




Rozelle Village  
Mixed Use Development  
Heritage Impact Statement &  
Archaeological Assessments

January 2012

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**Note:** This document is preliminary unless it is approved by Manager or Director of City Plan Heritage

# 1 INTRODUCTION

## 1.1 BACKGROUND

City Plan Heritage has been engaged by the applicant, Rozelle Village Pty Ltd, to prepare the following Heritage Impact Statement. The proposal is for a Mixed Used Development on the properties occupied by the Balmain Leagues Club and adjoining land with frontages to Darling Street, Victoria Road and Waterloo Street, Rozelle. The proposal is to:

- Demolish the existing Balmain Leagues Club, including all associated structures. The properties that are proposed to be demolished, in addition to the Club building, comprise numbers 1, 3, 5, 7, 9, 13, 15, 17 and 19 Waterloo Street; 134-152, 154-156, 168, 170 and 172 Victoria Road; and 697 and 699 Darling Street in Rozelle. The existing shop premises at numbers 697 and 699 Darling Street are located within a Conservation Area under the Leichhardt LEP 2000 and form part of the Rozelle Town Centre commercial strip.
- Construction of a mixed use development on the subject site, including a new club premises on Level 3, two (24 to 30-level) residential towers and communal recreation spaces, three-storey shop office – home office units on the Waterloo Street frontage, a supermarket, restaurants, food court, childcare centre, community rooms and speciality retail stores with an open to sky plaza in between.

The proposal has been designed in collaboration by Stanisic Associates Architects and PTW Architects. As noted above the subject site is located partly within a Conservation Area. There are no individually listed heritage items within the subject site; however, it is located within the vicinity of a number of heritage items. A detailed 'Heritage Assessment' was prepared for the entire block bounded by Darling, Waterloo and Moodie Streets, and Victoria Road during the preparation of the 'Balmain Leagues Club Master Plan' by this office in 2005. Since the site conditions have not been changed to date, that report has been provided as an Attachment to this Heritage Impact Statement, and its findings have been incorporated in this report as appropriate to avoid repetition. Therefore, this 'Heritage Impact Statement' should be read in conjunction with the associated 'Heritage Assessment' for the site.

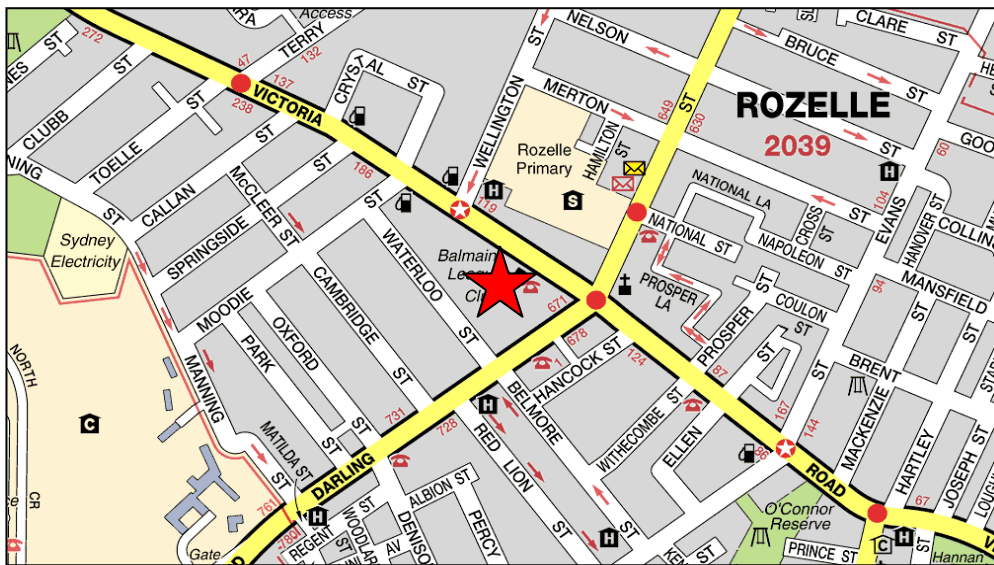
Following the submission of the Master Plan for the rezoning of the Balmain Leagues Club land to allow higher density mixed use development, comprising residential, commercial and retail development, amendments to Leichhardt Local Environmental Plan (LEP) 2000 and Leichhardt Development Control Plan (DCP) 2000 have been prepared and was gazetted on Friday, 29 August 2008 (NSW Government Gazette No.106) as Amendment No.16 to the LEP and DCP Amendment No.15.

The current design of the proposed 'Mixed Use Development', although it has been designed by a new design team, builds up from the previous process that included a lengthy

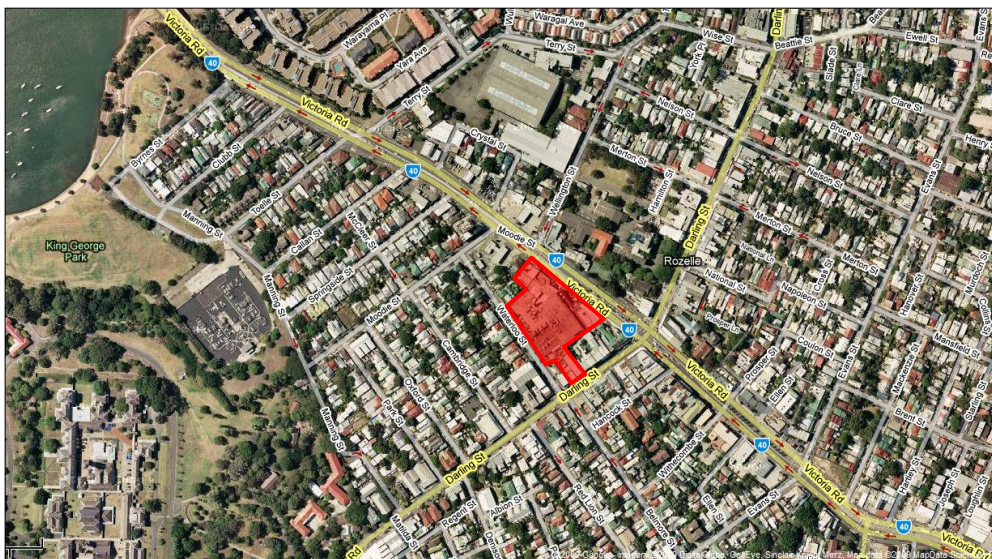
consultative process between the Club, the Architects and the Leichhardt Council's Urban Design Panel. The previously proposed design scheme was refused in July 2010, essentially, on the ground of traffic impact and amenity for the residents. This Heritage Impact Statement has been prepared in consideration of the concerns raised during the previous consultative process and responds to the Director General's requirements.

## 1.2 SITE LOCATION

The subject site is located within the block bounded by Victoria Road, Moodie Street, Waterloo Street and Darling Street, Rozelle. For a more detailed description of the site and its context, see Section 2 – Site Description and Context.



**Figure 1: Location of Subject Site**  
(Source: UBD Digital mapping on CD-Rom, 2004 edition)



**Figure 2: Aerial view of the Subject Site within its wider urban context**  
(Source: Google maps)



**Figure 3: Close-up aerial view of the Subject Site and its immediate surroundings**  
(Source: Google maps)

### 1.3 METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the *NSW Heritage Manual* 'Statements of Heritage Impacts' and 'Assessing Heritage Significance' guidelines. The philosophy and process adopted is that guided by the Australia ICOMOS *Burra Charter 1999*. The subject proposal has been assessed in relation to the relevant controls and provisions contained within the Leichhardt Local Environmental Plan 2000 and the Leichhardt DCP. The draft Leichhardt LEP 2011 has also been considered.

This Heritage Impact Statement incorporates the Non-Indigenous Archaeological Assessment and Aboriginal Cultural Heritage Assessment as an Attachment.

### 1.4 AUTHOR IDENTIFICATION

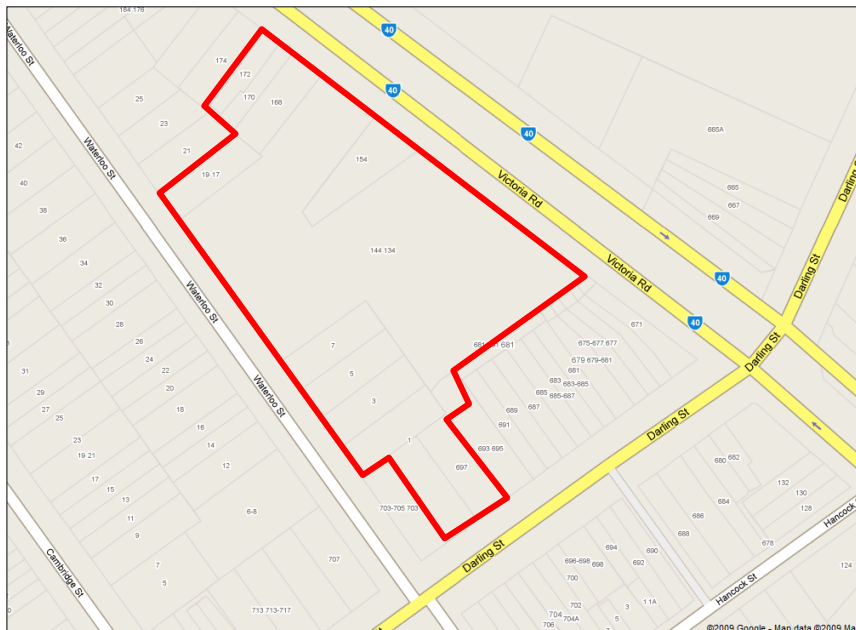
The following Heritage Impact Statement has been prepared by Kerime Danis, Manager. Background information is based on the previous Heritage studies pertinent to the site prepared by this office dated between 2005 and 2010.

## 2 SITE DESCRIPTION AND CONTEXT

### 2.1 SITE DESCRIPTION

The subject redevelopment site is irregular in shape, with frontages to Victoria Road, and Waterloo and Darling Streets as indicated in Figure 4 below. The site is occupied by the following properties:

- Commercial buildings in Darling Street, being a single storey shop at No.699 and two-storey shop at No.697, which are occupied by butcher and video shop respectively;
- The two-storey Balmain Leagues Club building (134-152 Victoria Road) built in 1963 and has been recently renovated including a multi-level car park;
- Two-storey brick commercial building at 154-156 Victoria Road;
- A single-storey residential cottage at 168 Victoria Road;
- Two semi-detached late Victorian style houses at 170-172 Victoria Road;
- A one to two-storey commercial / light industrial building at 1 Waterloo Street;
- The club buildings to the rear and associated car parking at 3-15 Waterloo Street; and
- A c 1980s pair of narrow stepped terraces at 17-19 Waterloo Street.



**Figure 4: Extent of the Subject Site and lot configuration of its immediate surroundings**  
(Source: Google maps)

The description of the site has been provided in the 2005 Heritage Assessment (Attachment B) and the Archaeological Assessments (Attachment A), and since there has been limited change in the configuration of the buildings on the site and within the immediate neighbourhood only updated images of the Darling Street shops and the new additional properties at 17-19 Waterloo Street and 170-172 Victoria Road have been provided here (not part of the Balmain Leagues Club Precinct as defined by the Leichhardt LEP 2000, or part of the earlier DA for this site).

The majority of the subject site is occupied by the Leagues Club building and its associated car park facilities extending from Victoria Road frontage to the Waterloo Street boundary of the site. The Club building is a two-storey modern style 1963 building of irregular form with a main frontage to Victoria Road. The remaining portion of the land towards the west features a basement/enclosed car park structure surrounding the two-storey painted brick commercial building at 154 Victoria Road and open car parking accessed from Waterloo Street. The Club building has been modified over time since its construction and none of these buildings or car parks have heritage significance in terms of built fabric.

The Darling Street frontage of the Site comprises two shops; one of which is an early 20<sup>th</sup> Century single-storey former 'Byers Meat' butchery shop (No.699) with simple parapet and white tiled shopfront; and the other is a two-storey c1920 shop with a simple parapet and horizontal band of windows in group of three to upper floor and two modified timber shopfronts. These shops are located within a Conservation Area under the Leichhardt LEP 2000 and form part of the Rozelle Town Centre commercial strip.

A narrow laneway, which leads from Victoria Road and terminates behind the property at 691 Darling Street, separates the Balmain Leagues Club land from the commercial properties along Darling Street between numbers 695 and 671. The other building that separates the subject site from Darling Street occupies the corner of Waterloo Street of the strip and is a two-storey Victorian terrace previously operating as a restaurant (currently vacant).



**Figure 5: (Above left) The Darling Street frontage of the Club's site showing the shops at 699 (Byers Meats) and 697 (video & DVD); (Above) the c1980s terraces at 17-19 Waterloo Street; and (Left) the semi-detached houses at 170-172 Victoria Road.**

## 2.2 SITE CONTEXT

The subject site is located within the Suburb Profile Area of 'Rozelle Commercial Neighbourhood' as set out in Leichhardt DCP 2000. The following description from the suburb profiles is relevant to the character of the Balmain Leagues Club site's context:

*'This area centres on the intersection of Victoria Road and Darling Street. The neighbourhood comprises the length of Darling Street from Park Street to Norman Street. Along Victoria Road the neighbourhood extends from the City West Link Road to Clubb Street. The neighbourhood forms a rough cross at the south west end of the Balmain peninsula. The description states Darling Street, south west of Victoria Road, has remained largely unchanged. The area has an established two storey scale with occasional larger buildings, and the predominant style of buildings is two storey with shops at ground level and residences above. The architecture is mostly late Victorian with some early 20<sup>th</sup> century Federation styled buildings. On the northwest of Darling Street, the Balmain Leagues Club makes a significant impact on the streetscape with a three storey bulk for the full depth of the lot. This contemporary building is an aggregate style of commercial premises which is further compromised by the addition of mobile phone antennas along the western edge of the roof.'*

*On Waterloo Street the subject site is adjacent to the 'Callan Park Neighbourhood'. 'The scale of the neighbourhood is predominantly single storey with some two storey dwellings located along Cambridge and Waterloo Streets along the top of the Balmain ridge. The materials used in construction along the top of the ridge tend to be painted masonry with tile roofs mixed with simpler timber and iron cottages. This ridge area is characterised by late Victorian housing with more ornate finishes, arched openings, stained glass and ornate cast iron balustrades on verandas.'*



**Figure 6: Commercial strip on the northern side of Darling Street between Waterloo Street and Victoria Road in 2009. Left, looking west towards Waterloo Street; Right, looking east towards Victoria Road.**

### **3 HISTORY**

Refer to the 'Heritage Assessment' prepared by City Plan Heritage in 2005 for the detailed history of the precinct provided in Attachment B of this report. Further historical information can also be found in the Archaeological Assessments in Attachment A.

### **4 ASSESSMENT OF SIGNIFICANCE**

The significance assessment of the buildings and the subject site has been undertaken in the 'Heritage Assessment', which is a separate document in Attachment B of this report; however, the Statements of Significance for each Darling Street buildings of the site and the overall site has been copied here for easy reference.

#### **4.1 STATEMENT OF SIGNIFICANCE (No.697 DARLING STREET, ROZELLE)**

*The existing shop at 697 Darling Street, Rozelle is an early twentieth century building. It represents a typical shop, with parapet, that forms part of the 19<sup>th</sup> and early 20<sup>th</sup> commercial shopping strip of Rozelle. The association with the Byers meat business is a minor social connection as it was erected as an investment property by the Byers.*

#### **4.2 STATEMENT OF SIGNIFICANCE (No.699 DARLING STREET, ROZELLE)**

*The existing shop at 699 Darling Street, Rozelle is an early twentieth century commercial building. It represents a typical shop, with parapet, that forms part of the late 19<sup>th</sup> and early 20<sup>th</sup> commercial shopping strip of Rozelle. The association with the Byers meat business is an important social connection as it was erected, and subsequently extended, by the Byers for their meat business and has been continuously occupied by the family for three generations.*

#### **4.3 STATEMENT OF SIGNIFICANCE (OVERALL BLOCK)<sup>1</sup>**

*The Block bounded by Darling Street to the east, Victoria Road, to the north, Moodie Street to the west and Waterloo Street, to the south, is an area that was predominantly developed in the late 19<sup>th</sup> and early 20<sup>th</sup> c with mixed residential and commercial development. The opportunity for redevelopment of non – residential land for the Balmain Leagues Club and the widening of Victoria Road created an environment of change that has left the Darling Street streetscape relatively intact and the rest of the block fragmented, with a few poor quality residences side by side with the Leagues Club, associated carparking and the petrol station. The area, except for the Darling Street streetscape, has therefore little aesthetic significance and the principal association in social terms is with the Leagues Club itself. The adjoining*

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<sup>1</sup> Copied from the Heritage Impact Statement, dated October 2005, by City Plan Heritage & accompanied the Master Plan Application.

*areas are generally high quality residential areas with a defined character. The relationship of the site with the significance of the Rozelle/Balmain peninsula has been severely eroded by the widening of Victoria Road and the increased amount of traffic.*

## **PERIOD GROUPS IN VICTORIA ROAD AND WATERLOO STREET**

The development site contains two groups of buildings that have period characteristics. These dwellings and one commercial premises are varied in style but represent the period of development from the late 19<sup>th</sup> century to the early twentieth century. None of the buildings is exceptional and most are degraded by a change of materials or additions.

### **Victoria Road**

**No.168** – An early 20<sup>th</sup> century façade to a workshop for motorcycles. There is little fabric of significance remaining within the premises. The façade provides a key to its date but the building does not reach the threshold for listing.

**Nos. 170 and 172** are a pair of attached dwellings of late Victorian style. They are located on the 1895 Metropolitan Water Board Map. The area originally had a number of Victorian terraces, however, the area has been altered over time and many of the original dwellings have been demolished.

### **Waterloo Street**

**Nos. 17-19.** This pair of two-storey terraces are c1980s additions to the streetscape and have no heritage significance.

## **5 THE PROPOSAL**

The proposal is for the redevelopment of the Balmain Leagues Club and adjoining properties as a mixed use development incorporating club premises, residential apartments / shop office – home office units, specialty retail shops, fresh food market, supermarket, plaza and associated car parking and amenities. The proposal involves demolition of the existing single-storey shop at 699 Darling Street and the two-storey shop at 697 Darling Street. The remainder of the structures within the Site will also be demolished.

The proposed works have been designed by Stanisic Associates Architects and PTW Architects in collaboration. The following is a summary description only of the proposed development. For specific details reference should be made to the submitted architectural plans. The proposed development will consist of 8 underground basement levels for car parking for the residents and the public and visitors to the facilities within the centre, a supermarket, retail shops and plant rooms associated with the development; the ground level will incorporate general retail and a food court open air connections between Darling

Street, Waterloo Street and Victoria Road; facilities such as gym, restaurants, community rooms, general retail, medical centre, child care, resident facilities, tennis court and Balmain Leagues Club will be located between Levels 1 to 5. The remainder of the levels will be allocated for the two residential towers setback from the street boundaries of the development in varying heights (24 to 30 levels) and architectural form.

## **6 HERITAGE IMPACT ASSESSMENT**

### **6.1 GENERAL DISCUSSION**

The subject development has been designed by two internationally renowned architectural firms. The proposal considers the objectives, planning principles and controls established for the site to a degree, and creates a sympathetic infill on the Darling Street frontage. The proposed development aims to provide a high quality architectural design with well articulated form, bulk and mass incorporating various retail, residential and commercial facilities and services that will add to the vibrancy and viability of the Rozelle Commercial Centre.

The consistency along the Darling Street shopping strip is maintained by appropriate scale and proportion to existing shop terraces along Darling Street and by utilising half of the space of the shop at 699 for public access into the new plaza creating a narrow arcade to the new plaza beyond. The remainder of the space on the ground floor level is utilised for retail maintaining the historic and traditional use of the existing shops while the upper level of the Darling Street infill building is provided for community uses. This will maintain the overall dominance of two-storey streetscape wall on the northern side of Darling Street and will create a transition towards the one-storey section beyond Waterloo Street intersection via a contemporary infill element. A tennis court setback from the Darling Street edge of the block will be on the third level creating a green roof at this end of the development. The safety fence for the tennis court will be utilised to form a vertical garden.

