

Heritage Report

Re: Development Proposal for an eight storey mixed commercial and residential tower at 6 Shadforth St, 13 Gipps St, 142 - 148 and 160 Oxford Street, Paddington

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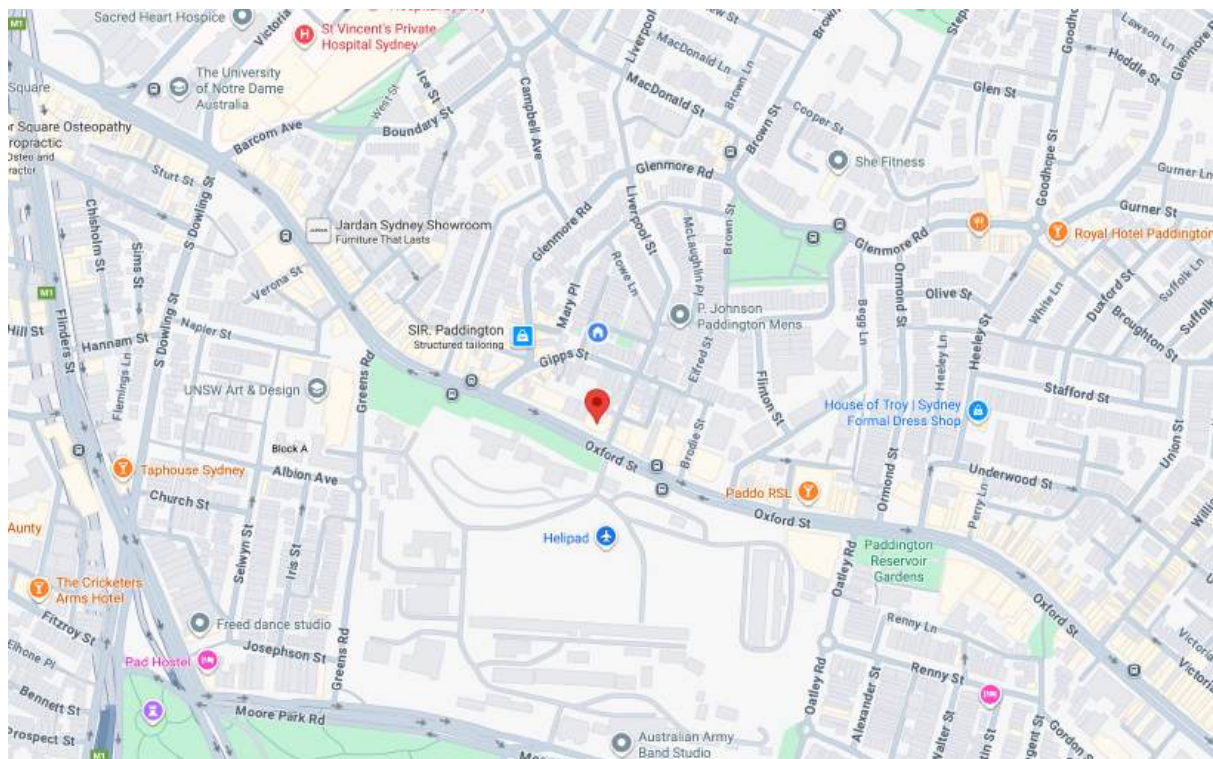
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Table of contents

1.1 Background	3
1.2 Site Location	3
1.3 Methodology	4
1.4 Author Identification	5
1.5 Limitations	5
1.6 The site (Photographic Study)	6
1.7 Description of Little Paddington	6
1.8 History of Paddington	7
1.9 History of Little Paddington	10
2.0 Heritage Significance	10
2.1 NSW Heritage Criteria	10
2.2 Statement of Significance	12
3.0 The Proposal	15
4.0 Conclusion	20
4.1 Appendix of images of immediate area	21



1.1 Background

Andrew Starr and Associates has been requested by the residents of 'The Paddington Village' also known as 'Little Paddington' to prepare a report that address concerns about a proposal for an eight storey tower at 160 Oxford Street Paddington. The proposal is for an intrusive building of unprecedented bulk and scale in the area. It is a proposal that makes heritage impact on The Paddington Village, Victoria Barracks, The Paddington Heritage Conservation area and Oxford Street.

The proposal is being made using direct application to the State Government by-passing a DA process through the Woollahra Council.

The proposal of an eight-storey tower is unprecedented in this area of Paddington. This is demonstrated in the photographic study included in a description of the area. The bulk and scale of the proposal is intrusive and is damaging to the heritage significance of the Paddington Heritage Conservation Area (an area ranging over two councils (Woollahra and the City of Sydney). The height and overlook of the building are detrimental to the security of the Victoria Barracks, an Army Base in operation.

Local residents wish to object to the proposed development.

1.2 Site Location

The subject site of the proposal includes 6 Shadforth St, 13 Gipps St, 142 - 148 and 160 Oxford Street, Paddington. The new eight storey tower fronts Oxford Street. It will overlook 'Little Paddington'.

'Little Paddington' is primarily made up of the Library Subscription Grant 1826, a grant of six acres. On this grant after announcement of the move of the barracks from Wynyard to Paddington, (on part of Sydney Common) the Village was sold off to provide worker's cottages. The present streets were created. The area includes Oxford Street from Glenmore Road to Brodie Street, Gipps Street, Prospect Street, Spring Street, Mary Place, Margaret Lane.

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 behind this report has been guided by the Australia ICOMOS Burra Charter 1999. The report has also been prepared in accordance with Woollahra Council's guidelines on documentation accompanying development applications involving heritage items and conservation areas. The subject site has been assessed in

relation to the controls and provisions contained in the Woollahra Local Environment Plan 2014 and the Woollahra Development Control Plan 2015.

This report considers the heritage significance of the proposal site 6 Shadforth St, 13 Gipps St, 142 - 148 and 160 Oxford Street, Paddington and the impact of the new development upon this significance of the Paddington Heritage Conservation Area. The purpose of this report is to:

- Outline the historical background of the site.
- Describe the locality and its significance.
- Describe the proposed building
- Assess the heritage significance of the site
- Assess the impact of the proposed works upon the heritage significance of the site.
- Assess the impact of the proposed works upon the heritage significance of heritage Conservation area
- Assess the impact of the proposed works upon the heritage significance of the Victoria Barracks.
- Assess the impact of the proposed works upon the heritage significance of Oxford Street.
- To make recommendations about the proposal

1.4 Author identification

This report is prepared by Andrew Starr, Heritage Consultant, Graduate of the University of Sydney, Master of Arts with Merit. Andrew Starr is registered with the New South Wales Heritage Office as a Generalist Consultant. Andrew Starr with partner Janet Morice co-wrote "Paddington Stories", a history of Paddington 1788-2000.

1.5 Limitations

- This SOHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.
- This SOHI relies solely on secondary sources. Primary research has not been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the subject site.
- It is beyond the scope of this report to locate or assess potential or known archaeological sub-surface deposits on the subject site or elsewhere.

