cottage. Essentially intact and displaying some fine detailing. Local significance.*



Figure 50: Image of the cottage at 1 Mill Hill Road. (Source: Waverley Council)

The following Statement of Significance for the Terraces at 2-10 Ruthven Street, Bondi Junction, is sourced from the NSW Heritage Database, reference number 2620264:

*Essentially intact row of late nineteenth century terraces. Not outstanding architecturally but one of the least altered in the area. Valuable streetscape contribution. Local significance.*



Figure 51: Image of one of the terraces located at 2-10 Ruthven Street. (Source: Waverley Council)

## 5.0 THE PROPOSAL

The subject Planning Proposal, designed by Team2 Architects, is to amend the *Waverley Local Environmental Plan (LEP) 2012* to permit a multi-storey, mixed use development, comprising:

- Three, below ground, Basement levels;
- One storey, Ground Level podium for retail use;
- One storey, Level 1 for commercial purposes;
- Four storey, Levels 2-5 for residential use; and
- Attic Level, also for residential use.

In particular, the proposal involves amendments to the existing Planning Controls for the sites located at 47-49 and 53-57 Oxford Street, Bondi Junction. Note that the existing B4 Mixed Use Zone related to the site at 45 Oxford Street, Bondi Junction, will remain unchanged and will retain its current Planning Controls. Changes to the existing Planning Controls for the sites at 47-49 and 53-57 Oxford Street, Bondi Junction, include:

- Amendments to the Height of Buildings standard to allow building heights of 26 metres; and
- Amendments to the Floor Space Ratio (FSR) standard to allow an FSR of 2.5:1

The aim of the proposal is to develop the “Oxford Street Creative Live/Work,” on the site, conceived as a mid-rise, mixed use development which provides new, active public spaces fronting Oxford Street, as well as new areas for the local community to live and work.

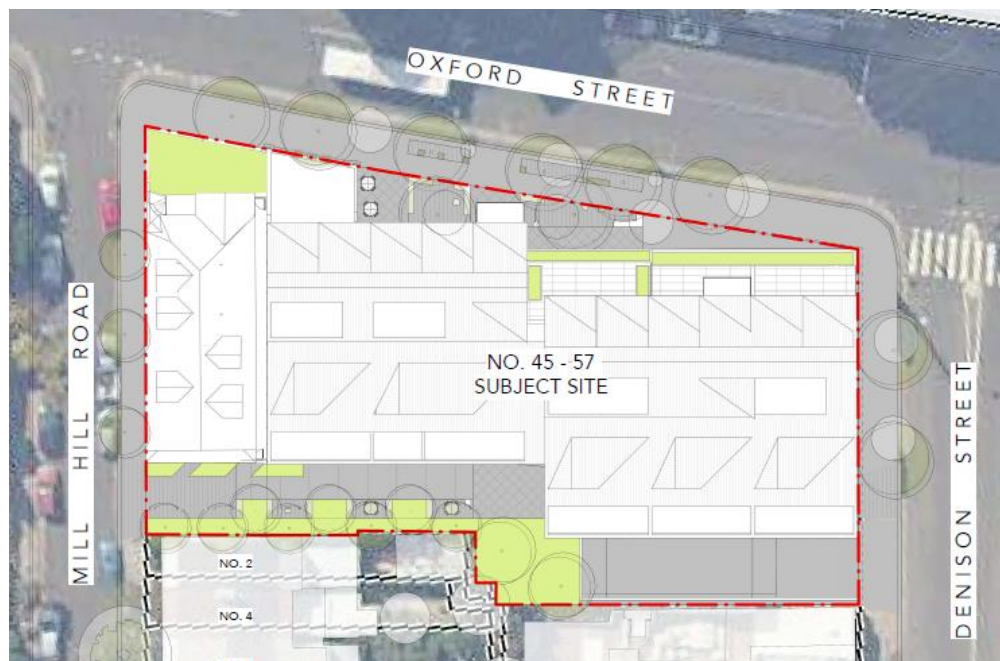


Figure 52: Site Plan (Source: Team2 Architects)

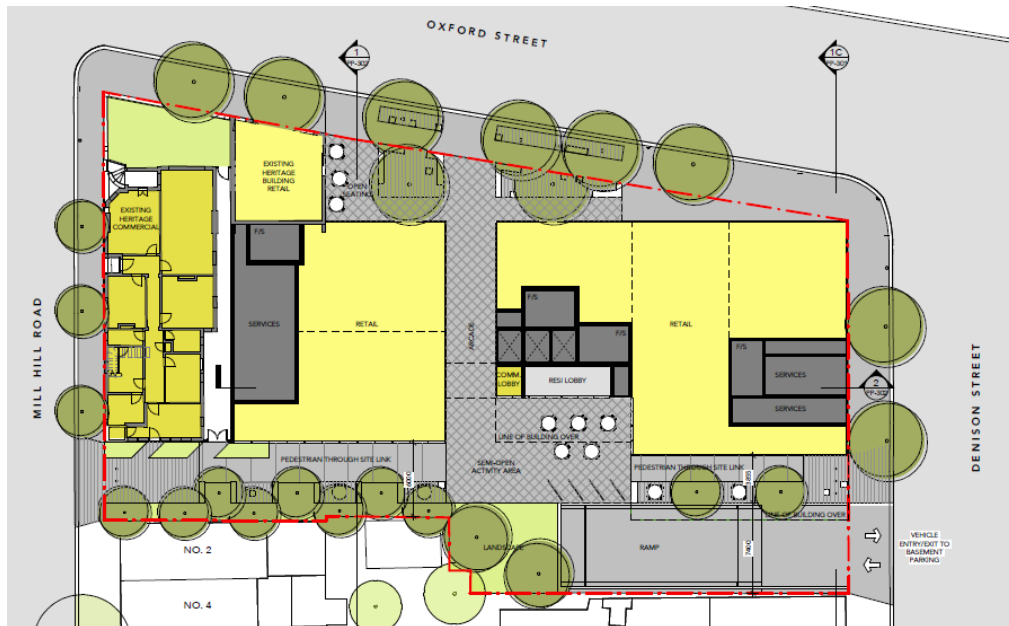


Figure 53: Indicative Ground Floor Plan (Source: Team2 Architects)

