

## PLANNING PROPOSAL

FOR

**94, 96-98 CARRINGTON ROAD,  
203-209, 211-221, 223-227 BRONTE ROAD &  
229-229A & 231-233 BRONTE ROAD**

**WAVERLEY, NSW**

## REVISED HERITAGE ASSESSMENT



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## 1.0 INTRODUCTION

### 1.1 THE BRIEF

The following report has been prepared to provide a revised heritage assessment of a planning proposal for the potential redevelopment of the existing properties at 94 and 96-98 Carrington Road, 203-209 Bronte Road, 211-221 Bronte Road, 223-227 Bronte Road, 229-229A Bronte Road and 231-233 Bronte Road, Waverley, NSW. The proposal seeks amendments to the building height and floor space controls.

The report has been prepared on behalf of The Whitten Family (Rayda Investments Pty Limited & Barbary Coast Investments Pty Limited).

### 1.2 BACKGROUND

A planning proposal for redevelopment of several of the sites was submitted to Waverley Council in January 2019. The planning proposal was supported by a heritage assessment prepared by this office. Comments on the proposal have been received from the Waverley Local Planning Panel in regard to heights and the extent of the development area.

It was recommended that the height of the proposal be lowered and the scheme expanded to incorporate two adjoining sites, the Eastern Suburbs Legion Club and the Reece Store to the south of the site.

The planning proposal has been revised to address these comments and this report has been prepared to assess the heritage impact of the revised proposals. This report is based on the previous report prepared by this office.

### 1.3 THE STUDY AREA

The study area is as follows:

ADDRESS	ELEMENT	TITLE
203-209 Bronte Road	Robin Hood Hotel	Lot 1 in DP 655918
		Lot 1 in DP 59526
203-209 Bronte Road	Robin Hood Hotel Bottleshop	Lot A in DP 105665
211-221 Bronte Road	Eastern Suburbs Legion Club	Lots B & C in DP 105662
223-227 Bronte Road	Shops and residential apartments	Lot A in DP 332733
229-229A Bronte Road	Reece Plumbing	Lots 2 & 3 in DP 102988
231-233 Bronte Road	Reece Plumbing	Lot 1 in DP 170941
94 Carrington Road	Stamatiko Flats	Lot A & B in DP 332733
96-98 Carrington Road		Lot 1 in DP 90800
96-98 Carrington Road		Lot 1 in DP 952482



Figure 1.1 Location plan with subject sites shaded

Source: Six Maps





Figure 1.2 The Study Area

Source: Six Maps

#### 1.4 LIMITATIONS AND TERMS

The report only addresses the European significance of the place. The terms *fabric, conservation, maintenance, preservation, restoration, reconstruction, adaptation, compatible use and cultural significance* used in this report are as defined in the Australia ICOMOS Burra Charter.

#### 1.5 OTHER REPORTS

94 Carrington Road (Stamatiko Flats) and 223-227 Bronte Road have been the subject of structural assessments:

Ashby Doble, *Structural Assessment of Building, 223-227 Bronte Road, Charing Cross*, dated May 2016.

(SA1)

This report was the subject of a follow up investigation to confirm the previous findings:

Ashby Doble, *Structural Assessment of Building, 223-227 Bronte Road, Charing Cross*, dated January 2018.

(SA2)

#### 1.6 METHODOLOGY

This report was prepared in accordance with the *NSW Heritage Manual* "Statements of Heritage Impact", "Assessing Heritage Significance Guidelines" and the Waverley Council guidelines for the preparation of heritage impact statements. The philosophy adopted is that guided by the Australia ICOMOS Burra Charter 2013.

#### 1.7 AUTHORS AND ACKNOWLEDGMENTS

This report, including all diagrams and photographs, was prepared by John Oultram of John Oultram Heritage & Design, unless otherwise noted. Oultram Heritage & Design was established in 1998 and is on the NSW Heritage Office list of heritage consultants.

## 2.0 HISTORICAL DEVELOPMENT

### 2.1 SUMMARY

The Robin Hood Hotel is a two storey, Inter War development completed in 1938 for brewers Tooth and Co. and was designed by architects Copeman Lemont and Keesing.

The current buildings in the study at 223-227 Bronte Road are an Inter War development of shops and apartments. They appear to have replaced earlier buildings on the site. The buildings at 229-229A and 231-233 Bronte Road are an Inter War development of shops that are now in common use for the Reece Plumbing store.

The Eastern Suburbs Legion Club is a late Twentieth Century building

The Hotel bottle shop in Carrington Road is a Post War development constructed by the brewer Tooth & Co in 1957.

To the rear of Reece Store is a warehouse building of indeterminate age (also used by the Reece store) and an open car park.

### 2.2 PRE-EUROPEAN SETTLEMENT

Waverley is situated east of Sydney about 6.5 km from the city's central business district. At the time of European settlement in 1788 the topography of the area was characterised by its coastal sand dunes, rocky ridgelines in the plateau dividing the ocean from Sydney Harbour, extensive bottlebrush and tea tree covered scrubland, and deep gullies with ferny groves. This is well drained, but agriculturally non-productive country.

The indigenous peoples' use of the area was not recorded by the Europeans after their arrival and consequently what is known about them is derived almost exclusively from the archaeological record. The evident absence of contact was no doubt a consequence of the decimation of the local clans through the introduction of diseases such as smallpox. The Europeans noted that the smallpox epidemic of April 1789 killed about 50% of the indigenous population throughout Sydney.

Aboriginal society was a highly structured hunter-gatherer society consisting of individual clans of about 50 people. While the European settlers determined that the Aboriginal population of Sydney comprised a number of clans, no clan was recorded for the Waverley/Randwick area, although the Gadigal clan lived on the southern shore of Port Jackson and the Gameygal clan lived around Botany Bay. The dialect of the area was Darug, which was confined to the coastal fringe and hinterland. Aboriginal words for some localities were recorded, for instance Boondi (Bondi) and Cramaramma (Tamarama).

Hunter-gatherer societies are transient, establishing campsites for shelter, ceremonies, etc. The archaeological record for Aboriginal occupation of the area is in the form of rock engravings, middens and excavated campsites. The earliest radiocarbon dated site in the area is the excavated campsite at the Prince of Wales Hospital, which is about 8000 years old. Other sites are the well-known rock engravings at Bondi Golf Course, Ben Buckler Reserve and Mackenzie's Point. These engravings exhibit a strong association with marine life such as whales.



The dunes around Bondi (and elsewhere in the Eastern Suburbs) are associated with the Bondaian series of backed blades that are found in large numbers, which demonstrate both tool manufacturing sites and the fishing technologies that developed through the Late Holocene period (5000 to 1600 years ago).<sup>1</sup>

### 2.3 MUNICIPALITY OF WAVERLEY

The municipality of Waverley was established in June 1858. This was the first local council inaugurated in the Eastern Suburbs with the neighbouring councils of Randwick and Woollahra following in February 1859 and April 1860 respectively. At the time of the foundation of local government European settlement of the area was only about 20 years old.

For the first 40 years after the establishment of the penal colony at Sydney Cove, the Waverley area, as with most of the Eastern Suburbs, was an isolated and largely uninhabited locale. The land was initially retained by the Crown and then released in a piecemeal manner from the late 1820s after an abortive attempt in 1828 to reserve the area as church glebe. By 1870 most of the crown land within the present day municipality of Waverley had been released through land sales undertaken predominantly in the decades of the 1830s, 1850s and 1860s.

This contrasts with the neighbouring municipalities of Woollahra and Randwick where vast tracts of land were either locked up by the government for Sydney's water supply or in the instance of Woollahra by the Cooper family.

With the exception of some crown grants gifted between 1828 and 1831, the majority of the land releases in Waverley took the form of public auctions of moderately sized parcels of land, generally between five and ten acres. These land purchases had frontage to the small number of public roads that followed the ridgelines such as present day Bondi Road, Bronte Road and Birrell Street. The Robin Hood Hotel is sited within the area of the crown grant of around 4 ½ acres (1.942 hectares) purchased by Lewis Gordon in 1846.

With the gradual release of the crown land the residential population of the Waverley area grew, but remained relatively small. With few exceptions, the early occupation was confined to the elevated, airy plateau lands that offered views of the coast, the harbour and distant Botany Bay. The first generation of residences included a small number of substantial villas set within large blocks of land inclusive of Levey's Waverley House and the extant and well-known Bronte House completed in the mid 1840s for Robert Lowe. The second generation of villas of the 1850s and 1860 were erected by the city's professional and merchant classes who had acquired wealth riding the wave of prosperity brought by the discovery of gold. An extant example of this development is Ebenezer Vickery's Edina in Carrington Road erected in 1864 (and later rebuilt), but many of the mid-nineteenth century villas have long since been demolished. The estates had expansive landscaped gardens with the houses set back from the road.

The remoteness of the area together with the natural advantages of the exposed elevated sites and constant water supply from springs and creeks provided favourable circumstances for industrial development such as brewing, soap works and tanneries.