- It is beyond the scope of this report to assess items of movable heritage.
- Andrew Starr and Associates Heritage Consultants has only assessed aspects of the subject building/place that were visually apparent and not blocked or closed or to which access was barred, obstructed or unsafe on the day of the arranged inspection.

1.6 The Site

The site contains a number of buildings constructed at various times.

6 Shadforth St, Paddington

A small freestanding brick cottage of two levels built in the 1970. The house has a car stand in a front courtyard beside a garden space. It has a brick wall that screens the front façade from view. The brick is unpainted with rusticate randomly positioned. It is designed to make reference to the area in terms of bulk and scale. The house owned by an elderly resident has dilapidated to an extent, but the defects are rectifiable.

13 Gipps St, Paddington

This is a freestanding brick house constructed in the 1970s. It is on the site of a weatherboard house that was demolished for the infill. Originally unpainted it used a brown brick. The house since its construction has had a front yard enclosed by a paling fence. This house has undergone extensive renovation that retained the facades but made changes to the floorplan. The bricks have been rendered in some areas and painted. Created is a modern house of aesthetic merit. The balcony design is retained as is the front yard. What was once an intrusive infill now makes a significant contribution to the streetscape. The current design was created in consultation with the heritage advisors of the Woollahra Council.

142 - 148 Oxford Street Paddington.

This is a group of 4 townhouses. They have been created to reference the design of Victorian terrace house. The houses have ground floor carparking and two levels. They are setback from the street by a front yard. They have brick fences and sandstone capping and finials on Newell posts.

NOTE:

Under No. 142 Oxford St there is an 1830s cool-room/cellar built at the same time as The Barracks. It has archaeological significance and should not be demolished. This underground disused structure extends beneath the garage at 13 Gipps St and beneath the shared carpark that exists between 142-148 Oxford and 15-21 Gipps St.

Bill Morrison, MD of Conybeare Morrison International and architecture designer, has recommended a specific heritage study. Builder Brad Swanson has observed active groundwater management system in this cellar that requires continuous maintenance.

160 Oxford Street, Paddington

This is a three-level apartment building on the corner of Oxford and Shadforth Street. Built in 1970 it contains 28 studio apartments. Originally brick the street facing facades are rendered and painted. Some adjustments have been made to street-facing

fenestration, apartments are accessed by stairs at the rear. The building has a horseshoe shape. There is carparking under and beside the building.

1.7 Description of 'Little Paddington'

'Little Paddington' was the first area in the suburb to be developed as a density dormitory precinct as the rest of the area consisted of bushland or large estates. The village is within the apex of a triangle formed by the junction of Glenmore Road and Oxford Street. It consists of the old Georgian style houses that still remain on Gipps, Shadforth, Spring, and Prospect Streets. The village could also be seen to take in a larger area, as the Village is not defined by architectural purity. Oxford Street, Glenmore Road and Mary Place where they border this small area are also considered part of the village, though they are of diverse architectural style. 'Little Paddington,' because of the narrow streets, can be entered from Oxford Street via Shadforth Street and from Liverpool Street. Gipps Street is blocked by bollards at the top of Gipps Street. Most streets are one way and parking is limited. The northern end of Prospect Street is a cul-de-sac and is blocked by houses on Mary Place. (Up to the turn of the century Mary Place was used by dairy farmers as a route to bring their cows up the hill to be milked at the local dairy). The southern end of the street contains houses that are of Georgian style on both sides of the road while at the northern end the houses are Victorian.

'Little Paddington' is in close proximity to the city. It is in easy walking distance and is also provided with excellent public transport. It is close to the Victoria Barracks where the first residents worked. 'Little Paddington' also comprises a section of Oxford Street that runs from Glenmore Road to Brodie Street.

'Little Paddington' was established from the 1840s and is associated with Victoria Barracks.

Some significant buildings from this period 1840-1850 include the original Paddington Police Station in Gipps Street.

Cottages 17-33 Gipps Street

Cottages Nos 1-11 Prospect Street

12 Prospect Street

8-14 Shadforth Street

1-3 Shadforth Street

2 Spring Street (possibly a small public house, later a bakery)

Cottages 4-16 Spring Street.

1-5 Spring Street

Later development included terrace houses in Gipps Street, and Prospect Street. Prospect Street contains boom style Victorian terraces and federation terraces.

No houses exceed two storeys.

1.8 History of Paddington

Historical Context

The history of Prospect Street is linked through the Paddington Village to the building of the Victoria Barracks and to the rest of the suburb by the subdivision of the land in the local area. This is reflected in the Georgian, Victorian and Federation housing styles.

The land in the surrounding area was first used by a local aboriginal population as both hunting and camping grounds.

The area in the early nineteenth century was Crown Land. Large grants of land were given to develop farms and businesses. Homes of the new affluent Sydney business class were built in this area in the same grand style as others built in Darlinghurst, Elizabeth Bay, and Potts Point. One of the first and largest of these grants was given to Robert Cooper, James Underwood and William Forbes. Robert Cooper was a gin distiller who built "Juniper Hall" in 1824, hence its name. Juniper Hall is the most intact of the surviving grand houses left in the suburb. There were a great many grand homes in Paddington. They included 'Bradley Hall', 'Lohort', 'Deepdene', 'Olive Bank Villa', 'Engehurst',

Spring Street was the product of a different type of grant. It was part of the Library Subscription grant by Governor Darling. This grant was given to a society to provide a lending library, which was one of the amenities missing from early Sydney. Previously, to compensate for this lack, gentlemen would catalogue their books to lend to each other. A group of such men had tried to establish a lending library. This library was called the Australian Subscription Library. The Library went bankrupt as it only stocked unpopular literature such as sermons or self-improving works. Governor Darling gave a grant of eight acres plus a cash donation. The land at first was of little value and a small Library was built in Gipps Street, but this changed radically when the decision was made to replace the Sydney Army Barracks with a new one in Paddington. In 1840 when work on the barracks commenced, the Library's grant was sold off in very small lots to provide accommodation for the workers, and Gipps Street, Prospect Street, Spring Street and Shadforth Street were established. These four streets made up most of the Paddington Village. The houses in this small area were built in a variety of materials from local stone, brick, or weatherboard. The brick and stone cottages have survived their one hundred and fifty-year history, but the weatherboard houses have generally been lost and the few that survive have had most of their fabric replaced with fibro. The village's location was outside the boundary and jurisdiction of the City Council and was considered to be in the country. It was not until the City of Sydney Improvement Act was passed that an attempt was made to regulate methods of construction and the materials used for building. Paddington was outside the city boundaries, there was no control whatsoever on the construction of buildings. This reduced any restriction on building and lot sizes. The skilled occupants were generally masons and carpenters who often built their own houses.

The Georgian style architecture of the village is a direct inheritance of the architecture of England. However, reason for the high density of housing was that this land was the

only land offered for sale when the Barracks were being built. That these houses have survived 150 years is a testament to the care with which they were built.