The new development respects the residential nature of Waterloo Street by creating a two and three-storey commercial strip between the new retail facilities and tower elements and the existing residential development along the north-western side of the Street, which is currently presenting a large car park space. Three residential towers have been designed in slender and well articulated form and setback from all street boundaries of the development site placing two of them in the core of the site and the third one along the northern end of the Waterloo Street boundary. The design of the towers is contemporary but considers the respective streetscape appearances as well as for compatibility with the overall character of the Rozelle Commercial Neighbourhood. Any towers in this scale and form will obviously be clearly visible from every direction of the area as well as the distant views. The overall

architectural character and form of the towers have the potential to create an iconic value and navigational point for the locality.

The subject properties within the Site are not listed under any statutory instrument as heritage items; however, the shops at 697 and 699 Darling Street are located within a Conservation Area under Leichhardt LEP 2000. The site is also located within the vicinity of a number of heritage items. The proposed development has been designed in consideration of the settings and any view corridors of these heritage items. A detailed assessment of the curtilage boundaries in relation to the heritage items in the vicinity of the Site has been provided below for a better understanding of the impact of the proposed mixed used development.

It is argued that the heritage significance of the items within the vicinity of the subject site is related to their history, their extant fabric and the curtilage of the buildings and the lots. There isn't an argument that relates the building to a wider setting, other than the immediate grouping in terms of the Conservation Area. The Council has not established guidelines for the properties under a DCP and the wider setting has not been included in a statement of significance that may guide applicants with regard to proposals in the immediate vicinity.

It is important here to emphasise the current definition that curtilage relates to a line on a map. The curtilage for the heritage item is the lot boundary and therefore the visual curtilage would have to be located within the lot. It is considered that there is no such thing as a "visual curtilage" because it is usually the case that the visual 'catchment' of an item or place goes well beyond its legal borders into other people's property or public land. The setting outside the lot is important; however, it is considered that this should be defined in the LEP, DCP or Statement of Significance if it is to be relevant under a clause in the LEP. Consideration must relate to the established significance and the level of that significance. For example, if the building was built to be viewed from the water such as 'Elizabeth Bay House' as a 'Marine Villa' then the setting and views to and from the water would be considered appropriate. These matters are incorporated in the South Sydney LEP in clause 50 'Development in the vicinity of Elizabeth Bay House'. Parramatta, Newcastle, North Sydney and Campbelltown (Macquarie Field House) all have specifics related to views and/or heights etc in relation to heritage items and areas.

The conclusion is that if curtilage matters enough it needs to be stated in an LEP/REP or a DCP - and clearly defined by mapping, photographs with height control lines and key views marked, so that there can be no uncertainty about what is being conserved.

It is considered that 'Setting' is more akin to a 'visual catchment' and can vary, depending on the viewing point of the observer. It constantly changes as the observer moves around the place. In practical terms, one can limit it and define it from a fixed and defined public viewing

point (or points). While it can be defined by a line on a map or plan, it is of little value if it embraces other properties (private or public), which are not prepared to be bound by controls that a heritage authority or a Council may wish to apply within it. It is therefore not a curtilage. The visual catchment has generally been defined as the Conservation Area for the purposes of heritage controls. The subject proposal does not fall within the Conservation Area for the most part. Part of the subject site, which is located within the Conservation Area, will maintain the same scale and bulk as is allowed within the controls for the area. The third level is essentially a flat green roof with a fencing of vertical garden and setback from the boundary to maintain the two-storey retail strip consistency. The green garden will be a backdrop to the strip.

It is apparent that some level of impact will occur to the skyline of the Rozelle Commercial Centre due to the scale and mass of the proposed towers. Given consideration to the benefits of the proposed mixed use development to the local area's economic viability and rejuvenation in line with the Leichhardt Council's objectives and improvement strategies for the Rozelle Commercial Centre, the impact is considered negligible and not more than other towers constructed within the skyline of Sydney Metropolitan area. The proposed public amenities and functions as well as additional commercial and residential development will respond to and accommodate the growing needs of the locality in well articulated and designed towers that do not take much urban space on the ground level and provide a development with potential for iconic architectural value. It is anticipated that the development will act as a navigation point for the Rozelle Commercial Centre and Balmain locality wherever it can be viewed from various distant locations of wider Sydney.

### **Visual Analysis**

Visual analysis of the site have been undertaken by the project Architects with considerations to the likely impacts of the proposed new towers from various iconic locations and the important heritage items in the locality including views to and from Callan Park and Iron Cove Bridge. Results of the visual analysis show that the new towers will be clearly visible within the urban scape of Rozelle Neighbourhood from close and distant views to varying degree of visibility.

The existing views from the corner of White Bay Power Station, Sydney Tower, Iron Cove Bridge, East Balmain Wharf, Rodd Point, Callan Park, Leichhardt Park and Leichhardt Municipal Council to the Rozelle Village development site have been compared through photomontages. The most visibility of the proposed towers will be from Iron Cove Bridge approaches, sections of Callan Park, and to a lesser degree from Leichhardt Park. The visibility of the towers from Sydney Tower and Rood Point will be a distant one with a negligible impact albeit the Rodd Point visibility will be slightly more due to its closer distance

to the development site. The towers will not be visible from the East Balmain Wharf and from the Leichhardt Municipal Council's offices.

As noted previously the towers will be obvious additions to the skyline of Rozelle Neighbourhood Centre and some level of impact is expected. The impact on significance of items such as Callan Park and Iron Cove is considered only to be a backdrop to their landscape with no impact on the appreciation of their established heritage significance and landscape values. It should be noted that the new towers will not be visible from all of the view corridors of the subject heritage items.

### **Impact on heritage items in the vicinity**

The relationship of the Site and the heritage items in the vicinity has been discussed below:

- In the subject proposal, the heritage items including the *Former Westpac Bank*, the *Rozelle Public School* and the *St. Paul's Neighbourhood Centre* are related to their location and in terms of Darling Street relate strongly to the Conservation Area and the visual catchment of the immediate streetscape. The Site is visible from the rear of some of these properties; however, the significance and understanding of the place is not dependent on the visual catchment in this regard. The distance and change in relationship of the area over the years through the Victoria Road widening and the change in the character of the existing Club premises have diminished any urban form connection.
- The *York Buildings* are located on the corner of Victoria Road and Darling Street, opposite the Club redevelopment site. The setting here is related to the strong two-storey urban form of the commercial shopping strip between the Club site and the heritage items. The proposed development will be visible from the corner; however, the predominant impact is the immediate two-storey streetscape that is not part of the Club site. The appreciation of the buildings as heritage items and their relationship to the Conservation Area will not be affected by the proposal.
- The *Former Police Station* on the corner of Waterloo and Darling Streets is located outside the Conservation Area. The streetscape becomes more varied south of Waterloo Street and the significance of the former *Police Station* is related historically to the area rather than being an integrated aesthetic component in the streetscape. It has its own scale and form and does not relate to the wall of two storey shop premises. The proposed development will not impact on the appreciation of its contribution to the local area or to Darling Street. The views to and from the *Former Police Station* will remain the same.
- The site has been viewed from the *Callan Park Conservation Area and Buildings*. In terms of the 'setting', the proposed development on the subject site will not be visible from most parts of the Park. Where it will be visible it will be negligible in terms of the skyline view. In other words, it will not impact on the appreciation of the landscaped nature of Callan Park and its leafy setting.

## 6.2 STATUTORY CONTROLS

The shops along Darling Street, including Nos. 697 and 699 within the subject site, are located within a Conservation Area, as gazetted under the Leichhardt Local Environmental Plan 2000. They are subject to the provisions contained in the Leichhardt DCP 2000. The subject site is also subject to a site specific DCP Amendment No. 15 as defined in Part D of the DCP 2000.

The proposed development has been declared as a Major Project by the Director General and the Director General's Requirements have been issued. Therefore the proposal will be considered under Part 3A of the Environmental Planning & Assessment Act by the Department of Planning and Infrastructure. The following assessment under the relevant local statutory controls has been provided to assist the Director General in the assessment of the proposed development in relation to heritage matters.

## 6.3 LEICHHARDT LEP (2000)

The proposed development involves the demolition of the single-storey shop in Darling Street, being No. 699 and the adjoining two-storey shop at 697 Darling Street, and construction of a new arcade entrance from Darling Street to the proposed new mixed use development. The Darling Street buildings are within a Conservation Area and the site is located within the vicinity of Heritage Items, including:

- Rozelle Public School
- St.Paul's Church - Neighbourhood Centre
- St Thomas Church Group - 668 Darling Street
- Former Westpac Bank - 661 Darling Street
- Former Police Station - 707 Darling Street
- York Buildings - 678 Darling Street & 128-132 Victoria Road

At a more regional level the proposed development will be visible from parts of:

- Callan Park Conservation Area and Buildings
- Iron Cove Bridge
- White Bay Power Station

The new development has been addressed in relation to the relevant clauses of the LEP, below.

LEICHHARDT LEP (2000),	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
<p><b>Clause 15 Objectives</b> <i>(a) to protect, conserve and enhance the cultural heritage and the evidence of cultural heritage, including places,</i></p>	<ul style="list-style-type: none"> <li>• The subject site is not a heritage item; however, contains two shops in Darling Street frontage that have been assessed as being</li> </ul>

LEICHHARDT LEP (2000),	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
<p><i>buildings, works, relics, townscapes, landscapes, trees, potential archaeological sites and conservation areas, and provide measures for their conservation,</i></p> <p><i>(b) to protect, conserve and enhance the character and identity of the suburbs, places and landscapes of Leichhardt, including the natural, scenic and cultural attributes of the Sydney Harbour foreshore and its creeks and waterways, surface rock, remnant bushland, ridgelines and skylines,</i></p> <p><i>(c) to prevent undesirable incremental change, including demolition, which reduces the heritage significance of places, conservation areas or heritage items,</i></p> <p><i>(d) to allow compatible and viable adaptation and re-use of the fabric of heritage significance,</i></p> <p><i>(e) to ensure the protection of relics and places of Aboriginal cultural significance in liaison with the Aboriginal community.</i></p>	<p>contributory to the historic shopping strip. The proposed design incorporates mitigative measures to maintain the contribution that these shops make to the streetscape by maintaining a similar scale to the existing two-storey shopping strip and incorporating a horizontal awning as a transitional element between the new and the existing streetscape.</p> <ul style="list-style-type: none"> <li>• The streetscape character of the northern side of Darling Street will not be affected; in fact the overall two-storey street wall setting of the shopping strip will be enhanced by the new two-storey contemporary infill. The proposed arcade connection to the plaza of the new development together with the new infill building will create a transition between the predominantly two-storey heritage streetscape and the single-storey heritage streetscape.</li> <li>• The new mixed use development will significantly improve the viability and amenity of the Rozelle Commercial Neighbourhood.</li> <li>• There is no known or potential Aboriginal cultural heritage site within the Club development site. Reference for a more detailed information should be made to the Archaeological Assessments in Attachment A of this report.</li> </ul>
<p><b>CLAUSE (16)</b> <i>(7) Development in the vicinity of a heritage item: Consent must not be granted for development on land in the vicinity of a heritage item, unless the consent authority has made an assessment of the effect the carrying out of that development will have on the heritage significance of the heritage item and its setting as well as on any significant views to and from the heritage item.</i></p>	<ul style="list-style-type: none"> <li>• It is considered that the proposed new mixed use development will have no detrimental impact upon the significance of the Heritage Items in the vicinity. The Heritage Items are separated by Victoria Road and Darling Street from the subject site. The proposed development will have no impact on the identified curtilage of these Heritage Items.</li> <li>• The visibility of the proposed residential</li> </ul>

LEICHHARDT LEP (2000),	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
	<p>towers must be differentiated from negative heritage impact. The issues of visibility and impact are discussed above in section 6.1 – General Discussion.</p>
<p><i>(8) Consent must not be granted for the demolition, reconstruction, adaptation or erections of a building, the carrying out of a work, or the subdivision of land, within a conservation area unless the consent authority has made an assessment of the extent to which the carrying out of the development would affect the heritage significance of the conservation area, with particular regard to:</i></p> <p><i>(a) the heritage significance of any building, work, relic, tree or place, archaeological site or potential archaeological site or aboriginal site that would be affected, and the contribution it makes to the conservation area, and</i></p> <p><i>(b) the compatibility of the proposed development with the conservation area, including the size, form, scale, orientation, siting, materials, landscaping and details of the proposed development.</i></p>	<ul style="list-style-type: none"> <li>• There are five buildings within the subject development site that have some interest, including the shops at Nos. 697 and 699 Darling Street, semi-detached houses at 170-172 Victoria Road and the building at 1 Waterloo Street. The houses at Victoria Road and Waterloo Street have been identified as having little to no heritage significance and the other two shops, 697 &amp; 699, as contributory buildings. The shops are proposed to be demolished to provide for a connection from Darling Street to the new retail, residential and the new Club premises behind the Darling Street buildings. They will be replaced by an arcade and an infill building of two-storey high with a setback tennis court at the rooftop. The fencing for the tennis court will be a vertical garden creating a green element at the front of the residential towers.</li> <li>• The significance of the subject two shops has been assessed as being of contributory value to the Conservation area. The buildings are representative of their period and the period of development of Darling Street, Rozelle. They complement the general height and scale of the Conservation Area and have the typical characteristics of the streetscape, including parapet form and awnings with associated shopfronts. Their demolition has already been established in the site specific DCP Amendment No.15 and the proposed design create a two-storey infill with a narrow arcade as a transitional element from</li> </ul>

LEICHHARDT LEP (2000),	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
	<p>dominant two-storey streetscape to one-storey streetscape beyond the Waterloo Street intersection.</p> <p><b>Size:</b> The size of the proposed development, particularly along the street frontages of the site, is satisfactory and the mitigative measures are taken to provide a similar scale to the existing buildings.</p> <p><b>Form:</b> The proposed infill in place of the shops has been designed in contemporary manner and maintains the continuity of the shopping strip wall.</p> <p><b>Scale:</b> The scale along the strip is sympathetic to the adjoining predominantly two-storey buildings and streetscape. The upper floor is essentially a setback rooftop garden.</p> <p><b>Orientation:</b> The orientation is typical of buildings in the street.</p> <p><b>Siting:</b> The setback of the infill maintains the prominence of the contributory elements in the streetscape and acts as a transitional element from two-storey to one-storey development.</p> <p><b>Materials:</b> The proposed infill will employ a palette of contemporary but complimentary materials including a glazed facade that will reflect the buildings on the opposite side of the Street creating an interesting street wall within a heritage streetscape. The other components of the new development that is not within the conservation area will be constructed of a combination of traditional and contemporary materials including face brickwork, glass, and various metal and timber architectural elements. These materials are considered appropriate within the existing streetscapes of Waterloo Street</p>

LEICHHARDT LEP (2000),	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
	<p>and Victoria Road as well as the views of the towers from the Conservation Area.</p> <p><b>Landscaping:</b> There is no landscaping along the Darling Street boundary of the new development at a street level; however, a vertical garden will be created as a fence to the rooftop tennis court. The other proposed landscaping is limited to the Waterloo Street residential apartments and the internal plaza areas in the form of plant boxes and winter gardens.</p> <p><b>Details:</b> The proposed infill is clearly contemporary but complimentary in its style. It is considered desirable for new elements in a Conservation Area to be contemporary in style so that the original and contributory elements remain identifiable and the authenticity of the Conservation Area's building stock is maintained.</p>

#### 6.4 DRAFT LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2011

The heritage provisions and controls contained in Clause 5.10 of the Draft LEP 2011 are standard provisions and have already been addressed under the current LEP controls above.

#### 6.5 LEICHHARDT DCP (2000)

The following tables address the relevant sections of the DCP.

CLAUSE (A)7.0 HERITAGE CONSERVATION	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
<p><b>PRINCIPLES</b> <i>To protect, conserve and enhance Leichhardt's heritage, and ensure that appropriate changes to this heritage take place in an appropriate manner.</i></p> <p><b>CONTROLS</b> - Only undertake work necessary to conserve the place, or to comply with safety or other regulations.</p>	<ul style="list-style-type: none"> <li>The proposal is for a major redevelopment that has wider implications than the impact on the heritage conservation area and heritage items in the vicinity. The site is a visible one and the implications of new development on planning and urban design in the Rozelle Neighbourhood area have been the subject of</li> </ul>

<p><b>CLAUSE (A)7.0 HERITAGE CONSERVATION</b></p>	<p><b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b></p>
<ul style="list-style-type: none"> <li>- <i>Retain the existing fabric wherever possible, and maintain rather than replace the fabric.</i></li> <li>- <i>Minimise any alterations to the building and setting required for occupation.</i></li> <li>- <i>Make a record of the place before making changes, and maintain a record of the changes made.</i></li> <li>- <i>Changes to a building's fabric are to be complementary to the architectural period and style of the building.</i></li> </ul>	<p>several studies as part of previous development schemes for the site. The new development has the potential to become an iconic element and navigational point for the Rozelle Neighbourhood and wider Sydney due to its architectural quality and high-rise towers resulting from collaborative work of two internationally renowned architectural firms.</p> <ul style="list-style-type: none"> <li>• The proposed development considers the provisions of a site specific DCP, which accepts the principle of demolition of the existing two shops and their replacement with a contemporary and sympathetic infill development combining a passageway in the form of an arcade, to a degree in particular the Darling Street frontage. It is anticipated that recording of the subject shops in accordance with current archival recording standards of the Heritage Council will be made prior to the commencement of any demolition works.</li> <li>• Although the subject mixed use development site encompasses part of a larger Conservation Area, the proposed development only affects directly three properties in the Conservation Area, being Nos. 697 &amp; 699 Darling Street and No.1 Waterloo Street. It is within the Rozelle Commercial Neighbourhood – Suburb Profile of the DCP and this is considered below.</li> </ul>

The Leichhardt DCP 2000, as amended last on 11 August 2009, deals with Leichhardt Council's Conservation Areas and identifies distinctive neighbourhoods with particular characteristics and desirable attributes. The following table addresses the relevant DCP Controls for the Rozelle Commercial Neighbourhood.

