

URBIS

HERITAGE IMPACT STATEMENT

194 Oxford Street and 2
Nelson Street, Bondi Junction

Prepared for
STARGATE PROPERTY
4 March 2025

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Acknowledgement of Country

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We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.

We pay our respects to First Nations Elders, past and present.

The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

Title: Sacred River Dreaming
Artist Hayley Pigram
Darug Nation
Sydney, NSW

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EXECUTIVE SUMMARY

This Heritage Impact Statement (HIS) has been prepared by Urbis to accompany State Significant Development Application (SSDA) for a shop top housing development at 194-214 Oxford Street, 2 Nelson Street and part of Osmund Lane, Bondi Junction. The site is made up of nine (9) lots. The legal description of the site is outlined in Table 1.

Table 1 Legal Description

Property Address	Title Description
194 Oxford Street Bondi Junction	Lot 10 in DP260116
196 Oxford Street Bondi Junction	Lot 11 in DP260116
198 Oxford Street Bondi Junction	Lot 12 in DP 260116
200 Oxford Street Bondi Junction	Lot 13 in DP260116
204 Oxford Street Bondi Junction	Lot 16 in DP68010 Lot 1 in DP79947
214 Oxford Street Bondi Junction	Lot 1 in DP708295
2 Nelson Street Bondi Junction	Lot 1 in DP583228
Part of Osmund Lane	Lot 1 in DP1300781

This report has been prepared to address the Secretary's Environmental Assessment Requirements (**SEARs**) issued for the project (SSD-77175998).

The proposed scheme includes the development of two shop top housing with infill affordable housing buildings, Building A and Building B, comprising of 13 storeys and 16 storeys respectively. The development will also include a four-storey basement below ground, and new landscaping at ground level.

Further details of the proposed works are included in Section 5.

This HIS has been prepared to determine the potential heritage impacts of the development on the heritage significance of the heritage item Norfolk Island pine tree on the subject site, and other heritage items and heritage conservation areas in the vicinity.

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report. The proposed development has been assessed to have an acceptable impact on both the Norfolk Island pine tree and heritage items in the vicinity. Key aspects of the proposal assessment are listed below:

The subject site includes the heritage item Norfolk Island pine tree, which is listed as a local heritage item under the Waverley LEP 2012. The proposed scheme includes retention of the Norfolk Island pine tree as a part of the new ground level landscaping design, which will support the ongoing conservation and upkeep of the tree with the continued use of the site.

The proposed design of the residential towers mitigates the reduction of views towards the Norfolk Island pine tree by partially reducing the height of the tower in front of where the tree is located.

The subject site has several heritage items and heritage conservation areas in the vicinity, however none of these items are directly adjacent or interface with the subject site and therefore do not pose a significant risk of impact to these items.

The proposed scheme will be visible in some views from heritage items towards the subject site such as the Nelson Hotel, and Westgate House and Westgate House Garden and Fence. However, there are no identified significant views from these sites that are mentioned in their statements of significance, and

there is no longer heritage listed buildings on the subject site that could be viewed from the heritage items. Therefore, there will be no detrimental heritage impacts in terms of views from items in the vicinity.

The existing high density, mixed character of the outlook from the proximate conservation areas would remain essentially unchanged as the development would be in keeping with existing high density residential development to the north of Oxford Street. Even so, the development is appropriately divided into two separate forms and each form is well articulated such that the development is not unduly visually dominant in the context of the streetscape or the heritage items in the vicinity.

Overall, the proposed scheme aims to integrate itself into the streetscape by employing strategies such as using sympathetic materials that reference the brick construction of heritage items in the vicinity, providing a two-storey podium which suits the scale of the surrounding heritage items, and ensuring that the façade is broken up in a way that reduces the visual bulk of the residential towers.

This report concludes that the proposed development is suitable and warrants approval subject to the implementation of the following mitigation measures.

A tree management plan is to be developed for the ongoing upkeep of the Norfolk Island pine (LEP # I506) on site, in consultation with an Arborist.

The Norfolk Island pine (LEP # I506) should be protected during all phases of construction using protective fencing or similar, in consultation with an Arborist. No works are to be undertaken in the vicinity of the Norfolk Island pine until the tree is suitably protected. This should be incorporated into the works as a condition of consent.

Following the implementation of the above mitigation measures, there would be no detrimental heritage impacts.

1. INTRODUCTION

1.1. BACKGROUND & PURPOSE

Following a design excellence competition, development consent was granted to DA-400/2021 (herein, referred to as the parent development consent) which authorised demolition of existing buildings and the construction of a shop top housing development comprising ground floor retail and 10 storeys of residential apartments above the retail podium, across two tower buildings (herein referred to as Building A and Building B). Subsequently, an amending DA (DA-360/2023) was approved on 28 August 2024 which amended the Basement Levels 4, 3, 2 and 1 and the Ground Floor Level of the approved development under the parent development consent.

The proposed SSDA generally seeks approval for the redevelopment of 194-214 Oxford Street, 2 Nelson Street and part of Osmund Lane, Bondi Junction, proposing to retain key design principles in accordance with the parent consent. The proposal will provide additional residential dwellings, in accordance with the in-fill affordable housing provisions under the *State Environmental Planning Policy (Housing) 2021* and incorporate a 30% increase in Gross Floor Area (GFA) and building height.

The development of the site has physically commenced pursuant to the development consent, with demolition and excavation completed. Construction Certification has been obtained and construction is intended to continue for the lower portion of the building (up to Level 8).

Simultaneously with the construction of the lower parts of the building, the proponent seeks approval for new works to the remaining levels of the building (above level 9) as well as the internal fit out and servicing for the whole of the building (Basement to Level 16).

It is intended that the relationship between the approval of the SSDA and the existing consents be managed through the imposition of a condition pursuant to s 4.17(1)(b) of the EP&A Act and lodgement of a Notice of Modification pursuant to cl. 67 of the EP&A Regulation to ensure consistency across all development consents.

The purpose of the project is to facilitate the delivery of (market and affordable) housing at a strategically located site and to deliver a built form outcome that is consistent with the outcomes of the design competition. Urbis has been engaged by Stargate Property to prepare the following Heritage Impact Statement (HIS) to accompany a State Significant Development Application (SSDA) for the construction of the Stargate West shop top housing with infill affordable housing (SSD-77175998) located at 194-214 Oxford Street, 2 Nelson Street and part of Osmund Lane, Bondi Junction (hereafter referred to as the 'subject site'). This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 25/10/2024 and issued for the SSDA (SSD-77175998). Specifically, this report has been prepared to respond to the SEARs requirement issued below.

Table 2 – SEARs Requirements

Item	Description of Requirement	Section Reference (this Report)
18. Environmental Heritage	Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.	Section 6

This HIS has been prepared to fulfill the requirement of the preparation of a Statement of Heritage Impact for the project. An Archaeological Assessment for the project has been prepared separately by Urbis to fulfill the second part of this requirement.

