LAND AND ENVIRONMENT COURT OF NSW FILED ON

2 0 JUN 2018

INT

# STATEMENT OF EVIDENCE STEPHEN DAVIES, FOR THE APPLICANT

AND S

**COURT DETAILS** 

Court Land and Environment Court of New South Wales

Registry Sydney

Case number 97618 of 2018

TITLE OF PROCEEDINGS

Applicants Forte Construction Group Pty Ltd & FCG No1 Pty Ltd

Respondent Inner West Council

**FILING DETAILS** 

Filed for Forte Construction Group Pty Ltd & FCG No1 Pty Ltd,

**Applicants** 

Legal representative Vasili Conomos, Conomos Legal

William Bland Centre

Level 6, Suite 8

229-231 Macquarie Street

SYDNEY NSW 2000

Legal representative reference VC:BB:N9659

Contact name and telephone Vasili Conomos, (02) 9231 3221



# **EXPERT REPORT: HERITAGE**

Stephen Davies: Heritage Consultant

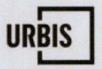
Property: 73 The Boulevarde, Dulwich Hill

Applicant: Forte Construction Group Pty Ltd & FGC No.1 Pty Ltd

Respondent: Inner West Council

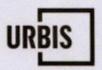
LAND AND ENVIRONMENT COURT OF NEW SOUTH WALES

**CASE NUMBER** 0097618 of 2018



## 1.0 Introduction

- 1.1 This document is an expert report prepared for the NSW Land and environment Court
- 1.2 Report prepared by: Mr Stephen Davies (SD), Heritage Expert (Applicant)
- 1.3 I have read Part 31 of Division 2 of the Uniform Civil Procedure Rules 2005 and Schedule 7 of the Uniform Civil Procedure Rules 2005. I understand my obligations to the Court and agree to abide by the rules in Part 31 in Schedule 7.
- 1.4 A Curriculum Vitae is attached to this Joint Experts' Report (Annexure A).
- 1.5 I have visited the site and inspected the interior.
- **1.6** The Statement of Facts and Contentions filed 12 March 2018 sets out in general terms, a description of the site and its context, the proposed development and the background to the current application
- 1.7 An 'Applicant's Statement of Facts and Contentions in Reply' was filed with the Court on 1 June 2018.



# 2.0 Assessment of Contentions

#### Heritage

#### PART B - CONTENTIONS

 The Interim Heritage Order identifies that it has been made pursuant to s25 of the Heritage Act 1977. The Applicant contends that, in those circumstances, the Interim Heritage Order was issued by Inner West Council contrary to s25.

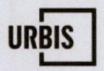
Reply: The relevant delegation was granted and published in the NSW Government Gazette on 12 July 2013. The Respondent understands that this contention is no longer pressed.

The Applicant contends that there are no grounds on merit for the Interim Heritage
 Order to have been issued and that at the date upon which the Interim Heritage Order
 was issued, there was no independent report prepared by Council that would have
 warranted the issuing of the Interim Heritage Order

**Reply**: a preliminary heritage assessment report was prepared prior to the making of the Interim Heritage Order. The report concluded that "the property (73 The Boulevarde, Dulwich Hill) may, on further inquiry or investigation, be found to be of local heritage significance".

3. The Applicant contends that the issuing by Inner West Council of the Interim Heritage Order is unnecessary as an appeal of DA 201800049, for premises known as 73 The Boulevarde, Dulwich Hill, is currently in the court system and the Respondent has raised merit matters in its Statement of Facts and Contentions in that proceeding, including Heritage matters. The Court can adequately deal with any matter of heritage that the Respondent would wish to raise within the scope of that appeal.

Reply: Council says that the assessment of the significance of the property should properly be established through the IHO process, as set out within the *Heritage Act 1977*, which provides a mechanism and timeframe for this to take place. Steps have already been taken in this regard through the commissioning of an independent heritage consultant.



The Applicant contends that the existing dwelling on the site does not warrant heritage
listing and that the dwelling is not of such significant (sic) that would warrant its
retention.

Reply: Council says that this is not the test for the validity of the issue of the IHO. Section 25 (2) of the Heritage Act 1977 states A council authorised under this section may make an interim heritage order for a place, building, work, relic, moveable object or precinct in the council's area that the council considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the council considers is being or is likely to be harmed.