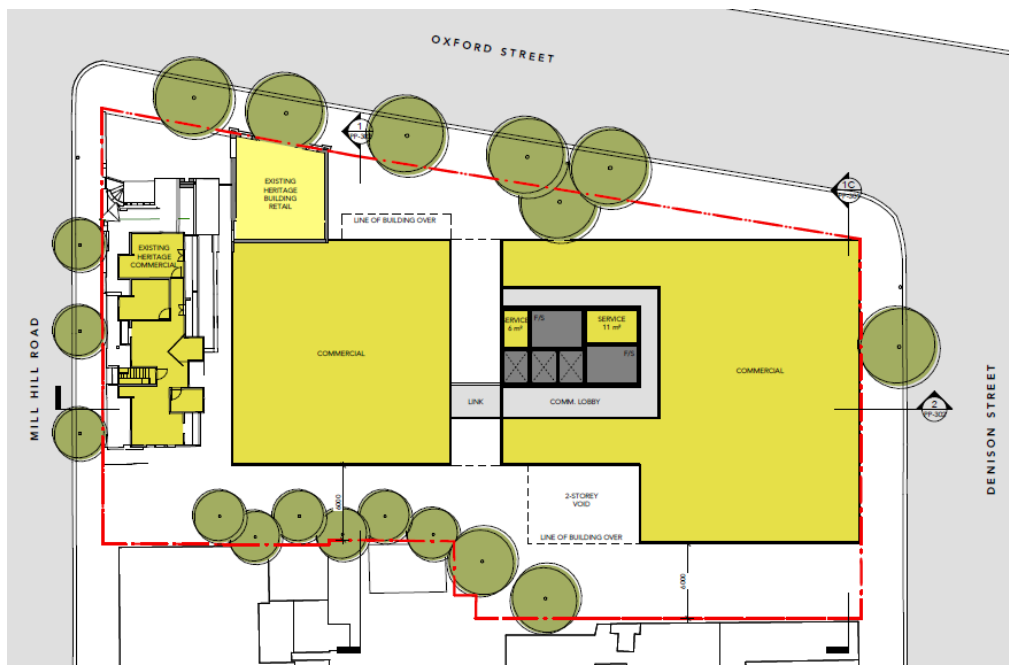


Figure 54: Indicative First Floor Plan (Source: Team2 Architects)



Figure 55: Level 2 Plan, showing indicative floor arrangement (Source: Team2 Architects)

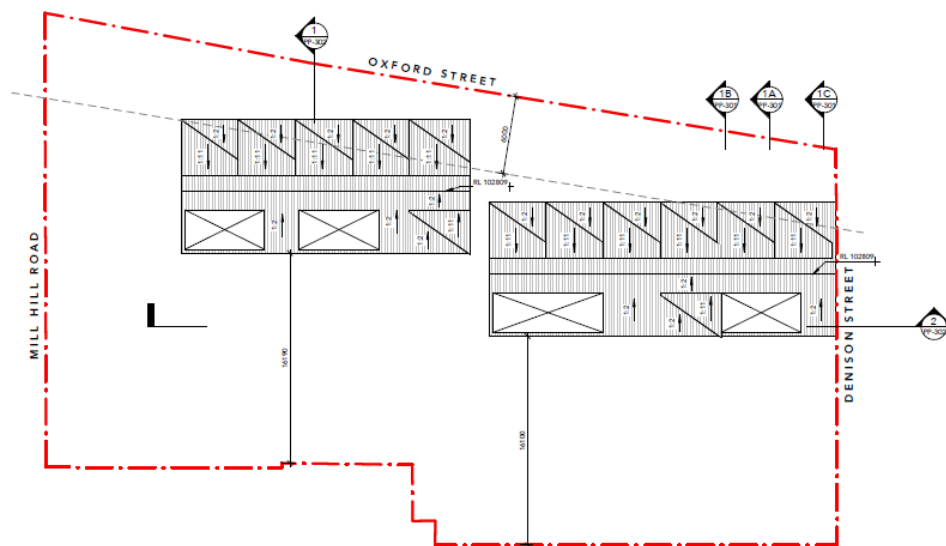


Figure 56: Indicative Roof Plan (Source: Team2 Architects)