<b>DCP (2000) – ROZELLE COMMERCIAL NEIGHBOURHOOD: CONTROLS</b>	<b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b>
<b>URBAN FORM</b>	
<ul style="list-style-type: none"> <li><i>To improve the streetscape amenity by encouraging improved design and layout of buildings as well as increased attention to site usage, signage and ancillary uses.</i></li> </ul>	<ul style="list-style-type: none"> <li>The subject new mixed use development site is fragmented and poorly occupied in terms of uses, buildings, access and car parks. The proposed development provides for the improvement in amenity and circulation as well as an opportunity to activate the rear of the Darling Street shops. Waterloo Street and Victoria Road are presently scarred by car parking. The proposal provides an opportunity to redefine the street frontages to accord with the DCP. The new development will add to the viability of the precinct, and increase public amenity and facilities provided.</li> </ul>
<ul style="list-style-type: none"> <li><i>Promote a mix and variety of uses and building styles that enhance and contribute to the character and identity of the neighbourhood whilst protecting significant prominent buildings and the townscape.</i></li> </ul>	<ul style="list-style-type: none"> <li>The new development provides for active street frontages for all three street boundaries of the site. The proposed residential strip in Waterloo Street will provide a contemporary complement to the higher quality period dwellings on the western side of the street. Victoria Road will have a well defined and architecturally designed frontage that will activate the street and have an integrated architectural presence.</li> </ul>
<ul style="list-style-type: none"> <li><i>Promote a residential/commercial mix in the retail part of the neighbourhood by allowing shop top residential development subject to density and streetscape controls.</i></li> </ul>	<ul style="list-style-type: none"> <li>The new development provides mixed uses including retail, commercial and residential facilities as well as retail/food court and supermarket while retaining the commercial strip along Darling Street. The new development is a positive addition to the existing amenity and neighbourhood character of the Rozelle Commercial area along the public domain while providing residential uses at the upper levels and along Waterloo Street frontage.</li> </ul>
<ul style="list-style-type: none"> <li><i>Maintain the predominant bulk, scale and siting of buildings consistent with adjoining development and the neighbourhood generally.</i></li> </ul>	<ul style="list-style-type: none"> <li>The predominant scale and bulk of the Darling Street commercial area will be maintained and enhanced. The proposal is to</li> </ul>

DCP (2000) – ROZELLE COMMERCIAL NEIGHBOURHOOD: CONTROLS	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
	<p>increase the scale of the buildings over the rest of the site beyond the Darling and Waterloo Streets' frontages. This will provide increased residential densities and improved retail facilities with a central plaza to add to the community's sense of place and meeting points. The scale will be related to the siting of the different components of the development in a well articulated and designed bulk and mass. The scale and bulk will not decrease the visual amenity of the public domain of Darling Street due to the setback, well behind the rear boundaries of the shops along the Street. The proposal will be visible partly from Darling Street but not in such a way that would diminish an appreciation and understanding of the significance and development of the area. The proposal will be very visible from Waterloo Street and the Callan Park Neighbourhood; however, the proposed new low-rise commercial terraces along the Waterloo Street frontage of the new development will provide a compatible character in terms of the overall streetscape. The Callan Park Neighbourhood residential area is not within a Conservation Area.</p>
BUILDING ELEMMENTS	
<ul style="list-style-type: none"> <li><i>maintain and enhance the character of the area by retaining original buildings where appropriate and keeping new development complementary in architectural style, form and materials.</i></li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to demolish both shops on Darling Street frontage of the subject site. The architects have considered a number of options in order to retain either facade; however, the nature of the proposed new development and requirement for the provision of public access/link from Darling Street to the plaza, as defined in the gazetted Site Specific DCP Amendment No.15, proved to be difficult for the retention of either</li> </ul>

<b>DCP (2000) – ROZELLE COMMERCIAL NEIGHBOURHOOD: CONTROLS</b>	<b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b>
	<p>facade. The subject two-storey shop's facade is a very simple and plain one and it does not present architecturally or aesthetically important detailing, in particular when considered along the shopping strip it is located within.</p>
<ul style="list-style-type: none"> <li><i>retain traditional shopfronts and reinstate shopfront elements including awnings and balconies where relevant.</i></li> </ul>	<ul style="list-style-type: none"> <li>The two shopfronts relating to the buildings at 697 and 699 Darling Street have been altered and there is no heritage reason to retain them.</li> </ul>
<b>ECONOMIC VIABILITY</b>	
<ul style="list-style-type: none"> <li><i>promote the continuing development of the Neighbourhood and encourage land uses and development that contribute to the needs of the local community.</i></li> </ul>	<ul style="list-style-type: none"> <li>The proposal will promote the vitality of the neighbourhood and provide increased amenity for the local community. It will preserve the overall character and continuity of the shopping strip along the Darling Street with upgraded shopfronts and shop top uses. The proposal provides an opportunity to redevelop the whole site and integrate development that is currently in poor condition, unattractive and largely with poor amenity. The proposed mixed use development is a positive and contemporary response to the constraints and opportunities of the site and its location without detrimental impact to the surrounding established residential neighbourhoods and the Conservation Area.</li> </ul>
<ul style="list-style-type: none"> <li><i>promote a greater connection and cohesion between the north-eastern and south-western portions of Darling Street.</i></li> </ul>	<ul style="list-style-type: none"> <li>The gazetted DCP Amendment No.15 and the associated Masterplan incorporated a new link between the north-eastern and south-western portions of Darling Street in the form of a pedestrian overpass across Victoria Road. The proposal does not include this connection; however, it has visual connection through its design and activities on the lower levels such as retail and supermarket as well as Darling Street</li> </ul>

<b>DCP (2000) – ROZELLE COMMERCIAL NEIGHBOURHOOD: CONTROLS</b>	<b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b>
	<p>Laneway and a passage leading into the centre court of the new development connecting Victoria Road to Darling and Waterloo Streets. The articulation along the ground floor and lower section of the development on Victoria Road will reflect the inconsistent alignment of the Rozelle Public School site and relate to the weekend market activities.</p>
<ul style="list-style-type: none"> <li>• <i>enhance and promote the viability and potential for a range of non-commercial activities and services that compliment the core of the Rozelle neighbourhood and its surrounds.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The proposal has the ability to achieve this objective.</li> </ul>
<p><b>LOCAL AREA CHARACTER</b> <b>Darling Street</b></p>	
<ul style="list-style-type: none"> <li>• <i>preserve and improve the pedestrian safety, amenity and focus of Darling Street and adjacent streets,</i></li> <li>• <i>landscaping and the public domain should be enhanced to include upgraded disabled access, improved footpaths (including widening where possible), improved street furniture, improved pedestrian lighting, improved public artwork and decorative elements,</i></li> <li>• <i>encourage street trading where it does not obstruct the public use of the footpath and does not detract from the visual amenity of the area.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The proposed new mixed development accords with the requirements and objectives of this clause in terms of public safety, amenity, connection between the streets in the commercial strip and surrounds, and provision of variety of facilities without any detrimental impact on the character of Darling Street public domain. The proposal will maintain the street wall presentation of the historic streetscape on the northern side of the Street.</li> </ul>

The Leichhardt DCP was amended (Amendment No.15, adopted 13 June 2008 & gazetted 28 August 2008) to include Site Specific Controls for part of the subject site referred to as 'Balmain Leagues Club Precinct'. Part D of the DCP 2000 provides guidelines and controls for the Balmain Leagues Club Precinct site for all aspects of the planning matters. The proposed 'Mixed Use Development' has been assessed against the objectives and controls of the Amendment No.15 in relation to the heritage matters.

<b>PART D1.0 SITE SPECIFIC CONTROLS</b> <b>BALMAIN LEAGUES CLUB PRECINCT</b>	<b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b>
<p><b>D1.4 General Objectives</b></p> <ul style="list-style-type: none"> <li>• <i>To provide a planning and urban design framework that guides the redevelopment of the Balmain</i></li> </ul>	<ul style="list-style-type: none"> <li>• The proposed Mixed Use Development responds to these general objectives as it will provide for the ongoing vibrancy and viability</li> </ul>

<p><b>PART D1.0 SITE SPECIFIC CONTROLS</b> <b>BALMAIN LEAGUES CLUB PRECINCT</b></p>	<p><b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b></p>
<p><i>Leagues Club Precinct.</i></p> <ul style="list-style-type: none"> <li>• <i>To enable the redevelopment of the Balmain Leagues Club Precinct as a consolidated parcel.</i></li> <li>• <i>To encourage well designed development with articulated height and massing.</i></li> <li>• <i>To promote development that links to and contributes to the ongoing vibrancy and viability of the Rozelle Commercial Centre.</i></li> <li>• <i>To promote the long term viability of the Balmain Leagues Club on the site, for the benefit of the local community.</i></li> <li>• <i>To promote low and moderately priced housing through a mix of dwelling types.</i></li> <li>• <i>To ensure an integrated and well designed public domain environment that supports the existing Rozelle commercial area.</i></li> <li>• <i>To promote ecologically sustainable development.</i></li> </ul>	<p>of the Rozelle Commercial Centre by incorporating a variety of retail, commercial, residential and public domain facilities that will enhance the character and vitality of the Centre.</p> <ul style="list-style-type: none"> <li>• The design of the new development as detailed earlier has been developed by two internationally renowned architectural firms with consideration of the guidelines set in the DCP Amendment for the site as much as possible and applicable.</li> <li>• The proposed design partially conforms to the design or planning principles of Part D of the DCP in terms of layout and massing, land use, building language, development within the Conservation Area, public domain and central plaza area, and other planning requirements for access, traffic and parking. Most of these principles and controls relate to planning matters with the exception of the development within the Conservation Area (D1.8). Therefore only the principles and controls of Clause D1.8 have been addressed in detail below.</li> </ul>
<p><b>D1.8 Development within the Conservation Area Planning Principles</b></p> <ul style="list-style-type: none"> <li>• <i>Retain the contributory features of properties fronting Darling Street however allow the demolition of No. 697 Darling Street and No. 1 Waterloo Street to facilitate the pedestrian link between Darling Street and the central plaza area.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The DCP allows for the demolition of both shops on the Darling Street frontage of the subject site, which the proposal incorporates in its design. Following several workshops and exploration by the project's two architectural firms, a sympathetic detail to the facade of the two-storey shop is provided in the new design with an appropriate infill that facilitates the pedestrian link to the central plaza area.</li> <li>• The proposal will maintain the contribution that the subject site makes to the public domain of the Conservation Area and</li> </ul>

<p><b>PART D1.0 SITE SPECIFIC CONTROLS</b> <b>BALMAIN LEAGUES CLUB PRECINCT</b></p>	<p><b>THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:</b></p>
<ul style="list-style-type: none"> <li>• <input type="checkbox"/> <i>Promote infill replacement buildings at Nos No. 697 Darling Street and No. 1 Waterloo Street which are designed to maintain and enhance the character of Darling Street with reference to the following:</i> <ul style="list-style-type: none"> <li>○ <i>Contemporary design: the buildings should clearly read as new</i></li> <li>○ <i>Massing and scale: setbacks and floor levels should align with those of adjoining buildings at all levels to promote a sense of streetscape continuity</i></li> <li>○ <i>Materials and finishes: materials should be of lightweight construction to highlight the contemporary design of infill development and provide a bridging element between older structures</i></li> <li>○ <i>Articulation: heavy articulation should be avoided and buildings should be vertically proportioned in keeping with the predominant streetscape pattern.</i></li> </ul> </li> </ul>	<p>enhances the continuous street wall along the shopping strip via a transitional infill element and continuous awning.</p> <ul style="list-style-type: none"> <li>• The new infill building has been designed in contemporary but sympathetic and compatible manner that will fit well within the exiting historic commercial strip and will clearly read as a new element within the streetscape.</li> <li>• Massing and scale of the new infill building is compatible with the dominant streetscape including setbacks and floor levels maintaining the streetscape continuity.</li> <li>• Materials and finishes accord with this requirement as detailed earlier.</li> <li>• The new infill building, replacing 697 and 699 Darling Street, presents a simple and plain facade articulation in vertical proportions compatible with the predominant streetscape pattern. The solid and void ratio of the facade will provide a lightweight transition between the predominantly two-storey heritage streetscape and the single-storey streetscape along the northern side of Darling Street. The awning will connect the infill building to the adjoining pedestrian link (arcade).</li> </ul>
<p><b>Controls</b></p> <ul style="list-style-type: none"> <li>• <i>The design of infill development is to be addressed as part of a State Environmental Planning Policy 65 Design Statement that takes in account the guidelines listed above.</i></li> <li>• <i>Development within the conservation area shall be restricted to a maximum height of RL 52.0 AHD and consistent with adjoining properties with particular respect to height and scale.</i></li> <li>• <i>For any major redevelopment proposal on the subject lands, a</i></li> </ul>	<ul style="list-style-type: none"> <li>• The design of the proposed new building that replaces the existing shops at 607 and 699 Darling Street has been addressed as part of this report and a SEPP 65 Design Statement prepared by others.</li> <li>• The proposed new infill building is consistent with the existing two-storey streetscape; however, it is slightly higher than the designated RL above the two-storey strip with a setback to maintain its role as a transitional element within the streetscape.</li> </ul>

PART D1.0 SITE SPECIFIC CONTROLS BALMAIN LEAGUES CLUB PRECINCT	THIS PROPOSAL RELATES TO THESE MATTERS AS FOLLOWS:
<p><i>heritage impact statement is to be provided with development application submitted to Council to assess the impact of the proposed works on the conservation area and heritage items in the vicinity of the proposal.</i></p>	<ul style="list-style-type: none"> <li>• This Heritage Impact Statement has been prepared to satisfy this requirement and addresses the proposed Mixed Use Development in detail with particular attention given to the conservation area, the heritage items in the vicinity and the contribution of the shops in the Darling Street boundary of the subject site.</li> </ul>

## 6.6 'STATEMENTS OF HERITAGE IMPACT' (NSW HERITAGE MANUAL)

The following table addresses the proposal in relation to relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact' guidelines relating to demolition of a building or structure.

QUESTIONS TO BE ANSWERED	THIS PROPOSAL RELATES TO THESE QUESTIONS AS FOLLOWS:
<p><i>Have all options for retention and adaptive re-use been explored?</i></p>	<ul style="list-style-type: none"> <li>• As mentioned earlier the demolition of both shops on Darling Street frontage was established as part of the previous Master Planning for the site and is necessary for the creation of similar scale new infill buildings that will allow for the provision of appropriate link to the central plaza behind in accordance with the site specific DCP for the site. If the retention of the facade for No.699 is considered then only the parapet of the subject shop would be retained, which is not considered to be architecturally or aesthetically significant that would warrant its retention. Retention of the existing two-storey facade of No.697 has been explored and proved to be difficult; however, the similar scale and traditional design of the new two-storey infill will ensure the contribution that the subject site makes to the streetscape is maintained. The proposed design of the infill building will also maintain the contributory</li> </ul>

QUESTIONS TO BE ANSWERED	THIS PROPOSAL RELATES TO THESE QUESTIONS AS FOLLOWS:
	<p>aspects of the site while being clearly discernible as a new insertion to the commercial strip.</p>
<p><i>Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?</i></p>	<ul style="list-style-type: none"> <li>The new development is largely located behind the facades with an infill building replacing both shops, which are considered to be only contributory items and not heritage items. Given consideration to the simple architectural and aesthetic aspects of the subject shops as well as changes over time this is considered acceptable.</li> </ul>
<p><i>Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?</i></p>	<ul style="list-style-type: none"> <li>This matter has been addressed above. The subject shops will be replaced with a sympathetic new infill and a passageway in the form of a narrow arcade in response to the planning requirements for the subject site.</li> </ul>
<p><i>Has the advice of a heritage consultant/specialist been sought? Have the consultant's recommendations been implemented? If no, why not?</i></p>	<ul style="list-style-type: none"> <li>Yes. The architects have taken into consideration the recommendations of City Plan Heritage.</li> </ul>

## 7 CONCLUSION AND RECOMMENDATIONS

In conclusion, it is considered by City Plan Heritage that the proposed Mixed Use Development will result in a negligible impact to the contributory aspects of the subject site, the heritage significance of the Conservation Area or the nearby heritage items. The proposed development has been designed in consideration of the planning principles and controls contained in the Site Specific DCP Amendment No.15 to a degree where it affects the public domain of the immediate streetscapes.

A number of mitigative measures have been taken to reduce any negative impact on the contribution that the subject site makes to the Conservation Area and the neighbouring residential development. The streetscape appearance of the shopping strip along the northern side of Darling Street will essentially remain the same due to insertion of a transitional sympathetic infill building where No.697 stands now and the passageway in place of No.699, and well set back location of the new residential blocks behind the rear of the Darling Street properties and the Darling Laneway. Streetscape continuity will be maintained by the

horizontal awning that acts as a transitional element between the existing and new infill building through the new pedestrian link. The proposal is considered an appropriate response to the existing conditions and constraints of the site, particularly in its design solution and articulation of the new development with an acceptable impact to the streetscapes of Darling Street, Waterloo Street and Victoria Road when viewed from the public domain along the shopping strip. The proposed development will enhance and improve the viability and vitality of the Rozelle Commercial Centre via a balanced approach to preserve the heritage significance and historic character of the Conservation Area and Darling Street.

Visual analysis of the site has been undertaken by the project architects with considerations to the likely impacts of the proposed new towers from various iconic locations and the important heritage items in the locality including views to and from Callan Park and Anzac Bridge. Results of the visual analysis show that the new towers will be clearly visible within the urban scape of Rozelle Neighbourhood from close and distant views to varying degree of visibility. The existing views from corner of White Bay Power Station, Sydney Tower, Iron Cove Bridge, East Balmain Wharf, Rodd Point, Callan Park, Leichhardt Park and Leichhardt Municipal Council to the Rozelle Village development site have been compared through photomontages, which form part of the submitted current redevelopment documentation. The most visibility of the proposed towers will be from Iron Cove Bridge approaches, sections of Callan Park, and to a lesser degree from Leichhardt Park. It is concluded that the visibility of the towers from Sydney Tower and Rodd Point will be a distant one with a negligible impact - albeit the Rodd Point visibility will be slightly more due to it closer distance to the development site. The towers will not be visible from the East Balmain Wharf and from the Leichhardt Municipal Council's offices. The impact on heritage significance of items such as Callan Park and Iron Cove is considered only to be a backdrop to their landscape with no impact on the appreciation of their established heritage significance and landscape values.

It is apparent that some level of impact will occur to the skyline of the Rozelle Commercial Centre due to the scale and mass of the proposed towers. Given consideration to the benefits of the proposed mixed use development to the local area's economic viability and rejuvenation in line with the Leichhardt Council's objectives and improvement strategies for the Rozelle Commercial Centre, the impact is considered an acceptable one and not more than other towers constructed within the skyline of Sydney Metropolitan area. The proposed public amenities and functions as well as additional commercial and residential development will respond to and accommodate the growing needs of the locality in a well articulated and designed towers that does not take much urban space on the ground level and provide a development with potential for an iconic architectural value. It is anticipated that the development will act as a navigation point for the Rozelle Commercial Centre and Balmain locality when viewed from various distant locations of wider Sydney.

The Non-Indigenous Archaeological Assessment and Aboriginal Cultural Heritage Assessment of the site have been carried out by this office and are provided in Attachment A of this report. The conclusions and recommendations of these assessments have been copied below:

*"The Aboriginal Archaeological potential Assessment concludes that it is unlikely that any remains relating to Aboriginal archaeology would exist on the subject site. Therefore no further management is required prior to site works.*

*The non-Indigenous Archaeological Assessment concludes that the history of the development of the subject site is confined in some instances to the buildings still located there. While there may be fragmentary remains that have historical significance in the location of the Balmain Leagues Club, these remains have little archaeological research potential due to their expected disturbed condition. In addition, the remains may be partial foundations that [if in existence] would be similar to the standing structures located within different parts of the subject site. These buildings - Nos. 697 and 699 Darling Street and the semi detached dwellings at Nos 170 and 172 Victoria Road, are of historical significance, and are likely to require archival recording prior to demolition.*

...

*No further specific archaeological investigations or excavations are required. However, the standard stop work clause regarding what to do if substantial unidentified finds are made, see Section 9.2 above, should be followed..."*

The following recommendations have been made to mitigate likely impacts of the proposed development:

- It is recommended that a photographic archival recording of the existing buildings and areas that would be affected by the proposed works be made prior to any demolition work commences.
- It is also recommended that an Interpretation Strategy be prepared as part of the development process and interpretive displays be integrated within the public domain design of the central plaza/passageways and food/retail court in order to tell the historical development of the site, the locality and association with the Byers Family.

CITY PLAN HERITAGE

**JANUARY 2012**

## **8 ATTACHMENT A – ARCHAEOLOGICAL ASSESSMENTS**




**Rozelle Village**  
Non-Indigenous Archaeological  
Assessment and  
Aboriginal Archaeological Assessment

Updated January 2012

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<b>Note:</b> This document is preliminary unless it is approved by Manager or Director of City Plan Heritage				

## EXECUTIVE SUMMARY FOR ARCHAEOLOGY

The archaeological potential of the subject site relates to the current and former commercial and residential history of the site, from the 1870s onwards. Prior to that, and incorporating Aboriginal archaeology potential use of the site, the subject site was largely undeveloped.

The area was settled later than that of Balmain and its location, around the busy hub of Darling Street and Victoria Road, meant that it was a through route for traffic from earlier times. The line of Darling Street follows a ridgeline on and past the area of Callan Park and is likely to follow what would have been an Aboriginal track dating from much earlier times. Although Aboriginal sites are located along the shorefront of Iron Cove (within Callan Park) the sloping area of the subject site does not lend itself to retaining Aboriginal sites such as campsites, tool making sites which could have been associated with the sloping area and tall open forest. These sites if they existed in this area, are assessed as being removed by the subsequent development.