Governor Bourke selected the site for the Barracks. The stone needed to build the complex could be quarried on the site. The situation of the Barracks provided views of both Port Jackson and Botany Bay, which was an advantage as they were sites of possible invasion. The building was designed by Lt. Colonel George Barney and was a symbol of the extent and the power of the British Empire. The scale and the design of the complex were an important symbol of power and helped maintain law and order.

The building of the Barracks was a long-term task. Transportation of convicts to New South Wales stopped in 1840 and this had a significant effect on the growth of the Village. Only five thousand convicts were left to meet the entire demands of the colony. The lack of convict labour meant that most of the work had to be done by freemen, with convicts quarrying the stone. The construction was tendered out and the tender was awarded to Brodie and Craig Contractors. This contract was to complete the work within three years.

Brodie and Craig Contractors faced major problems. They did not have enough skilled workers to complete the job at such a fast rate, and the Government did not fulfil its part of the agreement. Part payments not being made caused the contractors to face financial difficulties. Because of this Brodie and Craig did not complete their contract, so, masons and labourers were hired and paid by the week by the government. This arrangement continued until all the building work was complete. Convicts quarried all the stone and prepared the land, and the casually employed masons, carpenters and paviours carried out all the above groundwork. It was these non-contract employees who made up the majority of the population of the Paddington Village.

Brodie and Craig had built some of the initial cottages that made up the Paddington Village. Stores, merchants and water carriers moved to service the workers and later the Barracks itself. The village serviced the Barracks, and the Barracks provided the custom and thus the principle for the village. The land here was not cheap, and this caused the density of the building. The selling of the Australian Subscription Library grant land was the only land that was being sold off in the area. All other land was in the hands of private owners with large estates and also large private gardens. Some of the land was developed for agriculture, but many of the estates had large tracts of bushland.

This left only the eight acres of the library grant to be developed. In 1840 when this land was being sold off it fetched extremely high prices, speculating on what seemed to be a **bright** future for the area. The land especially that faced towards the Barracks on South side was in an excellent location as a speculator could see that this land was on the main thoroughfare to new, yet to be built suburbs to the east.

The crowded nature of the houses in Spring Street would be one which shrank the value of those properties later when the rest of Paddington was open for development. The

majority of the cottages in the Paddington Village were very small indeed. Some were only two rooms.

By the early 1860's these small cottages had become less desirable. New subdivisions were opening up. The Paddington Estate immediately to the east of the Library land was being sold for inflated prices but was sold off in larger lots. This made these lots more desirable. These new blocks of land were often bought by people who lived in the village to improve their accommodation. The older properties were then rented out. This changed the nature of the Paddington Village

Paddington was severely affected by the Depression of the 1890's and had not recovered from its effects by the even more devastating depression of the 1930's. Paddington from the time of the first subdivisions had been largely a rental suburb. The depression of the 1890's made the suburb unfashionable. The suburb was owned mainly by absentee landlords and when tenants were only able to pay minimal rents these landlords stopped maintaining their properties. By the 1930's the suburb had developed the reputation of being a 'slum'. It was not that local houses were unsanitary they were overcrowded.

Many of the neighbouring houses had dirt floors until the 1960's. It was the 1950-60's that changed Paddington. Post war migration brought groups of people to Australia eager to be homeowners. Paddington homes at this time were affordable compared with suburban homes on larger blocks. The trend started by Southern European migrants was taken up by middle class Anglo-Saxons who saw potential in the area. This group has moved into the area, renovated, and has made the area fashionable. Land prices have increased considerably.

The Paddington Village was threatened with demolition in the 1960's and saved from this fate by the actions of The Paddington Society (the first suburban heritage action group in New South Wales).

In the past twenty years real estate value of the area has risen, and the area has become expensive though it still retains a diverse social character. Many of the buildings have been altered, renovated or have been demolished over the past twenty years.

Spring Street, because of its proximity, has a relationship with The City, Showgrounds, Sydney Cricket Ground, Sydney Football Ground, Rushcutters Bay, Trumper Park, White City Tennis Club and the site of the old Sydney Stadium. All these venues were patronised and often serviced by local residents.

References:

- Heritage Study for the Municipality of Woollahra* T. L. Hughes, 1984
- Sydney Sands Directory 1870-1933*
- Paddock Full of Houses* M. Kelly, Sydney, 1978
- Land and Titles Office*

-Sydney City Council Archives
-Woollahra Council Archives
-Identifying Australian Architecture. R. Apperly, R Irving, P. Reynolds
-Historical Notes on Paddington 1961L. G. Norman
-Paddington Stories published Dec 2000. Andrew Starr and Janet Morice
-Renovation, Restoration and heritage values in Prospect Street, Paddington. Masters Thesis Andrew Starr 1998

1.9 History ‘Little Paddington’

The site is part of the Library Subscription Grant made to set up a lending Library for the gentlemen of Sydney. It was granted to Walker, James Mitchell and William Timothy Cape on 24 July 1840. A small library was set up, but the real advantage came to grantees when it was announced that the Barracks would be moved from Wynyard to a section of The Sydney Common in Paddington. Accommodation for worker’s was needed to build the barracks. It was a problem exacerbated by the end of convict transportation to NSW limiting available works. Workers were predominantly Scottish immigrants. The cottages that they lived in were small and some still survive in Shadforth Street, Gipps Street, Spring Street, Mary Place and Prospect Street.

The character of the area was changed by later development. From the 1870s larger two storey terrace houses were developed. The Victorian, filigree and boom Style Terrace was also developed from the 1880s expressing new wealth and prosperity stimulated by gold rushes in NSW and a rapid rise in migration that resulted. There are examples of these terraces in ‘Little Paddington’ in Gipps Street and Prospect Street.

Later in Prospect Street a terrace of single storey Federation houses was built.

Since then, houses have undergone renovation but façade details remain the same and streetscape character that demonstrates the historic development is retained. There are isolated examples of infill houses constructed in the area.

2.0 Statement of Significance

Statement of Heritage Significance

2.1 Assessment Criteria

The following assessment of significance addresses the criteria endorsed by the NSW Heritage Council and is in accordance with the *NSW Heritage Manual* ‘Assessing Heritage Significance’ guidelines. The assessment is based upon the limited historical information, and the inspection of the fabric of the item and the surrounding area.

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

'Little Paddington' has an association with The Victoria Barracks. It was first established as a dormitory suburb for workers and tradesmen working in the construction of the barracks.

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

Originally associated with workers for the Victoria Barracks the area first had associations with Scottish migrants. Throughout its history it has been representative of social change. It was an area where many Maltese immigrants lived from the 1950s to the 1970s. As 'Little Paddington' became increasingly more desirable to the middle class because of its historic character, and a location of convenience and pleasing lifestyle, this group makes up its population now.

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

The 'Little Paddington' area contains a diverse architectural style, but its significance is based on the predominance of Victorian Georgian Style Workers Cottages. These small houses are one of a few areas in Sydney that retain this style of architecture. The area has rarity and this makes it highly significant.

It also contains Victorian terrace houses built in the 1850s-1890.

There is a row of Federation terrace house in Prospect Street.

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.

Does not meet this criterion.

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

'Little Paddington' through the diverse architecture has some potential to provide information on the development in the local area from 1840 till 2025.