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<sup>1</sup> Attenbrow, V., Sydney's Aboriginal past: investigating the archaeological and historical records, UNSW Press, 2002.

At Mill Hill, a post windmill was erected in the 1840s for grinding corn while at Charing Cross the Vickery family developed Glen Rock tannery in the 1860s for the family's boot manufacturing business. Around these centres developed clusters of small working class terraces, shops and hotels.

Another form of development of this era was the general cemetery above Bronte Beach. The need for a cemetery had been raised in the early 1860s, but the first purchase of land came in 1875 and the first burials occurred in 1877.

Over the 1880s the majority of the large estates were subdivided to meet the demand for land for suburban development. By the mid 1880s the municipality was reported as developing faster than any other near Sydney.<sup>2</sup> This frenzy of land speculation was driven by a number of factors inclusive of a maturing economy with banks and other financial institutions willing to lend money to both developers to buy and subdivide the estates and also to the prospective home owner. Another factor was the improvement of basic government services. The supply of reticulated water from the City Council's Botany Swamps supply became available from 1883 with the completion of the Waverley Reservoir.

The steam tram service from the city via Bondi to Charing Cross was approved for construction by the government in 1880 and was subsequently completed in 1881. The demand for ready access to the beaches resulted in the extensions of the tramlines from the city to Bondi Beach, Bronte Beach and further south to Coogee Beach. In 1894 the steam tram service from the city was extended to Bondi Beach with the tramway junction being established at Bondi Junction. Over 1902 the tramway was converted to the more convenient and speedier electric service.<sup>3</sup>

The tramway junction at Bondi Junction fostered the development of a new commercial centre along Oxford Street between the tramway depot and Bondi Road. By the 1920s Bondi Junction had become the commercial centre for the municipality with a plethora of cinemas and major retailers such as Sargent's, McIlraith's, Washington H. Soul Pattinson's, Mick Simmon's, etc. With the coming of the twentieth century the natural splendours of the suburb's beaches were developed into major recreational areas for the broader Sydney community. The beachside recreational resorts included Tamarama's aquarium and pavilion were developed by a private consortium from 1887, while at Bondi Beach the local council erected bathing sheds in 1911.

## 2.4 SITE DEVELOPMENT

The development area is sited within the area of the crown grant of nearly five acres (1.942 hectares) purchased by Lewis Gordon in October 1846 for 24 pounds (deed issued in June 1848). The purchase was one of a number made by Gordon from the late 1830s by which means he acquired frontages to present day Carrington Road and Bronte Road between present day Birrell Street south to near Darley Road.

Lewis was a surveyor in government employ and therefore was responsible for determining road alignments, laying out districts for future sale and subdivision, etc. By 1859 Lewis had attained the rank of district surveyor.<sup>4</sup>

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<sup>2</sup> 'The Outskirts of Sydney - Waverley', Illustrated Sydney News, August 1884.

<sup>3</sup> Keenan, D.R., The Eastern Lines, Transit Press, Sans Souci, 1989

<sup>4</sup> 'Surveyors' Maitland Mercury, 22/3/1859, p1

Lewis' five acres at Charing Cross was subdivided into five allotments by 1850,<sup>5</sup> (see Figure 2.1), but this seems have been undertaken in leasehold for the freehold of around one acre at the junction of present day Carrington Road and Bronte Road, was not sold by Gordon until 1855.



Figure 2.1 Detail of the survey of the Lachlan Swamps water reserve (now Centennial Park) and surrounding suburbs dated November 1850

The plan shows the landholders along present day Bronte Road. The boundary of Lewis' grant and the approximate present day location of the Robin Hood Hotel are highlighted

Source: State Records NSW (MAP 5689)

<sup>5</sup> State Records MAP 5689

## 2.5 CHARING CROSS

The name of the locality is Charing Cross and this name dated from the beginning of commercial and residential development. In 1859 for example the local council, then in its infancy, proposed to light Bronte Road from present day Bondi Junction to 'Charing Cross'.<sup>6</sup>

The early road network, in particular the track following the ridgeline from Coogee/Randwick to Bondi Junction (then known as Tea Gardens) and onto the city, provided a means of communication though the eastern suburbs and fostered the development of the early commercial centre at Charing Cross. Until the advent of Bondi Junction, the commercial and government centre of Waverley was Charing Cross. The initial meetings of Waverley Council through 1859 were held at Charing Cross, prior to the move to Bondi Road in 1860 at the behest of local landowner Francis O'Brien. While the council chambers have continued to be located on Bondi Road, other forms of government administration such as police and justice remain at Charing Cross.

The first government school in the municipality, Waverley Public School, was erected at Charing Cross in 1878. In and around Church Street, the Roman Catholic's erected the first Saint Charles Borromeo church and school hall in 1854, with the Anglican's following in 1857. Both denominations built larger, permanent stone-built churches in the 1860s – the new Saint Charles Borromeo (since demolished) was completed in 1866, while Saint Mary's was completed in 1864 on land above Charing Cross. Later in the nineteenth century some of the non-conformist religions also settled on Charing Cross as the place for their church: the Lugar Brae Methodist Church in Leichhardt Street was completed in 1881, the Grahame Memorial Presbyterian Church in Victoria Street was completed in 1886.

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<sup>6</sup> 'Waverley Municipal Council', Sydney Morning Herald, 24/9/1859, p.5



Figure 2.2 Detail of the government survey of Waverley (Sheet 14) dated 1893, but probably based on a survey completed a few years earlier. No development is shown to the Bronte Street (then Leichhardt Street) side of the site but there appear to be cottages to Carrington Road

Source: State Library of NSW



Figure 2.3 Detail of the same showing the development site. There appears to be a house on the northern section of the site fronting Leichhardt Street (now Bronte Road)



## 2.6 94 CARRINGTON ROAD & 223-227 BRONTE ROAD

The land fronting Carrington Road was converted to Torrens title by builder Alfred Denning in 1922 but was sold to Angelo Mellitas, a confectioner, in 1935 and subsequently placed in joint ownership with Emmanuel Mellitas in 1936<sup>7</sup>. The site appears to have been undeveloped at that time.

The properties fronting Bronte Road to the east of the Robin Hood Hotel were owned by the Bondi Land and Building Company by 1919<sup>8</sup> and appear to have been occupied by shops. The lots appear to have been subdivided and passed through a number of hands.

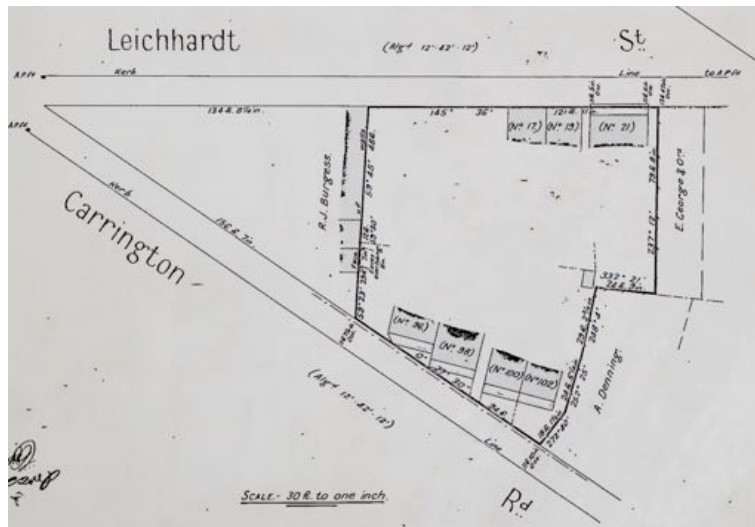


Figure 2.3 Land owned by the Bondi Land and Building Company in 1919

Source: NSW Land Registry Services Vol. 2986, Fol. 43

The subject site also included a parcel of land to the south then owned by Edith George (noted in the plan above).

The property fronting Bronte Road was two lots that were purchased Angelo Mellitas and Emmanuel Mellitas in 1930 that included the land previously owned by Edith George and the lot to the north. The lots had various previous owners, generally shopkeepers and builders.

By 1937 the property to Bronte Road and Carrington Street had been amalgamated by Angelo Mellitas a confectioner of Sydney. The plan of that time appears to show a building on the site.