Further details of the proposed works are included in Section 1.2 and 5.

This HIS has been prepared to determine the potential heritage impacts of the development on the heritage significance of an existing Norfolk Island Pine Tree, which is identified as having local heritage significance. The tree is listed as 'Norfolk Pine – Landscape' (Item No. I506) at 2 Nelson Street on the Waverly Local Environmental Plan 2012. In addition, the subject site is located in the vicinity of a number of heritage items and HCA areas, including:

Item I224: *Bus Depot/Waverley Tram Depot building, 1–15 Oxford Street.*

Item I213: *Nelson Hotel, 232 Oxford Street.*

Item I507: *Front fence and garden, “Westgate House”—Landscape, 17–19 Oxford Street.*

Item I208: *Mansion, “Westgate House”, 17–19 Oxford Street.*

Item C10: *Grafton Street Conservation Area—General*

Item C12: *Mill Hill Conservation Area—General*

Item SHR01384: *Centennial Park, including Federation monument, Superintendent’s residence, park gates, 2 Corinthian columns, 2 statues, 1R Oxford Street; 2R Darley Road; 1 Martin Road*

Item C1: *North Randwick Heritage conservation area*

A detailed impact assessment of the proposed works on the cultural heritage value of the existing Norfolk Pine and heritage items in the vicinity has been undertaken in Section 6 of this report.

1.2. PROPOSED DEVELOPMENT

Specifically, this SSDA seeks development consent for:

Proposed New Works:

Construction of Levels 9 – 16 of the residential towers including Buildings A (Western Tower) and Building B (Eastern Tower) comprising:

- Building A (Western Tower, Residential Levels 9 -13) – with a maximum height of 42.5m
- Building B (Eastern Tower, Residential Levels 9 -16) – with a maximum height of 54.0m
- Communal open space on Level 11 (Building A)
- Plant and lift overrun
- Public Domain Works

Internal fit out of Levels 09 - 16

Proposed Amendments to Existing Parent Development Consent

Internal fit out from Basement Levels 01 - 04

Internal fit out from Ground Level to Level 08

The allocation of 1,708m² of affordable housing on Levels 1,2 and 3 of Building A and Building B

Additional services to overall development including an additional plant area at ground floor and an addition of a second substation

Basement services, including additional parking spaces and updated storage and waste storage areas

Awning over the ground retail along Oxford St and addition of a glazing window to create visual continuation from the neighbouring retail.

Cumulative Development (Existing Parent Development Consent and Subject SSDA)

Construction of a shop top housing development, comprising a podium with ground floor retail, two residential towers (Building A and Building B) as well as four levels of basement parking and associated public domain works.

- The delivery of a total of 11,288m² of GFA.
- 467m² of retail GFA.
- 85 apartments, equating to a total residential GFA of 10,792m² including 1,708m² (17 apartments) of affordable housing GFA.
- 29m² GFA for communal amenities, incl. WC, steam room and sauna

- The apartments will comprise the following mix:
 - 1 bedroom 2 (2%)
 - 2 bedroom 35 (42%)
 - 3 bedroom 48 (56%)
- 4 levels of basement for 138 car parking spaces and 45 motorbike parking spaces, with vehicular access from Osmund Lane.
- Storage areas and services.
- Communal open space and associated landscaping.

1.3. METHODOLOGY & LIMITATIONS

This HIS has been prepared in accordance with the Heritage NSW guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013*.

Site constraints, opportunities and impacts have been considered with reference to the relevant controls and provisions contained within the *Waverley Local Environmental Plan 2012 (Waverley LEP)* and the *Waverley Development Control Plan 2022 (Waverley DCP)*. This HIS is limited to the assessment of built heritage impacts of the proposal. It is beyond the scope of this report to assess the archaeological potential of the subject site or assess any potential archaeological impacts as a result of the proposal. An Archaeological Assessment for the project has been prepared separately by Urbis.

1.4. AUTHOR IDENTIFICATION

The following report has been prepared by Katherine Lee (Consultant). Elanor Pitt (Consultant) assisted with the preparation of the final report. Alexandria Cornish (Associate Director) has reviewed and endorsed its content.

Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

2. SITE DESCRIPTION

2.1. SITE LOCATION

The subject site is located at 194-214 Oxford Street, 2 Nelson Street and part of Osmund Lane, Bondi Junction, within the Waverley Local Government Area (LGA). The site is situated on Gadigal land and within the boundaries of the La Perouse Local Aboriginal Land Council. The site is comprised of multiple allotments and is legally described as:

194-214 Oxford Street:

- Lot 10, 11, 12, 13 & 16 / DP 260116,
- Lot 1 / DP 708295,
- Lot 1 / DP 79947, and

2 Nelson Street:

- Lot 1 / DP 583228.

Part of Osmund Lane (Lot 1 in DP1300781)

- The land size is 2,480m² (2,599.1m² including the land beneath Osmund Lane) with a northern frontage to Sydney Enfield Drive, an eastern frontage to Nelson Street, a southern frontage to Oxford Street and western frontage to York Road.



Figure 1 Location map showing the subject site outlined in red.

Source: OpenStreetMap 2024, Urbis overlay



Figure 2 Location map showing the subject site outlined in red.

Source: Nearmap 2024, Urbis overlay

2.2. SURROUNDING CONTEXT

The immediate urban context surrounding the site is characterised by a mix of commercial, retail, residential, and recreational land uses with Centennial Park located to the west and south-west of the site.

The site is in proximity to the Bondi Junction shopping and transport hub to the east, comprising Bondi Junction Westfield Shopping Centre, a pedestrian shopping mall and Bondi Junction Train Station. The site is located within the Western Precinct of Bondi Junction. The site is closely located to two (2) bus stops recognised as ID 202260 'Oxford St before York Rd' approximately 57m from the site and ID 202238 'Oxford St after York Rd' approximately 96m from the site. The site is in proximity to the Bondi Junction Train Station being within 800m from the site (5-minute walk). The subject site is located on the northern side of Oxford Street at the intersection of Tok Road, Syd Einfeld Drive and Oxford Street in the Waverly local government area in Sydney's eastern suburb. It is located 6 kilometres east of the Sydney central business district. The site is located at the junction of the Randwick, Woollahra and Waverley local governments.

The area within Bondi Junction is generally low to medium density, with the streets immediately adjacent to the site consisting of both one and two-storey commercial buildings and attached residential dwellings. The subject site is bordered by two major roads, with and Syd Einfeld Drive separated from the site with a concrete noise barrier.

The site also faces towards the Transdev Bus Depot and Centennial Park, which is a large public greenspace to the south-west. The site has views to greenery in all directions, with several established trees and shrubs bordering the site including a mature Norfolk Pine. Further to the north, there are a series of multistorey residential buildings under construction.