# Comment on 'Response to Contentions' by Stephen Davies:

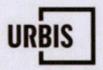
Contention 2. The initial report on the significance of the subject property was prepared by Sue Rosen, Historian, on behalf of the neighbour as an objection to the proposal to erect a residential flat building. The report acknowledges that the site is not a local heritage item and is not within a heritage conservation area. Areas in the vicinity of The Boulevarde have been included as conservation areas and this would indicate that area had been professionally surveyed by the then Marrickville Council and the subject site was not identified.

The Rosen assessment of significance provides information that the subject dwelling is a good representative example of a Californian bungalow dwelling. The assessment was made without an internal survey of the dwelling and no mention is made of the infill verandah bathroom or the large rear addition, including introduced stair and first floor extension.

The Boulevarde is partly subject to zoning permitting residential flat development and the subject site is zoned for a higher density. The streetscape is typified by the residential flats permitted by the zoning, including the adjacent site.

**Contention 3**. Urbis has prepared an assessment of the subject site and this is attached at **Annexure B.** The report concludes that does not reach the threshold for listing as an individual item in the local government area and does not contribute to a consistent group or the consistent character of the area.

This assessment is supported independently by reports prepared for the owner of the site by heritage experts Samantha Polkinghorne, NBRS, and David Logan, GML which were prepared without reference to the work of Urbis. The GML report questions the accuracy of the Rosen report. These two reports are attached at **Annexure C.** 



# 3.0 Conclusion

It is concluded that the IHO should be lifted on the subject property as it considered that 73 The Boulevarde, Dulwich Hill does not reach the threshold for individual significance for the Inner West Council and does not contribute to the existing or potential group or area of heritage significance.

For Applicant

Mr Stephen Davies



**ANNEXURE A** 



# STEPHEN DAVIES

**DIRECTOR - HERITAGE** 

#### **SERVICES**

Heritage

#### **SECTORS**

Commercial
Government
Health and Aged Care
Residential
Retail

#### **QUALIFICATIONS**

Dip. Cons. Studies, York University, UK Institute of Advanced Architectural Studies

Dip. T&CP, University of Sydney

Accredited Environmental Mediation

#### **AFFILIATIONS**

Chair – Heritage Council NSW (2016 – current)

Member - ICOMOS

Affiliate Member – RAIA. (2004)

Member – SEPP 65 Randwick/Waverley Design Review Panel (2004–2006)

Member – NSW Government Sydney Harbour Reference Group (1998–2000)

Councillor – Woollahra Municipal Council (1995– 1999) Stephen Davies is one of the country's most experienced and respected heritage consultants. He is Chair of the NSW Heritage Council, and a skilled negotiator who has a keen understanding of the political and administrative processes surrounding heritage matters.

Stephen joined Urbis in 2007 and is the foundation of our heritage consultancy. He leads a team that provide independent development and conservation advice as part of Urbis' preparation of conservation management plans, heritage impact statements and demolition reports.

Stephen is particularly proud of his work resolving the heritage issues for One Central Park in Sydney's Chippendale, and for Quay Quarter Sydney. He is an accredited environmental mediator and a member of the International Council on Monuments and Sites. He has also been an expert member of many government committees and boards.

#### **PROJECTS**

Quay Quarter Sydney (2012– Present)

Government Property NSW, various sites (2013–Present)

Varroville Estate (2013-Present)

Ascham School Adaptive Reuse, Darling Point (2010–14)

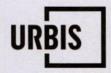
Centennial Park Cottages (2014)

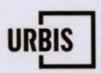
St Vincent's Private Hospital, Darlinghurst (2012)

Paragon Hotel, Circular Quay (2010–12)

## CONTACT

T +61 2 8233 9939 M +61 438 029 797 E sdavies@urbis.com.au





**ANNEXURE B** 

# HERITAGE ASSESSMENT 73 THE BOULEVARD, DULWICH HILL, NSW

URBIS

#### **URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director, Heritage Stephen Davies, B Arts Dip Ed, Dip T&CP, Dip Cons Studies, M.ICOMOS