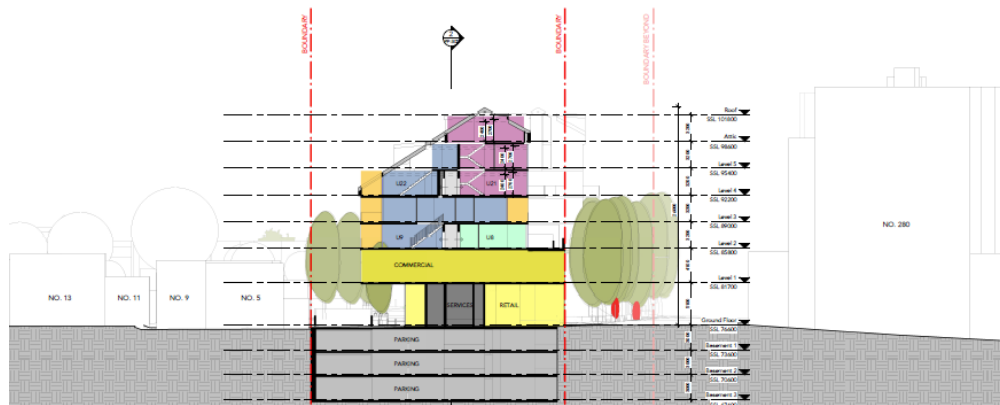


Figure 57: Indicative Section 1C (Source: Team2 Architects)

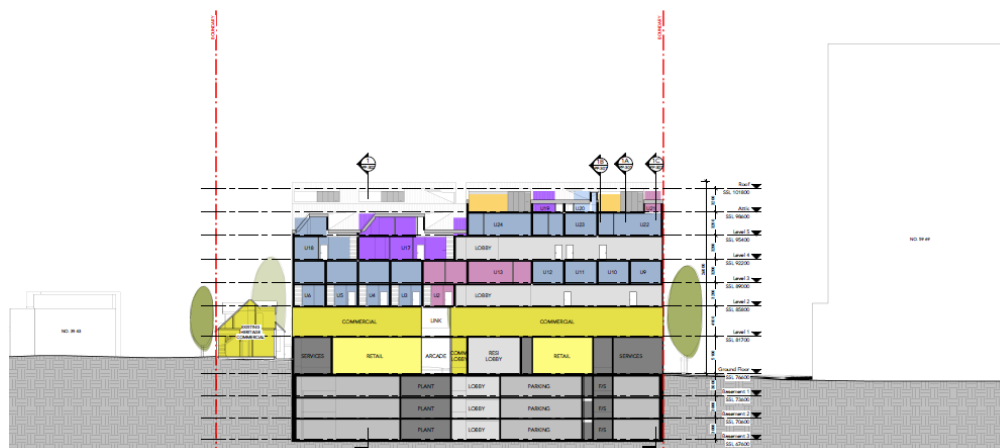


Figure 58: Indicative Section 3 (Source: Team2 Architects)

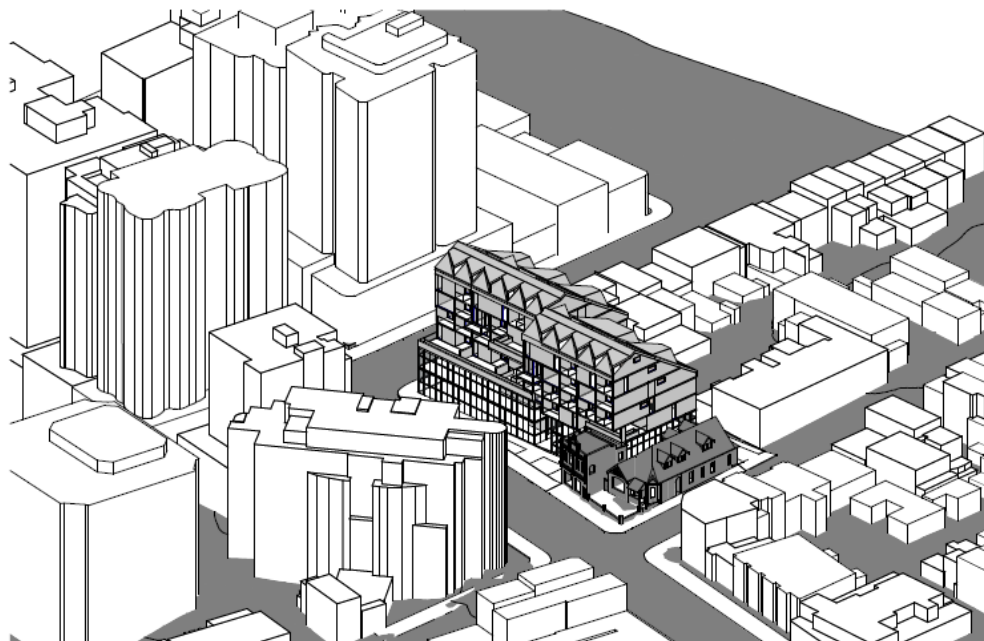


Figure 59: Proposed Envelope, from the northwest (Source: Team2 Architects)



Figure 60: Proposed envelope, from the southwest (Source: Team2 Architects)

## 5.1 DOCUMENTATION EVALUATED

The documentation, “Place Design Justification Report,” produced by RobertsDay, was reviewed as part of the preparation of this report. The following drawings, prepared by Team2 Architects, were also reviewed as part of the preparation of this report:

DRAWING NO.	DRAWING TITLE	ISSUE	DATE
PP-000	Cover Sheet	A	11.09.2020
PP-010	Site Plan	A	11.09.2020
PP-011	Site Analysis	A	11.09.2020
PP-050	Shadow Study	A	11.09.2020
PP-060	Massing Study	A	11.09.2020
PP-100	Basement 2&3 Floor Plan	A	11.09.2020
PP-101	Basement 1 Floor Plan	A	11.09.2020
PP-102	Ground Floor Plan	A	11.09.2020
PP-103	Level 1 Floor Plan	A	11.09.2020
PP-104	Level 2 Floor Plan	A	11.09.2020
PP-105	Level 3 & 4 Floor Plan	A	11.09.2020
PP-106	Level 5 & Attic Floor Plan	A	11.09.2020
PP-107	Roof Plan	A	11.09.2020
PP-300	Section Concept	A	11.09.2020
PP-301	Section 1	A	11.09.2020
PP-302	Section 2	A	11.09.2020
PP-900	Perspectives	A	11.09.2020

## 6.0 ASSESSMENT OF HERITAGE IMPACT

### 6.1 INTRODUCTION

This Heritage Impact Statement has been prepared in relation to the following impact assessment criteria: the *Waverley Local Environmental Plan (LEP) 2012*, the *Waverley Development Control Plan (DCP) 2012* and the New South Wales Heritage Office (now NSW Heritage Division) guidelines, *Altering Heritage Assets* and *Statements of Heritage Impact*, contained within the NSW Heritage Manual.

### 6.2 OVERVIEW OF POTENTIAL HERITAGE IMPACTS

#### 6.2.1 OVERALL FORM AND FRONTAGE TO OXFORD STREET

The proposal is described in the documentation, "Place Design Justification Report," by RobertsDay, as a 'mid-rise' development which mediates and transitions between the Bondi Junction Business District which is of a larger, high rise scale to the north, east and along Oxford Street, as well as the lower, more fine-grain, residential character and narrow streets to the south. The mid-rise development will transition between its 12 and 2 storey neighbours.

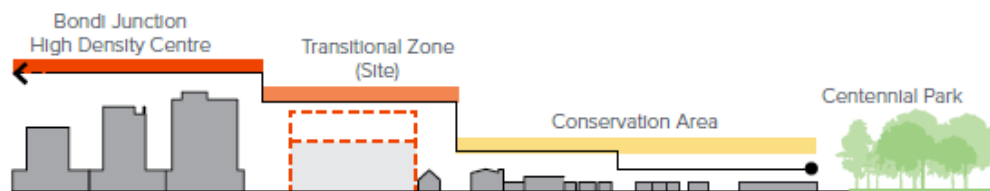


Figure 61: Oxford St south elevation diagram, showing the proposed transition between the site and neighbouring sites. (Source: RobertsDay, 2020)

The street frontage envelope has been designed to reference the historic small lot subdivision pattern in the area which generally follows a 6 metre grid pattern. The form of the ground level podium has been designed in relation to the human scale, further activating the public street frontage along Oxford Street. The façade design of the reference scheme involves a staggered frontage, setback from the street. Its articulation helps to reinforce the transitional relationship between larger scale developments to the east, north, and along Oxford Street, and the finer-grain, residential scale to the south. The mid-rise tower is articulated to further reinforce the transition between the differing scales of the surrounding suburb. The building envelope and roof form have been developed on detailed shadow analysis demonstrating the ability of the site to bridge the relationship between differing urban scales surrounding the site and to demonstrate that sufficient solar access and cross-ventilation is achievable.

The reference scheme demonstrates an appropriate design response to the surrounding site and has been included with the Planning Proposal application to demonstrate that any adverse heritage impacts of developing a building which increases the scale and height currently permissible on the site of two heritage items, can be mitigated. Additionally, the proposed form demonstrates that additional overshadowing over its neighbours can be avoided.

### 6.2.2 INCORPORATION OF 'THE RECTORY' AND 'TIMBER AND HARDWARE CO.'

#### The Rectory

The existing, immediate context of the heritage-listed site known as, "The Rectory" at 45 Oxford Street, is defined and surrounded by smaller scale, residential properties to the west and south, as well as larger developments to the north on the opposite side of Oxford Street. The former cottage is set back from Oxford Street, with a small garden at the front. The intention of the proposal is to retain the cottage upon its existing allotment, with no changes to any significant fabric, its overall form, nor its existing setbacks. In particular, the proposal involves the creation of a defined ground level podium which references the scale of the Rectory cottage. In this way, the scale and form of the former cottage and its setting will be retained in the streetscape. There will no change to this building or its garden setting to Oxford Street.

#### The Timber and Hardware Co.

The existing, immediate context of the heritage-listed "Bondi Junction Timber and Hardware Co." located at 47-49 Oxford Street, is surrounded and defined by development of varying scales, heights and typologies. The existing building has been significantly modified over time in response to the needs of the users, and as such the appreciation of the original form and detail has generally been lost. The proposal has considered the historical and aesthetic significance that has been retained on the front façade in the reference scheme; these features potentially being incorporated into any future proposal. The reference scheme contemplates the levels above the footpath being setback from the façade, in order to allow pedestrians walking along Oxford Street and to appreciate its significance. Additionally, the defined ground level podium of the reference scheme addresses the scale of the 'Timber and Hardware Co,' commercial building. In this way, the scale and form of the building and its setting, will be retained in the streetscape.