The findings for the Aboriginal Archaeology potential for the subject site are as follows:

- The AHIMS search for any previously recorded Aboriginal sites and places located within the Lot number and Deposited Plan for the Balmain Leagues Club, and included a buffer zone of 50 metres and of 200 metres. These searches came up with no previous recordings.
- There are unlikely to be items of Aboriginal cultural heritage retained across the proposed development path, fronting to Victoria Road, Darling Street and Waterloo Street. This baseline assessment has not identified the specific site as an area of potential for Aboriginal cultural heritage. Further information can be sought from consultation with the Metropolitan Local Aboriginal Land Council.
- Once ground clearance commences if something is discovered that could be an Aboriginal object, City Plan Heritage or other suitably qualified archaeologist must be contacted. In that instance, advice would be sought from the Environment Protection and Regulation Group of the Office of Environment and Heritage relating to recording the finds and the appropriate management options. [N.B., Part 6 of the National Parks and Wildlife Act gives the Director General of the Office of Environment and Heritage only express powers to consent to the damage, destruction or defacement of Aboriginal objects by development activities.]

From 1870 onwards the history of the site included commercial activities and workers cottages for the early industries such as butchers, brass foundry and garage. The butcher's buildings still exist on the Darling Street part of the site. There are also workers cottages still in use on the northern end of the Victoria Road part of the site. The remaining development of these types were demolished to make way for the Balmain Leagues Club, constructed on the larger part of the subject site in 1968. The non-Indigenous archaeology for the subject site is

therefore assessed as being of little archaeological research potential due to the impacts on any remaining foundations of those buildings. Accordingly, no specific archaeological excavations are recommended as part of the management of the site.

As this project is subject to Part 3A Approval, the Department of Planning and Infrastructure is the approval body, rather than the NSW Heritage Council for heritage and archaeology issues. However, it is anticipated that the NSW Heritage Branch would be consulted regarding the planned works on the site and provided with a copy of this report and the relevant plans and drawings of the proposed development.

In addition, although considered unlikely:

- If substantial intact archaeological relics of State or local significance, which have not been identified in this archaeological assessment are unexpectedly discovered during excavation, work must cease in the affected area. An archaeologist must be contacted to inspect the finds, photograph them and notify the Heritage Branch in writing, in accordance with section 146 of the Heritage Act, 1977. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

Finally, the history of development of the site which includes the Aboriginal history, the 19th century established industries and the Balmain Leagues Club are historically significant for Rozelle and the Leichhardt LGA. The heritage interpretation of these histories for the site should be integrated into a landscape design for the current development to allow for future appreciation. The interpretation should include both historic signage and building signage and should be prepared in line with a Heritage Interpretation Strategy for the whole site.

## 1.0 INTRODUCTION

### 1.1 BACKGROUND

City Plan Heritage has been engaged by the applicant, Rozelle Village Pty Ltd, to prepare the following Archaeological Assessment in line with the Director General's Requirements for Application No. MP\_110015 for the subject site.

The subject site incorporates a number of adjoining allotments to as well as the Balmain Leagues Club located at Victoria Road Rozelle. There are also a number of allotments facing to Darling Street and also Waterloo Street. Further details are within this Report at Section 2.0 Site description. The redevelopment of the subject site necessitates the demolition of all buildings and includes land clearance and excavation. The redevelopment of the subject site will include construction of two large residential blocks with basement level car parking and retail areas at podium level.

The proposal has been designed in collaboration by Stanisic Associates Architects and PTW Architects. The current project was assessed as a Part 3A Major project. The Director General of the previous NSW Department of Planning (now Planning and Infrastructure) has declared the project to be a Major Project to which Part 3A applies, and has issued the environmental assessment requirements for the application (Application No. MP\_110015). Requirement 9 of the DGR's reads as follows:

*9. Heritage*

*The EA shall provide an Archaeological Assessment of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources.*

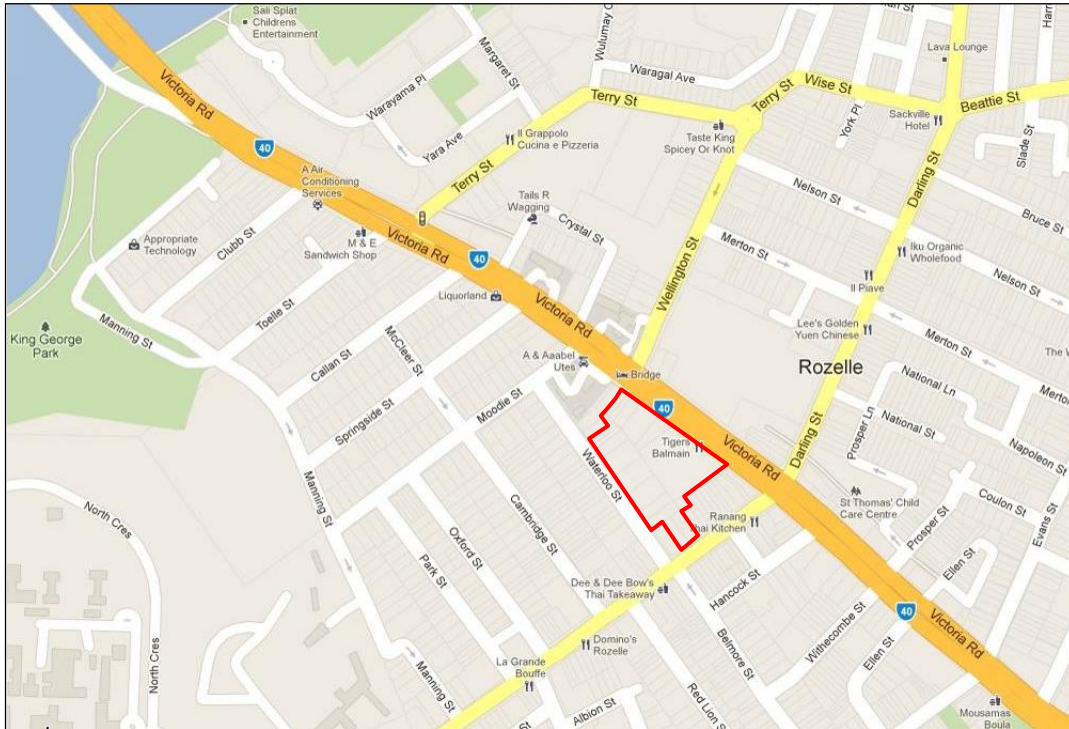
A number of Heritage Impact Statements have previously been prepared by City Plan Heritage for the land, the most recent in 2010 to accompany a Development Application for the Balmain Leagues Club Precinct site development. The subject site is located partly within a Conservation Area. There are no individually listed heritage items within the subject site; however, it is located within the vicinity of a number of heritage items. A detailed 'Heritage Assessment' was prepared for the entire block bounded by Darling, Waterloo and Moodie Streets, and Victoria Road during the preparation of the 'Balmain Leagues Club Master Plan' (prepared to support the rezoning of the site) by this office in 2005. Its findings have been incorporated in this report as appropriate to avoid repetition.

Following the submission of the Master Plan for the rezoning of the Balmain Leagues Club land to allow higher density mixed use development, comprising residential, commercial and retail development, Amendments to Leichhardt Local Environmental Plan (LEP) 2000 and Leichhardt Development Control Plan (DCP) 2000 were prepared and were gazetted on

Friday, 29 August 2008 (NSW Government Gazette No.106) as Amendment No.16 to the LEP and DCP Amendment No.15.

## 1.2 SITE LOCATION

The subject site is located on a number of allotments on the southern side of Victoria Road in Rozelle. More information regarding the site and its context is provided in Section 2.0 of this report, Site Description and Context.



**Figure 1: Street map of subject site indicated in red in the context of Rozelle urban streets and sites.**  
(Source: Google street map)



**Figure 2: An aerial view of the subject site**  
(Source: Nearmap aerial photographs, 23 October, 2011)

## **2.0 ARCHAEOLOGICAL POTENTIAL**

### **2.1 ABORIGINAL ARCHAEOLOGY**

This Archaeological Assessment of Aboriginal and non-Indigenous archaeological resources will advise the nature and significance of any archaeological works or relics deemed to be located across the site. It will also inform the necessary management steps, which will be advised in accordance with the relevant legislation and guidelines provided by the Office of Environment and Heritage, who administer the National Parks and Wildlife Act 1974 and the NSW Heritage Act 1977. Part 6 of the National Parks and Wildlife Act 1974 provides specific protection for Aboriginal objects and declared Aboriginal places.

The following project issues were accordingly advised and will be addressed within this report:

- An Aboriginal Heritage Information Management System (AHIMS) search to be undertaken for the nominated area
- An appraisal of the development history of the site
- An appraisal of the environment, including topography and geology.
- An appraisal of the types of Aboriginal cultural heritage sites likely to be in the area.
- A summary of any Aboriginal cultural heritage sites likely to be in the site and how to manage them.

#### **2.1.1 FINDINGS AND RECOMMENDATIONS**

The potential Aboriginal archaeological resources for the site would consist of the remnants of their use, whether that be transport tracks, burning, short term campsites, or tool working sites can be difficult to assess.

After completion of the above tasks, the recommendations that are the summary of this assessment are that:

- The AHIMS search for any previously recorded Aboriginal sites and places located within the Lot number and Deposited Plan for the Balmain Leagues Club, and included a buffer zone of 50 metres and of 200 metres. These searches came up with no previous recordings.
- There is unlikely to be items of Aboriginal cultural heritage retained across the proposed development path, fronting to Victoria Road, Darling Street and Waterloo Street. This baseline assessment has not identified the specific site as an area of potential for Aboriginal cultural heritage. Further information can be sought from consultation with the Metropolitan Local Aboriginal Land Council.
- Once ground clearance commences if something is discovered that could be an Aboriginal object, City Plan Heritage or other suitably qualified archaeologist must be contacted. In that instance, advice would be sought from the Environment Protection and Regulation Group of the Office of Environment and Heritage relating to recording

the finds and the appropriate management options. [N.B., Part 6 of the National Parks and Wildlife Act gives the Director General of the Office of Environment and Heritage only express powers to consent to the damage, destruction or defacement of Aboriginal objects by development activities.]

## 2.2 NON-INDIGENOUS ARCHAEOLOGY

Division 9 (s139) of the NSW Heritage Act, 1977 specifically deals with the protection of archaeological relics, where 'relics' is defined as:

any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.<sup>1</sup>

The non-Indigenous archaeological potential relates to any former structures on the subject site itself. As the proposed works involve the demolition of the existing structures, deep excavation, and construction of a large scale mixed use commercial and residential development across the site it would be subject to the provisions of the *NSW Heritage Act, 1977*. However, this project falls under the Part 3A Major Project assessment. Under the assessment and approval process established by Part 3A of the EPA Act, and in particular by Section 75U, various other Approvals Legislation does not apply to such projects. This includes specifically: 'an approval under Part 4, or an excavation permit under section 139 of the Heritage Act, 1977.' Therefore the Department of Planning and Infrastructure are the approval body for this project and they may consult with the NSW Heritage Council or NSW Heritage Branch.

The subject site comprises a number of Land Titles and allotments fronting to Victoria Road, Waterloo Street and Darling Street in Rozelle. The current buildings on the site were constructed between the 1890s and the 1980s. The earlier dated buildings, comprising shops and cottages do contain heritage or archaeological potential. These were the first buildings constructed to survive on the site and the houses on Victoria Road and the shops on Darling Street would need to be archivally recorded prior to their demolition.

There were also previous buildings on part of the site, consisting of workers cottages which were demolished during the 1960s to make way for the Balmain Leagues Club. There is little archaeological potential for any remains of these building to still exist on the relevant areas of the site, due to the high impact of excavation and construction of the Balmain Leagues Club.

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<sup>1</sup> Relic definition in Section 4(1) of the *Heritage Act* (as amended 2009)

## 2.3 METHODOLOGY

This Archaeological Assessment has been prepared in accordance with the *NSW Heritage Manual* 'Statements of Heritage Impacts' and 'Assessing Heritage Significance' guidelines and 'Archaeological Assessment' guidelines under the *NSW Heritage Act 1977 (As amended)*. The philosophy and process adopted is that guided by the Australia ICOMOS *Burra Charter 1999*. The National Parks and Wildlife Act 1974 and Environmental Planning and Assessment Act 1979 have also been consulted.

The proposal is being assessed under Part 3A of the Environmental Planning & Assessment Act and this report has been prepared to address Requirement 9 of the DGR's issued for Project Application No. MP\_110015.

Background research has been conducted to determine if known Aboriginal archaeological sites are located in the vicinity of the development area and to facilitate site prediction on the basis of known regional and local site patterns in order to place the study area within an archaeological research and heritage management context.

The following information sources were accessed for this study:

- NSW Office of Environment and Heritage Aboriginal Heritage Information Management System.
- Relevant archaeological reports held in the Leichhardt Council online NSW DEC Cultural Heritage Unit.
- Previous reports prepared for the site
- Topographic maps and surveys of the site

## 2.4 AUTHOR IDENTIFICATION AND ACKNOWLEDGEMENTS

The following report has been prepared by Gina Scheer (Heritage Consultant) in conjunction with Kerime Danis (Manager). Gina has a Bachelor of Arts with Honours degree in Archaeology and her resume has been included as an attachment to this report.

### 3.0 SITE DESCRIPTION

As shown in the aerial photographs previously at Figures 2 and 3, the subject site is a large block comprising adjoining land allotments with street frontages to Darling Street, Waterloo Street and Victoria Road. The area of the subject site is a natural slope in a northerly direction down to Iron Cove. The land has been levelled and cut back in some areas and there is no natural surface visible. The Darling Street section of the subject site is a flat ridge top in an east west direction which drops off to both the north and the south. It is an urban site with small residences on a number of allotments, shopfronts on Darling Street and Victoria Road and the Balmain Leagues Club and car parks comprising most of the subject site.

The table below shows the number of items considered in this report, the street address and real property description and a brief description of the development on the site. The site plan area is shown in the figure overleaf. With the exception of items 5, 6, 7 and 8 from the Table below, the buildings listed are vacant and closed.

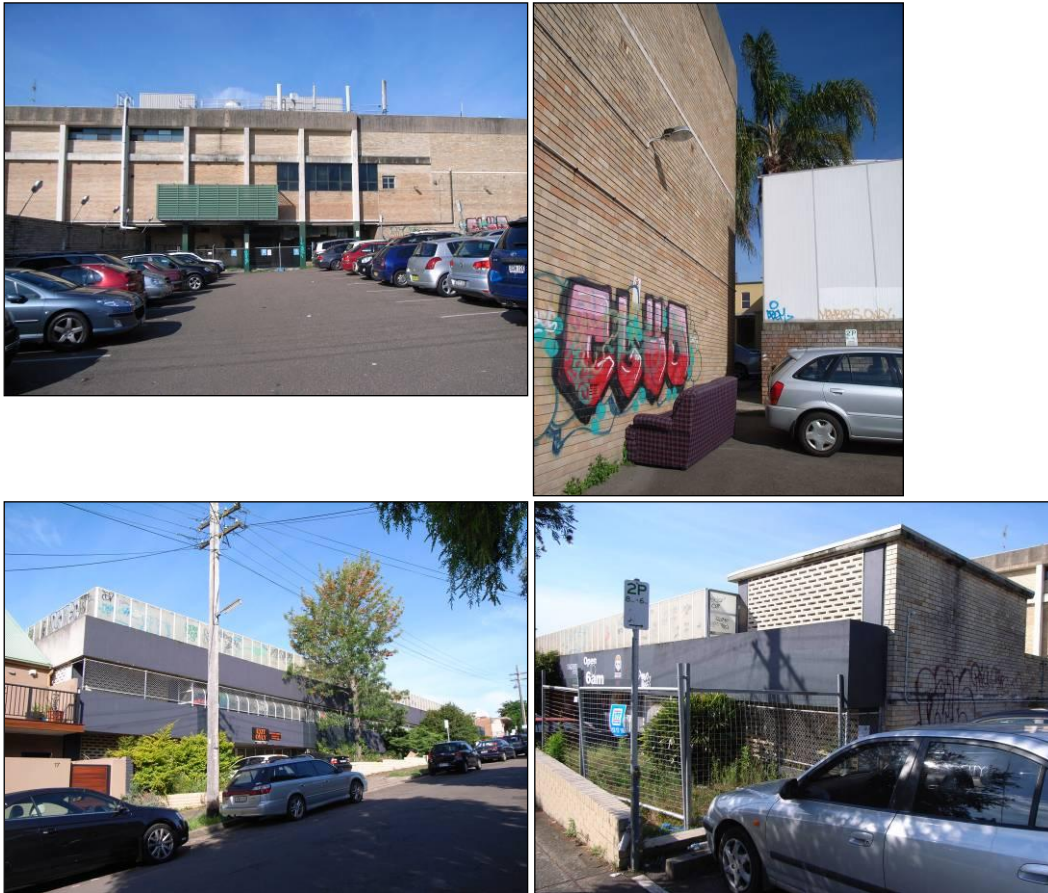
The photographs on the following pages show the current condition of the site.

**Table 1 - Site Description**

Item No.	Street Address	Real Property Description	Building / Site development
1	138-152 Victoria Road, Rozelle	Lot 1 of DP 528045	The Balmain Leagues Club and car park with entry from Victoria Road and from Waterloo Street
2	154 Victoria Road, Rozelle	Lot 1 of DP 109047	The Woollahra Car Radio (vacant)
3	168 Victoria Road Rozelle	Lot 2 of DP 323480	Single storey motorcycle workshop
4	170 Victoria Road, Rozelle	Lot B of DP 436153	Semi detached Victorian era cottage
5	172 Victoria Road, Rozelle	Lot A of DP 436153	Semi detached Victorian era cottage with attic addition
6	19 Waterloo Street, Rozelle	Lot 3 SP 67362	Two storey renovated brick terrace
7	17 Waterloo Street, Rozelle	Lot 3 SP 67362	Two storey renovated brick terrace
8	Waterloo Street Rozelle	Lot 36 of DP 190866, Lot 37 and 38 of DP 421	Open air car park
9	Waterloo Street Rozelle	Lot 101 of DP 629133	Single storey building, Byers Meats, and parking (vacant)
10	697 Darling Street, Rozelle	Lot 102 of DP 629133	Video and dvd shop (vacant)
11	699 Darling Street, Rozelle	Lot 104 of DP 733658	Byers Meats shop (vacant)



The remainder of the Waterloo Street properties, between Nos. 3 - 15, are occupied by the car parks for the Balmain Leagues Club, Figure 5.



**Figure 5: The Car park complex for Balmain Leagues Club, Waterloo Street area comprises the open air car park behind the Club building fronting Darling Street and the two level (dark grey painted) car park adjacent to the open air car park.**

**No. 17 - 19 Waterloo Street** is a recent addition to the development site. It is a pair of narrow stepped terraced constructed c. 1980s. It was formerly a house until the 1960s, when it was bought by the Byers family and demolished. It was one of a row of similar workers' cottages that were also demolished to provide the space for the Balmain Leagues Club Carpark.



**Figure 6: The recently constructed pair of stepped terraces at 17 - 19 Waterloo Street Rozelle, located next to the two level carpark shown above.**

## Victoria Road Buildings

The semi detached houses of late Victorian style at 170 and 172 Victoria Road are both now part of the extended site curtilage. These houses appear to date from the c.1890s and in fact are shown on the historical plans provided in Section 3.0. Note the terraced levels of the allotments here and also note the slope of Victoria Road. The area originally had a number of Victorian terraces however the area has been altered over time and many of the original dwellings have been demolished. The houses are bounded on each side by other developments. No 174 Victoria Road, the brick bungalow, is outside of the site curtilage. The yellow painted motorcycle shop to the north is part of the subject site, No. 168 Victoria Road, an early 20<sup>th</sup> Century façade to a workshop for motorcycles. There is little fabric of significance remaining within the premises. The façade provides a key to its date.