The subject site is directly adjacent to eight attached two-storey commercial buildings which face onto Oxford Street. These buildings are not heritage significant items but generally match the character of the area, being of brick construction and constructed in the early 20th century. These buildings also interface with the subject site to the rear, sharing access to Osmund Lane. The subject site is also located directly across from the heritage listed Nelson Hotel (Item I213), which faces onto the corner of Nelson and Oxford Street. The Nelson Hotel is also a two-storey brick construction building, with a prominent awning and early 20th century decorative elements. To the north, the subject site has view of both heritage items 'Westgate House' Mansion (Item I208) and the Waverly Bus Depot Building (Item I224), both of which face onto Oxford Street.



Picture 1 View from site to north-west on Nelson Street

Source: Google Street View, 2024



Picture 2 View from site to west on corner of Nelson and Oxford Street

Source: Google Street View, 2024



Picture 3 View from site to North on Oxford Street

Source: Google Street View, 2024



Picture 4 View from site to West on Oxford Street

Source: Google Street View, 2024



Picture 5 View from site to south-west on Oxford Street and York Road

Source: Google Street View, 2024



Picture 6 View to the south-east to the rear of the site on Syd Einfeld Drive

Source: Google Street View, 2024

2.3. SUBJECT SITE DESCRIPTION

The subject site consists of two irregular shaped lots, including Lot 10, 11, 12, 13 & 16 / DP 260116194, Lot 1 / DP 708295, and Lot 1 / DP 79947 at 214 Oxford Street, and Lot 1 / DP 583228 on 2 Nelson Street. The main frontages of the site are Oxford Street to the south, and Nelson Street to the east. The two series of lots are bisected by Osmund Lane, which provides vehicular and pedestrian access from Nelson Street.

The lot at 2 Nelson Street contains a local landscape heritage item I506 'Norfolk Pine-Landscape'. The remainder of the site has recently been demolished in accordance with the existing development consents.

The site will be progressively developed under the existing approvals and the remaining works will be the subject of this application.

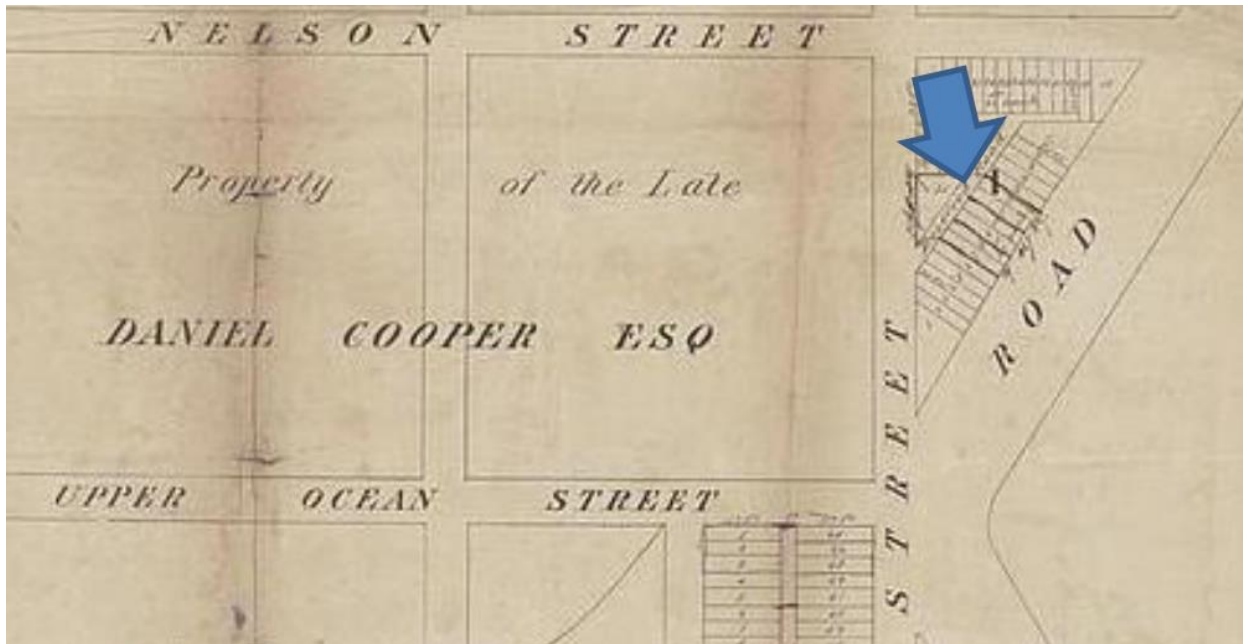


Figure 3 Aerial diagram showing the subject site outlined in red. Source: Nearmap 2024, Urbis overlay

3. HISTORICAL OVERVIEW

3.1. AREA HISTORY (POST EUROPEAN SETTLEMENT)

Captain John Piper was granted a substantial amount of land east of Sydney in the early 19th century. However, much of this was lost to Daniel Cooper and Solomon Levy in March 1830 after Piper experienced financial hardship¹. The Point Piper Estate was subdivided in 1844 however this ceased after Coopers death nine years later.



Picture 7 Detail plan of upper Paddington 1850 – 1857 showing the subdivision of the site

Source: National Library of Australia F 353 Map

The earliest development in Bondi Junction was concentrated around South Head Road. The street was constructed in 1811 by soldiers of the 73rd Regiment. The land boom of the 1880s pressure for residential sites saw subdivision of the lands within the Cooper Estate to the north of Oxford Street by the Australian Land Company on behalf of Daniel Cooper III. The development of Bondi Junction became evident after the tramway was completed in 1881.

¹ Marjorie Barnard, 'Piper, John (1773–1851)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/piper-john-2552/text3449>, published first in hardcopy 1967, accessed online 20 November 2014.



Picture 8 Metropolitan Detail Series Maps – Woollahra 1887 Sheet 10

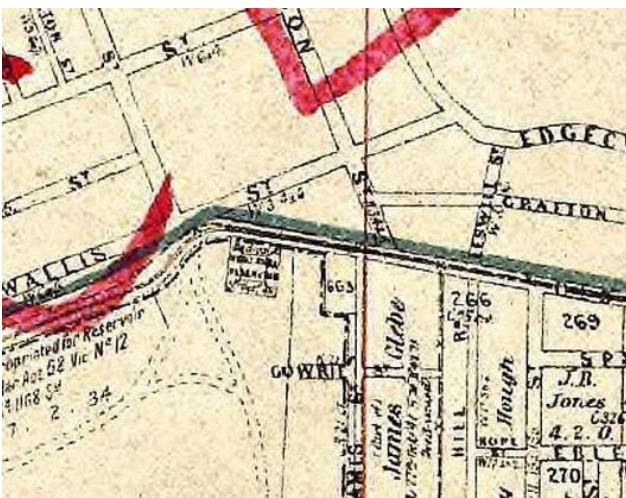
Source: State Library of New South Wales 2014

3.2. HISTORIC DEVELOPMENT OF OXFORD STREET

South Head Road, completed in May 1811, later became known as Oxford Street gradually by four different local governments. The section on which the subject site is located (between Jersey Road and Bondi Junction) was renamed in 1901. It was described as a 'beautiful avenue of recreation, either as a pleasant ride or promenade' which had been carved out of 'a wild and almost impenetrable scrub.'