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

'Little Paddington' contains rare groups of 1840 cottages.

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 Victorian filigree terraces are representative of the predominant style of Paddington. The Federation terrace is representative of later development close to predominant styles of Enmore, Camperdown and Newtown.

2.2 Statement of Significance

‘Little Paddington’ is significant as the earliest worker’s residential suburb in Paddington. It has an association with The Victoria Barracks as the village was the site of worker’s accommodation and for services to the barracks. The area still contains many of the worker’s cottages which have retained their character. These include:

Nos 1,3,5,7, 9 and 11 Prospect Street.

No. 12 Prospect Street

Nos.2, 4, 6, 8, 10, 12, 14 and 16 Spring Street

Nos 1, 3, 5 Spring Street

Nos. 8,10,12,14,16,20 and 22 Gipps

No. 21 The original Paddington Police Station

Nos. 8,10,12, and 14 Shadforth Street

Nos. 17,15, 19 21 and 23 Shadforth Street

Later Development included a later construction of terrace houses C. 1870 including 23, 25, Gipps Street. 15-19 Gipps St were built 1840-60, as per National Trust assessment.

Some later Victorian Houses were built in Gipps Street and Prospect Street in the 1880s
A Federation Terrace was built in Prospect Street completed in 1905

Significance of Paddington from Woollahra DCP

Paddington is a unique urban area possessing historical, aesthetic, technical and social significance at a National and State level. An important factor in the significance of Paddington is its exceptional unity, encompassing scale, character, history, architecture and urban form.

The built environment of Paddington is an excellent example of the process of 19th century inner city urbanisation of Sydney which was largely completed by 1890. The predominant Victorian built form is an excellent representative example of the phenomena of land speculation and a ‘boom’ building period between 1870 and 1895.

The terraces of Paddington trace the evolution of English Georgian and Regency terrace models into the distinct Australian style evident in the Victorian era terraces. Paddington retains many significant types of buildings that represent all phases of the suburb’s historical development. These building types range from modest, small-scale, single storey timber and masonry cottages, to remnant examples of former gentry mansions, boom style middle-class terrace houses, apartment blocks and contemporary infill development, all of which are set in a varied network of streets, lanes and pedestrian

accessways which reflect the phases of subdivision and development.

Paddington has a multitude of important historical and social associations. It is linked with the early transport routes along South Head Road (Oxford Street) and Point Piper Road (Jersey Road), the construction of Victoria Barracks in the 1840s, the gentry estates, prominent figures of the early colony, the speculative building boom between 1870 and 1890, and the development of Australian tennis at the White City site. Its historical and social associations extend to the periods of occupancy by immigrant groups and minority groups including the Chinese market gardeners, the Jewish community around the turn of the century, the European immigrants in the 1950s and an alternative artistic and intellectual population in the 1960s and 1970s. Today Paddington has a high level of social esteem and is regarded as one of Sydney's most desirable inner-city urban areas.

The changing sociology of Paddington demonstrates phenomenal variations in status and changes in community attitudes to the 19th century suburb. Paddington has important associations with the evolution of the conservation movement in Australia, in particular with the actions by the National Trust and the Paddington Society, which ensured its conservation at a time of redevelopment threat in the 1960s. It is significant as the first suburb classified by the National Trust, a community based, non-government organization committed to promoting and conserving Australia's heritage.

Paddington has a unique aesthetic significance due to the superimposition of the built form on a sloping topography which overlooks Sydney Harbour and its foreshores. The coherent and extensive Victorian built form comprising groups of terrace buildings on narrow allotments which step down hills, turn corners or sit in ranks along tree lined streets produces a singularly recognisable image.

Inter-War flat buildings are also present in Paddington, ranging from around 1918 to circa 1950. Many of these buildings make an important historic, aesthetic, social and representative contribution to the character and illustrate the historical evolution of development of the area. They demonstrate the key characteristics of architectural styles of the Inter-War period.

Paddington provides vast opportunity for research, education and interpretation through The physical layout of its road network, its subdivision pattern and the varied form of buildings.

These buildings provide an excellent record of past technologies and domestic lifestyles through features such as original external and internal building fabric, detailing and room layouts. Terrace houses, semi-detached dwellings, flat buildings and freestanding houses all show the evolving attitudes towards families and the home from the early 19th to the late 20th century.

C1.2.3 Character elements

The character elements represent the distinguishing features of the area that are to be retained. Applications to change the character elements will be assessed against the desired future character controls.

Introduction

Paddington has a valuable historic and predominantly 19th century residential character, which is represented by late-Victorian terrace houses, modest workers' cottages, including single-storey timber and masonry houses, and former mansions. It also contains a mix of shops and pubs, residential flat buildings, commercial buildings and a few surviving light industrial and warehouse buildings, with many being adapted to residential uses.

To protect the heritage significance of Paddington it is important to retain and conserve the many building types that represent the significant phases of the suburb's historical development. These are important buildings and many have original outbuildings, fences and garden settings that are important elements to preserve.

Other townscape features such as significant trees and historical sandstone kerbs and gutters also contribute to the significance of the Paddington HCA.

It is particularly important to conserve the significant fabric and layout of the original front building section which contains the main rooms. This section, including its roof, is referred to as the "principal building form", and commonly faces the street front, with a secondary section behind. The main rooms often contain the most significant details such as plaster work, timber joinery and fireplace surrounds.

Many terrace houses have a small setback from the street. This area, referred to as the "street front zone", provides an important setting for buildings. The setting for freestanding buildings, including timber cottages, is established with their front, side and rear setbacks.

Additions and alterations to existing buildings and the construction of new buildings should be designed with respect to the architectural character of the building and the context of the significant streetscapes of the Paddington HCA. Retention of original fabric and detail is key.

Reconstruction and reinstatement of missing details and building elements is important and encouraged. This includes the removal of inappropriate building elements.

Even small changes to buildings in Paddington require careful consideration. This is critical when changes are visible from the street or from other public spaces.

Alterations to the rear of properties require detailed consideration so as not to alter the proportion, scale and the cohesion in groups of buildings. Due to the topography and the subdivision patterns, rear elevations are often highly visible from the public domain.

In Paddington, the aim should always be to establish a cohesive relationship between new work and the existing building fabric. Contemporary design must respond appropriately to relevant aspects of the historical context.

3.0 Discussion of the Development Proposal

It is important to note that at the time I am preparing this report the application has yet to be made. This means that there may be changes to the proposal. So, at the moment the plans on the NSW Planning Portal will be referred to. Some are present here along with a 'Concise Analysis of Existing Urban Character' and 'A Contextually Responsive Design Approach' supplied by consultants working for the applicant. Some of these are presented in this report for the purpose of discussion.

The site of the proposed development is in the Paddington Heritage Conservation Area. The site backs onto a small and highly significant section of the conservation area 'Little Paddington'. The site is opposite the Victoria Barracks, an active military base that is listed as part of the National Estate. It is the negative impact on these three areas that are the reason that objection is made to this proposal.