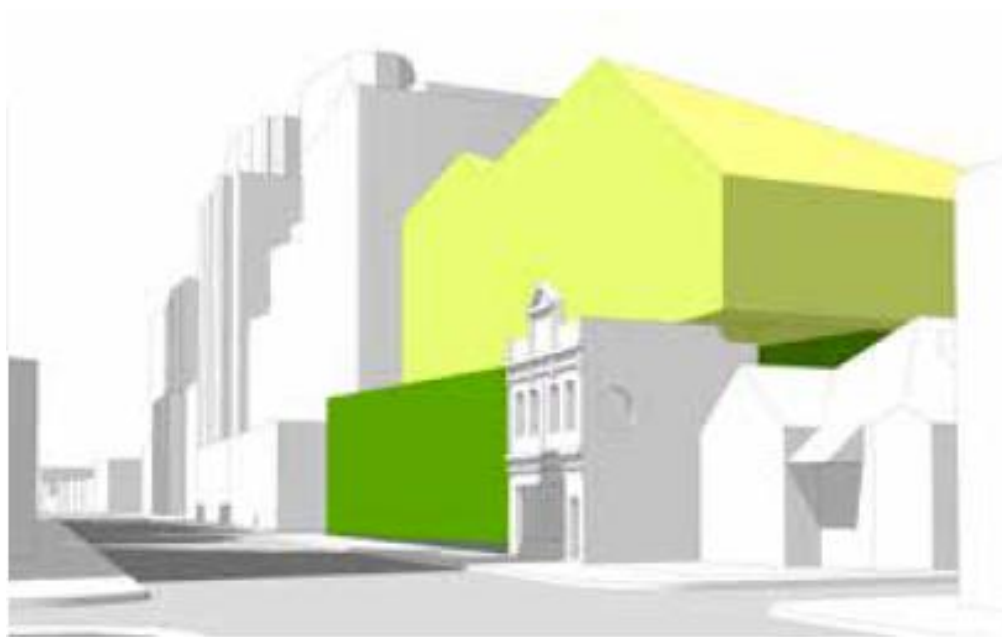


Figure 62: Oxford St proposed concept scheme elevation looking southeast. (Source: RobertsDay, 2020)

### 6.2.3 CONNECTIVITY TO THE REAR

The rear of the site has shared boundaries with residential allotments which face onto Mill Hill Road to the west, and Denison Street to the east, involving a number of sites included as part of the adjoining Mill Hill Conservation Area, and a number of heritage items in the vicinity of the subject site, further south along Mill Hill Road.

The design response to this context is the addition of a new laneway and arcade to the rear of the site. It will act as a two-storey corridor for pedestrian access, creating a through site link between Mill Hill Road to the west, and Denison Street to the east. The new laneway has been designed in relation to the human scale, creating circulation and pedestrian activity through the site. Additionally, the setback of the tower to the rear as well as the pedestrian pathway, will create a transition between the mid-rise tower and the small-scale, residential allotments directly to the south.

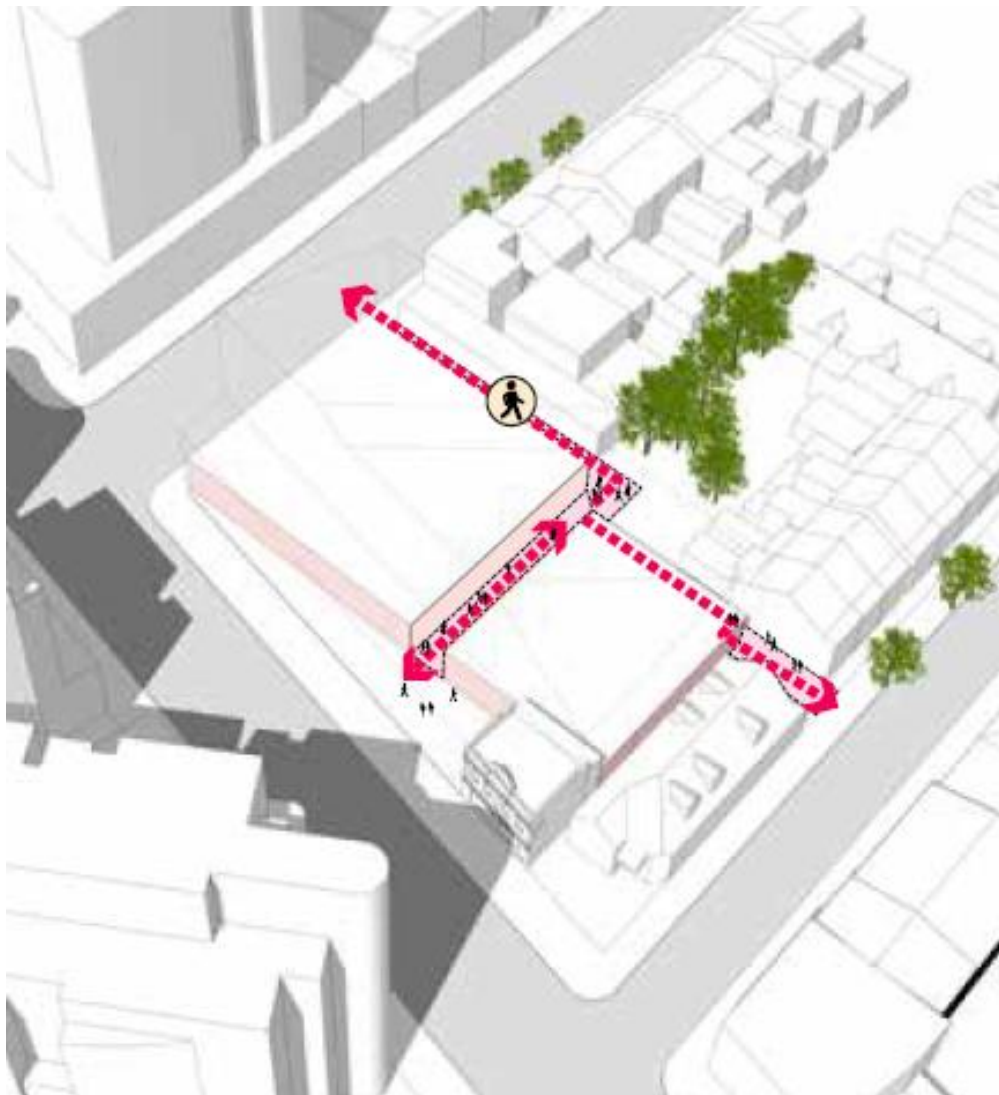


Figure 63: Laneway and arcade allows circulation through the site. (Source: RobertsDay, 2020)