The subject site is at the juncture of Woollahra Waverley and Randwick Councils and originally 194-200 Oxford Street was part of the Woollahra local government area as late as the last Sands Directory of 1932-33.

3.3. HISTORIC DEVELOPMENT OF NELSON STREET



Picture 9 Parish of Alexandria Eastern Division Map

Source: Land Titles, 1900



Picture 10 1943 Aerial Map showing subject site

Source: Sixmaps, 2025

4. HERITAGE SIGNIFICANCE

4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before undertaking change a listed heritage item, a property within a heritage conservation area, or a property located in proximity to a listed heritage item, it is important to understand the heritage values of the place and its broader heritage context.

This understanding will underpin the approach to any proposed changes and identify what is important and why, and how these values can be protected. Statements of heritage significance summarise the heritage values of a listed heritage item – why it is important and why a statutory listing was made to protect these values.

4.2. HERITAGE LISTINGS

4.2.1. Subject Site Heritage Listings

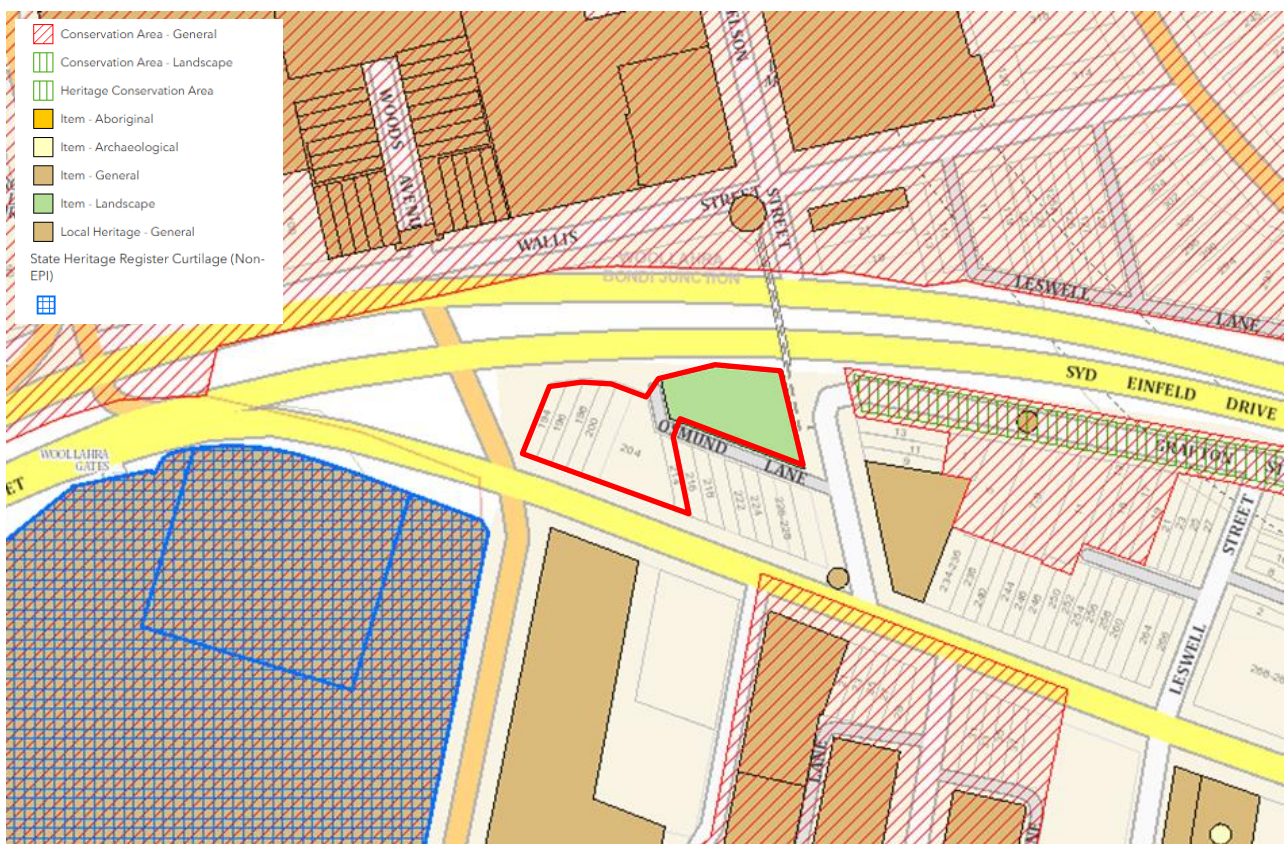


Figure 4 Heritage map showing the subject site outlined in red.

Source: NSW Planning Portal ePlanning Spatial Viewer

The site is not situated within the boundaries of any Heritage Conservation Area (HCA).

The site contains a heritage item which is listed under Schedule 5 of the Waverley LEP 2012, being Norfolk Island Pine—Landscape at 2 Nelson Street (Local Significance, I506).

4.2.2. Vicinity Heritage Listings

The subject site is located within the vicinity of the following heritage items and HCA Areas:

Item I224: *Bus Depot/Waverley Tram Depot building*, 1–15 Oxford Street.

Item I213: *Nelson Hotel*, 232 Oxford Street.

Item I507: *Front fence and garden, "Westgate House"—Landscape*, 17–19 Oxford Street.

Item I208: *Mansion, “Westgate House”, 17–19 Oxford Street.*

Item SHR01384: *Centennial Park, including Federation monument, Superintendent’s residence, park gates, 2 Corinthian columns, 2 statues, 1R Oxford Street; 2R Darley Road; 1 Martin Road – note that this item is listed under the Randwick LEP 2012;*

Item C10: *Grafton Street Conservation Area—General*

Item C12: *Mill Hill Conservation Area—General*

Item C1: *North Randwick Heritage conservation area – note that this HCA is listed under the Randwick LEP 2012.*

4.2.3. Summary of Heritage Listings

The following statutory heritage listings apply to the subject site and the surrounding area:

Table 3 Statutory Heritage Listings

Heritage List	Item Name	Item Number	Relationship to site
<i>Waverley Local Environmental Plan 2012, Schedule 5</i>	Norfolk Island pine - Landscape	I506	Within
	Bus Depot/Waverley Tram Depot building	I224	Vicinity
	Front fence and garden, “Westgate House” – Landscape	I507	Vicinity
	Mansion, “Westgate House”	I208	Vicinity
	Nelson Hotel	I213	Vicinity
	Mill Hill Conservation Area - General	C12	Vicinity
	Grafton Street Conservation Area—General	C10	Vicinity
<i>Randwick Local Environmental Plan, 2012.</i>	North Randwick Conservation Area	C1	Vicinity
NSW State Heritage Register under the <i>Heritage Act 1977</i>	Centennial Park, including Federation monument, Superintendent’s residence, park gates, 2 Corinthian columns, 2 statues	SHR01384	Vicinity
NSW State Agency Section 170 Heritage and Conservation Register under the <i>Heritage Act 1977</i>	N/A	-	-
Commonwealth Heritage List under the <i>Cwlth Environment Protection and Biodiversity Conservation Act 1999</i>	N/A	-	-
Australia’s National Heritage List under the <i>Cwlth Environment</i>	Sydney Cultural Crescent Rock Art (NSW) <i>Under assessment until 30/06/2025</i>	-	Vicinity