The planning proposal is being sent direct to the State Government bypassing the Woollahra Council as a development of State Significance. This State Significance rests on the development costing over a \$78 million dollar threshold. This raises a concern that if the proposal is changed and height and depth of excavation is reduced the cost of development would drop below the threshold of State Significance. Then the proposal would have to be assessed by the Woollahra Council. It is non-compliant with the Woollahra DCP as it demolishes four terraces in Oxford Street 142-148 in the Paddington Conservation Area. It is understood that these terraces are not of Victorian Stock but their demolition would not meet heritage advice outlined in,

Demolition of the building in terms with five point test *Helou v Strathfield* (This is a requirement of The Land and Environment Court for buildings to be demolished in Conservation 15 areas

<https://www.caselaw.nsw.gov.au/decision/549f84273004262463abec2e>

46 The following questions should be addressed in assessing whether the demolition should be permitted:

1. What is the heritage significance of the conservation area?
2. What contribution does the individual building make to the significance of the conservation area?

The starting point for these questions is the Statement of Significance of the conservation area. This may be in the relevant LEP or in the heritage study that led to its designation. If the contributory value of the building is not evident from these sources, expert opinion should be sought.

3. Is the building structurally unsafe?

Although lack of structural safety will give weight to permitting demolition, there is still a need to consider the extent of the contribution the building makes to the heritage significance of the conservation area.

4. If the building is or can be rendered structurally safe, is there any scope for extending or altering it to achieve the development aspirations of the applicant in a way that would have a lesser effect on the integrity of the conservation area than demolition?

If the answer is yes, the cost of the necessary remediation/rectification works should be considered.

5. Are these costs so high that they impose an unacceptable burden on the owner of the building? Is the cost of altering or extending or incorporating the contributory building into a development of the site (that is within the reasonable expectations for the use of the site under the applicable statutes and controls) so unreasonable that demolition should be permitted?

If these costs are reasonable, then remediation/rectification (whether accompanied by alteration and/or extension or not) should be preferred to demolition and rebuilding.

6. Is the replacement of such quality that it will fit into the conservation area?

If the replacement does not fit, the building should be retained until a proposal of suitable quality is approved.

The proposed building would not meet the objectives and controls of the Woollahra DCP outlined for the Paddington Heritage Conservation Area.

Below is presentation and response to documentation presented for the development on the NSW Panning Portal

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MANDATORY SCOPING MEETING - 160 OXFORD STREET, PADDINGTON

Concise Analysis of Existing Urban Character

The character of this section of Oxford Street, generally the portion between St Vincents Hospital and the National Art School to the west, and Centennial Park to the east is

quite distinctive in its character and form, displaying the following characteristics: _ The street alignment follows the ridge line and watershed between Sydney Harbour and Botany Bay in a geometry made up of segmented straight sections, linking the city core with the coast.

The section drawn out in the analysis is too broad. Oxford Street curves from the corner defined at South Dowling and Boundary Street, sight lines are restricted due to the topography, and this breaks up Oxford Street into many sections. The section of Oxford Street applicable to this proposal would be from Greens Road to Oatley Street.

_ Oxford Street was likely laid out by European colonists following earlier indigenous walking trails from east to west, linking the Gadigal/Cadi people to the coast.

_ With European settlement, Oxford Street - occupying the elevated land - was an obvious place for early colonial infrastructure - the gaol, reservoir, military barracks, town hall, post office, hospital, schools, churches and later, the establishment of Centennial Park.

_ The many corner pubs, shops and traditional inter-war apartment buildings also reinforce this pattern.

There are a number of pubs and some converted pub buildings but no inter-war apartment building in the vicinity of the subject site.

_ As a broad urban high street, Oxford Street has always been a place accommodating greater development intensity, height and density - and naturally has greater carrying capacity than the nearby narrow, winding Victorian streets often associated with the character of Paddington.

Oxford Street is mainly characterised by two storey shops. This section of Oxford Street between Glenmore and Shadforth Streets contains a single story and two storey shop from the 1870s. There is a two-storey contemporary infill shop next to the terrace of shops planned to be demolished. This was constructed on the site of a service station, and the scale of development was guided by the Woollahra DCP. The scale and height were compelled to reference the strip shopping appearance of the suburb.

_ The street achieves a distinctive, cohesive character despite a wide variety of different building scales and architectural styles - from Victorian to Inter-War and Art Deco.

The height and scale of the majority of the buildings mainly limited to two storeys is the most significant elements of this cohesive character.

_ The northern side of Oxford Street is characterised by a much more continuous run of ground floor shops (interrupted by the subject site, which breaks this general pattern).

The site does have a row of two storey town houses and a three-storey apartment building. The apartment building has lower ceiling height which reduce the height, bulk and scale of the building reducing the impact.

_ In contrast, the southern side of Oxford Street tends to accommodate the public buildings and civic institutions - the University of NSW's College of Fine Arts, Victoria Barracks, Paddington Town Hall, the former reservoir, various schools, markets, churches and Centennial Park.

The site is directly opposite The Victorian Barracks, one of the best examples of Victorian Military Buildings surviving in the world. The main barrack buildings are two storeys surrounding a parade ground. Both the barrack buildings and the barracks wall have listing on the National Estate.

_ The subject site is on the busier, weather-protected, pedestrian-friendly and more mercantile side of the street.

_ The south side of Oxford Street has a stronger sense of civic buildings, a landscape character, continuous street trees and interrupted building frontages with setbacks.

A Contextually Responsive Design Approach

To this end, during my involvement, I have sought to ensure the site planning strategies, building envelope and general building configuration demonstrate the greatest possible alignment with the positive urban and landscape characteristics of this part of Paddington. I am satisfied the preliminary design approach - as described in the Smart Design Studio's documentation dated 29 August 2025 - represents a contextually sensitive, responsive and high-quality renewal of the site and the broader urban landscape, bringing with it a range of benefits which include:

_ Contributing to the renewal of this part of Oxford Street as a distinctive higher density urban high street and a defining element of greater Sydney's urban character, thereby enhancing the vitality and liveability of this important street.

Proposed is an uncharacteristic building of unprecedented bulk and scale for this area. It dwarfs the buildings around it, lowering their value. There is a gain in retail space, but it is likely to be used as a fashion outlet with no cultural contribution to the community.

_ Making the expected contribution to the provision of infill affordable housing in a high amenity, accessible, inner-urban location as anticipated by Chapter 2 of SEPP Housing.

The proposal demolishes a building that provides 28 affordable units. It replaces them with 10. That is a net loss of 18 affordable homes. The terms of the generous government concessions only require that these homes need to be let for 15years, depending on the time of construction. They can then be sold making a sizeable profit. Eventually the loss of affordable units is 28 with none after 15years.

_ Marking a prominent corner location along Oxford Street, reinforcing the observable pattern of similar corner sites accommodating buildings of greater scale and with increased civic presence. _ Centrally splitting the building form to differentiate the eastern and western components of the building. This results in a building form that is strongly modelled along Oxford Street, emphasising the corner in a manner also familiar to the pattern of corner sites elsewhere along Oxford Street.