Director, Heritage Kate Paterson, B Arch, B Arts (Architecture), M.ICOMOS Heritage Consultant Bernice Phillips, B Arts, M Museum & Heritage Studies

Job Code SH1380

Report Number 01 – Draft review for client

© Urbis Pty Ltd ABN 50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

urbis.com.au

# TABLE OF CONTENTS

Execut	tive Summary	ii
1.	Introduction	1
1.1.	Background and Proposal	1
1.2.	Site Location	1
1.3.	Methodology	1
1.4.	Author Identification and Acknowledgments	1
2.	Site Description	2
3.	Historical Overview	7
3.1.	Area History	7
3.2.	Site History	7
3.3.	Property Owners	12
3.4.	Date of Construction	13
3.5.	Alterations and Additions	13
4.	Heritage Significance	15
4.1.	What is Heritage Significance?	15
4.1.	Heritage Listing	15
4.2.	Significance Assessment	16
4.3.	Statement of Significance	19
5.	Conclusion and Recommendations	
6.	Bibliography and References	21
6.1.	Bibliography	21
6.2.	References	21
Disclai	mer	22
FIGUR	RES:	
	1 – Aerial view of the subject site – indicated.	2
	2 – Subject site – western façade facing The Boulevarde.	
	3 – Internal photographs of subject dwelling.	
	4 – Lewisham Estate Petersham – Subdivision (approximate location of subject site indicated)	
	5 – Part of Lewisham Estate subdivision - Subject site approximately indicated.	
	6 – Detail of family residence known as "Toddington"	
	7 – Subdivision of land from 1875-to current Lot and DP.	
Figure	8 – Six maps 1943	11
Figure	9 – Larger overview of 1943 aerial	11
Figure	10 – 2018 Aerial photograph – subject site indicated.	12
	11 – Heritage map – subject site indicated	
DICTU		
	DEC.	
Dieture	IRES:	•
	21 – Lounge Room with inglenook	
Picture	e 1 – Lounge Room with inglenook e 2 – Later Bathroom in enclosed verandah	3
Picture Picture	e 1 – Lounge Room with inglenook e 2 – Later Bathroom in enclosed verandah e 3 – Window bay on the southern side of the dwelling.	3 4
Picture Picture	e 1 – Lounge Room with inglenook e 2 – Later Bathroom in enclosed verandah e 3 – Window bay on the southern side of the dwelling e 4 – Entrance foyer and hallway	3 4
Picture Picture Picture	e 1 – Lounge Room with inglenook e 2 – Later Bathroom in enclosed verandah e 3 – Window bay on the southern side of the dwelling. e 4 – Entrance foyer and hallway. e 5 – Hall way with arched architrave.	3 4 4
Picture Picture Picture Picture	e 1 – Lounge Room with inglenook e 2 – Later Bathroom in enclosed verandah e 3 – Window bay on the southern side of the dwelling e 4 – Entrance foyer and hallway	3 4 4 4

Picture 8 – Roof space of the original roof and the second-storey addition.	5
Picture 9 – Contemporary kitchen	
Picture 10 – Contemporary laundry	5
Picture 11 – Veranda at the rear of the dwelling.	6
Picture 12 – Pool at the rear of the property	6
Picture 13 – 1875 Subdivision – Lots 30-32 The Boulevard	10
Picture 14 – 1879 Subdivision – Lot 33 on the Boulevard and 3-6 on New Canterbury Road	10
Picture 15 – 1892 Subdivision – Lots 32-33 (The Boulevard and 4-3 New Canterbury Road)	10
Picture 16 - The current land lot ,1921 - covering part of lots 32 and 33 from the original subdivision	10
TABLES:	
Table 1 – Titles results – Lots 30-32 on The Boulevard (Picture 1)	12
Table 2 – Lots 33 The Boulevard and 3-6 New Canterbury Road (Picture 2)	12
Table 3 – Lots 32-33 The Boulevard and 4-3 new Canterbury Road (Picture 3)	13
Table 4 – Lots 32-33 The Boulevard (Picture 4)	13
Table 5 - Sands Directory results of 73 and 73a Boulevard after the current lot was formed and purcha	ased
by Barnett Hyman in 1923.	
Table 6 – Summary of works	
Table 7 – Assessment of heritage significance	16

# **EXECUTIVE SUMMARY**

The subject site is currently the subject of an Interim Heritage Order under the Heritage Act of 1977.