Heritage List	Item Name	Item Number	Relationship to site
Protection and Biodiversity Conservation Act 1999			
UNESCO World Heritage List (incl Buffer Zones)	N/A	-	-



Picture 11 Waverley Tram Depot Building, I224

Source: Flickr, May 2012



Picture 12 The Nelson Hotel, I213

Source: Graham, John 2009



Picture 13 Norfolk Island pine tree (I506) along the eastern boundary of the site

Source: Waverley Council Archives



Picture 14 Westgate House, 1979

Source: Waverley Council Archives



Picture 15 Centennial Park - Federation monument

Source: Centennial Park and Moore Trust, 2020



Picture 16 Centennial Park – Woollahra Gates

Source: Centennial Parklands Foundation

4.3. SIGNIFICANCE ASSESSMENT

There are generally four levels of heritage significance used in Australia: local significance, state significance, national significance and world significance. The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. To be considered for heritage listing for local significance, an item must meet at least one of the seven assessment criteria. To be considered for heritage listing for state significance, an item must meet at least two of the seven assessment criteria, or be considered by the Heritage Council of NSW to be of such particular significance under one criterion to warrant listing.

The following statements of significance have been provided alongside the vicinity item’s listing to determine whether the subject site meets the requisite threshold for heritage listing and at what significance level.

4.4. STATEMENTS OF SIGNIFICANCE

4.4.1. Subject Site Statement of Significance

There is no statement of significance currently available for the item within the subject site, the Norfolk Island pine (LEP # I506). The item is identified as being of local significance on the Waverley LEP 2012. The Norfolk Island pine (LEP # I506) is considered to be of local historical, aesthetic and representative significance.

4.4.2. Nearby Heritage Item Statements of Significance

The following table outlines the established statements of significance for relevant heritage items in the vicinity of the subject site.

Table 4 Vicinity Heritage Item Statements of Significance

Vicinity Heritage Item	Established Statement of Significance
Bus Depot/Waverley Tram Depot building	There is no statement of significance for this item. The item is of local significance.
Front fence and garden, “Westgate House” – Landscape	There is no statement of significance for this item. The item is of local significance.
Mansion, “Westgate House”	Impressive Late Victorian villa. One of the few in the area to survive with its essential curtilage more or less intact. Remains essentially unaltered. Local significance.

Vicinity Heritage Item	Established Statement of Significance
Nelson Hotel	There is no statement of significance for this item. The item is of local significance.
Centennial Park, including Federation monument, Superintendent's residence, park gates, 2 Corinthian columns, 2 statues	<p>Centennial Parklands is a unique place of exceptional National, State and Local heritage significance. It is a grand, linked open space of largely nineteenth-century landscape design intended for social and physical activity.</p> <p>The Parklands has developed at the head of the Botany Bay catchment in an area originally part of the territory of the Gadi people on lands designated in 1811 as the Sydney Common. The Parklands retains evidence of the original landforms and plays a vital role in sustaining natural processes and biological diversity on a scale that is rare in the inner urban environment.</p> <p>The Parklands has national significance as the place of the inauguration of the nation, the creation of a People's Park, events, persons and monuments of national importance. The place also has strong associations with convict heritage, pathways and transportation routes, water supply, horticultural and agricultural experimentation, nature conservation, military use, and a diversity of sport, recreation and cultures.</p> <p><i>Summary of Natural Heritage</i></p> <p>Centennial Parklands retains rare evidence of the original geodiversity, biodiversity, and ecosystems of the area known today as the eastern suburbs of Sydney. The natural basin in which the Parklands is situated retains its hydrological and ecological function as the head of the Botany Bay catchment. The waterbodies and vegetation in the Parklands continue to provide rare habitat for a wide diversity of indigenous flora and fauna within a highly urbanised area.</p> <p>The Parklands provides habitat for rare and threatened species and contains remnants of an endangered ecological community, Eastern Suburbs Banksia Scrub, which covered much of the area prior to European contact. The natural significance of the Parklands underpins its value to current and future generations and to the regional environment.</p> <p><i>Summary of Indigenous Heritage</i></p> <p>Today's Parklands forms a part of a complex of Indigenous places used as a natural resource for social, ceremonial and subsistence purposes in the pre-colonial and post-contact periods.</p> <p>The traditional Gadigal cultural landscape included a detailed knowledge of the land and resources of today's Parklands, which allowed the Gadi people as custodians to manage them</p>

Vicinity Heritage Item	Established Statement of Significance
	<p>and look after them properly. In return the land looked after the Gadi.</p> <p>The springs, wetlands and remnant vegetation that can still be found in the Parklands today continue to represent an important biological resource which would have been a useful source of fresh water, plants and animals through the generations. It is therefore probable that the Gadi people used the area for camping, food collecting and other activities in the pre-colonial period. Known associations during the post-contact era include camping and food collecting visits, employment, military activities, sport, cultural events and leisure.</p> <p>The maintenance of ongoing spiritual and other associations with Country continues to be important to Indigenous Australians who wish to care for this place as a cultural landscape.</p> <p><i>Summary of Cultural Heritage</i></p> <p>Centennial Parklands is highly valued for its space, scale, beauty and grandeur and for the rarity and diversity of its Natural, Indigenous and Cultural heritage. For many individuals, groups and the community as a whole, Centennial Parklands is a cultural landscape that continues to play an important and vital role in personal and social histories.</p> <p>The place retains significant associations with the development of the early colony of NSW, the establishment and design of parks and gardens for the public good, and prominent events. These include the Centenary and Bicentenary of the establishment of the NSW colony, inauguration of the Commonwealth of Australia in 1901, the 2000 Olympic Games, the Paralympics and the Centenary of Federation celebrations in 2001.</p> <p>Centennial Parklands is highly significant for its leisure and sporting heritage. The individual parks that make up the Parklands were specifically established to cater for public recreation and have been an important social and recreational resource for over a century.</p> <p>Centennial Parklands now receives millions of visits annually, attracting people from surrounding residential areas, the wider Sydney region and beyond. The Parklands provides a unique area of open space that supports a diversity of activities that are rare in an inner urban area (Conybeare Morrison, 2005).</p>

5. THE PROPOSAL

The proposed scheme includes the development of two shop top housing with infill affordable housing buildings, Building A and Building B, comprising of 13 storeys and 16 storeys respectively. The development will also include a four-storey basement below ground.