The predominance of larger buildings on corner sites is exaggerated in this comment. The photographic study in section 1.6 of this report demonstrates that most buildings in the relevant section of Oxford Street are two-storey Victorian or Federation shops with some three storey buildings on a few corners. Three storey buildings are confined to The Greenwood Tree Hotel and Bangheet at 160 Oxford Street. There are no buildings exceeding four levels. Even the Paddington Town Hall only has two levels plus the tower. This demonstrates that the proposed development is over scale in the area. In this section of road, height should be limited to three storeys to maintain cohesiveness of the streetscape.

_ Adopting a compositional order of repeating two- and three-storey elements, within an overall building height of eight-nine storeys, to reduce the apparent sense of building mass and to tie these finer elements into the typically lower-scale existing buildings in the nearby vicinity.

The 3D renders of the building show a building that appears to project over the footpath. The articulations do not successfully reduce the sense of building mass.

_ Introducing a continuation of fine grain ground floor retail uses addressing Oxford Street to complete the active street frontage evident elsewhere along the northern side of the street. This retail frontage is also provided with continuous awnings for weather protection.

There is no demonstrated public benefit in continuing the active street frontage.

_ Providing meaningful and discernible upper-level setbacks to Oxford and Shadforth Streets, intended to mitigate against the immediate impacts of a generally eight-storey building on the locality, and to tie a building of this scale into the prevailing urban fabric.

The design does not successfully mitigate the scale and bulk of the building. There is no reference in the design to prevailing streetscape elements.

_ Establishing a building envelope that permits the effective renewal of the subject site whilst not constraining neighbouring sites' longer term renewal potential, particularly the sites to the west, which also benefit from similar LMR development standards and the Infill Affordable Housing density bonuses.

This is an unprecedented increase of scale with a net loss of affordable housing in the short term and a complete loss of affordable homes in the long term. The Government

should not be supporting a reduction in affordable homes in the midst of a housing crisis.

_ Providing a strong, positive building address to the Oxford Street frontage.

The development potential of the site should have constraints on the bulk and scale that make the proposal intrusive in the streetscape. What is syted as a strong positive street address is oversize, oversize and intrusive.

_ Providing a proposed building envelope that brings with it no unreasonable overshadowing, wind effects or view loss impacts.

The proposal has impacts of overlook, wind shear impacting helicopter use. (The helicopters are used for both military use and for helicopter ambulance. It has a negative impact on the streetscape. It impacts views to Oxford Street.

4.0 Conclusion

In conclusion the proposed development is unsympathetic to the area because of its unprecedented bulk and scale. The site is within the Paddington Heritage Conservation Area. The character of this conservation area must be taken into account for any development proposed. The proposal does not meet the controls and objectives of Woollahra Council for the conservation area. In the DCP demolition is restricted to intrusive elements. Nos 142-148 Oxford Street is an early 1980s development but one that took in regard of prevailing Victorian terrace styles. They are not intrusive and are in good condition.

One at No. 142 contains a cellar from a previous shop that has archaeological significance and should not be demolished.

The proposed site backs on to 'Little Paddington' an area that has historic links to the Victoria Barracks. 'Little Paddington' contained workers' cottages for those who built and maintained the barracks. Many of these cottages survive and the 1840s character is apparent. Building such a large and intrusive building has a negative aesthetic impact on 'Little Paddington's' character. It is a site of high historic significance. Residents are worried particularly about the impact of vibration caused by the four-level excavation damaging the fabric and destabilizing their houses.

The 'Little Paddington' area is defined by very narrow streets. The building cannot be constructed without major disruption to the area in terms of carparking. The narrow roads are not wide enough for the heavy vehicles necessary for the job. Disruption will go on for years.

The proposed development has a negative impact on the aesthetic significance of the Victoria Barracks. The Victoria Barracks is listed on the National Estate. Any impact on

the National Estate should be reviewed by the Commonwealth and relevant minister. Damage to the aesthetics of this item impact the historic significance of the site. The height of the new building also has impacts of wind shear. As the barracks is used as a helipad for the army and air ambulance this has impacts on air safety.

Creating such a large and intrusive building on this site will create precedent for other buildings exploiting The State Significant Building Act. On this specific site the applicant states that development is over the minimum amount of cost to qualify. However, it should be noted that the proposal at the moment can be changed. A reduction in scale is sought, but a dilemma is created for developers that the reduction in scale would drop costs below the threshold for a State Significant Project. It is possible that development could be approved by the State Government and then fall below costs after a modification.

4.1 APPENDIX of images of impacted heritage and immediate area.

The Oxford Street and 'Little Paddington' Photographic Study



Fig. 1 Building on the corner of Glenmore Road and Oxford Street is a terrace of shops with apartments above. Two storey plus attics



Fig.2 Cnnr of lenmore road and Oxford Street



Fig.3 Oxford Street from outside of Victoria Barracks looking west down Oxford Street, The two storey level is typical of buildings, including the Unicorn Hotel.



Fig.4 The corner of Glenmore Road and Oxford Street. The 1870s shop now operates as a fashion boutique.



Fig.7 The former site of a service station was converted to shops approximately 20 years ago. The two storey building contains a gym above the shops.



Fig.8 Shops and gym Oxford Street . This building is next to the townhouses that make up part of the subject site.



Fig.9 Nos 142-160 Oxford Street the subject site



Fig.10 No. 160 Oxford Street



Fig.11 No. 162 Oxford Stree contains a shop with offices above. It is beside a Federation commercial terrace.



Fig.12 Federation Commercial terrace c. 1905



Fig.13 Row contains a baker and delicatessen, a Federation building and the Greenwood Tree Hotel. Now units.



Fig.14 Former Greenwood Tree Hotel. Residential Units with shops below



Fig.15 Brodie Street. Greenwood Tree on the west side. The site of the former Royal Women's Hospital on the east



Fig.16 Shops and offices are part of the complex built on the site of the former Royal Women's Hospital



Fig.17 Court yard former Royal Women's Hospital site.



Fig.18 Victorian terrace next to Royal Women’s Hosital site.



Fig.19 Victorian terrace - former residence now converted to commercial use



Fig.20 Federation shops



Fig.21 Paddington RSL club



Fig.22 Paddington RSL club



Fig.23 Victorian shops. These buildings survived the widening of Oxford Street unchanged.



Fig.24 Shops and Post Office



Fig.25 Post Office predominantly two storeys



Fig.26 Ormond Street. Post Office and Juniper Hall.



Fig.27 Juniper Hall a Georgian Villa . Oldest surviving house in Paddington. Preserved as a result of a campaign of the NSW Nation Trust.