According to the "Place Design Justification Report," by RobertsDay, the proposed form and setback avoids any additional overshadowing to its neighbours. For this reason, the setting of the allotments included as part of the Mill Hill Conservation Area and the heritage items in the vicinity, will be retained.

### **6.3 EVALUATION OF THE GUIDELINES OF THE NSW HERITAGE DIVISION**

The following assessment is based on the assessment criteria set out in the NSW Heritage Office (now Heritage Division) publication 'Statements of Heritage Impact', contained within the NSW Heritage Manual. The standard format has been adapted to suit the circumstances of this application.

*The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:*

- The reference design prepared as part of the Planning Proposal, described in the documentation, "Place Design Justification Report," produced by RobertsDay, and documented by Team2 Architects, has been sited and designed in a manner which complements the existing urban character of the area, and the architectural and historic values of the heritage items located on the site, and in the vicinity. This demonstrates that the amendments to the LEP can produce an appropriate built form as part of future development applications.
- Existing views to and from the front facades of the heritage items on the site, including, 'The Rectory' (Item no. I209), and the, 'Timber and Hardware Co,' (Item no. I210), will be retained. There will be no changes to the front garden setting of the Rectory building. These two buildings will continue to be understood as important heritage items in the context of their altered urban setting.
- The proposed amendments to the LEP provide the future opportunity to increase activity and the number of residents and visitors to the area, and will enhance public appreciation of the heritage items located on the subject site.

*The following aspects of the proposal could detrimentally impact on the heritage significance of the conservation area. The reasons are explained as well as the measures to be taken to minimise impacts:*

- In proposing to increase the scale and height controls currently permissible on the site, there is the potential for the development of a future building whose height and bulk may visually dominate the heritage items, and those in the vicinity, and reduce their architectural legibility. To mitigate the potential of this occurring, the detailed design of any setbacks, as well as the detailed architectural response to the ground level podium, supports the retention of views to and from the heritage items on the site, so they can continue to be understood and appreciated.

#### **6.3.1 MAJOR PARTIAL DEMOLITION OF A HERITAGE ITEM (INCLUDING INTERNAL ELEMENTS)**

- *Is the demolition essential for the heritage item to function?*
- *Are important features of the item affected by the demolition (eg fireplaces in buildings)?*
- *Is the resolution to partially demolish sympathetic to the heritage significance of the item (eg creating large square openings in internal walls rather than removing the wall altogether)?*

- *If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?*

**Comment:**

The proposed major partial demolition of the rear (south) façade, and a partial section of the east and west facades of the, 'Timber and Hardware Co,' (Item No. I210) is required to remove later elements on the site and to make the place usable and safe as part of any future development on the site. The demolition does not impact upon the significant features of the site.

**6.3.2 MAJOR ADDITIONS**

- *How is the impact of the addition on the heritage significance of the item to be minimised?*
- *Can the additional area be located within an existing structure? If not, why not?*
- *Will the additions tend to visually dominate the heritage item?*
- *Are the additions sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?*
- *Are the additions sympathetic to the heritage item? In what way (eg form, proportions, design)?*

**Comment:**

The proposal is to amend existing Planning Controls for the sites located at 47-49 and 53-57 Oxford Street, Bondi Junction. The existing B4 Mixed Use Zone and planning control affecting 45 Oxford Street, Bondi Junction, will remain unchanged.

The proposed changes to the existing Planning Controls for the sites at 47-49 and 53-57 Oxford Street, Bondi Junction, that are the subject of this application are limited to:

- Amendment to the Height of Buildings standard to allow building heights of 26 metres; and
- Amendments to the Floor Space Ratio (FSR) standard to allow an FSR of 2.5:1.

The subject site contains two heritage items, including 'The Rectory' cottage at 45 Oxford Street, (Item No. I209) and the 'Timber and Hardware Co.' commercial building at 47-49 Oxford Street (Item No. I210). The potential heritage impacts arising from the proposed amendments to the *Waverley LEP 2012* are associated with the resulting change in character of the area, both in terms of use and built form. These can be summarised as:

- Alteration to the built character of the area surrounding the heritage items, potentially changing their visibility; and
- Development of a building on the site whose height and bulk may visually dominate the heritage items on the site and reduce their architectural legibility. It may reduce their prominence as visual landmarks in the area.