Urbis has been asked to assess the heritage significance of the subject dwelling.

It is concluded that the subject dwelling does not reach the threshold for listing as in individual item in the local government area and does not contribute to a consistent group or to the consistent character of an area. The dwelling has had a number of alterations and additions that have also reduced its representative value as an intact interwar bungalow.

It is recommended that the building not be included in a heritage schedule under the local environmental plan

# 1. INTRODUCTION

### 1.1. BACKGROUND AND PROPOSAL

Urbis has been engaged by Wil Nino to prepare the following Heritage Assessment.

The subject site is not individually listed as a heritage item or contributory item under any statutory instrument, nor is it located within a heritage conservation area.

A DA (DA201800049) was submitted to the Inner West Council proposing the demolition of the existing dwelling (located at 73 The Boulevard, Dulwich Hill) and the construction of a four-storey residential flat building containing seven units and basement car parking.

On 23<sup>rd</sup> March 2018, the Inner West Council issued to the owner an Interim Heritage Order and the DA was taken off notification.

This Heritage Assessment is therefore required to assess the heritage significance of the dwelling that has been proposed for demolition.

#### 1.2. SITE LOCATION

The subject site is located at 73 The Boulevarde, Dulwich Hill, NSW 2203.

#### 1.3. METHODOLOGY

This Heritage Assessment has been prepared in accordance with the NSW Heritage Branch guideline 'Assessing Heritage Significance'. The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999 (revised 2013).

#### 1.4. AUTHOR IDENTIFICATION AND ACKNOWLEDGMENTS

The following report has been prepared by Bernice Phillips (Heritage Consultant). Stephen Davies (Director Heritage) has reviewed and endorsed its content. Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

#### 2. SITE DESCRIPTION

The subject site is a rectangular shape lot. The legal description of the site is Lot 1 DP 361656. The subject site is located on the eastern side of The Boulevarde between Etham Street to the north-east and Pigott Street to the south. This section of The Boulevarde includes wide landscaped footpaths containing mature trees as well as hard stand car spaces on the deep verge.

Figure 1 - Aerial view of the subject site - indicated.



Source: Six Maps, 2018

The site is occupied by one, two-storey dwelling house with a driveway along the eastern side setback and a swimming pool in the rear yard. The dwelling is an inter-war bungalow that has had significant alterations and additions to both the internal and external fabric of the property. The remaining external features of the dwelling include the sandstone base-course, red brick façade and terracotta roof tiles. The roof has been altered to allow for a second storey at the rear of the dwelling.

The interiors include both original and contemporary fabric.

Figure 2 – Subject site – western façade facing The Boulevarde.

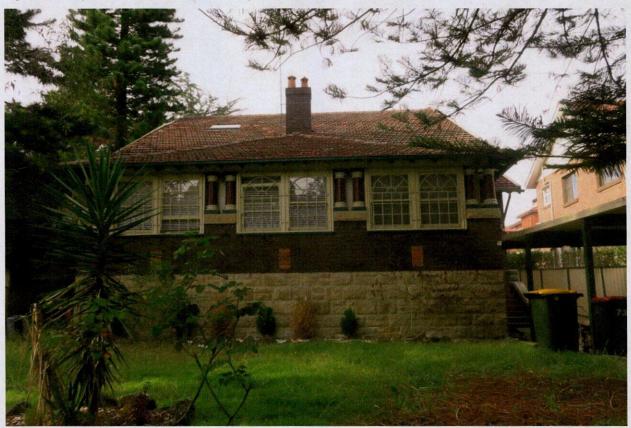


Figure 3 – Internal photographs of subject dwelling.



Picture 1 – Lounge Room with inglenook



Picture 2 - Later Bathroom in enclosed verandah



Picture 3 - Window bay on the southern side of the dwelling.



Picture 4 – Entrance foyer and hallway.