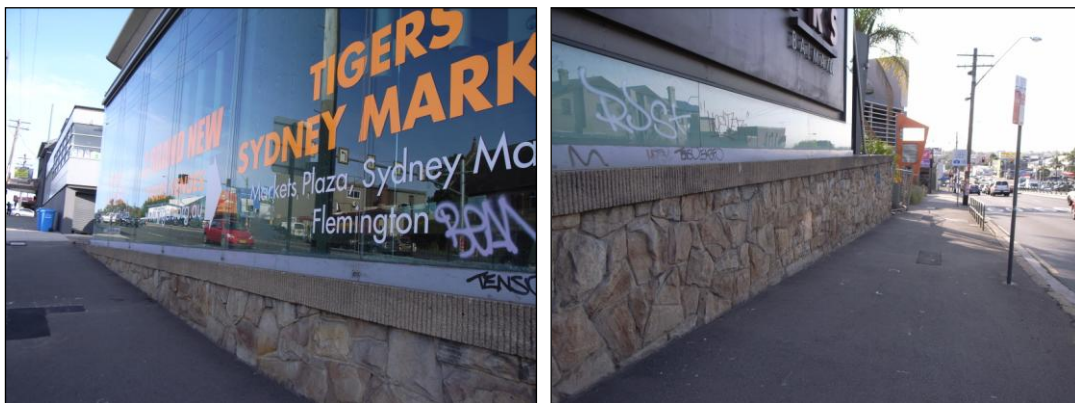


**Figure 7: Views of the houses and motorcycle repair shop located at Nos. 172, 170 and 168 Victoria Road, Rozelle. These buildings comprise the northern end of the subject site.**

The Balmain Leagues Club owned and operated the two storey car park located next to 168 Victoria Road Street. It had access from both Victoria Road and Waterloo Street and it was separated from the Balmain Club by the former Woollahra Car Radio / Dance Barn building. These structures are post 1960s development.



**Figure 8: Above the Victoria Road buildings comprising the Dance Barn and Balmain Leagues Car Park and Club building.**

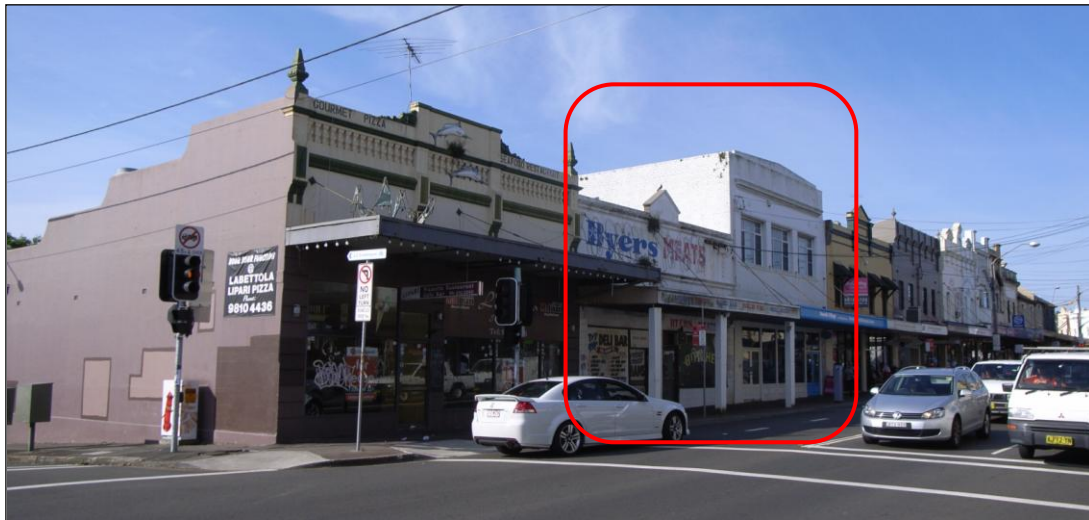


**Figure 9: Above, views in both directions along Victoria Road outside the Balmain Leagues Car Park Club building.**

## Darling Street Buildings

The existing single-storey shop at **699 Darling Street, Rozelle** is an early twentieth century commercial building. It represents a typical shop, with parapet, that forms part of the late 19<sup>th</sup> and early 20<sup>th</sup> commercial shopping strip of Rozelle. The association with the Byers meat business is an important social connection as it was erected, and subsequently extended, by the Byers for their meat business and has been continuously occupied by the family for three generations.

The existing two-storey shop at **697 Darling Street, Rozelle** is an early twentieth century building. It represents a typical shop, with parapet, that forms part of the 19<sup>th</sup> and early 20<sup>th</sup> commercial shopping strip of Rozelle. The association with the Byers meat business is a minor social connection as it was erected as an investment property by the Byers.



**Figure 10: Top, the subject site includes the buildings indicated, at 697 and 699 Darling Street. Bottom row, the rear of these sites. Left, the view from Victoria Road with the exterior of Balmain Leagues Club on the right. Right, the view of the boundary wall behind 697 Darling Street.**

### 3.1 SITE CONTEXT

There are a number of heritage items located south east from the subject site, on Darling Street in Rozelle. They include the Primary School and Church, both heritage listed items. These items have been discussed in the concurrent Statement of Heritage Impacts being prepared by City Plan Heritage.

The subject site is located within the Suburb Profile Area, as set out in Leichhardt DCP 2000, of 'Rozelle Commercial Neighbourhood'. The following description from the suburb profiles is relevant to the character of the site's context:

*'This area centres on the intersection of Victoria Road and Darling Street. The neighbourhood forms a rough cross at the south west end of the Balmain peninsula. The area has an established two storey scale with occasional larger buildings, and the predominant style of buildings is two storey with shops at ground level and residences above. The architecture is mostly late Victorian with some early 20<sup>th</sup> century Federation styled buildings. On the northwest of Darling Street, the Balmain Leagues Club makes a significant impact on the streetscape with a three storey bulk for the full depth of the lot. This contemporary building is an aggregate style of commercial premises which is further compromised by the addition of mobile phone antennas along the western edge of the roof.'*

*On Waterloo Street the subject site is adjacent to the 'Callan Park Neighbourhood'. 'The scale of the neighbourhood is predominantly single storey with some two storey dwellings located along Cambridge and Waterloo Streets along the top of the Balmain ridge. The materials used in construction along the top of the ridge tend to be painted masonry with tile roofs mixed with simpler timber and iron cottages. This ridge area is characterised by late Victorian housing with more ornate finishes, arched openings, stained glass and ornate cast iron balustrades on verandas.'*

Callan Park is a site of exceptional significance within the 'Callan Park Neighbourhood' and contains the remains of three highly significant phases of historical development. It is also the site of a number of Aboriginal shell middens.



**Figure 11: Views of Callan Park, the sandstone buildings at left and at right the waterfront area with Iron Cove bridge in the left distance.**

## **4.0 HISTORY**

### **4.1 ABORIGINAL**

What we today know as the Leichhardt Municipality was once the area inhabited by the Wangal band of the Dharug (Eora) language group. The "Eora people" was the name given to coastal Aborigines around Sydney - Eora means "from this place" - local Aboriginal people used this word to describe to Europeans where they came from, and in time the term became used to define Aboriginal people themselves. The Cadigal clan were south of the harbour to about Leichhardt and the Wangal clan to the west. Wangal country was known as 'Wanne' and it originally extended from the suburbs of Balmain and Birchgrove in the east to Silverwater and Auburn in the west. Bennelong lived on Goat Island, and was a member of the Wangal clan, so the Balmain peninsula was probably part of the Wangal area.

The northern boundary was the Parramatta River. Neighbouring Dharug bands were the Cadigal to the east, the Wallumattagal on the northern shore of the Parramatta River and the Bediagal to the south. How long the Wangal had lived around Leichhardt is unknown, but we do know that the Dharug were living in the Sydney area for at least 10,000 years before the British invasion in 1788.<sup>2</sup>

#### **4.1.1 INVASION**

The initial contact between white and black Australia was disastrous for Aboriginal people, as they had no immunity to the many diseases carried by the first European settlers. Smallpox was particularly virulent and it ravaged the local Aboriginal bands within eighteen months of contact killing over half of the local population. By 1840 the tribal life of Sydney 's Aboriginal population had been effectively destroyed and the Aboriginal people who survived had to exist within a dominant white culture which forced them to live on the margins of society. With the local clans decimated, Aboriginal people soon became drawn to Sydney from areas as far afield as the Five Islands area near Port Kembla. They came partly to aid their brothers and sisters in their fight against invaders, to protect their rights to land and partly because of the attractions of the settlement. Arranged marriages also brought Aboriginal people from other areas to Sydney.<sup>3</sup>

#### **4.1.2 OCCUPATION SITES IN THE LEICHHARDT MUNICIPALITY**

Occupation sites are areas that show a concentration of debris associated with human occupation. Rock shelters and overhangs were used to provide campsites sheltered from wind, rain and sun. Charcoal, baked clay, fire blackened stones, food remains (usually shell or bone) and stone tools are commonly found in occupation sites.

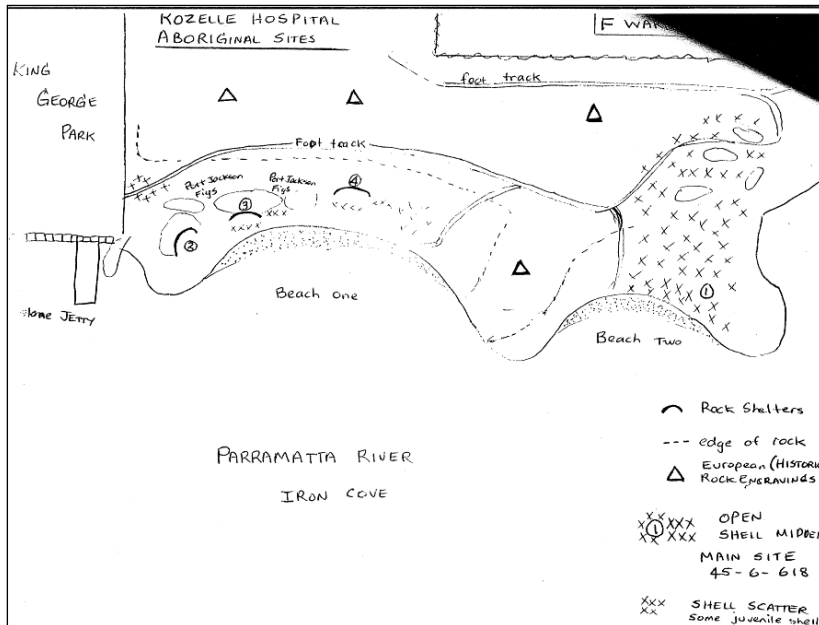
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<sup>2</sup> Leichhardt Council, <http://www.leichhardt.nsw.gov.au/Land-of-the-Eora.html>

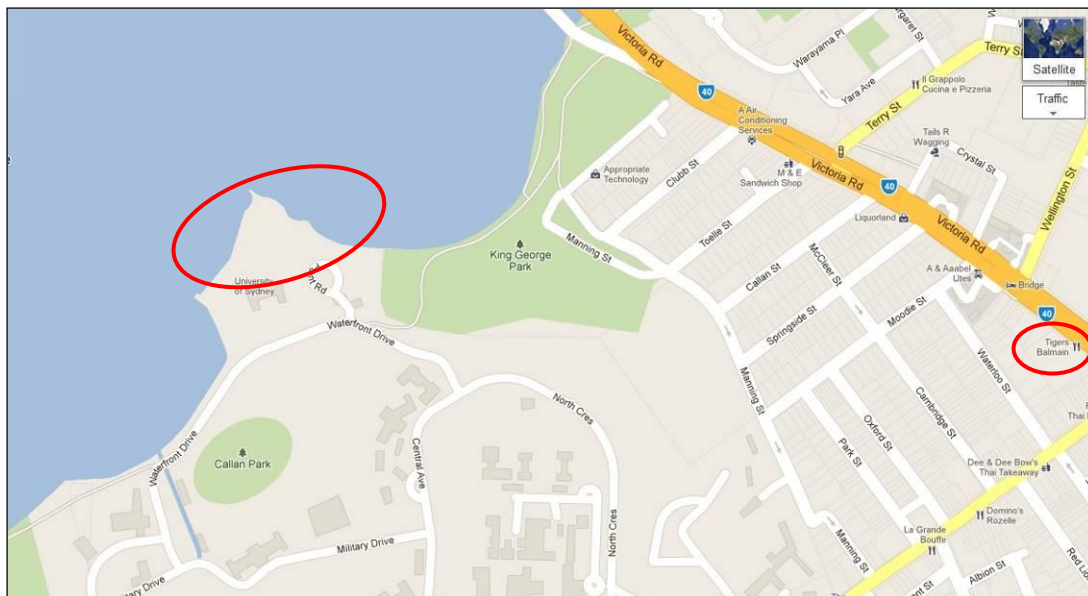
<sup>3</sup> <http://www.leichhardt.nsw.gov.au/Land-of-the-Eora.html>

Middens composed predominantly of shells are essentially the remains of shellfish meals eaten on the spot by Aboriginal people over a long period of time. Fish and shellfish were the main foods of Aboriginal people living around the harbour, with fishing being an important activity of daily life for both men and women.

In the Leichhardt Municipality 16 midden sites have been identified with 4 being readily accessible to the public. Shell middens can be seen at Whitehorse Point in Elkington Park, Balmain and in Rozelle on the foreshore at Callan Point. The other sites are on private property.<sup>4</sup>



**Figure 12: This drawing notes the location and types of Aboriginal sites located on the foreshores of Parramatta River at Iron Cove, on the land that was part of Callan Park/ Rozelle Hospital. This area is located one kilometre from the subject site**  
(Source: Michael Guider "Aboriginal history of Leichhardt Municipality", 1998)



**Figure 13: The Google street map shows the location of the above area in relation to the subject site, both are indicated.**  
(Source: Google maps online)

<sup>4</sup> <http://www.leichhardt.nsw.gov.au/Land-of-the-Eora.html>

The middens are dated at approximately 4, 500 years old, and are recognised as significant by the Metropolitan Local Aboriginal Land Council and archaeologists. A series of interpretive signs can be found at these sites as well as at Yurulbin Point in Birchgrove, recognising the traditional owners of the Leichhardt area.



**Figure 14: The shell midden interpretive marker at left and its location at right, within the Callan Park foreshore area bounded to the east by King Georges Park.**

An Aboriginal Heritage Information Management System (AHIMS) search was undertaken as part of the current research. The Lot and DP numbers were advised for the search, with a buffer zone of 50 metres and also of 200 metres around the real property address of the Balmain Leagues Club site. The results of these database searches are that no previous Aboriginal cultural heritage objects or places were recorded within this specified curtilage area. A copy of the correspondence is included at Attachment A to this report.

## 4.2 EARLY NON INDIGENOUS HISTORY OF THE SITE <sup>5</sup>

Granted to William Balmain in 1800 and first settled in 1836, Balmain extended from the harbour waters to a boundary line drawn between White's Creek and present day King George Park located on the bay near the Iron Cove Bridge. The western portion of this land became the suburb of Rozelle. In 1860, Balmain's 300 residents secured the right to elect their own municipal council. The Council's limited finances narrowed its attention to the then already built up areas and so the sparsely populated "western end" became unavoidably neglected. A dividing line was drawn across the peninsula in 1861, at Elliot, Reynolds and Crescent Streets. The area to the east of this boundary was designated a "towns police district" to be known as Balmain. The land west of the boundary and up to the gates of the present day Callan Park became Balmain West.

<sup>5</sup> This history of Rozelle was obtained mainly from P.L Reynolds, *Rozelle Public School: A Centenary Celebration*, 1978

Since the early days, the swamp ringed stretch of water on the peninsula's southern extremity, had been called Rozella (later Rozelle) Bay and it seems most likely that the suburb borrowed the bay's name.

Darling Street was developed as the primary roadway on the Balmain peninsular soon after the granting of land to William Balmain in 1800. By the 1840's Victoria Road, which was known as Weston Road for many years, had been established as a route to connect the residents of Drummoyne and Balmain with the ferry to the city.

The street patterns were created from the early sub-divisions, with Moodie Street created by an 1852 subdivision and named on an 1861 plan by surveyor W M Brownrigg. Waterloo Street was created in the 1870s, and the subdivision was mapped by F.H. Reuss surveyor on 20th September 1877. William Henry Paling, pianoforte importer of Sydney and John Penny Starling, gentleman of Sydney purchased lots 2 and 11, Section 46 on 5th March 1872. It was part of the Merton Estate.

The Rozelle end of Darling Street had formerly been identified as Upper Darling Road and then Darling Street West between the 1830s and 1881. It was the first road established in the area. In 1874 a road called 'Government Road' was created connecting Crescent Street and Weston Street at Iron Cove, both streets were crated but un-named by Charles E Langley in 1852. This became Weston Road, named simply as Weston or Western as it was the road west from the city. Its name was officially changed to Victoria Road in 1939.<sup>6</sup>

As the increase in population occurred at Balmain West, the Post and Telegraph Department (Australia Post) chose the junction of the two major thoroughfares, Darling and Weston or Western Roads, as the site of an impressive new Post Office. The imposing Balmain Post and Telegraph Office had been built in 1887 but, within a few months, the district's expansion decreed the necessity for erecting another large post office. In providing the additional service and as a means of preventing confusion with Balmain's central post office, the authorities proposed changing the name of the new building to the Rozelle Post Office. Unexpected objections came from many factions, the most vocal being Balmain Council. At its meeting in November 1892, the Council voted 7-3 to insist that the new post office be called Balmain West Post Office. Other local citizens also banded together to form the "anti-Rozelle" group, and, looking for alternatives, suggested "Garryowen", which was the old name for Callan Park. As the Postmaster General had the final authority in naming postal districts, the building was declared Rozelle Post Office on 1 December 1892 and it began service on 5 May 1894.

Confusingly, the name 'Balmain West' continued to be the district's general description until the first few years of the twentieth century when it gradually became superseded by Rozelle.

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<sup>6</sup> Bonnie Davidson & Kath Hamey, *Streets Lanes and Places 1836-1994*, The Balmain Association Inc. 1994, p55

### 4.3 BALMAIN WEST AT THE TURN OF THE 20TH CENTURY

At about the same time as the Darling Street Superior School (Rozelle) reached its peak, a most significant event occurred which, when added to the construction of the Post Office, indicated that the western end of the peninsula had become recognised as an area of potentially dense development. On 22 April 1892, the first steam tram arrived outside Darling Street Superior School. The rugged Balmain topography had delayed any decision to provide the district with an efficient tram service but by a considerable engineering feat the line, skirting the Rozelle Bay swamps and avoiding the steep inclines, connected the corner of Darling Street and Merton Street with Forest Lodge. Later, in the same year, the tramway was extended to Gladstone Park.

The very fact that the transport authorities had been prepared to expend precious funds on this most difficult tramway is a measure of the massive population increase at the same time. Balmain West, as it was then still called, was much in demand. Land was plentiful and cheap and through the efforts of an advertising campaign promoted by an active land agent, Alfred Hancock, the district became a potential “own your own home” suburb. By his “Homes for the People Scheme”, Hancock urged couples to emancipate themselves from rent and become their own landlords. To this end, he had purchased tracts of land close to Darling and Weston Roads which he subdivided into small lots and sold at two pounds deposit on easy terms with “immediate possession and assistance to build when required”. Hancock, styled by some as the “Father of Balmain West”, attracted would-be purchasers of his land by describing the ample work opportunities in the area.<sup>7</sup>

Foreshore reclamation works and the levelling of Glebe Island for port facilities were in progress and many timber yards traded in the district. All these local industries made Balmain West a good place to live, where plenty of employment could be found within walking distance.