At ground level, the buildings will include several spaces for retail use, as well as hardscaping on Osmund Lane for vehicular access to the basement, and new landscaping around the edges of the site. The buildings retain a two-storey podium to the street in keeping with existing building heights in the streetscape, and the podium is set back from the street to no improve pedestrian and cyclist amenity.

The proposed residential towers have been designed to reduce visual bulk within the streetscape. Both buildings will have curvilinear floor plans and facades which reference the colours and materials of the traditional character of the brick buildings in the surrounding area. The proposed design employs the use of expressed balconies and glazed balustrades around the majority of the façade, ensuring that the tower forms are broke up and not visually 'heavy'. The floor slabs expressed on each level are proposed to become thinner towards the top of the towers to achieve this outcome.

The proposed scheme also includes rooftop greenery on both towers to further enhance the streetscape presence of the towers, which responds to the established greenery present both on site and in the surrounding heritage items, such as Centennial Park (SHR01384) and Westgate House Garden (I507).

Urbis has been provided with drawing documentation prepared by SJB Architecture and dated 28 February 2025. A list of the relevant plans and elevations from the architectural drawing set is provided in Table 5 below. This HIS has relied on these plans for the impact assessment included in Section 6.

Table 5 List of relevant architectural drawings prepared by SJB Architects, dated 28 February 2025.

Date	Drawing No.	Name	Series
28.02.2025	DA-1000	GA_BASEMENT 04	Plans
28.02.2025	DA-1001	GA_BASEMENT 03	Plans
28.02.2025	DA-1002	GA_BASEMENT 02	Plans
28.02.2025	DA-1012	GA_LEVEL 01	Plans
28.02.2025	DA-1003	GA_BASEMENT 01	Plans
28.02.2025	DA-1011	GA_GROUND FLOOR PLAN	Plans
28.02.2025	DA-1013	GA_LEVEL 02	Plans
28.02.2025	DA-1014	GA_LEVEL 03	Plans
28.02.2025	DA-1015	GA_LEVEL 04	Plans
28.02.2025	DA-1016	GA_LEVEL 05	Plans
28.02.2025	DA-1017	GA_LEVEL 06	Plans
28.02.2025	DA-1018	GA_LEVEL 07	Plans
28.02.2025	DA-1019	GA_LEVEL 08	Plans
28.02.2025	DA-1021	GA_LEVEL 10	Plans
28.02.2025	DA-1022	GA_LEVEL 11	Plans

Date	Drawing No.	Name	Series
28.02.2025	DA-1023	GA_LEVEL 12	Plans
28.02.2025	DA-1024	GA_LEVEL 13	Plans
28.02.2025	DA-1025	GA_LEVEL 14	Plans
28.02.2025	DA-1026	GA_LEVEL 15	Plans
28.02.2025	DA-1020	GA_LEVEL 09	Plans
28.02.2025	DA-1027	GA_LEVEL 16	Plans
28.02.2025	DA-1028	GA_LEVEL 17	Plans
28.02.2025	DA-1029	GA_ROOF PLAN	Plans
28.02.2025	DA-1401	ELEVATION-NORTH	Elevations
28.02.2025	DA-1402	ELEVATION-EAST	Elevations
28.02.2025	DA-1501	SECTION-A	Sections
28.02.2025	DA-1502	SECTION- B	Sections
28.02.2025	DA-1403	ELEVATION-SOUTH	Elevations
28.02.2025	DA-1404	ELEVATION-WEST	Elevations
28.02.2025	6289-DA-1424	ELEVATION_BLD A_PODIUM EAST	Elevations
28.02.2025	6289-DA-1425	ELEVATION_BLD B_PODIUM SOUTH	Elevations
28.02.2025	6289-DA-1426	ELEVATION_BLD B_PODIUM WEST	Elevations
28.02.2025	6289-DA-1428	ELEVATION_BLD B_PODIUM EAST	Elevations

6. IMPACT ASSESSMENT

The following impact assessment has assessed the proposed works against the relevant provisions and controls of the Council's statutory and non-statutory planning controls as well as the Heritage NSW 'Statement of Heritage Impact' assessment guideline questions.

6.1. STATUTORY CONTROLS

The table below provides an impact assessment of the proposal against the relevant clause for heritage conservation in the Waverley LEP 2012.

Table 6 Impact assessment against the relevant clauses of the Waverley LEP 2012.

Clause	Response
<p>5.10 Heritage conservation</p> <p><i>Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.</i></p> <p>(1) Objectives The objectives of this clause are as follows:</p> <p><i>(a) to conserve the environmental heritage of Kuring-gai,</i></p> <p><i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p><i>(c) to conserve archaeological sites,</i></p> <p><i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p>It is considered that the proposed works have been designed in accordance with the objectives set out in the WLEP 2012. Refer to the sub-section below for a detailed assessment.</p>
<p>(2) Requirement for consent</p> <p><i>Development consent is required for any of the following:</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p> <p><i>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</i></p>	<p>The site is not situated within the boundaries of any Heritage Conservation Area (HCA).</p> <p>However, the site contains a heritage item which is listed under Schedule 5 of the Waverley LEP 2012, being Norfolk Pine—Landscape at 2 Nelson Street (local significance, I506).</p> <p>Additionally, the site is located in the vicinity of a HCA and a number of heritage items. As such, this Heritage Impact Statement is required to assess the impact of the proposed works on the identified heritage significance of the Norfolk Pine and the heritage listed items in the vicinity.</p>

Clause	Response
<p>(c) <i>disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</i></p> <p>(d) <i>disturbing or excavating an Aboriginal place of heritage significance,</i></p> <p>(e) <i>erecting a building on land:</i></p> <p>(i) <i>on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p>(ii) <i>on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</i></p> <p>(f) <i>subdividing land:</i></p> <p>(i) <i>on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p>(ii) <i>on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</i></p>	
<p>(4) Effect of proposed development on heritage significance</p> <p><i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i></p>	<p>A detailed heritage impact assessment has been undertaken in the following sections of this report. The proposed development has been assessed to have an acceptable impact on the items in the vicinity of the site.</p>
<p>(5) Heritage assessment</p> <p><i>The consent authority may, before granting consent to any development:</i></p> <p>(a) <i>on land on which a heritage item is located, or</i></p> <p>(b) <i>on land that is within a heritage conservation area, or</i></p> <p>(c) <i>on land that is within the vicinity of land referred to in paragraph (a) or (b),</i></p>	<p>This report has been prepared in response to this provision. The individual items of works have each been set out and assessed in detail in the subsections below.</p>

Clause	Response
<i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i>	

6.2. WAVERLEY DEVELOPMENT CONTROL PLAN 2022

The table below provides an impact assessment of the proposal against the relevant controls for heritage conservation in the Waverley DCP.