Picture 5 - Hall way with arched architrave



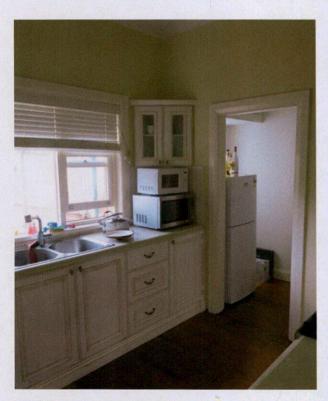
Picture 6 – Contemporary staircase leading to the later second-storey addition.



Picture 7 – Bedroom in the second-storey addition.



Picture 8 – Roof space of the original roof and the second-storey addition.



Picture 9 - Contemporary kitchen



Picture 10 – Contemporary laundry



Picture 11 – Veranda at the rear of the dwelling.



Picture 12 – Pool at the rear of the property.

#### HISTORICAL OVERVIEW 3.

#### 3.1. **AREA HISTORY**

The following area history is sourced directly and adapted from the Dictionary of Sydney by Chris Meader in 2008.

Dulwich Hill was originally part of around 700 acres of land granted to Thomas Moore, the colony's shipbuilder, in 1799, of which he called 'Douglas Farm'. This land includes part of the present suburbs of Marrickville and Petersham, as well as parts of Dulwich Hill and Stanmore. It was also made up of a number of other smaller land grants, mainly to emancipated convicts.

Dulwich Hill was known to have good soil and an excellent water supply from small creeks running into cooks river and long cove creek and was once heavily timbered. By the 1860s, market gardens and orchards had emerged, including Chinese market gardens. The residential development of Dulwich Hill was influenced by several wealthy Sydney businessmen including William Starkey, ginger beer and cordial manufacturer, Sir Hugh Dixson, tobacco merchant and Henry Marcus Clark, founder Marcus Clark retail chain of department stores.

In the late nineteenth and early twentieth centuries, Dulwich Hill developed as a desirable residential district with a small village shopping centre and isolated but significant pockets of industry. By 1890, there was a small but thriving commercial district along New Canterbury Road including Gladstone Hotel, blacksmiths, butchers, tobacconists, a chemist a produce store and harness markets. These developed around the steam train and horse bus terminus. Dulwich Hill railway station opened in 1895 as 'Wardell Road Railway Station' and was renamed 'Dulwich Hill Railway Station' in 1920.

The main industrial strip developed along the goods line, which opened in 1913. Factories such as the Great Western Milling Company, the Western Timber Mill, and Sidney Williams & Co Pty Ltd in Constitution Road, which made Comet windmills and other engineering products, gained the ability to move their goods quickly and in large quantities.

From the 1930s onwards, there was major development of unit blocks in Dulwich Hill, particularly during the 1960s and many Victorian villas and their gardens were replaced by standard red brick units over the suburb. Post World War two there was a major influx of immigrants to the area.

Dulwich Hill has largely retained its village atmosphere, even with late twentieth and early twentieth and early twenty-first century developments where former factory sites have been redeveloped for large apartment complexes. These complexes are themselves small villages within the suburb of Dulwich Hill.

#### SITE HISTORY 3.2.

The subject site is located on land originally granted to Michael Griffin on 14th March 1795. The land was not subdivided until c.1875 when the land was purchased by Francis Fryer Nelson. The subdivision plan was a typical residential subdivision from the late nineteenth century which divided the land into rectangular lots (Figure 4).

The land that the subject site now occupies is not situated on an original allotment from this 1875 subdivision. The approximate location of the subject site is located on a portion of lots 32 and 33 (Figure 5).

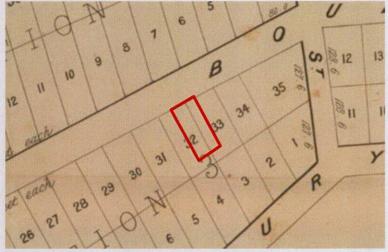
At the time of the original sale, lots 30-32 (on the Boulevard) were purchased by Francis Fryer Nelson. Charles Nelson purchased lots 6-3 (on the New Canterbury Road side) and lot 33 (from The Boulevard side). In 1883, this large portion of land that was owned by Charles Nelson was purchased by John Tait of Randwick Esquire. In 1885 the first reference to "Toddington" appears in the Sands Directory at 73 The Boulevarde, Petersham. A number of the owners of the land that the subject site now occupies, are listed in Sands Directory as occupying "Toddington".