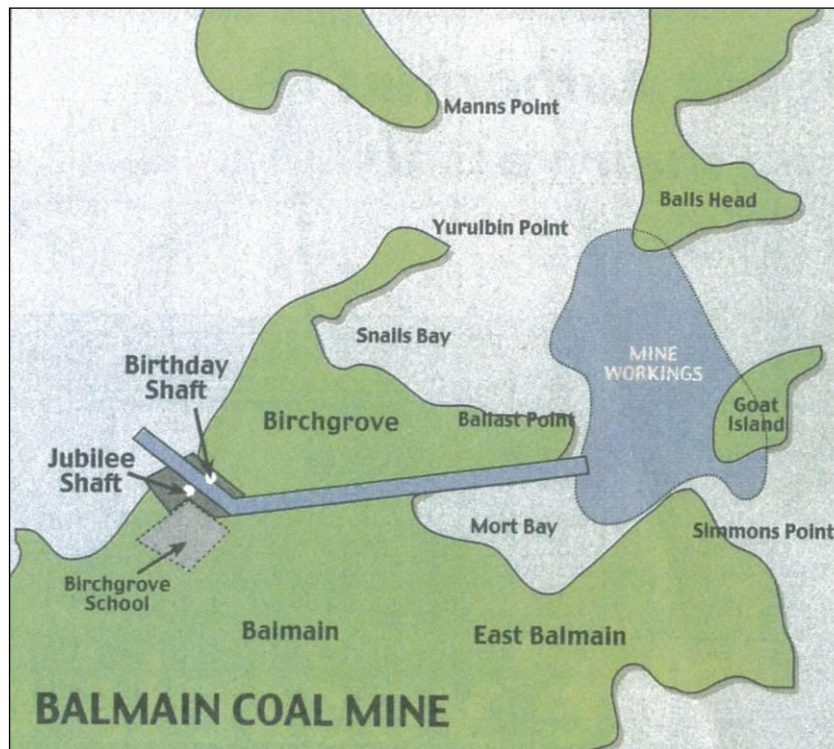
The new tram service also brought many workers from other suburbs to Balmain West as well as giving local residents an outlet to distant places of work. The City proper was a forty five minute journey away and the western end began to have a closer tie to Sydney than ever before. The end of the peninsula had formerly been the poor relation of the older and more established East Balmain. The many ferry wharves dotting the water’s edge at the eastern end had linked Balmain to the City by a fifteen minute journey but the advent of the tram at Balmain West provided a new and direct, if somewhat time-consuming, connection with other suburbs.

Mort’s Dock was nearing the end of its first fifty years of ship-building and repair. The Balmain Colliery had recently begun hauling coal 300 feet beneath the harbour waters.

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<sup>7</sup> from P.L Reynolds, *Rozelle Public School: A Centenary Celebration*, 1978

The site of the Sydney Harbour Collieries was established on a harbour front site on Birchgrove Road, next to the existing Birchgrove Public School, in 1896. Two shafts were sunk to reach the Bulli coal seam encountered at 2,917 feet and extending under the harbour towards Cremorne and Goat Island. Tunnels were also laid for access and ventilation underground from the site towards Mort Bay and Ballast Point. The coal was mined under the harbour from 1897 until 1915. Natural gas was extracted from the mine between 1932 and 1937 when production ceased. The two shafts, named Birthday and Jubilee were sealed off in 1945 and then again in 1957.<sup>8</sup>



**Figure 15: This image was the best illustration sourced for the location of the coal tunnels associated with the Sydney Harbour Collieries Limited, operating from the site in Birchgrove on the shores of Iron Cove from 1897.**

(Source: *Balmain Coal Mine, 'Sydney's Forgotten Coal Mine', Part 1*, by Jack Clark, [Afloat.com.au](http://Afloat.com.au), August 2002, Balmain Library Local Studies collection)

With the rapid population expansion, which in 1901 numbered 30,770 (double that of 1881), came larger more attractive shops. The junction of Darling Street and Weston Roads became a bustling shopping centre which drew people from the older parts of Balmain. The single steam tramway to Gladstone Park had been duplicated in April 1901 and many residents from the older Balmain areas chose to travel by it to the new shopping centre.

Among the new shops, Mr. J. E. O'Kelly, the draper and "ladies' friend" opened a new emporium opposite Darling Street Superior School. The opening (on the corner of National and Darling Streets) was a gala affair with a band playing on the balcony above the street.

<sup>8</sup> Peter Reynolds, *The Coal Mine Under the Harbour Balmain Places 2*, Architectural History Research Unit Graduate School of the Built Environment Faculty of Architecture, 1986, University of NSW

Refreshments were served to customers and there were plenty of sweets for “the little folk”. Mr O’Kelly and his fellow shopkeepers were quite firm in their advertising that the western end shopping centre could match anything offered by the city shops.

In contrast with the busy commercial life, however, the passing of the Early Closing Act in 1900 made Balmain West after night fall “as dark and dreary as the faces of the shopkeepers”. The Temperance movement having successfully launched a local candidate into State Parliament curtailed hotel trading hours and persons found swimming in the public’s gaze were prosecuted as were those having the temerity to work on the Sabbath.

Increased industrial production brought associated pollution and the tramway works and maintenance turned the district into a dusty town ship. Flocks of sheep driven along Weston Road to their gruesome destination at the Glebe Point Abattoirs often made the tram journey intolerably slow. Blood and offal from the Abattoirs were deposited along the shores of Rozelle Bay, making the area smelly. These disadvantages however, did not deter many working class families from accepting Mr. Hancock’s dictum that the purchase of his Balmain West land and a “short experience of thrift and self denial” would place them on the first rung of the ladder to prosperity.

#### **4.4 DEVELOPMENT OF THE BLOCK BOUNDED BY DARLING STREET, VICTORIA ROAD, MOODIE STREET AND WATERLOO STREET.**

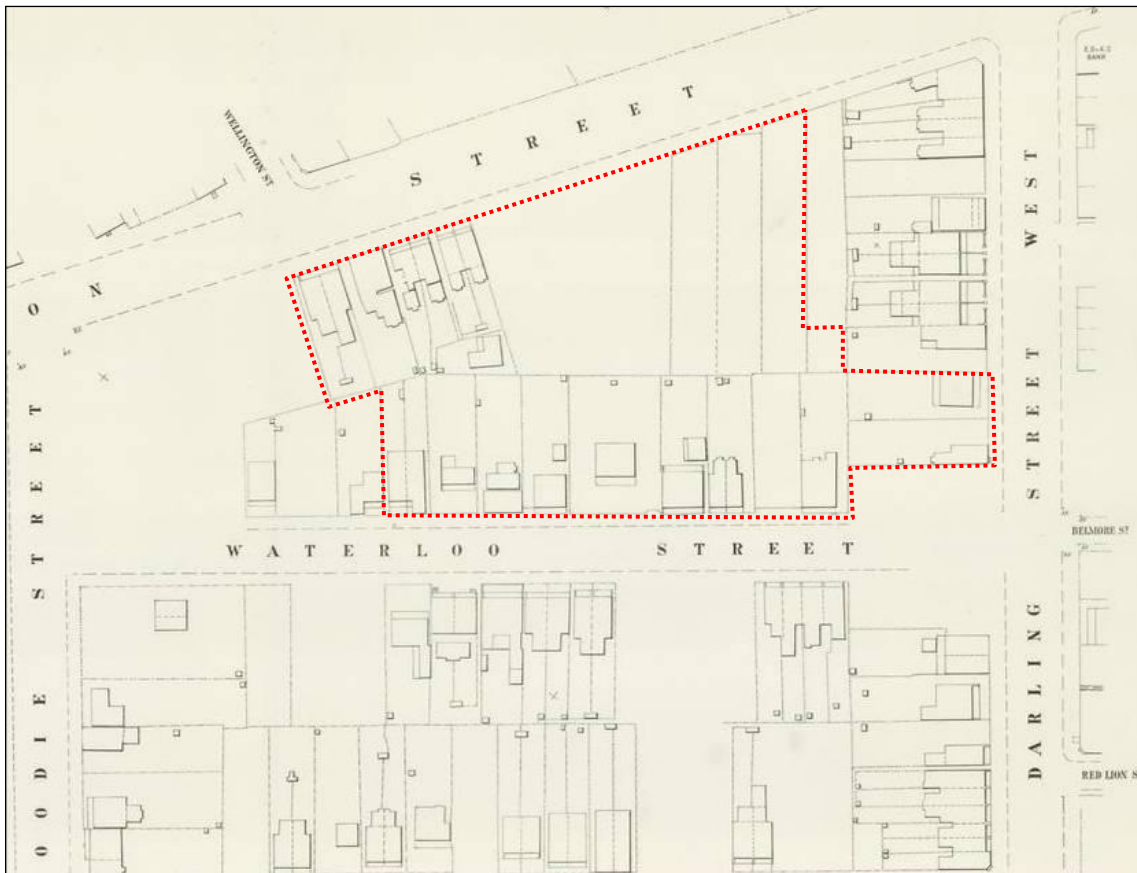
The area formerly known as West Balmain appears to have developed over two separate time periods. The following historical development of the site has been copied from the previous Heritage Assessment report prepared by this office in 2005.

##### **4.4.1 FIRST DEVELOPMENT, 1870S TO 1900**

Firstly, there was a rapid expansion of the area in the 1870s associated with a large increase in the local population. Workers were encouraged to purchase their own homes in the area. It was a feature that encouraged pride in the area. It was an area close to major local industries such as Mort’s Dry Dock, timber yards and the Glebe Point abattoir. The retail section of Darling Street also appears to have had a wide range of owners and was not dominated by absentee landlords.

The subject section of Darling Street was well developed in 1885. A complex of a number of substantial shops appeared on the Sydney Metropolitan Detail series map of 1890 but a vacant lot stood beside them. Next door was a single shop. A terrace of four shops was located next to No. 697 Darling Street which was only partially developed at this time and consisted of two distinct lots (consolidated under the same title in the 1910s). A small building was located on the northern side of the one site, and a larger shop located on the other. No. 699 was another small shop, a fishmongers, and Byers and Sons butchers shop was built

next to the site of this small shop. They first rented the site before buying out the fishmonger and extending their shop. The corner site of Waterloo and Darlings Streets is vacant.



**Figure 16: An 1890 map of the subject block with site area indicated, in the area then known as Balmain West. Compare this plan with the similar, 1895 plan shown overleaf at Figure 17.**  
(Source: Mitchell Library, Metropolitan Detail Series Map, Balmain Sheet 63 dated 1890)

The Sands Directory of 1884 shows the subject section of Darling Street had a wide variety of uses. Tenants included R. H Bennet butchers, F.G. Dunks and Co. undertakers, Thomas Sinfield carpenter and T. King boarding house. There was another boarding house on this section of Darling Street as well as two stonemasons, a French polisher, a blacksmith, carpenter and drapers. There was a blend of retail and light industrial uses a distinctly different character to the present streetscape.

The character of both Waterloo Street and Weston Street also was one of mixed uses in the 1880s. Waterloo Street had a larger proportion of residential use while Weston Street was dominated by light industry such as blacksmithing. In 1880 only three entries were listed between Moodie and Darling Street on Weston Road. They were the Edwin Glassop Temperance Cottage, Theopollus Murray, shipwright and Mrs. E Murray, general store.

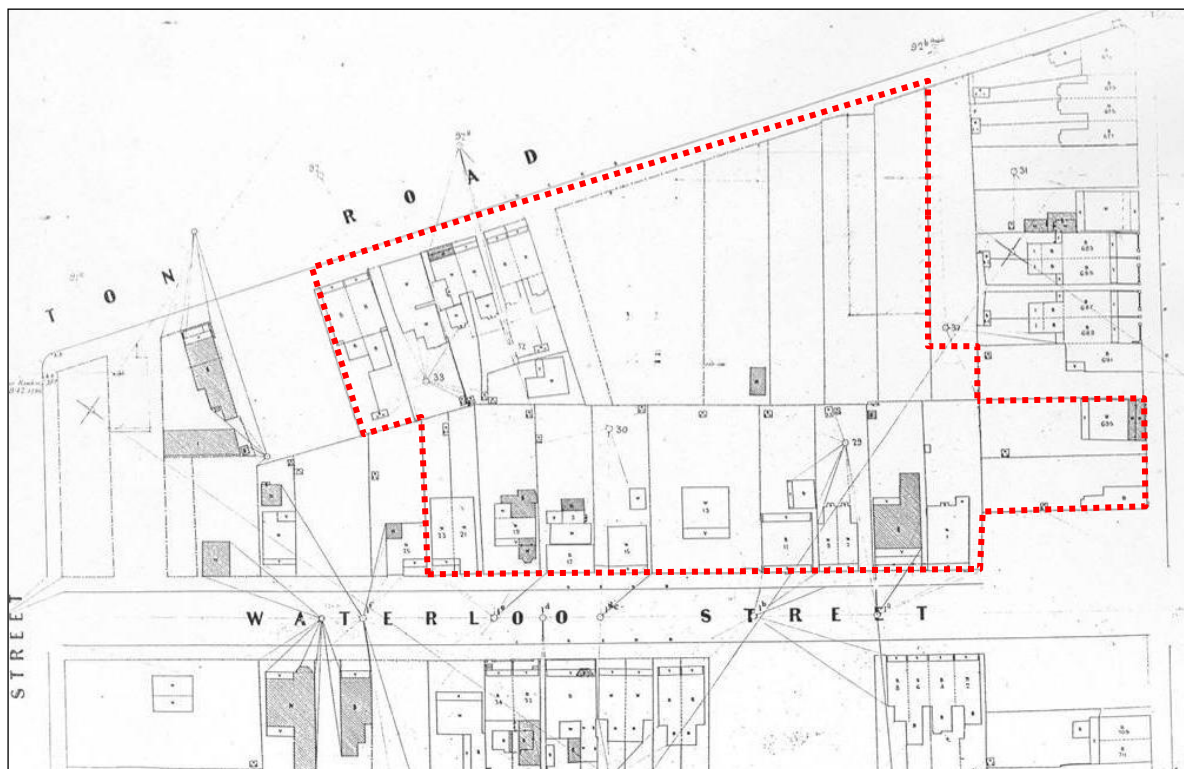
Maps obtained from the Metropolitan Water Board show detail of the development in the area. One is dated 1895 and relates to Weston Road. The others are not dated and show Waterloo Street and Victoria Road after the road widening in the late 1950s and 1963 when buildings in

Victoria Road were demolished for the construction of the Balmain Leagues club in 1963. So maps were possibly made between 1958 and 1963.

The map shows one large building on the site of 140 Victoria Road, a free standing dwelling at No. 142 and a terrace of five houses Nos. 144, 146, 148, 152 and 154. Another freestanding house is at No. 154. Four semi-detached are located at Nos. 156, 158, 160 and 163 Victoria Road.

In Waterloo Street a freestanding dwelling is shown at No.1 in 1895 and also on the later maps. At no. 2 is another freestanding detached dwelling with front and rear verandahs. Two semi detached cottages are shown at Nos. 5 and 7 Waterloo Street. A freestanding dwelling is shown at No. 9. A building is shown standing on a large block next door. The site has no street number and may be a small factory or commercial enterprise. Nos. 11, 13, 15 and 21 are freestanding houses Nos. 17 and 19 are semi detached cottages.

The map dates the construction of sewer lines between 1900 and 1902. A blue plan of 31/8/1961 shows similar details. The section of Darling Street between Victoria Road and Waterloo Street is fully developed. The Byers' Building is divided into two shops by this time.



**Figure 17: An 1895 Metropolitan Water and Sewerage Board plan of the subject site. Note the area of the future Balmain Leagues Club is vacant except for a shed set back from Victoria, labelled here 'Weston' Road. The red dashed lines indicate the current site area which is the area shown at Figure 3 in this report, provided by Icare Projects.**

(Source, Water Board Plan Room, obtained 2005 by City Plan Heritage)

#### 4.4.2 SECOND DEVELOPMENT PERIOD, 1900- 1960

The second period of the development of the section of Darling Street between Waterloo Street and Weston Road occurred between 1900 and 1930. It appears that many of the original buildings were replaced by new buildings. In the case of Byers and Sons, a small timber shop was replaced by a new shop of double width built in brick with a rendered façade with a parapet, now known as **No. 699 Darling Street**. It appears to have been built in the late 1910s or early 1920s. Hugh Byers bought the adjoining site now **No. 697 Darling Street** in 1919 and in the early 1920s a two storey building was constructed. A photograph dated 1922 from the collection of the Mitchell Library shows the original façade of the building, Figure 18. There was signage for Pollock Brothers & Co. Furniture Warehouse and for a Billiard Parlour, the initial tenants at that time.



**Figure 18: The Byers' Building in 1922 showing its first tenants, Pollock Bros and Co and (upstairs) Smith's Billiard Parlour. The original shopfront of the building has been replaced. The decorative fanlights above the shop windows have since been removed.**

*(Source: NSW Mitchell Library, Small Picture File Balmain)*

The shop windows featured decorative Art-Deco fanlights above the plate glass shop windows. These features have been altered in later renovations. The shopfront is currently divided and two shops operated from the premises. Many of the other buildings near the subject site appeared to be constructed around this time. An exception is No. 701, which was constructed c. 1900.

An oral history of life in the 1940s in this part of Rozelle was documented by a former inhabitant.<sup>9</sup> Barbara Gibbons states:

*"In the 1940s my parents had the newsagents shop at 664 Darling Street, Rozelle quite near Victoria Road and opposite the public school. it was almost opposite a small lovely old post office which has long disappeared. ... Rozelle was then a dreadful slum, with no trees or grass or flowers anywhere to be seen. Houses were dilapidated, badly in need of repair and a coat of paint inside and out. Fences and many rooves were of neglected rusty corrugated iron. ... The place where we lived had only one bedroom but none of us slept in it. That was for my grandmother when she came to stay. My parents slept in a large enclosed balcony, ... my brother Clem and myself slept in the hall at the top of the stairs. My eldest brother Tony slept in the lounge room overlooking Darling Street. My grandfather slept in a tiny room downstairs, behind the shop. His room had not window. The whole place was poorly ventilated and must have been quite unhealthy to live in. With White Bay Power House on one side and Balmain Power House on the other, it must have been a polluted area."<sup>10</sup>*



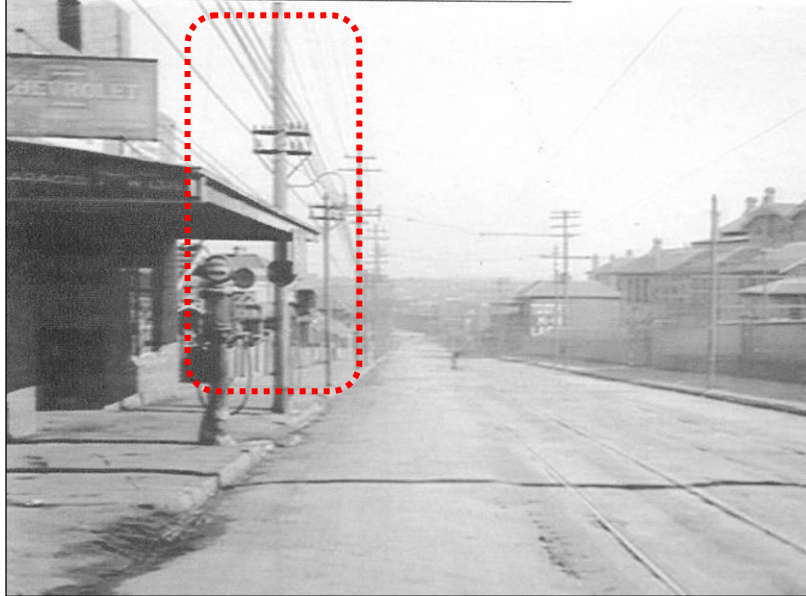
**Figure 19: The subject site in 1943. The location of the Balmain Leagues Club is indicated on the aerial photograph by the red dot. The approximate site boundaries shown previously are also indicated here in the yellow dashed line.**

(Source: NSW Land & Property Information Spatial Information Exchange 1943)

<sup>9</sup> Barbara Gibbons, Rozelle 1940s Notes on growing up in the area, 23rd October 2002, Leichhardt Council Library, Balmain Local Studies Collection No. LH994.41 GIB

<sup>10</sup> Barbara Gibbon, as above.