<sup>7</sup> NSW Land Registry Services Vol. 3307, Fol. 61

<sup>8</sup> NSW Land Registry Services Vol. 2986, Fol. 43

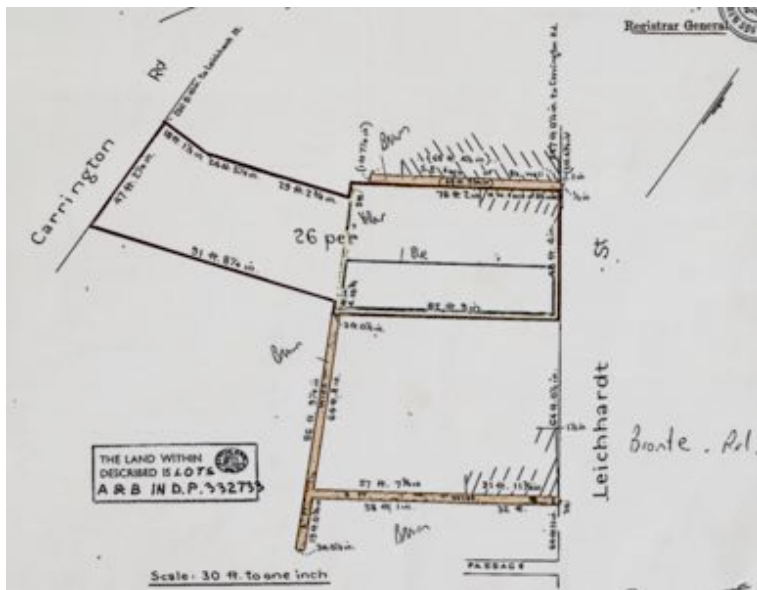


Figure 2.4 Plan of the property in 1937

Source: NSW Land Registry Services Vol. 4832, Fol. 179

It is likely that the current buildings on the site were built at this time when the Mellitas amalgamated the sites for development.

The property was subdivided into two under FP 332733 in 1936. The subdivision plan shows the brick shops to the front of the site facing Bronte Road (then Leichhardt Street).

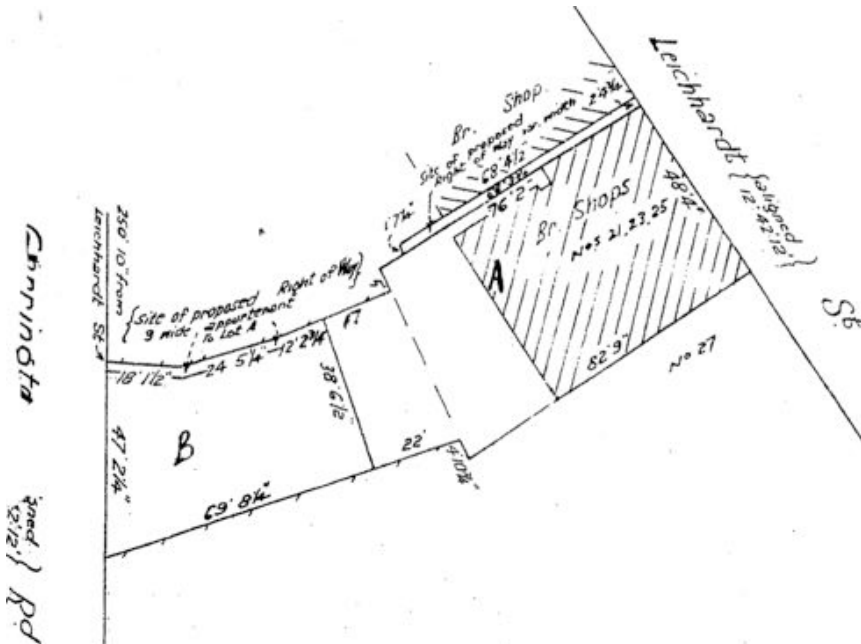


Figure 2.5 Plan of the property in 1936

Source: NSW Land Registry Services FP 332733



Figure 2.6 223-227 Bronte Road in 1993

Source: Waverley Image Library File No. 001/0001791



223-227 BRONTE ROAD

Figure 2.6 The site in 1943 showing the current buildings

Source: RTA, *From the Skies* CD Rom

## 2.7 203-209 BRONTE ROAD

The bottle shop site was purchased by Tooth and Co. (the then owners of the Robin Hood Hotel) in 1958 and leased to the then licensee of the Hotel, Edward James Joseph Wales<sup>9</sup>. Wales had purchased the property in 1954<sup>10</sup> from Edith Herlihy who has owned the property since 1922.

The brewer purchased the land for the construction of the bottle shop that was completed in 1957 at a cost of 18,600 pounds.

The current Robin Hood Hotel was built on the site of a previous hotel of the same name that had been built in 1880. That hotel and the neighbouring shops were demolished c. 1937 for the construction of the current Hotel that was completed in July 1938 for Tooth and Co. The Hotel was designed by architects Copeman Lemont & Keesing.

## 2.8 EASTERN SUBURBS LEGION CLUB

The Club was founded in 1950 and the site purchased the site in 1967 by the Australian Legion of Ex-Servicemen and Women.<sup>11</sup>. The date of construction of the current building is not known though it appears to be a late 1970's building that has later been refurbished.

The building appears to have replaced an earlier building on the site that appears on a plan of 1922 when the property was owned by Samuel William Gray.

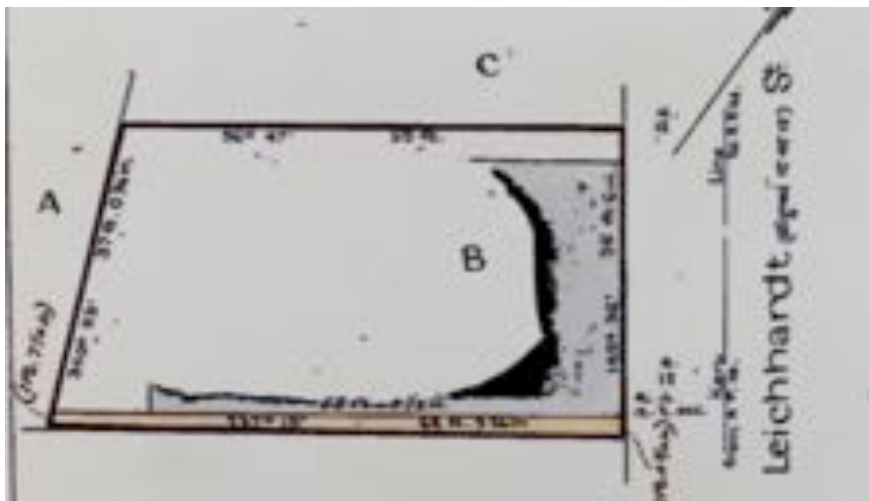


Figure 2.7 Plan of the property in 1922

Source: NSW Land Registry Services, Vol. 3327, Fol. 205

<sup>9</sup> NSW Land Registry Services Vol. 7536, Fol. 236

<sup>10</sup> NSW Land Registry Services, Vol. 6947, Fol. 149

<sup>11</sup> NSW Land Registry Services, Vol. 10494, Fol. 204

## 2.9 REECE PLUMBING

The Reece plumbing site now occupies land from Bronte Road to Carrington Road that were earlier four parcels of land.

In the title plan of 1930 no building appears on the site at 229 & 229A Bronte Road and the current building was likely built later. The property was then owned by Bridge Teresa Irwin, a widow<sup>12</sup>.

A building appears on the title plan of 1921 at 231-233 Bronte Road when the property was owned by Thomas Bailey, an artist. The single storey building here was likely constructed at this time.



Figure 2.7 Plan of the property in 1921

Source: NSW Land Registry Services, Vol. 3240, Fol. 156

Between 1969 and 1974 the site came into common ownership of Traversi Jones Pty Limited and has remained in common ownership since<sup>13</sup>.

<sup>12</sup> NSW Land Registry Services, Vol. 4411, Fol. 176

<sup>13</sup> NSW Land Registry Services, Vol. 3240, Fol. 156, Vol. 7896, Fol. 119 & Vol. 9958, Fol. 138

### 3.0 PHYSICAL DESCRIPTION

An inspection of the properties was carried out by John Oultram in June 2016 and May 2018.

#### 3.1 223-227 BRONTE ROAD

223-227 Bronte Road is a two storey, Inter War commercial/residential building built on a large site to the west side of Bronte Road.

The building has three shops to the ground floor facing the street with three levels of apartments at the rear with the front sections of the apartments being set over the shops below.

To the front, the building has traditional shopfronts to the ground floor (one replaced) with a suspended metal awning above. To the first floor the building is in face brick with a pedimented, rendered parapet to the street with string course decoration. There are three bays of paired, double hung sashes (unusually detailed with highlights) with stucco surrounds and spandrels.

To the rear the building is in patterned render with a flat roof with narrow passageways between the apartments. The upper floors are accessed by a concrete stair and there are open terraces at the upper levels. The rear wall is marked with the sign STAMATIKO FLATS.

The apartments are reasonably intact in layout and detail. The interiors are typical of the Inter War period but the apartments are very small and have very poor amenity. The building appears to be in very poor condition and the apartments are currently unoccupied. The Structural Report (SA2) noted that the apartment section of the building should not be used (SA2 p. 1).

The current plans are shown in Figure 3.1.

#### 3.2 94 CARRINGTON ROAD

To the rear at 94 Carrington Road is a large, single storey garage that serves the apartments with a side access drive and path to the apartments. The roof has partly collapsed.