Fig.28 Imperial Hotel. A three- storey hotel higher on the ridge of Oxford Street . Not in the line of site of the subject site



Fig.29 Entrance Underwood Street



Fig.30 Federation shops Oxford Street



Fig.31 Federation Shops



Fig.32 Contemporary in- fill shops and Paddington Reservoir Park



Fig.33 Paddington Reservoir Park



Fig.34 Federation shops



Fig.35 Contemporay in-fill shops



Fig.36 Contemporary in-fill shops



Fig.37 Oatley Road and Paddington Town Hall



Fig.38 Paddington Town Hall



Fig.39 Paddington Town Hall



Fig.40 Paddington Town Hall



Fig.41 Paddington Town Hall



Fig.42 Paddington Town Hall and Victoria Barracks wall



Fig.43 Victoria Barracks wall



Fig.44 Victoria Barracks wall



Fig.45 Victoria Barracks wall and local War Memorial



Fig.46 Victoria Barracks wall



Fig.47 Beside former Royal Women’s Hospital Courtyad.



Fig.48 Addition to Greenwood Tree Hotel Building, now apartments.



Fig.49 Addition to Greenwood Tree Hotel Building, now apartments.



Fig.50 Under awnings at Greenwood Tree Hotel building



Fig.51 Victoria Barracks Wall



Fig.52 Victoria Barracks Wall



Fig.53 Victoria Barracks Wall and gate



Fig.54 No. 162 Oxford Street on the opposite corner of the subject site



Fig.55 No 160 Oxford Street on the corner of Shadforth Street. (the subject site)



Fig.56 Victoria Barracks Wall and gate



Fig.57 Victoria Barracks Wall and Gate



Fig.58 Victoria Barracks Wall

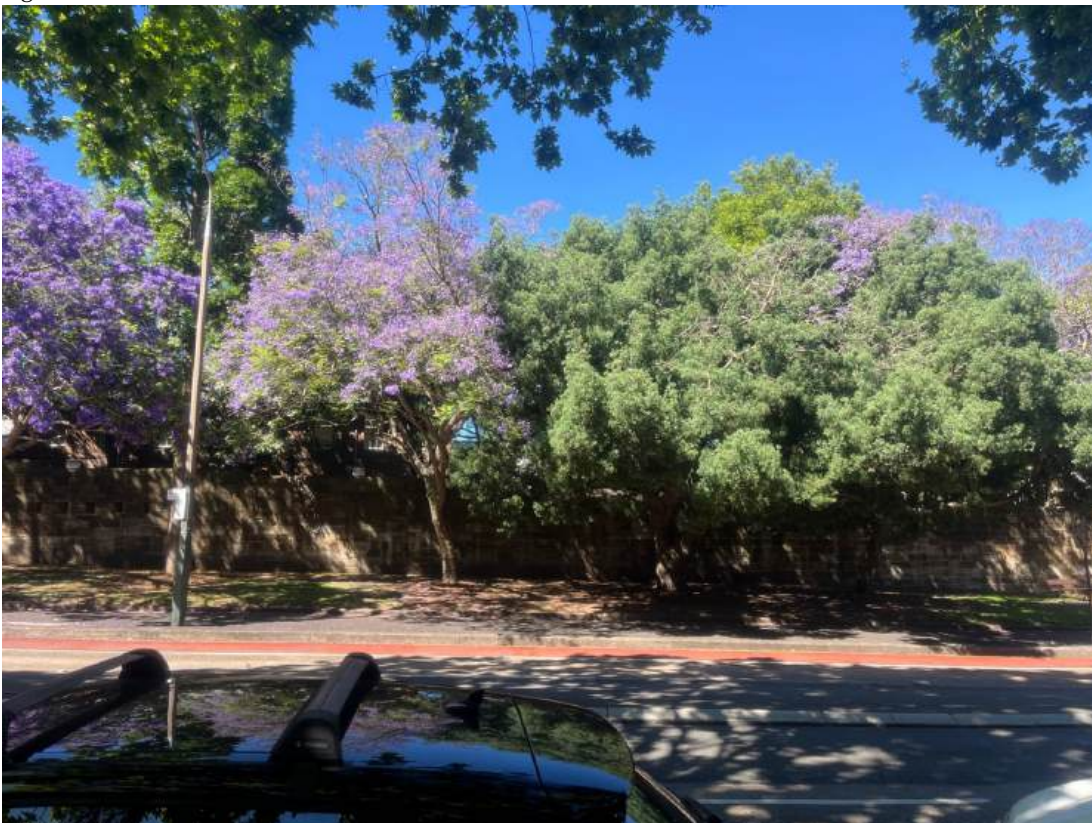


Fig.59 Victoria Barracks Wall



Fig.60 Victoria Barracks Wall



Fig.61 Victoria Barracks Wall



Fig.62 Corner of Glenmore Road and Oxford Street



Fig.63 Corner of Glenmore Road and Oxford Street



Fig.64 No. 1 Glenmore Road - a fashion boutique



Fig.65 Jackies Café 1c Glenmore Road



Fig.60 Gipps Street from Glenmore Road



Fig.61 No 7 Gipps Street - an optometrist.



Fig.62 Nos. 11 and 9 Gipps Street.



Fig.63 A laneway to be opened for access to the rear of the subject site is a narrow lane between nos. 11 and 13 Gipps Street

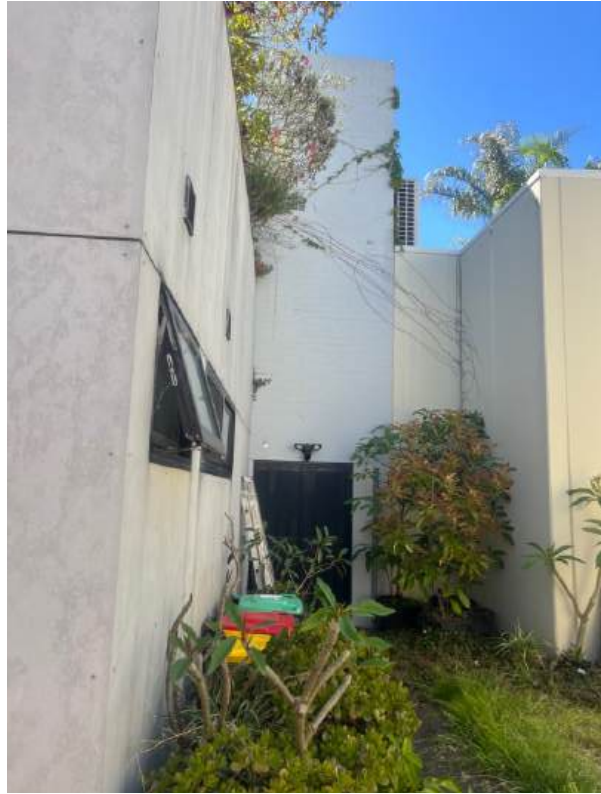


Fig.64 Laneway between Nos. 11 and 13 Gipps Street Fig.65 Behind No. 13



Fig.66 Laneway behind No. 13 Gipps Street



Fig.67 Laneway behind No. 13 Gipps Street



Fig.68 No. 13 Gipps Street is a house built in the 1970s that has undergone recent renovation. The council require retention of all facades of the site and details such as a paling fence to be retained. It demonstrates heritage policy for the area promoted and enforced by the Woollahra Council in 'Little Paddington'.