'The Rectory' cottage at 45 Oxford Street, (Item number I209) is significant for being a good example of a Federation house, and is one of the few relatively intact examples in the local Waverley area, and also has historical interest for its association with St Barnabas Church. The adverse heritage impacts of developing a building of the proposed height, scale and bulk on the subject site can be partially mitigated by the future detailed design of a building, the current reference design aims to minimise visual bulk, in comparison to the single storey 'Rectory.' In particular, the impact has been mitigated by the design of a ground level podium which references the scale of 'The Rectory.' Additionally, changes are proposed to the rear boundary of the Rectory site in order to allow a through site link to connect Mill Hill Road and Denison Street. Although the rear portion of the Rectory site will be altered, it will not impact upon an understanding or appreciation of the Rectory, as the proposal does not alter the

existing front (north) or side (west) boundaries or setbacks surrounding the building. The through site link will create a visual separation of the item from the proposed development and is an appropriate design response to the small-scale heritage item and will allow the heritage item to continue to be understood as a separate building. The proposal is therefore sympathetic to the heritage item as the scale and form of the former cottage and its setting will be retained. Views to and from the main façade of the cottage from Oxford Street and from Mill Hill Road will be retained. The proposal will therefore have an acceptable heritage impact on the heritage item located at 45 Oxford Street.

The 'Timber and Hardware Co.' commercial building at 47-49 Oxford Street, (Item No. I210), is significant for its front façade, which retains some architectural interest in addition to the site's historical significance. The potential heritage impacts of developing a building of this height, scale and bulk on the subject site can be partially mitigated in the future design of a building, the current concept of which aims to minimise visual bulk, in comparison to the two storey 'Timber and Hardware Co.' building. In particular, the impact has been mitigated by the design of a ground level podium which references the scale of the 'Timber and Hardware Co.' commercial building. Additionally, the proposal has considered the historical and aesthetic significance of the front façade, which has been incorporated into the proposal, with the levels above setback from the façade. The levels further above this are also setback and will create a visual separation of the item from the proposed development and is an appropriate and sympathetic design response to the scale of the heritage item. In this way, the proposal does not visually dominate the heritage item and views of the front façade will be retained. The proposal will increase activity in the area and will therefore enhance public appreciation of the heritage item's aesthetic and historical significance. The proposal will therefore have an acceptable heritage impact on the heritage item located at 47-49 Oxford Street.

The proposal to amend the Height of Buildings standard and the FSR standard in the *Waverley LEP 2012* for the subject site is therefore acceptable from a heritage perspective.

It is noted that the proposal is sited on known, potentially significant archaeological deposits, on the site of the 'Timber and Hardware Co.' at 47-49 Oxford Street. The heritage listing for the subject site notes the subject site 'appears to occupy the site used by Smiths Foundry in the 1860's and 1870's, which was originally the site of the workshops built by Hough to service his mill (1840's-1881).'<sup>30</sup> It also notes the building at 47-49 Oxford Street postdates Smiths Foundry 'but the light industrial sheds may be on early foundations'. Further investigations may need to be undertaken by a qualified archaeologist to determine whether the proposal needs to be located in a different location in order to retain the potential significance of any archaeological deposits on the subject site.

### **6.3.3 NEW DEVELOPMENT ADJACENT TO A HERITAGE ITEM (INCLUDING ADDITIONAL BUILDINGS AND DUAL OCCUPANCIES)**

- *How is the impact of the new development of the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*

<sup>30</sup> NSW Environment, Energy and Science, 'Bondi Junction Timber & Hardware Co.', Office of Environment and Heritage, accessed 28 August 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2620417>.

- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

**Comment:**

The proposal to amend the Height of Buildings standard and the FSR standard in the *Waverley LEP 2012* for the subject site at 45-57 Oxford Street, is located in the vicinity of a number of heritage items as well as in the vicinity of the Mill Hill Conservation Area.

Generally, the potential adverse heritage impacts of the increased height and bulk of the proposal may include obscuring the visibility of nearby heritage items in certain views. The impacts of such height and bulk on heritage items and Conservation Area in the vicinity are partially mitigated in the current concept design. It involves the introduction of a façade design which involves a staggered frontage setback from the street, as well as a rear setback which involves a new laneway and arcade, which will act as a corridor, separating the proposal from its rear neighbours. The articulated form of the current concept design helps to reinforce the relationship between larger scale developments to the east, north, and along Oxford Street, and the finer-grain, residential scale to the south. The proposed form avoids any additional overshadowing over its neighbours. The proposal will therefore, not visually dominate, nor negatively impact views to and from, heritage items in the vicinity, or sites located within the Conservation Area in the vicinity.

The proposal will result in an increased use of the subject site and an increased number of visitors to the surrounding suburb. This is positive from a heritage perspective as an increased number of people living and working in the vicinity of the identified heritage items and Conservation Area in the vicinity will promote their appreciation by members of the public.

The proposal to amend the Height of Buildings standard and the FSR standard in the *Waverley LEP 2012* for the subject site is therefore acceptable from a heritage perspective, as the proposal will have an acceptable impact on the heritage items and Conservation Area located within the vicinity of the subject site.

It is noted that the proposal is sited on a known, potentially significant archaeological deposits, on the site of the 'Timber and Hardware Co.' at 47-49 Oxford Street. The heritage listing for the subject site notes the subject site 'appears to occupy the site used by Smiths Foundry in the 1860's and 1870's, which was originally the site of the workshops built by Hough to service his mill (1840's-1881).'<sup>31</sup> It also notes the building at 47-49 Oxford Street postdates Smiths Foundry 'but the light industrial sheds may be on early foundations'. Further investigations may need be undertaken by a qualified archaeologist to determine whether the proposal needs to be located in a different location in order to retain the potential significance of any archaeological deposits on the subject site.