Figures 3.2 – 3.5



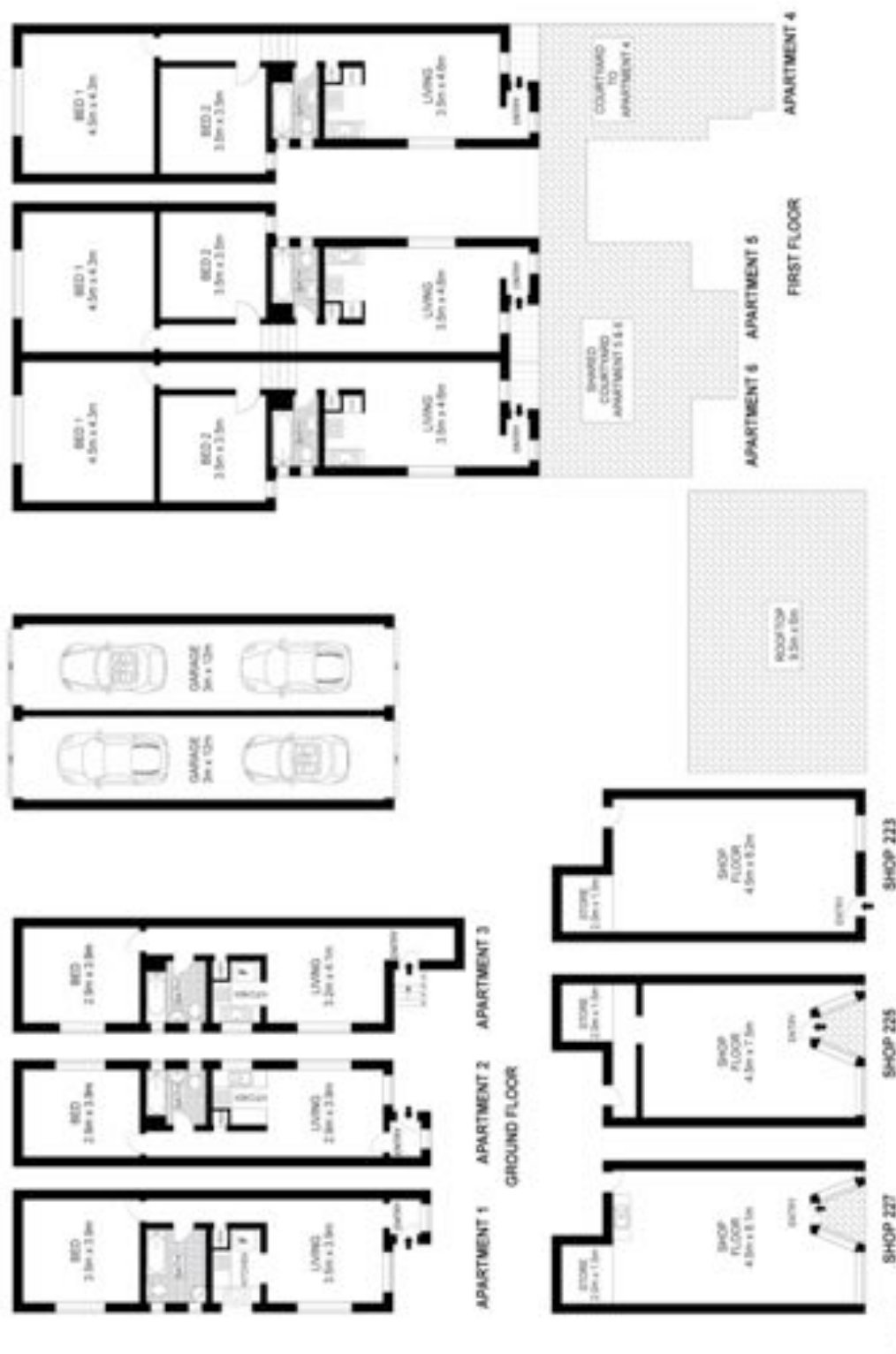


Figure 3.1 223-227 Bronte Road and 94 Carrington Road, Waverley

Plans as existing

Source: realestate.com



Figure 3.2 223-227 Bronte Road, Waverley  
Front elevation



Figure 3.3 223-227 Bronte Road, Waverley  
Rear elevation from Carrington Road



Figure 3.4 223-227 Bronte Road, Waverley  
Rear elevation to apartments



Figure 3.5 223-227 Bronte Road, Waverley  
Garage

### 3.3 203-209 BRONTE ROAD - ROBIN HOOD HOTEL BOTTLE SHOP

To the east of the site is a Post War, single and two storey, bottle shop of indeterminate style that is set tight to its rear and side boundaries. The bottle shop is in face brick and render with a large shopfront to the street under a cantilevered awning.

The bottle shop has a concrete drive through that passes under the awning with entrances to the street. There is a small, brick planter to the street. The bottle shop is attached to the Robin Hood Hotel to the north.



Figure 3.6 203-209 Bronte Road, Waverley  
Robin Hood Hotel Drive in Bottle Shop



Figure 3.7 203-209 Bronte Road, Waverley  
Robin Hood Hotel Drive in Bottle Shop

### 3.4 EASTERN SUBURBS LEGION CLUB

The Eastern Suburbs Legion Club is an undistinguished, three storey, modern building with a rendered and panelled façade. The Leagues club is higher than the surrounding buildings due to its higher floor-to-floor heights and has mobile phone towers to the roof.



Figure 3.8 211-221 Bronte Road, Waverley

Elevation to Bronte Road looking south



Figure 3.9 211-221 Bronte Road, Waverley

Elevation to Bronte Road looking north

### 3.5 REECE PLUMBING

The Reece Plumbing premises occupies a large site that carries through from Bronte Road to Carrington Road.

To Bronte Road, the northern section of the store is a two storey, Inter War commercial building in dark brick with a gabled terracotta tile roof. The building has modern shopfronts to the ground floor with a suspended metal awning over. To the first floor are two sets of four pane casements with a single casement to the centre with leadlight decoration. The upper floor was likely used for apartments.

To the south is a single storey, Inter War shop in painted brick and render with modern shopfronts to the ground floor with a suspended metal awning over. The building has a parapet to the street with render panels and expressed piers above with sloping flank walls.

To the rear is a two storey, brick warehouse of indeterminate age with a skillion metal roof set behind parapets. There is a roller door to the street but other openings are blocked. To the south is an open car park.



Figure 3.10 229 & 229A Bronte Road, Waverley  
Front elevation



Figure 3.11 231-233 Bronte Road, Waverley  
Front elevation



Figure 3.12 96-98 Carrington Road, Waverley  
Rear elevation



### 3.6 ENVIRONS

The building is in the commercial/retail heart of Charing Cross and Bronte Road that is lined with two and three storey commercial, retail and residential premises from the late Victorian period onwards with some later infill buildings.

To the north is the Robin Hood Hotel, a good example of a two storey, Inter War, Art Deco style hotel.

Across Carrington Road are rows of single and two storey, late Victorian terrace houses.

Figures 3.13 – 3.21



Figure 3.13 Charing Cross and Bronte Road

View looking south along Bronte Road with the Robin Hood Hotel in the foreground



Figure 3.14 Charing Cross and Bronte Road

Charing Cross Hotel



Figure 3.15 Charing Cross and Bronte Road

View looking southwest along Bronte Road





Figure 3.16 Charing Cross and Bronte Road  
View looking northwest along Bronte Road



Figure 3.17 Charing Cross and Bronte Road  
Edwardian development to the east side of  
Bronte Road



Figure 3.18 Charing Cross and Bronte Road  
284-292 Bronte Road



Figure 3.19 Charing Cross and Bronte Road  
Victorian development opposite the subject  
site



Figure 3.20 Charing Cross and Bronte Road

View looking southwest along Carrington Road  
from Bronte Road



Figure 3.21 Charing Cross and Bronte Road

View looking northeast to the subject site from  
Carrington Road

## 4.0 HERITAGE LISTINGS & CONTROLS

### 4.1 NATIONAL TRUST

The properties are not classified on the Register of the National Trust of Australia (NSW).

### 4.2 HERITAGE DIVISION OF THE NSW OFFICE OF ENVIRONMENT AND HERITAGE

#### 4.2.1 State Heritage Register

Under the Heritage Act 1977, the NSW Heritage Council, administered by the Heritage Division of the NSW Office of Environment and Heritage, maintains the State Heritage Register (SHR), a register of items and places that are considered to have heritage significance at a state level. The subject properties are not listed on the Register.

#### 4.2.2 State Heritage Inventory

The Heritage Division also compiles the State Heritage Inventory (SHI), a collated database of all places listed on statutory heritage lists, including Local Environmental Plans. The subject properties are not listed on the Inventory.

### 4.3 LOCAL AUTHORITY

The local authority for the area is the Waverley Council. The properties are not listed as heritage items in Schedule 5 Part 1 of the *Waverley Local Environmental Plan 2012* (as amended) (WLEP). Part of the subject site fronting Bronte Road is within the Charing Cross Conservation Area (C7).

The properties are in the vicinity of heritage items at:

REF	ADDRESS	ITEM	RANKING
I453	203-209 Bronte Road	1940s style commercial building, Robin Hood Hotel	Local
I455	245-277 Bronte Road	Late nineteenth century commercial terraces <sup>14</sup>	Local
I456	254 Bronte Road	Victorian style commercial terrace houses	Local
I413	105 Carrington Road	Victorian style terrace house	Local
I414	125-127 Carrington Road	Victorian workers' cottages	Local
I415	129 Carrington Road	Victorian/Georgian style timber cottages	Local

The heritage provisions of the LEP relating to the development in the vicinity of a heritage item and in a conservation area would apply.