Table 7 Impact assessment against the relevant controls of the Waverley DCP

Control	Response
PART E SITE SPECIFIC DEVELOPMENT	
E1 BONDI JUNCTION	
1.6 HERITAGE AND BUILDINGS OF HISTORIC CHARACTER	
1.6.1 Buildings of historic character	
<p><i>(b) Where a facade cannot be retained the new buildings are to interpret the scale, facade modelling including the location and percentage of glass to solid wall and the vertical and horizontal proportions of the existing building.</i></p> <p><i>(c) Where the building form, detailing or use of individual buildings of historic character have been inappropriately altered and changed, any application to upgrade or re-use the buildings must clearly demonstrate that the architectural and streetscape value of the building will be enhanced by the proposal.</i></p> <p><i>(d) Any application to demolish an identified building of historic character must clearly demonstrate that a replacement building will possess equal or higher quality contributory value regarding streetscape, character, architectural design and material quality.</i></p> <p><i>(e) New development adjacent to buildings of historic character must have facades sympathetic in vertical and horizontal proportions and alignments.</i></p> <p><i>(f) New buildings adjacent to buildings of historic character or heritage items should display</i></p>	<p>The proposed development has an expressed podium element which responds to the scale of the podiums retained below other high-density developments along Oxford Street, and to the scale of the early shop top developments generally. The podium elements are appropriately contemporary, however, have been designed to minimise visual bulk. Specifically, the marriage of the podium levels with the tower forms – which have the potential to be visually heavy – has been adequately resolved through the introduction of larger openings at the ground-floor level. These openings create a fine grain division within the podium which are a highly contemporary interpretation of the fine grain pattern of development further east.</p> <p>The buildings to be demolished represent pedestrian examples of late 19th century/early 20th century development. The fabric of these buildings has been degraded, and their settings have been substantially impacted by the construction of the Syd Enfield Drive. The replacement development would substantially improve the setting of the proximate heritage items and conservation areas in terms of presentation and public domain access. The new buildings are of a high quality and were designed subject to a design excellence competition and site specific DCP. The new</p>

Control	Response
<p><i>proportions respectful of and build upon proportions similar to adjoining streetscape and forms.</i></p> <p><i>(g) New buildings adjacent to buildings of historic character or heritage items should draw on the predominant pattern of the streetscape. They are to be open & glazed at street level, have emphasis toward a singular enclosed building form at upper levels and be capped by a lighter more articulated element.</i></p>	<p>buildings are appropriately open and glazed at street level. The retail spaces on the ground floor are appropriate in the context of similar developments along Oxford Street. The floor slabs expressed on each level in the tower become thinner to the top of the tower. Therefore, the tower appears lighter on the higher levels in response to provision (g).</p>
<p>Height</p> <p><i>(j) Match the streetscape proportions and scale of the heritage or contributory building facade.</i></p> <p><i>(k) The height of the building at the facade shall take into consideration existing parapets and other facade details of established surrounding development.</i></p> <p><i>(l) The height of awnings of heritage or contributory building should correspond to the surrounding area.</i></p>	<p>The existing high density, mixed character of the outlook from the proximate conservation areas would remain essentially unchanged as the development would be in keeping with existing high density residential development to the north of Oxford Street. Even so, the development is appropriately divided into two separate forms and each form is well articulated such that the development is not unduly visually dominant in the context of the streetscape or the heritage items in the vicinity.</p> <p>The proposed development has an expressed podium element which respond to the scale of the podiums retained below other high-density developments along Oxford Street and to the scale of the early shop top developments generally.</p>
<p>Materials</p> <p><i>(m) Ensure there is a positive integration of contemporary prefabricated building materials. Using materials similar to or compatible with the existing context (generally rendered or painted masonry).</i></p>	<p>The external forms of the buildings have been resolved in a highly considered manner. The masonry is sympathetic to the character of surrounding, traditional development (including heritage items), while its use to create an external 'frame' at the upper levels has allowed for it to not appear overly heavy.</p> <p>The 'lightness' of the brick would be enhanced through the use of three different colours of brick (darker to lighter, top to bottom), which would allow the tall-scale form to become increasingly recessive as it increases in height.</p>
<p>1.6.2 Streets with Heritage and Buildings of Historic Character</p>	
<p><i>(a) Buildings on lots with frontages identified in Figure 9 are to have a 2-3 storey façade along the street and are to be built to the street alignment.</i></p>	<p>The proposed separate podium which is located within the historic character zone on Oxford Street frontage indicated in Figure 9 includes a two-storey podium level, which aligns with the height of the</p>

Control

Figure 9 Street Frontage in streets with heritage



Source: Waverley DCP 2022

Figure 13 Setbacks from the street: buildings in street with heritage

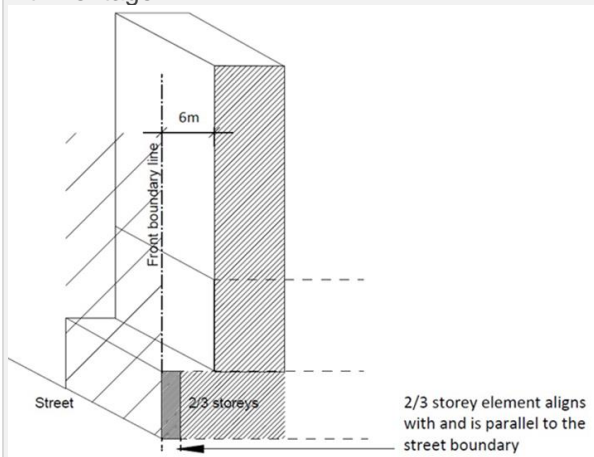


Figure 14 Setbacks from the street – buildings in streets with heritage

Source: Waverley DCP 2022

Response

existing adjacent building forms and their setbacks from the street.

- (b) *Balconies to the street facade are to be recessed behind the principle building facade.*
- (c) *Open spaces and external building forecourts at street level are discouraged on streets with heritage buildings.*

The proposed residential towers in the new development are positioned outside of the historic street character zones shown on Figure 9, however, the balconies and tower forms are set back from the podium level on the Oxford Street frontage.

6.3. HERITAGE NSW GUIDELINES

The table below provides an impact assessment of the proposal against the relevant questions posed in Heritage NSW's (former Heritage Office/Heritage Division) 'Statement of Heritage Impact' guidelines.