Fig.69 Nos. 19, 17, and 15 Gipps Street is a terrace built in the 1870s



Fig.70 19, 17, and 15 Gipps Street are terraces built in the 1870s



Fig.71 The original Paddington Police station No 21 Gipps Street

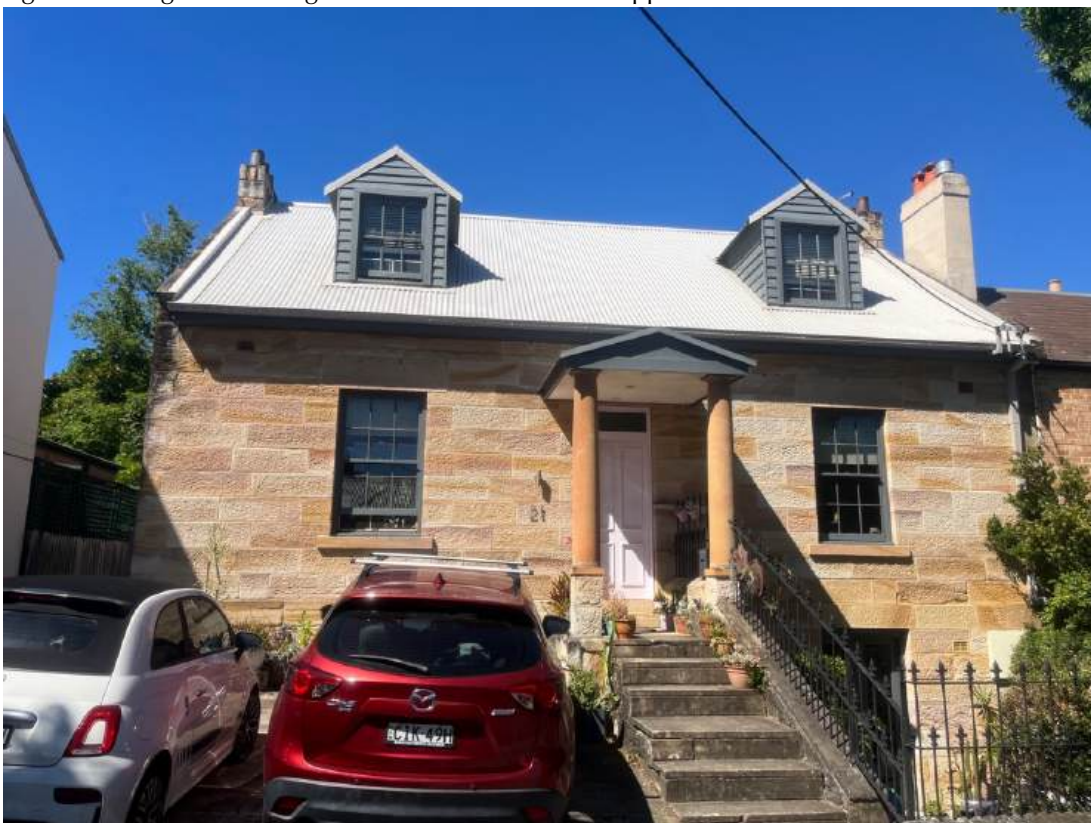


Fig.72 The original Paddington Police station No 21 Gipps Street



Fig.73 Access to carpark at 142-148 Oxford Street is from a narrow Lane from Gipps Street beside the original Paddington Police Station.



Fig.74 Original Paddington Police station built in the 1840s.



Fig.75 Access to carpark at 142-148 Oxford Street is from anarrow Lane from Gipps Street.



Fig.76 Access to carpark at 142-148 Oxford Street is from anarrow Lane from Gipps Street.



Fig.77 Carpark access at rear of Nos.142-148 Oxford Street.



Fig.78 Garage of No 142 Oxford Street



Fig.79 Access to carparks at 142-148 Oxford Street is from a narrow Lane from Gipps Street.



Fig.80 Access to carparks at 142-148 Oxford Street is from a narrow Lane from Gipps Street.



Fig.81 Access to carparks at 142-148 Oxford Street is from a narrow Lane from Gipps Street.



Fig.82 Lane to rear of town houses 142-148 Oxford Street



Fig.83 Rear of the original Paddington Police Station



Fig.84 Mid-Victorian terrace Gipps Street



Fig.85 Mid-Victorian terrace Gipps Street



Fig.86 Cottage on Gipps Street



Fig.87 Cottage on Gipps Street



Fig.88 Shadforth Street



Fig.89 Shadforth Street



Fig.90 Nos. 12 and 14 Shadforth Street.



Fig.91 8 and 10 Shadforth Street. 1840 workers houses.



Fig.92 No. 6 a modest 1970s infill cottage on the subject site.



Fig.93 Shadforth St façade of 160 Oxford St



Fig.94 Shadforth St and rear façade No. 160 Oxford Street



Fig.95 Rear façade of the units at 160 Oxford Street



Fig.96 Rear façade of the units at 160 Oxford Street



Fig.97 Rear façade of the units at 160 Oxford Street



Fig.98 Rear façade of the units at 160 Oxford Street



Fig. 99 Rear façade of the units at 160 Oxford Street



Fig.100 Rear façade of the units at 160 Oxford Street



Fig.101 Rear façade of the units at 160 Oxford Street



Fig.102 Rear façade of the units at 160 Oxford Street



Fig.103 Carpark for units at 160 Oxford Street



Fig.104 Carpark for units at 160 Oxford Street



Fig.105 Carpark for units at 160 Oxford Street



Fig.106 Rear wall of No. 6 Shadforth Street from rear of No 160 Oxford Street.



Fig.107 Contemporary in-fill shop and offices on the corner of Shadforth and Oxford Street opposite the subject site.



Fig.108 Sandstone house Shadforth Street



Fig.109 Plaque on sandstone house in Shadforth Street



Fig.110 Sandstone workers' houses



Fig.111 Sandstone workers' houses



Fig.112 These larger sandstone houses on Shadforth Street denote a higher rank of the occupants. Skilled tradesmen or foremen.



Fig.113 Workers'cottage on Shadforth Street



Fig.114 Workers' cottages Shadforth Street



Fig.115 This house on the east side of Shadforth Street was a corner shop. A sign for Zyp lemonadae is prominent in Gipps street



Fig.116 Shadforth Street



Fig.117 11, 9, 7, 5, 3 and 1 Prospect Street



Fig.118 11, 9, 7, 5, 3 and 1 Prospect Street



Fig.119 11, 9, 7, 5, 3 and 1 Prospect Street



Fig.120 Workers' cottages Gipps Street



Fig.121 Workers' cottages Gipps Street



Fig.122 No 14 Gipps Street the site of the Subscription Library



Fig.123 Workers' cottages Gipps Street



Fig.124 Workers' cottages Gipps street



Fig.125 Workers' cottages Gipps Street



Fig.126 Gipps Street



Fig.127 Cnr Prospect street and Gipps Street



Fig.128 Cnr Prospect and Spring Street



Fig.129 Nos. 11, 9, 7, 5, 3 and 1 Prospect Street



Fig.130 11, 9, 7, 5, 3 and 1 Prospect Street to Gipps Street



Fig.131 Spring Street from Prospect Street