Development at the site would also be the subject of the heritage provisions of the *Waverley Development Control Plan 2012* (as amended) (WDCP) that contains detailed objectives and controls for development in conservation areas.

<sup>14</sup> The addresses to items I455 and I456 appear the wrong way around



Figure 4.1 Extract from the Waverley Local Environmental Plan 2012 Heritage Map HER\_001

Heritage items are coloured brown. Subject site highlighted by the author

Source: Waverley Council

## 5.0 DISCUSSION OF SIGNIFICANCE

### 5.1 223-227 BRONTE ROAD AND 94 CARRINGTON ROAD

#### 5.1.1 Historic Significance

The buildings at 223-227 Bronte Road and 94 Carrington Road are an example of an Inter War retail/residential development that replaced earlier buildings on the site.

The buildings appear to have been built c. 1930 for Angelo and Emmanuel Mellitas (brothers?) who had purchased the sites in 1930 and later amalgamated them to allow for access from Carrington Road.

#### 5.1.2 Aesthetic Significance

The retail building is an undistinguished example of a two storey, Inter War retail/residential premises with an Inter War Functional style frontage to Bronte Road. The apartments have some overtones of the Inter War Spanish Mission style but are not a good example of the type, though relatively intact.

#### 5.1.3 Social Significance

The place would not have any special associations for any particular group.

#### 5.1.4 Technical/Scientific Significance

There appear to have been previous structures on the site though the level of later development would likely preclude there being any underground remains. The archaeological potential of the site is low and the current buildings are of no technical significance.

### 5.2 203-209 BRONTE ROAD

The bottle shop is an undistinguished example of a Post war building built in 1957 for Tooth and Co. who purchased the site in 1958 from the then licensee of the Robin Hood Hotel.

The bottle shop is of no significance.

### 5.3 211-221 BRONTE ROAD EASTERN SUBURBS LEGION CLUB

The Legion Club is an undistinguished example of a late Twentieth Century built for the Eastern Suburbs Legion Club probably in the 1970s. The Club had purchased the site in 1967. Though the building may have some limited social significance for its members and staff building is of very low significance and is an intrusive element in the local streetscape.

### 5.4 229-229A BRONTE ROAD

The building at 229-229A Bronte Road is a modest example of a two storey, Inter War retail/residential development that replaced earlier buildings on the site.

The building is an undistinguished example of its type with an Inter War Functional style frontage to Bronte Road and is of limited significance.



### 5.5 231-233 BRONTE ROAD & 96 & 98 CARRINGTON ROAD

The building at 231-233 Bronte Road is an example of a single storey, Inter War retail/residential development. The building is an undistinguished example of its type and has no features of note. The rear warehouse is a utilitarian building with no features of note and is of very limited significance.

### 5.6 SUMMARY OF SIGNIFICANCE

Based on the above we consider that the properties would not meet any of the Heritage Division criteria for identification as places of local significance though the two storey, Inter War frontage to 223-227 Bronte Road and 229-229A Bronte Road could be considered contributory elements in the conservation area being from an early phase of development and robust examples of the type.

### 5.7 CARRINGTON ROAD AND BRONTE ROAD

#### 5.7.1 Historic Significance

Bronte Road (then called Leichhardt Road) was established in the 1830s following the ridgeline down to Bronte. The majority of early land sales in the area were for small parcels sold under auction. The parcels had frontages to the main roads though early development was sparse.

Early development in the area was for large, villa estates such as Ebenezer Vickery's Edina in Carrington Road. There was also some industrial development such as the Vickers' Glenrock Tannery at Charing Cross. Around these centres developed clusters of houses, shops and hotels.

The municipality developed quickly in the 1880s driven by the easy availability of loans and the provision of public services such as water and sewage. The steam tram service to Charing Cross was approved by the Government in 1800 and completed in 1881.

The subject area was the subject of a grant in 1846 that was subdivided in the 1850s. The road system and the intersection of Carrington Road and Bronte Road saw the commercial development around Charing Cross that was also the seat of local government till 1859. Development also saw the construction of the Waverley Public School (1878) and St Charles Borromeo Church (1854, rebuilt 1866).

Extant, early development in the street now dates from the late 1800s with later infill development from the Federation, Edwardian and Inter War periods with some development from the Post War and late Twentieth Century.

Bronte Road is very symbolic of the late Victorian development of the area as one of the areas most important commercial street.

Carrington Road is less impressive. It retains some late Victorian residences to the west side but has a number of later infill developments to the east including multi-storey, post war apartments.

### 5.7.2 Aesthetic Significance

The street contains many fine examples of two storey, late Victorian shop/residences interspersed with two storey, Edwardian development and some well detailed examples of Inter War commercial buildings such as the former Commonwealth Bank at the corner of Albion Street and the Robin Hood Hotel at Charing Cross. Many of the buildings are linked by awnings at the first floor.

### 5.7.3 Technical/Scientific Significance

There appear to have been previous structures to sites along the road (see Figure 2.2) though the level of later development would likely preclude there being any underground remains. The archaeological potential of the area is low.

None of the buildings in the area could be considered to be of technical significance though the former Commonwealth Bank and the Robin Hood Hotel are good examples of the type.

### 5.7.4 Summary of Significance

The Street is emblematic of the early development of the area as a commercial spine and retains much of its period character and built form.





Figure 5.1 Commonwealth Bank (formerly the Government Savings Bank) in Bronte Road at the corner of Albion Street, c. 1920

Source: Waverley Image Library Pic No. 5605



Figure 5.2 View looking south along Leichhardt Road (later Bronte Road) c. 1930

Source: Waverley Image Library Pic No. 6399



Figure 5.3 Commonwealth Bank in Bronte Road at the corner of Albion Street, May 1958 (extant)

Source: Waverley Image Library Pic No. 5607



Figure 5.4 Bronte Road, Waverley

The Head's Building at 245-257 Bronte Road



Figure 5.5 Bronte Road, Waverley

Late Victorian buildings at 271-277 Bronte Road



Figure 5.6 Bronte Road, Waverley

Edwardian buildings at 279-283 Bronte Road



Figure 5.7 Bronte Road, Waverley

Late Victorian buildings at 1 Albion Street



Figure 5.8 Bronte Road, Waverley

Late Victorian buildings at 3-13 Albion Street



Figure 5.9 Bronte Road, Waverley

Edwardian buildings at 316-326 Bronte Road



Figure 5.10 Bronte Road, Waverley

Edwardian building at 270 Bronte Road



Figure 5.11 Bronte Road, Waverley

Inter War building at 264-266 Bronte Road

### 5.7.5 Laneways

There is an interesting pattern of laneways and passages particularly to the western side of Bronte Road that run through to Carrington Road.



Figure 5.12 Plan of the area showing laneways and passages





Figure 5.13 Bronte Road, Waverley

Unnamed lane off Bronte Road leading to  
Judges Lane



Figure 5.14 Judges Lane, Waverley

Judges Lane

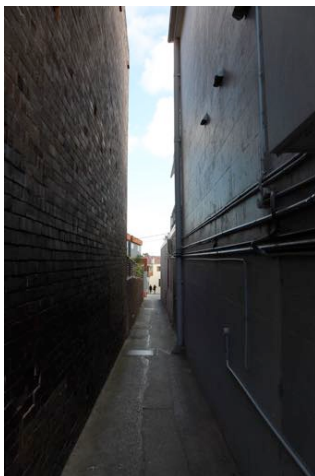


Figure 5.15 Judges Lane, Waverley

Passage to Judges Lane from Bronte Road



Figure 5.16 Judges Lane, Waverley

Judges Lane



Figure 5.17 Judges Lane, Waverley

Judges Lane leading to Carrington Road

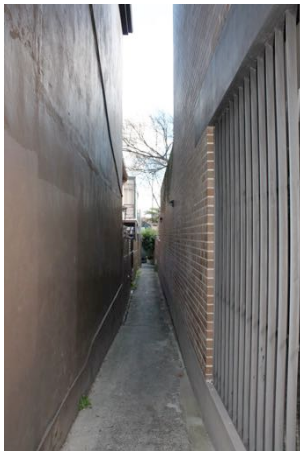


Figure 5.18 Bronte Road, Waverley

Passage off Bronte Road



Figure 5.19 Bronte Road, Waverley

Cross passage (now blocked) leading to the rear of the subject site



## 6.0 PROPOSED DEVELOPMENT

### 6.1 CURRENT PROPOSALS

The current owners of 94 Carrington Road, 203-207 and 223-227 Bronte Road would like to redevelop the study sites for high quality retail, commercial and residential buildings along the lines of a laneway development that would provide connections between Bronte Road and Carrington Road.

This assessment has been prepared to accompany a planning proposal for the site that seeks to alter the current height and floor space controls.