The widening of Victoria Road had a major impact on the area in the late 1950s. The Rozelle Post Office was demolished at this time and the appearance of the area changed. Victoria Road was subject to heavy traffic and this isolated the southern side of the retail commercial area of Rozelle.



**Figure 20: Undated, but c.1940s-50s photograph view looking from the corner of Darling Street and Victoria Road, with the subject site indicated in red.**  
(Source: collection of Balmain Leagues Club)

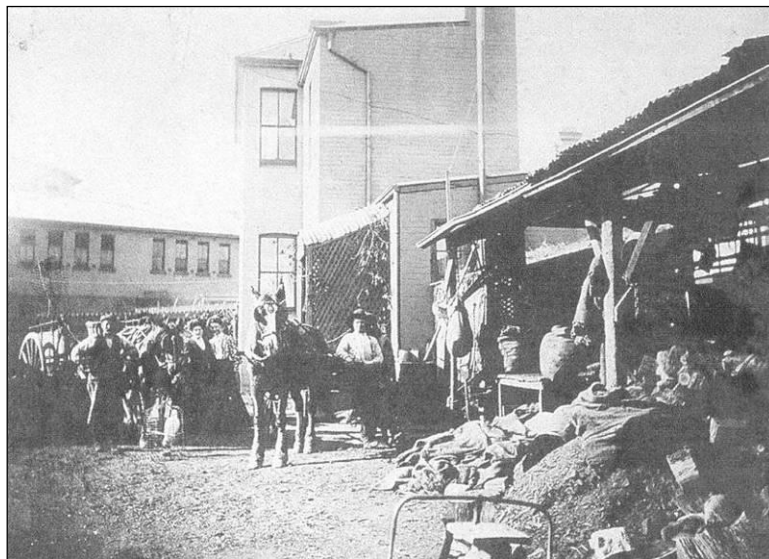


**Figure 21: View from the corner of Darling Street and Victoria Road, looking south east and showing the impact of the widening of what was Weston Road for Victoria Road. The photograph is dated late 1950's- early 1960's. This view is diagonally opposite the subject site.**

#### 4.4.3 THIRD PERIOD, BALMAIN LEAGUES CLUB

The **Balmain Leagues Club** was opened in 1963. It was built on land acquired between 1960 and 1963. A number of small cottages were demolished on the site, but on Weston Road, which had been renamed Victoria Road, were the buildings of light industrial businesses. Stanley Leichhardt Swinnerton of Five Dock, a brass moulder, owned the site in the 1920s and possibly operated a small foundry. A large structure possibly his workshop is shown on the 1943 aerial photograph, Figure 19. Another workshop and storage site is shown at Figure 22.

In Waterloo Street an area bought to develop a carpark had formerly been a blacksmiths, before becoming the factory or premises of a tailor. The site was further expanded in 1968 when a number of properties in Waterloo Street were purchased for the carpark. The building at 1 Waterloo Street had been a house (Figure 19) until the 1960s when it was purchased by the Byers family and demolished. The house was one of a row of workers cottages that were demolished for the carpark.



**Figure 22: Photograph from collection of the Balmain Leagues shows a previous tenant of their site. This view and date are unidentified.**

The history of the three sites on or adjacent to Darling Street, owned by the Club, vary, but all have a relationship to the fortunes of the Byers family. Hugh Byers moved to Sydney from Ballarat, Victoria. He became the manager of the Glebe Island Abattoir, a position he held for a number of years before he saw an opportunity to start a business of his own. Hugh Byers opened a butcher shop that both had a wholesale and retail aspect. First the business ran from 699 Darling Street. The premises were rented. The shop was and still is single storey.

The appearance of the shopfront in historic photos (Figure 23) suggests that it may still be the same building with an altered shopfront. Hugh Byers bought the property and then later in 1919 bought the vacant land next door at 697 Darling Street. On this land he built the Byers' Building, an investment property designed for the generation of rental income. There were a

variety of tenants for this building which was completed in 1922. It operated as Pollock's Furniture Store, who was the original tenant. The upper floor was a billiard saloon. Subsequent uses have been chemist, grocers and lingerie factory.

The Balmain Leagues Club purchased 697 Darling Street in 1999 and the remaining Byers properties in 2005.



**Figure 23: The Byers' Building and the neighbouring building in 1922. In front on the roadway are the Byers and Sons vans**  
(Source: NSW Mitchell Library, Small Picture File Balmain)

The buildings have historical significance as evidence of the area's subdivision pattern and also specifically of the Byers family who are associated with Nos 1 Waterloo Street, 697 Darling Street and 699 Darling Street. The facades of the two buildings in Darling Street have a high degree of integrity, especially above the awning. Below the awnings there has been some compromise to the shopfronts. The shopwindows at 697 have been replaced by new windows and stallboards.

The tiling in front of 699 has been replaced by new tiles but window size has been retained. No. 1 Waterloo Street has little integrity. It is a brick building of the 1960s and has low aesthetic value. It has a degree of historic significance because of its relationship with the Byers Family and Co.

#### **4.5 THE BYERS FAMILY**

The following extract from a local newspaper of the 1930s discusses the history of Mr Hugh Buyers and their connection to the building on the site. It is in the collection held by Garry Byers.

*'Thirty years have elapsed since Mr. Hugh Byers first opened a Butcher Shop in the district known as Rozelle. At the time the business was small, the population scanty and hard to find. These conditions have changed. The population has grown, and a corresponding increase has taken place in the business. The firm (which is now known as H. Byers and Sons) has grown with the district, and their business is one of the largest in the suburbs of Sydney. Every provision has been made for effectively coping with the requirements of the trade, a first class cooling chamber, supplied by one of Budeges Compressors, has been erected, the power supplied by the local council. In the main shop four revolving fans are constantly in motion, and reduce the temperature from twelve to twenty degrees below ordinary heat. The business which at first was small and opened to meet requirements of the few residents, has expanded and grown till Byers and Sons are known far and wide as wholesale and retail butchers. During thirty years residence in Rozelle, while conducting a large and flourishing business, attending markets and buying and selling, Mr. Hugh Byers has identified himself with every movement for the progress of our district, and many less fortunate have found him a helper and friend. His general good nature has carried him through seasons prosperous and adverse, with a cheerful word to all, and though carrying more weight than many, Mr. Byers is still going strong and hearty, with every prospect of continuance, and the good wishes of the community go with him.'*

#### **4.6 HISTORY BALMAIN LEAGUES**

The Balmain Leagues are one of the foundation teams of the NSW Rugby League. The league was founded in 1908 and was formed because of a dispute between players and the administration of the NSW Rugby Union over pay. The Rugby Union wanted to preserve a pure amateur status for the sport while some players were finding it difficult to afford to play the game as it meant sacrificing working hours to play. Balmain were a competitive team and won their first premiership in 1915. Their home ground was the Birchgrove Oval where they played until 1933 before moving to Leichhardt Oval. Balmain have won titles in 1915, 1916, 1917, 1919, 1920, 1924, 1939, 1944, 1944, 1946, 1947 and 1969. They are current premiers (2005) in a joint venture arrangement with the Western Suburbs Magpies. They were runners up in 1909, 1936, 1945, 1948, 1956, 1964, 1966, 1988 and 1989.

Balmain Rugby League Club was formed at a meeting in Balmain Town Hall on 23 January 1908. On the 20 April 1908 Balmain played its first match in the NSWRL premiership, defeating Wests 24-0 at Birchgrove Oval. Balmain captain Robert Graves captained Australia to a 25-5 win in the deciding test of the Trans- Tasman series. Balmain forfeited the 1909 premiership final to Souths after a dispute concerning the staging of the match. Balmain finished the 1915 season as unbeaten premiers – the first club to do so in the history of the game. In 1917 the Leagues won their third consecutive premiership entitling the club to retain

the trophy. On 29 July 1924, Balmain defeated Souths in the final 3-0. It was the first match broadcast on radio.

The Balmain Leagues Club went into a decline in the 1990s. They suffered from an ageing playing list and by not being able to afford most talented young players. The small area of Balmain and Rozelle, although the heart of the club, meant it could not raise the same revenue as other clubs, especially Brisbane and Manly. The club changed its name to the Sydney Leagues to attract new members and an increased following outside a narrow suburban area in 1994. They were last that year and a move to Parramatta was unsuccessful. In 1997 the Super League staged a breakaway competition. The Leagues retained loyalty to the NSW Rugby League playing under their old name of Balmain. The club returned to Leichhardt but in 1999 economics forced the Club into a joint venture with Wests and the Club is now the Wests Leagues. This move led to a successful premiership campaign.

The Leagues Club has been modified over time since its erection in 1963 and the site also includes the carpark structure, the open carpark and the Engineering premises at No.154 Victoria Road.

#### **4.7 HISTORY OF 697, 699 DARLING STREET AND 1 WATERLOO STREET**

##### **The Land Titles Search is attached to this report**

- The land of the site of all of the subject buildings was part of a land grant to William Balmain of 550 acres, granted 26 4 1800.
- Primary Application 4110 shows a later subdivision of the estate dated 12 April 1875. William Henry Paling and John Starling owned in West Balmain:
  - Lot 2 section 45, 1 acre, 3 roods and 30 perches,
  - Lot 3 section 45, 1 acre, 2 roods and 30 perches
  - Lot 3 section 46, 1 acre, and 2 roods
  - Lot 10 section 46, 1 acre, and 2 roods
  - Lot 1 section 36 , 1 acre and 20 perches
  - Lot 14 section 12 ,
  - Lot 8 section 11 1 acre 2 roods 24 perches
  - Lot 3 section 16 1 acre 2 roods and 25 perches
  - Lot 2 section 46 1 acre 2 roods
  - Lot 11 section 46 2 acres and 20 perches

## 5.0 SITE EVALUATION AND ARCHAEOLOGICAL POTENTIAL

### 5.1 ABORIGINAL CULTURAL HERITAGE POTENTIAL

The above historical overview has been provided as the background to this discussion of Aboriginal cultural heritage potential for the subject site. It must be noted that of course Aboriginals would have been associated with the subject site during the thousands of years of history preceding European settlement and during European settlement. However, the remnants of their use, whether that be transport tracks, burning, short term campsites, or tool working sites can be difficult to assess.

For an area to be identified as an 'Aboriginal place' it would have to be identified as being of special significance to Aboriginal culture. An area can have spiritual, natural resource usage, historical, social, educational or other type of significance.

Aboriginal objects are physical evidence of the use of an area by Aboriginal people. They can also be referred to as 'Aboriginal sites', 'relics' or 'cultural material'. They include:

- physical objects, such as stone tools, Aboriginal-built fences and stockyards, scarred trees and the remains of fringe camps, rock art sites
- material deposited on the land, such as middens
- the ancestral remains of Aboriginal people

In addition to the development history, the factors that generally affect site formation processes for Aboriginal sites and places of cultural heritage fall into the following categories:

- **Topography**

The subject site is located on a sloping area, which has been built up during the 19th century. The slope extends from the ridge top that is Darling Street down to the north towards Iron Cove and the Parramatta River. There is no bushland within or adjacent to the site. The slope may well have been a transport area to and from Iron Cove, but there is nothing significant about the topography that would signify it could be a special place.

- **Waterways**

There are no waterways or historic waterways or drainage lines that have been identified or documented for the subject site. The subject site is defined as being within the Iron Cove drainage area, located approximately 2.5km to the north of the site. Unless there is the presence of a waterway across the site, it would be unlikely for campsites, rockshelters, and art sites to be located within its vicinity.

- **Plants**

The original vegetation was dry sclerophyll open forests and eucalypt woodlands on sandstone formations and eucalypt woodlands and wet sclerophyll tall open forest on

shales. There is no native bushland identified for the subject site. Leichhardt Council has an extensive list of plants indigenous to the Leichhardt Local Government Area. Reference should be made to the list for more information on the Flora.<sup>11</sup>

It is difficult to say given the known history of the site whether the specific open forested areas would have seen Aboriginal use and impact. It does not appear to be an area where objects would be located. As noted, there have been no previous Aboriginal sites or places recorded within the site or the wider area and there is nothing special that has been noted in its landscape qualities that would warrant further research into the area.

- **Animals**

Animals associated with open tall forests are no longer located in the area. Kangaroos, possums, bandicoots, snakes, lizards would have inhabited these areas. There would have been an abundance of birds. As there is now no native bushland identified for the site, these animals and birds are mentioned in a historical sense only.

- **Geology and the availability of stone used as raw material for tool manufacture**

The geology consists of Gymea erosional soil landscape, which consists of undulating to rolling rises and low hills on Hawkesbury sandstone. The parent material and underlying rock types are an important factor influencing soils in the Sydney Hawkesbury Sandstone is the dominant geological formation and the upper catchment is dominated by Wianamatta Shales.

Hawkesbury Sandstone was formed early in the middle Triassic geological period about 225 million years ago and is dominated by coarse-grained, quartz sandstone rocks with minor shale lenses. This geological formation is common in the Mountains west of Sydney, extending from Moss Vale in the south including the Blue Mountains and north to the Goulburn River near Denman in the Upper Hunter Valley. Closer to Sydney this formation is found throughout the Hornsby Plateau and along the foreshores of Sydney Harbour, Parramatta and Georges Rivers.

Stones such as quartz and flake-able stone materials such as silcrete, quartzite and silicified wood occur as pebbles and the occasional boulders.<sup>12</sup> As the subject site was part of a northerly slope, with open forests, no waterways and a shale soil over sandstone with no identified outcrops, there is nothing to suggest stone tools were made in the area of the subject site.

In summary, these landscape descriptions for the subject site describe an area that, while we cannot say it never had an Aboriginal history, there do not appear to be sites or places that

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<sup>11</sup> <http://www.leichhardt.nsw.gov.au/IgnitionSuite/uploads/docs/Leichhardt%20plant%20list.pdf>

<sup>12</sup> This description is not site specific but it is relevant for the western half of the Sydney region, V. Attenbrow, Sydney's Aboriginal Past, 2002, p43

could be located within it relating to Aboriginal cultural heritage significance. It does not appear to be an area where objects would be located. As noted, there have been no previous Aboriginal sites or places recorded within the site or the wider area. This was indicated by the Aboriginal Heritage Information Management Systems (AHIMS) search. There is nothing special or significant that has been noted for any of the site specific historical landscape qualities that would warrant further research into the area.

## **5.2 PHASES OF THE SITE'S OCCUPATION**

An assessment of the archaeological potential of the subject site must consider the sequence of events and the material and/or structures associated with those events against later modification of the site. The level of subsequent modification can determine the extent of the impact on the potential archaeological resource. An understanding of this process will facilitate the grading of significance for archaeological potential on the site.

The site in its present format has been in existence since 1968, when the Balmain Leagues Club was constructed.

The phases for archaeological potential for the subject site can be divided into the following:

- 1. The pre 1870 land use, including Aboriginal history and land grants**
- 2. Establishment of Rozelle, 1870s to 1900**
- 3. Further urbanisation, 1900 to 1963, including the widening of Victoria Road**
- 4. Establishment of the Balmain Leagues Club**

### **5.2.1 THE PRE 1870 LAND USE, INCLUDING ABORIGINAL AND LAND GRANTS**

Aboriginal people utilised, passed through or congregated around the waterfront area of Iron Cove for thousands of years. Their presence and history has been well documented in this part of Sydney. They had a presence throughout the area including that of the subject site, for hunting and travelling. The topography of the site and its distance from the waterfront does not designate the area as being of specific Aboriginal cultural heritage significance. The AHIMS search for any previously recorded sites for the subject site resulted in "No Recordings" (see Attachment A).

In the unlikely event that during excavation, any subsurface deposits containing Aboriginal relics are found, the items would most likely be isolated artefacts within disturbed soil profiles. However, if that scenario does occur, work would need to be temporarily halted and the National Parks and Wildlife Service contacted for the appropriate course of action.

- The potential for indigenous cultural remains to exist is extremely low.
- The potential for any cultural remains from this period on the site is extremely low.

### 5.2.2 ESTABLISHMENT OF ROZELLE 1870S TO 1900

The subject section of Darling Street was well developed in 1885. A complex of a number of substantial shops appeared on the Sydney Metropolitan Detail series map of 1890 but a vacant lot stood beside them. Next door was a single shop. A terrace of four shops was located next to No. 697 Darling Street which was only partially developed at this time and consisted of two distinct lots (consolidated under the same title in the 1910s). A small building was located on the northern side of the one site, and a larger shop located on the other. No. 699 was another small shop, a fishmongers, and Byers and Sons butchers shop was built next to the site of this small shop. They first rented the site before buying out the fishmonger and extending their shop. The corner site of Waterloo and Darlings Streets is vacant. In 1880 only three structures were listed in the area of Weston (Victoria) Road between Moodie and Darling Street. They were the Edwin Glassop Temperance Cottage, Theophollus Murray, a shipwright and Mrs. E Murray, with a general store.

- The potential for archaeological remains from this phase is low across the site of the Balmain Leagues Club due to its significant impact.
- The potential for archaeological remains on Darling Street are also low due to the subsequent phase of development.

### 5.2.3 FURTHER URBANISATION, 1900 TO 1963, INCLUDING THE WIDENING OF VICTORIA ROAD

The second period of the development of the section of Darling Street between Waterloo Street and Weston Road occurred between 1900 and 1930. It appears that many of the original buildings were replaced by new buildings. In the case of Byers and Sons, a small timber shop was replaced by a new shop of double width built in brick with a rendered façade with a parapet, now known as No. 699 Darling Street. It appears to have been built in the late 1910s or early 1920s. Hugh Byers bought the adjoining site now No. 697 Darling Street in 1919 and in the early 1920s a two storey building was constructed.

The widening of Victoria Road had a major impact on the area in the late 1950s. The appearance of the area changed and Victoria Road was subject to heavy traffic.

- The Darling Street properties are still in existence, their management includes archival recording prior to demolition.
- The potential for archaeological remains from this phase (associated with light industry) is low across the site of the Balmain Leagues Club due to its significant impact.

### 5.2.4 ESTABLISHMENT OF THE BALMAIN LEAGUES CLUB

**The Balmain Leagues Club** was opened in 1963. It is built on land acquired between 1960 and 1963. A number of small cottages were demolished on the site, but on Weston Road, which had been renamed Victoria Road, were buildings associated with light industrial

businesses. Stanley Leichhardt Swinnerton of Five Dock, a brass moulder owned the site in the 1920s and possibly operated a small foundry. A large structure possibly his workshop is shown on the 1943 aerial photograph, Figure 19.

In Waterloo Street an area bought to develop a carpark had formerly been a blacksmiths, before becoming the factory of a tailor. The site was further expanded in 1968 when a number of properties in Waterloo Street were purchased for the carpark. The building at 1 Waterloo Street had been a house (Figure 19) until the 1960s when it was purchased by the Byers family and demolished. The house was one of a row of workers cottages that were demolished for the car park.

- There is no archaeological potential associated with the 1963 and later constructed Balmain Leagues Club and car park.

### **5.2.5 SUMMARY**

Industry and housing came later to Balmain West than that of Balmain East. During the 1870s development was established in the area of the subject site and by 1890s the site had a footprint incorporating small allotments facing to Weston Road, Darling Street and Waterloo Street. The development incorporated

- workers cottages on Waterloo Street
- Commercial developments of one or two storey shopfronts on Darling Street
- industry on Weston (Victoria Road) including a brass moulder
- later garage and motorcycle repair shop

These developments on Waterloo Street and on the southern part of Victoria Road were demolished to make way for the current configuration of the site.

## **5.3 ARCHAEOLOGICAL INVESTIGATION IN THE VICINITY**

There have not been many previous archaeological investigations carried out in the vicinity of the subject site. This may well be because the last major development in the subject area was that of the Balmain Leagues Club itself, in the 1960s.

The nearby Callan Park has seen a number of archaeological assessments and other heritage reports which resulted in the discussion on shell middens in Section 4 of this report.