#### **6.4 HERITAGE OBJECTIVES OF THE WAVERLEY LEP 2012**

The subject Planning Proposal is considered to be acceptable, from a heritage perspective, for the following reasons:

<sup>31</sup> NSW Environment, Energy and Science, 'Bondi Junction Timber & Hardware Co.', Office of Environment and Heritage, accessed 28 August 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageltemDetails.aspx?ID=2620417>.

- The proposal to amend the Height of Buildings standard and the FSR standard in the *Waverley LEP 2012* for the subject site will constitute an acceptable impact on the heritage significance of 'The Rectory' cottage at 45 Oxford Street (Item No. I209) and the 'Timber and Hardware Co.' commercial building at 47-49 Oxford Street (Item No. I210); and
- The established heritage significance of the heritage items in the vicinity, as well as the Mill Hill Conservation Area in the vicinity, will be retained.

The proposed amendments to the *Waverley LEP 2012* are therefore consistent with the relevant heritage objectives of the *LEP* defined in Section 5.10 as follows:

#### **5.10 Heritage conservation**

##### *(1) Objectives*

*The objectives of this clause are as follows:*

- (a) to conserve the environmental heritage of Waverley,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*

#### **6.5 HERITAGE GUIDELINES OF THE WAVERLEY DCP 2012**

The *Waverley DCP 2012* supports the *Waverley LEP 2012* by providing additional objectives and development affecting heritage in Waverley. The proposed development is generally consistent with the relevant objectives and controls of the *Waverley DCP 2012* that relate to heritage, as outlined in the following table.

<b>Waverley DCP 2012</b>	
<b>Relevant Objectives</b>	<b>Summary discussion of proposal</b>
<b>Part B - General Provisions</b>	
<b>B9 – Heritage</b>	
<i>(c) To ensure that appropriate heritage documentation is provided to inform the assessment of development.</i>	This Heritage Impact Statement addresses the potential heritage-related impacts of development on the site and how the subject Planning Proposal for the site has been designed to mitigate any negative impacts upon the heritage items on the site, as well as the potential impacts upon heritage items and Conservation Area in the vicinity.
<i>(e) To ensure that development enhances the character and significance of any heritage item, conservation area, artefact or place.</i>	The subject Planning Proposal is for a site which contains two heritage items and is also in the vicinity of a number of other listed items as well as a Conservation Area.  The design concept associated with the Planning Proposal involves the addition of a ground level podium, which has been designed in reference to the scale of the heritage items on the site. Additionally, the overall bulk, height and scale of the proposed mid-rise development will ensure sufficient setbacks around the heritage items, retaining views to and from them, particularly along Oxford Street. In such a way, the proposal draws attention to the significance of the two heritage items on the subject site, enhancing the public's awareness of their aesthetic and historic significance.
<i>(f) To ensure development reflects and promotes an understanding and appreciation of heritage significance.</i>	The proposal will also result in an increased use of the subject site and an increased number of visitors to the surrounding suburb.

	This is positive from a heritage perspective as an increased number of people living and working in the vicinity of the heritage items on the subject site, heritage items in the vicinity and Conservation Area in the vicinity, will promote and enhance their appreciation by members of the public.
<i>(g) To promote sustainable development through the retention and repurposing of existing building stock.</i>	The concept design referenced by documentation prepared by RobertsDay and Team2 Architects has been developed to provide a modern, high quality architectural addition, which retains and utilises the two heritage items on the subject site. The new building has been conceptualised as an element which is visually distinctive from the two heritage items on the site. The proposal has been modelled and designed in a way which retains visibility of the heritage items on the site, as well as respecting their contribution to the urban character of the area. The repurposing of the two heritage items as part of future development on the site is a sustainable approach which ensures their ongoing use for future generations within the local Waverley community.

## **7.0 RECOMMENDATIONS AND CONCLUSION**

### **7.1 RECOMMENDATIONS**

To mitigate any potentially adverse impact from any future proposals for the site, we make the following recommendations:

- R1 The advice of a Heritage Consultant should be sought during the detailed design stage of any future proposals for the site, to ensure that the design successfully mitigates adverse impacts on the heritage items identified in this report.
- R2 That the building at 45 Oxford Street, Bondi Junction, should be retained and conserved as part of any future development on the site.
- R3 That a Schedule of Conservation Works should be prepared for 45 Oxford Street, Bondi Junction.
- R4 That the main façade of the building at 47-49 Oxford Street, Bondi Junction, be retained, protected and conserved as part of any future development on the site.
- R5 That a Schedule of Conservation Works should be prepared for the heritage item at 47-49 Oxford Street, Bondi Junction.
- R6 That the advice of an archaeologist be sought during the detailed design stage of any future proposals for the site, to ensure that the design successfully mitigates adverse impacts on any, potentially significant, archaeological deposits on the subject site.

### **7.2 CONCLUSION**

The subject Planning Proposal for the development of the site at 45-57 Oxford Street, Bondi Junction, will have an acceptable impact on the heritage significance of the two heritage items on the site, the heritage items in the vicinity, as well as the properties located within the Heritage Conservation Area within the vicinity.

The proposal to amend the Height of Buildings standard and FSR standard in the *Waverley LEP 2012* for the subject site is acceptable from a heritage perspective.

The proposed amendments to the *Waverley LEP 2012* are consistent with the overall, general objectives of the *LEP* and the relevant heritage objectives of the *Waverley DCP 2012*.

In our view, the consent authority should have no hesitation, from a heritage perspective, in approving this application.



Samantha Polkinghorne  
Director  
**NBRS**ARCHITECTURE