The amended proposals are shown in drawings 2327 SDE 0910, 0911, 0912, 0913, 0915, 0649, 9000, 9001 and 9002 (all revision 04) dated December 2019 prepared by H & E Architects

The proposals anticipate a comprehensive development of the subject sites in anticipation of similar development on other sites along Bronte Road.

The proposals have been amended to:

- Include the additional sites of the Easter Suburbs Legion Club and the Reece Plumbing buildings
- Reduce the building heights
- Retain and reinforce the heritage components on the site

The amended proposals include:

- Demolition of the buildings apart from retention of the façade to 223-227 Bronte Road
- Excavation for car parking
- New through site links to a publicly accessible, central courtyard
- One level of retail outlets
- Three levels of apartments to Carrington Road
- A three level apartment block at the Reece warehouse site
- One, two and three levels of apartments to Bronte Road

The three apartment blocks are separated by open light wells, courtyards and passages.

The development to Bronte Road is set behind the retained façade and is inset above the parapet level of this building and built to the southern boundary. The height relates to the current height of the Legion Club with a lower, transitional height at 231-233 Bronte Road at the street. To Bronte Road the aim is to retain the current street front heights along the front elevation.

The apartments to Carrington Road are articulated with a two level podium, awnings and inset balconies to the upper levels. The upper floor to Carrington Road is set back from the lower levels.

The proposals are concept stage but the design would draw on similar developments in Sydney such as:

- Ivy Lane Precinct, Sydney
- The Winery, Surry Hills
- Spice Alley, Chippendale
- Kensington Street, Chippendale

These developments have shown how previously under-used urban areas can be revitalized by careful insertion of modern elements and uses while providing support for new residential development that provides a critical mass of residents.

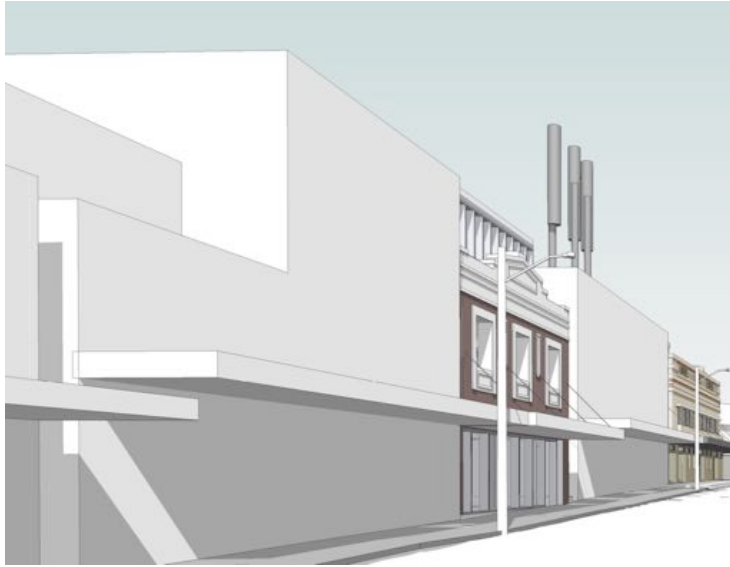


Figure 6.1 Proposed development - Massing view looking north along Bronte Road showing the front setback and heights

Source: Architect



Figure 6.2 Proposed development - Massing view looking south along Carrington Road

Source: Architect

## 7.0 ASSESSMENT OF THE PROPOSED DEVELOPMENT

### 7.1 GENERALLY

The three heritage components on the site are the Inter War retail/residential buildings at 223-227 and 229-229A Bronte Road and the single storey, Inter War commercial building at 231-233 Bronte Road.

#### 7.1.1 223-227 Bronte Road

223-227 Bronte Road is a typical example of an Inter War retail/commercial development. Unlike many similar developments, the apartments were built to the rear of the shop fronts over three levels (including the ground floor) though the upper floors were built over the shop units below.

The apartments were very mean by modern standards and have little amenity in terms of service areas, access and environmental controls. Being set to the rear, the apartments have no major elevations as such apart from the upper level to the shopfronts.

The rear of the site is moribund and has a garage fronting Carrington Road that provides little in terms of a contribution to the local streetscape.

The bottle shop is a crude structure that has little appeal and that makes a poor contribution to the local streetscape.

#### 7.1.2 229-229A Bronte Road

229-229A Bronte Road is a typical example of a two storey, Inter War retail/commercial development. Though from an important development period for the area it is of limited significance.

#### 7.1.3 231-233 Bronte Road and 96-98 Carrington Road

231-233 Bronte Road is a typical example of a single storey, Inter War retail/commercial development with a utilitarian warehouse structure at the rear. Though from an important development period for the area the buildings are very of limited significance and the car park plays no role in the significance of the place.

### 7.2 DEMOLITIONS

#### 7.2.1 Stamatiko Flats – 94 Carrington Road

Based on the preliminary assessment above the current apartment building at 223-227 Bronte Road on the site is not at a level of significance that would preclude demolition. The apartments are of low amenity, in poor condition and of very limited significance.

The structural assessment (SA1) concluded that the apartment buildings were in a poor state of repair:

*Based on our assessment of the building, it is our opinion that the building requires extensive upgrade works to bring the structure to a habitable standard. The extent of work to remediate the building would require extensive demolition and rebuilding of significant sections. (SA1 p. 5)*

The second assessment (SA2) confirmed the previous findings.

*The report concluded that the residential portion of the building should not be used.* (SA2 p. 1)

The report noted that the three commercial tenancies to the ground floor appeared to be in reasonable condition.

The rear garage is in a state of collapse and, along with the bottle shop, is a building of no merit.

### 7.2.2 223-227 Bronte Road Façade

The Bronte Road shop frontage is typical of the period but is large and has some presence in the street. Two of the three shopfronts at the ground floor are partly intact and there are sections of remnant tiling. The building retains a suspended awning and the façade above is relatively intact though the windows are in poor order.



Figure 7.1 Bronte Road Façade

It is intended to retain the façade with the new development constructed directly behind. The side elevation to the north is visible only in slot views down a gap between the buildings though part of the south elevation is visible over the lower building here.

The retention of the facade will allow an easy fit into the Bronte Road streetscape that contains a variety of commercial premises from the late Victorian period onwards including from the Inter War period. The upper levels of new development will be inset from the high parapet to the street allowing the scale of the streetscape to be maintained at the street edge.

We would recommend the following:

- A portion of the side wall to the facade be retained (say 1.0m) to allow some depth to the retained façade
- The tripartite division to the ground floor be retained
- The southern facade of the new building be design to reflect the scale of the existing buildings to the south along Bronte Road, for example by the articulation of the facade into smaller scale elements

We consider that the other buildings in the proposal are not at a level of significance that would preclude their demolition.

### 7.3 ARCHAEOLOGY

There were previous buildings on the site though the early plans indicate some development to Bronte Road and two cottages to Carrington Road. The level of later development would likely preclude there being any remains.

However, excavation of the site should include an archaeological watching brief for evidence of previous remains.

### 7.4 USE

The properties have been in commercial/residential use for some time with commercial/retail uses to the ground floor with residential use above that is the historic use of the site. Continuation of this use is appropriate in heritage terms.

### 7.5 PROPOSED DEVELOPMENT

#### 7.5.1 Generally

The proposals are at concept design stage and no detailed plans have been developed for the treatment of the layouts and elevations given the stage of the development in the planning process.

The comments below address the general impact of the proposal in terms of:

- Location
- Form, scale and massing
- Detail and Style
- Materials
- Streetscape

In general terms the proposal is an exciting concept that could revitalize a moribund site providing high quality retail and residential units in the heart of the well used, commercial area.

The proposals would enhance the commercial strip along Bronte Road and replace unattractive buildings along Carrington Road. The provision of off-street retail and restaurant facilities has already occurred to some extent across the street at 280 Bronte Road. There is also some infill development to the street with two and three storey retail/apartment buildings.

#### 7.5.2 Location

The proposals locate buildings along the Bronte Road and Carrington Road frontages in a series of blocks with courtyards and laneways between. The location of buildings follows the general and historic pattern of both frontages with buildings set to the street.

The inclusion of the rear sites into the development pattern along Bronte Road is appropriate as the site is close to the corner of Carrington Road and Bronte Road and the overall massing here would be an easy fit into the local area. Carrington Roads already marks the boundary between the residential area to the west and the retail area to the east.

### 7.5.3 Form, Massing and Scale

The current buildings are two storeys to the street (three to the rear) and the Legion Club is three storeys and has mobile phone towers to part of its roof. The proposed buildings are set to the street frontages and divided with passageways that will limit the impact of the individual elements, avoid too large a bulk when viewed from the surrounding streets and provide a built form in character with the general grain of the area.

The area is largely two and three storeys though the Legion Club is taller than its three levels would suggest and we consider that the site can accommodate buildings of greater scale. The proposal is for a two, three and four storey buildings to Bronte Road and four and three storey buildings to Carrington Street.