Table 8 Impact assessment against the relevant Heritage NSW Guideline Considerations

Provision	Response
<p><i>Will the proposed works be the best conservation solution for the heritage item?</i></p>	<p>The proposed works will retain the Norfolk Island pine tree located on the site and avoid any new development in the location. Retaining the tree as a part of the landscaping of the site is the best conservation solution for the tree, rather than moving or entirely removing the tree.</p>
<p><i>Will the works promote the ongoing use and upkeep of the item?</i></p>	<p>The proposed works will promote the ongoing upkeep of the Norfolk Island pine tree as it will be maintained as part of the overall landscaping to be provided in the scheme.</p>
<p><i>Do the proposed works affect the setting of the heritage item, including views and vistas to and from the heritage item and/or a cultural landscape in which it is sited? Can the impacts be avoided and/or mitigated?</i></p>	<p>The proposed works include the construction of two new multistorey towers which are 13 storeys and 16 storeys. The proposed towers will affect the setting of the Norfolk Island pine tree heritage item, as it will be only partially visible from the north and north-west of Oxford Street. Impacts to views of the Norfolk Island pine have been mitigated by setting back the proposed 13 storey tower from the site boundary on Nelson Street, which will allow for views to the tree from the north to be retained.</p>
<p><i>Are the proposed works part of a broader scope of works?</i></p> <p><i>Does this proposal relate to any previous or future works? If so, what cumulative impact (positive and/or adverse) will these works have on the heritage significance of the item?</i></p>	<p>The proposed works are part of a broader scope of works, which included the prior de-listing and demolition of the former heritage items within the western section of the site, and the increase of the allowable heights of buildings, under a variety of planning application and development applications (e.g. PP-2020-315, RR-2020-70). These works have been previously assessed and found to be appropriate from a heritage perspective because of the degradation of the setting of the former heritage items, and because the proposal relates to a context which is of a changing character and which constitutes a gateway into Bondi Junction.</p> <p>The proposed encroachment on the curtilage and setting of the local heritage item, Norfolk Island pine (LEP # I506), in combination with the previous de-listing and demolition of the former heritage items within the subject site, results in a cumulative direct and indirect impact on the heritage significance of the site and its setting. However, as</p>

Provision	Response
	<p>the proposed towers would be set back from the tree, the Norfolk Island pine (LEP # I506) would remain a prominent part of the setting of the site as viewed from Nelson Street.</p> <p>The proposed replacement of the existing low scale buildings with mid-rise buildings would be a part of a larger scale redevelopment of the Bondi Junction area, including other Major Planning shop top projects, such as the 'Shoptop housing with infill affordable housing, Oxford Street, Bondi Junction' project at 362-374 and 376-384 Oxford Street, Bondi Junction (SSD-71481718). The gradual replacement of low-rise buildings with mid-rise buildings will continue to encroach the generally low-rise heritage setting of the surrounding area.</p>
<p><i>Has the applicant checked if any other approvals or a separate process to evaluate the potential for impacts is required?</i></p>	<p>N/A</p>
<p><i>If the proposed works are to a local heritage item, are the requirements of the development control plans or any local design guidelines that may apply to the site considered?</i></p>	<p>Yes, refer to the impact assessment included at Section 6.2 of this report.</p>
<p><i>Will the proposed works result in adverse heritage impact? If so, how will this be avoided, minimised or mitigated?</i></p>	<p>The proposed works will not result in any adverse impact to the heritage significance of the existing Norfolk Island pine tree, other than impacts to the views from Oxford Street as discussed above.</p>
<p>New landscape works and features</p> <p><i>How has the impact on the heritage significance of the existing landscape been minimised?</i></p> <p><i>Do the proposed works impact views to, from and within adjacent heritage items?</i></p>	<p>See sections above.</p>
<p>Works adjacent to a heritage item or within the heritage conservation area (listed on an LEP)</p> <p><i>Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?</i></p> <p><i>Will the proposed works affect views to, and from, the Interpretation heritage item? If yes, how will the impact be mitigated?</i></p> <p><i>Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?</i></p>	<p>The proposed works are occurring on a site with several heritage items and conservation areas in the vicinity. The proposed works will not affect the heritage significance of any adjacent heritage items, as the subject site where the development is occurring is not directly adjacent to lots containing any heritage items or conservation areas.</p> <p>The proposed works will not affect views to any adjacent heritage items, as the subject site previously had several two-storey buildings situated to the north and west of the site, which blocked any potential view corridors towards the Nelson Hotel</p>

Provision	Response
	<p>from either the north or the west. Additionally, there are no significant views towards Westgate House and Westgate House Garden and Fence, Centenary Park, or the Bus Depot from the north or east of the site as these were already blocked by the aforementioned previous two-storey buildings, or by the concrete barriers which flank Syd Einfeld Drive. Further, as the subject site no longer contains any heritage buildings, no views from these heritage items towards the site will be affected.</p> <p>The proposed works will not notably impact the integrity of the streetscape of any heritage conservation areas, as the subject site does not contain, or directly interface with, any heritage conservation areas.</p>

7. CONCLUSION AND RECOMMENDATIONS

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report. The proposed development has been assessed to have an acceptable impact on the subject site, including the Norfolk Island pine tree, and the heritage items in the vicinity. Key aspects of the proposal assessment are listed below:

The subject site includes the heritage item Norfolk Island pine tree (LEP # I506), which is listed as a local heritage item under the Waverley LEP 2012. The proposed scheme includes retention of the Norfolk Island pine tree as a part of the new ground level landscaping design, which will support the ongoing conservation and upkeep of the tree with the continued use of the site.

The proposed design of the residential towers mitigates the reduction of views towards the Norfolk Island pine tree by partially reducing the height of the tower in front of where the tree is located.

The subject site has several heritage items and heritage conservation areas in the vicinity, however none of these items are directly adjacent or interface with the subject site and therefore do not pose a significant risk of impact to these items.

The proposed scheme will be visible in some views from heritage items towards the subject site such as the Nelson Hotel, and Westgate House and Westgate House Garden and Fence. However, there are no identified significant views from these sites that are mentioned in their statements of significance, and there is no longer heritage listed buildings on the subject site that could be viewed from the heritage items. Therefore, there will be no detrimental heritage impacts in terms of views from items in the vicinity.

The existing high density, mixed character of the outlook from the proximate conservation areas would remain essentially unchanged as the development would be in keeping with existing high density residential development to the north of Oxford Street. Even so, the development is appropriately divided into two separate forms and each form is well articulated such that the development is not unduly visually dominant in the context of the streetscape or the heritage items in the vicinity.

Overall, the proposed scheme aims to integrate itself into the streetscape by employing strategies such as using sympathetic materials that reference the brick construction of heritage items in the vicinity, providing a two-storey podium which suits the scale of the surrounding heritage items, and ensuring that the façade is broken up in a way that reduces the visual bulk of the residential towers.

This report concludes that the proposed development is suitable from a heritage perspective and warrants approval subject to the implementation of the following mitigation measures.

RECOMMENDATIONS

A tree management plan is to be developed for the ongoing upkeep of the Norfolk Island pine (LEP # I506) on site, in consultation with an Arborist.

The Norfolk Island pine (LEP # I506) should be protected during all phases of construction using protective fencing or similar, in consultation with an Arborist. No works are to be undertaken in the vicinity of the Norfolk Island pine until the tree is suitably protected. This should be incorporated into the works as a condition of consent.

Following the implementation of the above mitigation measures, the remaining impacts are appropriate and acceptable.

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DISCLAIMER

This report is dated 3 March 2025 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of STARGATE PROPERTY (**Instructing Party**) for the purpose of Assessing heritage impact of development (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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