The Local Studies collection of the Leichhardt Council Library also contains a number of archaeological reports and archival recordings of individual houses in the area of Balmain. Further research would be required, which is outside the timeframe of this report, to establish whether these sites are in close vicinity to the subject site.

## 5.4 RESEARCH POTENTIAL FOR THE ARCHAEOLOGY OF THE SITE

The research potential of an archaeological item refers to its ability to provide information about the site that could not be derived from any other source and may also be influenced by the integrity of the remains.

Assessing the research potential of an archaeological site within a relative framework has been guided by the following questions:

1. *Can the site contribute knowledge that no other resource can?*
2. *Can the site contribute knowledge that no other site can?*
3. *Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?*<sup>13</sup>

1. The emphasis here is on the need for archaeological research to add to the knowledge of the past in an important way, rather than merely duplicating known information or information that might be more readily available from other sources such as documentary records or oral history.
2. An archaeological excavation would have very limited input due to the known impacts and heavy disturbances on the areas that include the Balmain Leagues Club. In this situation, the existing historical records available such as collections of photographs, plans and maps, published books and histories and unpublished reports which are within the public record provide a good source of information which answer the question; 'can this site contribute knowledge that no other site can'.
3. The 19th century buildings located on Darling Street and in the southern portion of Victoria Road (the semi detached dwellings at 170 and 172 Victoria Road) are still standing. They are seen as a representative sample, as are the timber and brick constructed cottages in Waterloo Street, outside of the study area, of the type of development across the subject site. The exception is the industry noted on the site of Balmain Leagues Club which it is assessed, would have been removed or at the very least heavily impacted by this 1960s excavation and construction.

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<sup>13</sup> Bickford, A and S Sullivan 1984, 'Assessing the Research Significance of Historic Sites', in Sullivan S and S Bowdler (eds), *Site Surveys and Significance Assessment in Australian Archaeology* The Australian National University, Canberra pp 23–24, quoted in *Assessing Significance for Sites and Relics*, NSW Heritage Branch Guidelines, 2009

## 6.0 ASSESSMENT OF SIGNIFICANCE

### 6.1 ASSESSMENT CRITERIA

The site development area contains a number of properties and it has been assessed as one site, see below.

It is considered that it is not necessary to evaluate in detail the significance of all the properties in the study area as there are a number of Statements of Heritage Impact that have been prepared for the site. The Leagues Club has been modified over time since its erection in 1963 and the site also includes the carpark structure, the open carpark and the Engineering premises at No.154 Victoria Road. None of these buildings or car parks has heritage significance in terms of built fabric.

The following assessment of significance has been prepared in accordance with the 'Assessing Heritage Significance' and 'Assessing Significance for Historical Archaeological Sites and 'Relics' guidelines from the *NSW Heritage Manual* and from the Heritage Branch. It should be noted that there are two levels of significance that exist in the NSW heritage management system:

*'State heritage significance'*, in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. (Section 4A)

*'local heritage significance'*, in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. (Section 4A).<sup>14</sup>

**a) *an item is important in the course, or pattern, of the local area's cultural or natural history***

- The subject site is important historically in the course of the local area's cultural history. It was part of an original land grant to William Balmain of 550 acres, granted on the 26th April 1800. The land was then purchased by a number of individuals who established small scale businesses and shops and residences notably in the period of growth for Rozelle which began in the 1870s, in line with the growth in industry of the wider area. The industrial use and the occupation of the residents of the subject site was associated with 19th century industries such as blacksmiths, coopers, foundries, tile cutters, wire workers, rubber works, book binders, with a 'gentlemen', a chartered accountant and a solicitor a small part of the generally 'blue collar' residential pattern.

<sup>14</sup> [http://www.heritage.nsw.gov.au/docs/Arch\\_Significance.pdf](http://www.heritage.nsw.gov.au/docs/Arch_Significance.pdf)

The residential use of the Waterloo Street area has remained unchanged up to the present day.

- The establishment of the Balmain Leagues Club and its car parks on a large portion of the subject site date from the 1960s and 1970s. This involved the demolition of the former industry fronting to Victoria Road and the workers cottages on Waterloo Street and introduced a new cultural history for the site which ended with the closure of the Club.

*Significance: Local Historical*

**b) an item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history**

- The Victoria Road part of the subject site was formerly associated with a number of local industries and businesses such as the Swinnertons brass foundry and a service station owned by Du Chateau family. The Darling Street area was associated primarily with the Byers family, who carried out a wholesale and retail butcher business on the Darling Street and part of the Waterloo Street area of the site for three generations.
- The Balmain Leagues Club was and is also of special association and importance for the local area. The club continues currently at a different location and it will return to the site under the current proposed development. There are no archaeology issues associated with the 1963 Leagues Club building and its later car parks on the subject site.

*Significance: Local associative*

**c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area**

- The current buildings across the subject site range from 1880s to 1980s constructions. None of these buildings demonstrate aesthetic characteristics and / or a high degree of creative or technical achievement for the local area.
- The aesthetic contribution is assessed as relating to the Darling Street shopfronts. They are part of a row of continuous shopfronts in this section of Darling Street that continue to exhibit their original design styles.

*Significance: Does not meet the criterion*

**d) an item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons**

- The research undertaken to date did not include social histories. However the Balmain Leagues Club was of special association and importance for the local area with a particular community or cultural group in the local area for social and cultural reasons. The club continues today at a different location and will be moved back to

this site as part of the current proposal. There is no special association with the subject site and its current owners or uses.

*Significance: Local social*

**e) an item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history**

- The subject site has limited potential to yield information that will contribute to an understanding of the local area's cultural history. The historical research, photographs and historical plans sourced for this report have demonstrated that there was earlier development of the site, namely from the 1880s until the 1960s. However, the integrity of the archaeology across the Balmain Leagues Club site is assessed as being limited, due to the heavy impact of the 1960s ground clearance and construction of that large structure.
- The Darling Street buildings, the Waterloo Street houses and the Victoria Street houses and Motorcycle repair shop are unlikely to assist in this regard, beyond their presence in the streetscape. Archival recording of some of these buildings prior to demolition has been recommended, [see City Plan Heritage, Heritage Impact Statement]. There is limited potential for partial or fragmentary foundations to remain in the Darling Street area relating to the earlier structures.

*Significance: Local archaeological, but see Statement of Significance*

**f) an item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history**

- The subject site as it appears today does not meet this criterion.
- The archaeological potential of the subject site is also not assessed as rare as it consists of late 19th century housing and industry.

*Significance: Does not meet the criterion*

**g) an item is important in demonstrating the principal characteristics of a class of the local area's**

- **cultural or natural places; or**
- **cultural or natural environments**
- The buildings currently on the site and the archaeological potential of the site are both representative of their time from the late 19th to the late 20th c (including the Balmain Leagues Club and car parks) in the LGA of Leichhardt.
- The Darling Street shops are a part of the continuous row of shops erected from the late 19th to the early 20th century. They are a part of this representative class which is also located on Darling Street in Balmain village.

*Significance: Local level representative*

## **6.2 STATEMENT OF SIGNIFICANCE**

The historical significance of the site lies primarily in its association with early industry in the Rozelle area. The site saw the establishment of a number of small scale, and, in the case of Byers Butchery, long running family businesses. The site has been assessed as having historical significance at the local level.

The site has also been assessed as having local level social and associative significance for the special associations with the Byers Family Butchery and for the Balmain Leagues Club. The development history for the site is also seen as representative for the local area.

The potential scientific / archaeological significance of the site (Criterion E) is based on the fact that there could be limited archaeological resources remaining on areas of the site. These are assessed as possibly relating to partial foundations of the former workers housing on Waterloo Street and the former businesses and structures facing Victoria Road. However any remains relating to earlier building foundations would have been heavily impacted by the Balmain Leagues Club and its car parks developments. On the Darling Street and Victoria Road sections of the site information concerning the industry and use has been historically documented. The archaeological potential therefore, while assessed as meeting local level significance for Balmain is also assessed as being heavily impacted by the later development. Therefore its potential is lessened due to its compromised integrity and there is little archaeological research potential for the site.

## **6.3 ASSESSMENT OF SIGNIFICANCE FOR ABORIGINAL ARCHAEOLOGICAL POTENTIAL**

No items of Aboriginal cultural heritage relating to the subject site were identified in this Assessment. The findings of this assessment conclude that there is no potential for sites or places of Aboriginal Heritage Cultural Significance likely to remain within the subject site of the Balmain Leagues Club and its development site incorporating Waterloo and Darling Streets and Victoria Road. Therefore, an assessment of significance is not necessary in this instance.

## 7.0 THE PROPOSAL

The development proposal requires demolition of all buildings, clearance and then deep excavation of the land of the subject site.

It is proposed to redevelop the Balmain Leagues Club site and associated buildings comprising the subject site. The new development will consist of a mixed use incorporating new club premises, residential apartments/shop office – home office units, specialty retail shops, fresh food market, supermarket, plaza and associated levels for car parking and services. A discussion of the views and heritage impacts of the proposal are discussed within the Statement of Heritage Impacts, see separate report. This report discusses the excavation issues.

The proposal has been designed in collaboration by Stanistic Associates Architects and PTW Architects. For specific details reference should be made to the submitted architectural plans.

To summarise from the amended plans prepared in January 2012:

- The proposal includes 8 underground basement levels - which will be used for car parking for the residential development on the site, for the public and for visitors to the club. Basement Levels 2, 3, 4 and 6 are also the location for plant rooms. Basement Levels 1 and 2 also incorporate a planned supermarket and retail shops.
- The ground level will incorporate general retail, a food court, open air connections between Darling Street, Waterloo Street and Victoria Road.
- Levels 1 to 5 will incorporate gym, restaurants, community rooms, general retail, medical centre, child care, resident facilities, tennis court and the Balmain Leagues Club
- Levels 5 to 24 and 30 levels will be two residential towers, set back from and generally aligned with Victoria Road and Darling Street.

### 7.1.1 IMPACT OF THE PROPOSAL

#### General

The redevelopment proposal necessitates the demolition of all the subject buildings across the site. It will also remove entirely all of the cultural and structural materials across the site including any earlier remnant foundations. However, the existence of earlier foundations across the site has been discussed in this report and found to be limited. The deep excavation for the Balmain Leagues Club and car park would have impacted on any earlier remains existing in the locations of Victoria Road and Waterloo Street. The other early buildings on the Darling Street part of the subject site are the original buildings located there [and their significance is discussed in the Heritage Impact Statement].

Therefore, while the impact of this proposal across the site is heavy, there is little archaeological potential that would be disturbed by the works.

## Excavation

The deep excavation will incorporate the whole of the site area. The depth of excavation related to the proposed development will be relatively consistent and of great depth across the site. The basement levels, and there are six, also will cover the whole of the subject site. Excavation is therefore expected to be approximately 30 metres below the current ground level.

## 8.0 STATUTORY CONTROLS FOR ARCHAEOLOGY

The following section relates to archaeology – both Aboriginal and non-Indigenous within New South Wales. The relevant legislation for the subject site are below, however further information can be obtained from the Office of Environment and Heritage and the NSW Heritage Branch.<sup>15</sup>

Recommendations for management of archaeology on the subject site are discussed at the end this Section and within Section 9.

### 8.1 NSW ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

This proposal has been classed as a major project and therefore falls under the approvals process for Part 3A of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act). As such it is under the direct jurisdiction of the Department of Planning and Infrastructure. Under Part 3A, State and local heritage legislation is suspended under the Projects Approval process. This means that separate approval normally required under NSW heritage legislation, including the *National Parks and Wildlife Act 1974* and the *NSW Heritage Act 1977* are not required in addition to an application under Part 3A.

This non Indigenous Archaeological Assessment and Aboriginal Cultural Heritage Assessment has been prepared to address Requirement 9 of the Director General's Requirements for the Project. Therefore, while there may be liaison with the NSW Heritage Council and with the Office of Environment and Heritage, who administer the *National Parks and Wildlife Act* following the submission of this assessment, the Part 3A process negates the need to obtain any separate approvals.

#### Discussion:

The subject site is located on sloping land north of the waterfront facing Iron Cove. The subject site retains no natural features and it has been impacted by series of development recorded from the 1870s. There has been no evidence to suggest there was specific use of the subject site which would result in it being the location of items of Aboriginal cultural heritage. Aboriginal Heritage Information Management System (AHIMS) searches were undertaken as part of the current research. One search had a curtilage of 200 metres and one

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<sup>15</sup> Office of Environment and Heritage - <http://www.environment.nsw.gov.au/achreform/>  
NSW Heritage Branch - [http://www.heritage.nsw.gov.au/03\\_index.htm](http://www.heritage.nsw.gov.au/03_index.htm)

of 50 metres for the Lot and DP number for the Balmain Leagues Club site. The results are that **no** previous Aboriginal cultural heritage objects or places were recorded in or within this vicinity to the subject site. A copy of the AHIMS correspondence is included at Attachment A to this report.

The development of the site area from the late 1800s onwards consists of layers of sub division, development and road building. The combination of the type of natural environment for the site and its development history means that any remains relating to the Aboriginal use of the land, if any in fact existed on the specific subject site, would no longer exist.

## **8.2 NON-INDIGENOUS HERITAGE**

The Part 3A process relating to archaeology and heritage legislation was noted above. However in addition, there is also a [standard] obligation under the *NSW Heritage Act* to stop work and contact the Heritage Council if relics are unexpectedly disturbed or uncovered during site work. This obligation is as per Section 146 of the *NSW Heritage Act, 1977*, which is not suspended by Part 3A.

### **Discussion:**

The recommendations provided in this report are that there is little potential for archaeology related to the former historic uses of the site to still remain on the site.

This assessment is based on the historical research [see Land Titles at Attachment B], historic plans and in some cases the photographs which depict earlier buildings in areas of the subject site. Any archaeological remains would relate to remnant building foundations of the identified former workers cottages and Victoria Road businesses located on the site. These remains if they exist at all would be very fragmentary due to the ground clearance and construction of the Balmain Leagues Club and its car parks which took place from the 1960s onwards. In addition, an earlier recorded impact on part of the site was the widening of Victoria Road. This took place in the late 1950s and impacted on a portion of the Victoria Road earlier structures. The archaeological potential for the subject site therefore has been assessed as being heavily impacted by these later developments.

In addition, it can be stated that the workers cottages, shops and in some cases businesses from the earliest period of development for the subject site, which is 1870s onwards are still a part of the Rozelle streetscape within the vicinity of the subject site, in particular, lining Darling Street and the sides streets including Waterloo Street. The archaeology of the subject site would be unlikely to provide more information than a study of these existing buildings.

Taking these factors into consideration this Assessment does not recommend specific archaeological investigations or excavations for the subject site.

## 9.0 CONCLUSION AND RECOMMENDATIONS

### 9.1 ABORIGINAL ARCHAEOLOGICAL ASSESSMENT CONCLUSION

In conclusion, in addressing Aboriginal Heritage in accordance with the legislation and guidelines and in fulfillment of the Director General's Requirements, it is considered by City Plan Heritage that there is no potential for sites or places of Aboriginal archaeology to be located within the nominated subject site.

The Aboriginal Heritage Information Management System searches for any previously recorded Aboriginal sites and places located within the vicinity of the subject site lot and DP number (for the Balmain Leagues Club site), included buffer zones of both 50 and 200 metres. The results of the searches— see Attachment A – were that **no previous sites or places had been recorded**. This information, combined with the assessment of the development history of the site, an appraisal of the environment and landscape, and an appraisal of the types of Aboriginal cultural heritage sites likely to be in the area also resulted in the area not being considered a likely location for sites or places relating to Aboriginal cultural heritage significance.

Therefore, the following recommendations are made:

- The AHIMS search for any previously recorded Aboriginal sites and places located within the Lot number and Deposited Plan for the Balmain Leagues Club, and included a buffer zone of 50 metres and one of 200 metres. These searches came up with no previous recordings.
- There is unlikely to be items of Aboriginal cultural heritage retained across the proposed development path, fronting to Victoria Road, Darling Street and Waterloo Street. This baseline assessment has not identified the specific site as an area of potential for Aboriginal cultural heritage. Further information can be sought from consultation with the Metropolitan Local Aboriginal Land Council.
- Once ground clearance commences if something is discovered that could be an Aboriginal object, City Plan Heritage or other suitably qualified archaeologist must be contacted. In that instance, advice would be sought from the Environment Protection and Regulation Group of the Office of Environment and Heritage relating to recording the finds and the appropriate management options. [N.B., Part 6 of the National Parks and Wildlife Act gives the Director General of the Office of Environment and Heritage only express powers to consent to the damage, destruction or defacement of Aboriginal objects by development activities.]

### 9.2 NON INDIGENOUS ARCHAEOLOGICAL ASSESSMENT CONCLUSION

In summary, the recommendations of this assessment are based on the current site inspection, site specific research and archival searches.

The buildings still located within the site -specifically Nos. 697 and 699 Darling Street and the semi detached dwellings at Nos 170 and 172 Victoria Road are historic standing structures which are representative of the types of structures that would have been located on the subject site, and which may remain in a fragmentary and disturbed state within the subject site.

The footprint of the Balmain Leagues Club and car parks constructed in the 1960s were heavy impacts across the subject site. While there may be disturbed remains of former buildings and structures located in parts of the area nominated for current development, these items have been assessed as having historical significance but little archaeological potential and research potential. Accordingly, no specific archaeological excavations, test trenches or monitoring are recommended.

However, any disturbed remains of former buildings and structures constitute archaeological remains (even though they are of little potential), under Section 139(4), of the NSW Heritage Act. If this were not a Part 3A approval project, an *Excavation Permit Exception Notification Form*, would usually be applied for and submitted to the Director of the NSW Heritage Branch for approval. Section 139 (4) is specified again below:

*(d) any disturbance or excavation of land in respect of which an archaeological assessment approved by the Heritage Council indicates:*

- (i) that there is little likelihood of there being any relics in the land, or*
- (ii) that any relics in the land are unlikely to have State or local heritage significance*

As this project is subject to the Part 3A process however, the Department of Planning and Infrastructure is the consent authority. It is anticipated that the NSW Heritage Branch would be consulted regarding the planned works on the site and provided with a copy of this report and the relevant plans and drawings of the proposed development.

In addition, it is unlikely, however standard to advise that:

- If substantial intact archaeological relics of State or local significance, which have not been identified in the archaeological assessment are unexpectedly discovered during excavation, work must cease in the affected area. An archaeologist must be contacted to inspect the finds, photograph them and notify the Heritage Branch in writing, in accordance with section 146 of the Heritage Act, 1977. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

## **10.0 SUMMARY CONCLUSION AND RECOMMENDATIONS**

The Aboriginal Archaeological potential Assessment concludes that it is unlikely that any remains relating to Aboriginal archaeology would exist on the subject site. Therefore no further management is required prior to site works.

The non-Indigenous Archaeological Assessment concludes that the history of the development of the subject site is confined in some instances to the buildings still located there. While there may be fragmentary remains that have historical significance in the location of the Balmain Leagues Club, these remains have little archaeological research potential due to their expected disturbed condition. In addition, the remains may be partial foundations that [if in existence] would be similar to the standing structures located within different parts of the subject site. These buildings - Nos. 697 and 699 Darling Street and the semi detached dwellings at Nos 170 and 172 Victoria Road, are of historical significance, and are likely to require archival recording prior to demolition.

It is recommended that the archival photographic record and a copy of the heritage and archaeology reports produced by City Plan Heritage are provided to Leichhardt Council for provision to the Balmain Local Studies Library to add to the historical sources of this area.

No further specific archaeological investigations or excavations are required. However, the standard stop work clause regarding what to do if substantial unidentified finds are made, see Section 9.2 above, should be followed.

Finally, the history of development of the site which includes the Aboriginal history, the 19th century established industries and also the first Balmain Leagues Club on the site are historically significant for Rozelle and the Leichhardt LGA. The heritage interpretation of these histories for the site should be integrated into the landscape design of the current development to allow for future appreciation. The interpretation should include both historic signage and building signage and should be prepared in line with a Heritage Interpretation Strategy for the whole site.

CITY PLAN HERITAGE

**JANUARY, 2012**

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