The retention of the façade at 223-227 Bronte Road and the lower, street front heights to the new buildings to the south will provide a transitional element to the buildings each side to Bronte Road maintaining the scale at the street. The use of plinths to Carrington Road and a transitional height to the south will lessen the impact of the development on the lower buildings each side.

The design includes awnings at the street levels that will be set at the common level reinforcing the lower scale of the podium. The upper floors to Bronte Road are set back from the retained facade and the uppermost floor to the higher block on Carrington Road is set back from the lower levels.

Overall we consider that the site can accommodate this level of development in heritage terms without undue impacts on the general character of the area.

### 7.5.4 Detail and Style

The proposal has not been developed to a stage that would indicate likely materials but a well-mannered, contemporary design with good articulation to the facades would fit well into the local streetscape.

The detail to Bronte Road is discussed above with the use of the retained façade, podium and awning to provide an easy fit into the streetscape. The use of retail units to the ground floor will reflect the current pattern to the street and the general pattern of the commercial/retail strip.

There are few design cues from the buildings fronting Carrington Road that are generally of low quality and, again, a well detailed contemporary building(s) would be quite appropriate.

### 7.5.5 Materials

The proposal has not been developed to a stage that would indicate likely materials but the street contains a plethora of buildings from the late Victorian period onwards that includes buildings in stone, masonry, render and brick with the Legion Club to the north having a modern, panelled façade to Bronte Road.



### 7.5.6 Streetscape

The local streetscape to Bronte Road is quite mixed with two and three storey buildings from the late Victorian period onwards in a range of styles including modern infill buildings that have generally adopted a simple approach to the facade designs that reflect previous subdivision patterns.

The more important streetscape is to Bronte Road and here the current facade to 223-227 Bronte Road will be retained. Development to Carrington Road is less of a concern as there is no historic streetscape to the eastern side that is a mish-mash of buildings of generally poorer quality. Carrington Road provides a strong division to the residential areas to the west and from western aspect the site is clearly part of the Bronte Road commercial/retail area.

The development, with its proposed laneways and central court has the potential to enhance the local streetscape by enriching the pedestrian experience and expanding the commercial/retail area beyond the Bronte Road frontage.

The impact on the development will come down to the general impact on the development in the area in terms of the issues noted above and any evident change of scale along the street frontages. The proposal is an inventive one that seeks to introduce activated laneway elements between the main streets rather than look to a block development over the whole site.

### 7.5.7 Comparative Development

#### 7.5.7.1 CUB Brewery, Chippendale

A good comparison (on a larger scale) is with the development of the CUB brewery close to Central Station where the introduction laneway and parks and the retention of heritage buildings has led to a variety of heights to the development to achieve floor space while creating a lively and popular residential, commercial and retail precinct.



Figure 7.2 The CUB development at Haymarket

Source: Six Maps

### 7.5.7.2 Double Bay

Double Bay has an interesting arrangement of major roads (including New South Head Road), laneways and pedestrian routes that was the subject of a Draft DCP in 2012 partly aimed at retaining and enhancing the through block connections to allow pedestrians to move freely through Double Bay.

The Draft DCP encouraged the provision of well-designed arcades and open-air connections that complemented the lane and street structure. The Draft DCP was incorporated into the Woollahra Development Control Plan 2015.



Figure 7.3 Double Bay Local Centre

Source: Woollahra Development Control Plan 2015 D5 p. 1

The DCP includes increased heights and density along the roads and some of the laneways with heights up to 18.1 metres. The area is seeing a gradual implementation of the DCP through the development of existing sites.

The proposal have been realised in the development of the supermarket complex in New South Head Road and the car park to the southwest of Kiaora Lane for a largely commercial and retail development including a new library. This highly successful development included covered links from New South Head Road and the pedestrianisation of Kiaora Lane.



Figure 7.4 Double Bay library and commercial development in New South Head Road



Figure 7.5 Double Bay library and commercial development with pedestrian laneway to Kiaora Lane

## 7.6 WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012 (WLEP)

### 7.6.1 Impact on the Heritage Items in the Vicinity

The site is in the vicinity of a number of heritage items along Bronte Road and Carrington Road though all are separated from the subject site by other properties and Carrington Road.

The Robin Hood Hotel is the closest item being adjacent to the bottle shop site but the Hotel is a large, robust building with its primary frontages to the main streets and was built to face north to Charing Cross. The building can easily accommodate development of a higher scale to the rear and the proposal will not impact on any significant views to the Hotel.

The impact on the development will come down to the general impact on the development in the area in terms of the issues noted above and any evident change of scale along the street frontages. We consider that the area can accommodate a change of scale where there are strong benefits from the provision of through site pedestrian routes that will amplify an existing laneway system.

### 7.6.2 Impact on the Conservation Area

The property is partly within the Charing Cross Heritage Conservation Area. The listing sheet for the area (SHI number not noted on sheet<sup>15</sup>) contains an assessment and statement of significance.

*The streetscape retains notable 19th and early 20th buildings of both state and local heritage significance. The high integrity of built form in the area records the historic evolution of a place from an early village east of Sydney. The layered fabric dominated by Federation Style buildings indicates a streetscape generated by tram transport beginning in the 1880s. The slowing of growth in Post World War 2 ensured the preservation of Waverley's earliest history.*

We would concur with this assessment.

Inter War buildings are identified as part of the character of the area

*The village centre is characterised by two storey retail facades of late Victorian, Federation and Inter War styles interspersed with rare early Victorian shop and residential forms [some concealed by later frontages] and later Post War development.*

Specific controls for the Charing Cross Conservation Area are contained in Section E3 Local Village Centres of the WDCP (see below).

The area is not discussed in the Waverley Heritage Policy 2007. The rear section of the site is outside of the conservation area but is linked in a manner that would likely require the same level of assessment and detail as if it were in the conservation area.

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<sup>15</sup> The listing sheet has not been transferred to the NSW Office of Environment and Heritage State Inventory Database

Annexure H2-2 Charing Cross Streetscape Study of the DCP 2010 included listing sheets for individual buildings as follows

ADDRESS	RANKING
211-221 Bronte Road	Detracting
223-227 Bronte Road	Contributory
229-229A Bronte Road <sup>16</sup>	Contributory
231-233 Bronte Road <sup>17</sup>	Neutral

Any development will be judged on its merits in regard to the issues noted above. The current buildings on the site are of low significance and their partial demolition will allow for a more intense development of greater height that responds to the current streetscape along Bronte Road by retaining the current Inter War façade to 223-227 Bronte Road and street front heights similar to the existing on adjoining sites.

The introduction of laneways and an accessible, central court inevitably leads to greater heights on the remaining sections of the development site but the success of increasing the scale can be seen on the Double Bay developments.

The listing sheet for the conservation area contains management guidelines that are addressed below:

	Management Guideline	Comment
1	<i>All existing construction prior to 1950 in the Conservation Area should be considered contributory to the Conservation Area.</i>	The majority of the current buildings on the subject site would fall into this category
2	<i>Contributory buildings and their original features should be retained, any unsympathetic elements should be removed and original features restored.</i>	229-229A Bronte Road will be demolished along with other buildings on the site due to its low level of significance but the facade to 223-227 Bronte Road will be retained
3	<i>Neutral buildings may be replaced or altered, so that the property is made compatible with the significance of the area.</i>	N/A
4	<i>Intrusive buildings should be replaced or altered so that the property is made compatible with the significance of the area.</i>	The bottle shop fronting Carrington Road and the Legion Club are intrusive and will be demolished
5	<i>The pattern of two store shop fronts with street awnings should be retained.</i>	Complies or is capable of compliance
6	<i>Where documentary evidence exists first floor post supported or cantilevered balconies should be reinstated to street frontages.</i>	N/A
7	<i>Historic building forms should remain clearly identifiable within any redevelopment and or extension of existing structures.</i>	Complies in part with the retention of the 223-227 Bronte Road facade
8	<i>The original built form should remain as the dominant aspect of any new works to contributory buildings.</i>	The demolition of the apartments is discussed above and the retained façade to 223-227 Bronte Road will remain the dominant feature to the street. The new development beyond is higher but has appropriate setbacks and scale

<sup>16</sup> Noted as 229-233 Bronte Road in the schedule

<sup>17</sup> Noted as 235-237 Bronte Road in the schedule



	Management Guideline	Comment
9	<i>Original shopfronts including openings and related detailing and signage locations should be retained and restored in any works to existing Contributory Buildings.</i>	Complies or capable of compliance
10	<i>The pattern of small service lanes and walkways should remain.</i>	The introduction of a laneway system to complement the existing pattern is a strong element in the design
11	<i>Original external finishes should be retained and reinstated. Original face brick and sandstone walls and fences should not be rendered and/or painted. Slate and terra cotta tiling to roofs should be maintained and matched in new works to the core building.</i>	Complies
12	<i>Sandstone retaining walls and boundary walls should be retained and repaired.</i>	N/A
13	<i>A heritage impact report should be prepared for proposed work to all contributory elements in the Conservation Area and to sites adjacent to or in the visual curtilage of contributory fabric</i>	This report

## 7.7 WAVERLEY DEVELOPMENT CONTROL PLAN 2012 (WDCP)

### 7.7.1 Generally

Section B9 of WDCP contains general objectives and controls for the development in conservation areas including controls for commercial properties (Section B.9.19).

The development is at planning proposal stage and the WDCP is not addressed in detail here. These matters will be addressed more fully in a heritage impact statement accompanying a development application. The development relies on the demolition of parts of the existing buildings on the site and some of the heritage provisions of the WDCP are addressed below.

### 7.7.2 Demolition

	Objective/Control	Comment
9.2	<i>Demolition and Excavation</i>	
(b)	<i>Demolition of a heritage item or contributory building in a conservation area will generally not be supported, unless there are overriding reasons such as extreme structural damage.</i>	The majority of buildings are of low significance and the contributing façade to 223-227 Bronte Road will be maintained
(c)	<i>Demolition of a non-contributory building that detracts from a Conservation Area and replacement with an appropriately designed infill building is generally supported provided the proposed infill development is consistent with the objectives and controls outlined in this Part.</i>	Complies
(d)	<i>Excavation beneath and/or adjacent to heritage items and/or buildings in heritage conservation areas will only be permitted if it is supported by both a Geotechnical Engineering report and a Structural Engineering report.</i>	Capable of compliance



### 7.7.3 Heritage Conservation Areas

#### 7.7.4 Objectives

	Objective	Comment
9.4	<i>Heritage Conservation Areas</i>	
(a)	<i>To promote high quality design that respects and enhances the heritage significance of the conservation area.</i>	Capable of compliance
(b)	<i>To ensure that development respects the original built form, architectural style and character of the conservation area.</i>	The most significant element on the site (the façade to 223-227 Bronte Road) is retained and the new development is set beyond at the upper levels and introduces laneways to reinforce the existing pattern in the area
(c)	<i>To ensure that contributory items are retained and improved.</i>	The most significant element on the site (the façade to 223-227 Bronte Road) is retained
(d)	<i>To promote development that will remove uncharacteristic items, or reduce the extent of their intrusion</i>	
	<i>Controls</i>	
(a)	<i>Development must demonstrate that it achieves any recommendations for the area as detailed in Annexure B9-1.</i>	See below

#### 7.7.5 Annexure B9-1 – Charing Cross Conservation Area

Annexure B9-1 contains a discussion of the Charing Cross Conservation Area and recommendations as to the future conservation opportunities. These are not listed as controls but are paraphrased below.

	Conservation Opportunities	Comment
	<i>Each period of building be respected for its individual contribution to the development of the area</i>	The Inter War façade to 223-227 Bronte Road will be retained signalling this period of development in the local streetscape
	<i>Future treatment of period buildings be consistent with the original character of the building</i>	Capable of compliance
	<i>Conserve original shopfronts</i>	Capable of compliance subject to future design resolution
	<i>Restore or reconstruct missing shopfronts</i>	Capable of compliance subject to future design resolution
	<i>Provide or interpret original colour schemes</i>	Capable of compliance

#### 7.7.6 Commercial Buildings

The main objective in regards to commercial areas is:

*The original characteristics of traditional neighbourhood retail buildings are retained and enhanced.*

WDCP Section 9.19 Objective (a) p. 88

This would be the key for any development along Bronte Road. The current building façade to 223-227 Bronte Road will be retained and the development to other sections of the site is a high quality proposal that seeks to complement the streetscape by its use of a podium and awnings and the provision of pedestrian access through the site.

It is worth noting that the controls indicate:

*Consideration will be given to a variation of the established alignment in the case of a comprehensive development incorporating a pedestrian open space function*

#### WDCP 9.19.1 All Development (d)

The proposals are a strong positive in this regard and will draw on and amplify the current laneway structure and considerably enliven the precinct and expand the commercial retail area beyond the narrow frontage to Bronte Road.

### 7.7.7 Local Village Centres

Specific controls for the Charing Cross Conservation Area are contained in Section E3 Local Village Centres of the WDCP.



**Figure 46** Charing Cross Small Village

Figure 7.6 Plan of the Charing Cross Small Village (subject sight highlighted by author)

Note the dark shaded area extends beyond the boundaries of the HCA for properties along Carrington Road including the rear portion of the subject site

WDCP Section E 3.1.3 p. 329

	Objective/Control	Comment
3.1	Village Centre Specific Controls	
3.1.3		
(a)	To limit the scale of redevelopment and infill development at the street edge to match the height of the existing heritage parapet facades and roof lines, with setbacks to further levels where appropriate.	The height to Bronte Road is maintained by the retention of the current façade to 223-227 Bronte and the current streetscape heights with the levels above set back
(b)	To ensure that the design of infill development remains consistent with the regular division of frontages, where regular divisions occur.	The division of shopfronts to Bronte Road can be maintained and there is no consistent pattern to the Carrington Road frontage

	<i>Objective/Control</i>	<i>Comment</i>
(c)	<i>To ensure an integrated approach and consistent treatment to the conservation of terrace groups of buildings of historic character.</i>	N/A
(d)	<i>To minimise 'visual clutter' through control of peripheral building elements.</i>	Capable of compliance
(e)	<i>To encourage the conservation of historic architectural details and reconstruction of missing or degraded elements.</i>	The facade to 223-227 Bronte Road will be retained and the shopfront details can be the subject of future design resolution
(f)	<i>To maintain the continuity of awnings where present.</i>	Complies
(g)	<i>To maintain Bronte Road as the primary streetscape in the centre with lanes and side passages as secondary frontages.</i>	Complies. The design introduces additional laneways to reinforce the local pattern

## 7.8 EASTERN CITY DISTRICT PLAN

### 7.8.1 Generally

The Greater Sydney Commission has prepared a report on the future development of local centres throughout the eastern suburbs of Sydney setting out planning priorities and actions for improving the quality of life for residents as the District grows and changes.

Greater Sydney Commission, *Our Greater Sydney 2056, Eastern City District Plan – Connecting Communities*, dated March 2018

(The Plan)

The plan includes the Waverley LGA. The plan is aimed at guiding inner urban growth to make better use of existing and under utilised spaces and providing more artistic and creative activities and industries.

### 7.8.2 Planning Principles

Section 3 *Liveability* sets out a series of planning priorities for providing service and infrastructure, fostering culturally rich and socially connected communities, providing housing choices with access to services and public transport and renewing local centres while respecting the District's heritage. The proposed development is very much in line with these aims and objectives.

The principles for development in local centres are set out in Planning Priority E6.

The principles include:

- Provide public realm and open space focus
- Provide, increase or improve local infrastructure and open space
- Improve walking, cycling and public transport connections, including through the Greater Sydney Green Grid
- Protect or expand retail and/or commercial floor space
- Conserve and interpret heritage values
- Increase residential development in, or within walkable distance of, the centre
- Provide parking that is adaptable to future uses and takes account of access to public transport, walking and cycling connections.

The proposal meets all of these aims and can provide a vibrant addition to the local centre at Charing Cross.

### 7.8.3 Heritage

The Plan also includes a section of Heritage noting the variety of heritage items and heritage streetscapes that form part of the character of local centres as is the case for the subject area.

The Plan promotes the principle of identifying, interpreting and celebrating local heritage values and the proposal have achieve this by including a heritage study of the subject area that identifies key elements and then responds to the assessments of significance in the retention of the significant facade to 223-227 Bronte Road and the scale, layout and sympathetic built form of the new insertions.

The proposal respectively combines history and heritage with modern design to achieve an urban environment that will enhance the sense of place. The proposal strongly responds to the laneway pattern in the area to provide public access and connections.

## 8.0 SUMMARY

### 8.1 SUMMARY

Overall, we consider that the proposal is, in principle, a coherent and well-considered response to the site that can provide a high quality, built outcome. The proposal has been amended to respond directly to the comment received from the Local Planning Panel by:

- Expanding the sites to cover a larger development area
- Reducing the heights of the building
- Retaining the heritage façade at 223-227 Bronte Road
- Providing a coherent treatment to the elevations to Bronte Road to provide a good fit into the local streetscape

The proposal provides considerable benefits to the local area in terms of enlivening a low quality retail area and introducing a laneway system off the main retail street that would activate the street frontages and the areas off.

The contribution of the current building to 223-227 Bronte Road will be maintained in the retention of its facade allowing an easy fit for the development into the local streetscape. The scale of the development is not excessive and responds well to the local context.

We consider that the proposals are capable of providing for a high quality development that could enhance the wider streetscape while paying due regard to the qualities of the conservation area. They also provide a coherent strategic framework for development in the area that responds well to the local context, utilises and expands on the interesting laneway pattern and provides a critical mass of development that will benefit the current retail and commercial strip and enliven the precinct.

The introduction of accessible laneways and a central court generates the built form that is denser and higher than the general pattern of the area but provides for an articulated development that seeks to complement rather than dominate the local streetscape.

The proposals will be the subject of a more detailed heritage assessment in due course but we consider that the proposals are capable of compliance with the heritage objectives of the WLEP and WDCP.



JOHN OULTRAM