Figure 4 - Lewisham Estate Petersham - Subdivision (approximate location of subject site indicated)



Source: NLA\_obj\_229997962

Figure 5 – Part of Lewisham Estate subdivision - Subject site approximately indicated.



Source: NLA\_obj\_229997962

In 1883 the "Toddington" residence was advertised in the Sydney Morning Herald where it described a twostorey brick house with a "spacious entrance hall, porch and veranda" and four bedrooms. The advertisement also boasts 2 acres of grounds including landscaped gardens, a stable yard and paddock. 264 feet is listed gives access to The Boulevard. The remaining acreage covers the site closer to New Canterbury Road. From this description, the residence was located at the southern end of the allotment whereas the subject site is located at the northern end, closer to The Boulevarde.

<sup>&</sup>lt;sup>1</sup> The Sydney Morning Herald, "Advertisement", Saturday 14th April 1883, page 15.

# PARTICULARS OF that commodious and Substantially-built FREEHOLD FAMILY RESIDENCE, situate and known as TODDINGTON.

on the BOULEVARDE at PETERSHAM,

overlooking
Summer Hill, Petersham, and Ashfield, and within 10 minutes'
walk of Petersham Railway Station, with Omnibus Route
direct to the centre of the City.

noseessing the following accommodation :-

Source: Sydney Morning Herald Saturday 14th April 1883, Page 15.

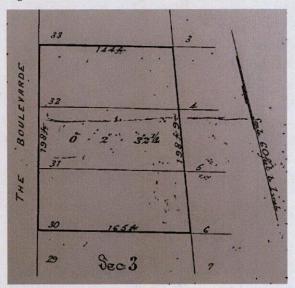
The land occupied by the "Toddington" residence and allotments originally sold to Charles Nelson underwent a further subdivision in 1892 when the land was purchased by Robert Percy Johnston. The "Toddington" residence appears to have continued to occupy the south portion of the lot as from 1918, "Toddington" is listed as a private hospital. There is little information regarding the properties that occupied the allotment adjacent or surrounding the "Toddington" residence however there are occupants listed in Sands that suggest a number of dwellings lined The Boulevarde at this time.

The lot that the subject site now occupies was formed in 1921 when the land owned by the Johnston family was purchased by William George Mitchell. Mitchell was responsible for the subdivision of the land again to how it is currently defined. The first owner of the subject site, as it exists, was Barnett Hyman who purchased the small lot from Mitchell. Mitchell continued to reside in the property adjacent to the subject site at 73a The Boulevarde up until at least 1933 (based on Sands directory research) whereas the subject site was occupied by a number of tenants.

The subject site, on this allotment can be seen in the 1943 aerial (Figure 8) situated between a number of residential dwellings. Note the two apartment blocks and single occupancy dwellings located on the south side of the subject site that are now located on the land that the "Toddington" residence once occupied.

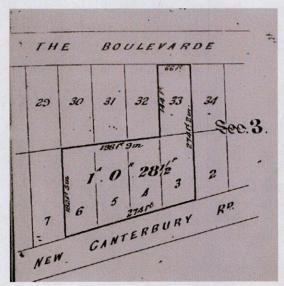
In a comparison of the 1943 aerial and a contemporary aerial, it is evident that a number of these dwellings no longer exist. This includes the dwelling on the northern side of the subject site which has been replace with an apartment building. This comparison also illustrates the alterations to the original dwelling, particularly to the rear of the property where the original roof has been replaced by the second-storey addition in 1999. The pool was added in 1996 and the carport in 1992.

Figure 7 - Subdivision of land from 1875-to current Lot and DP.



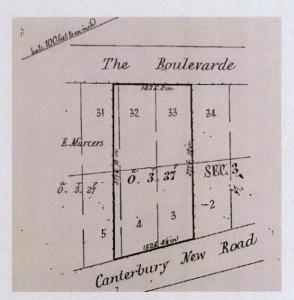
Picture 13 – 1875 Subdivision – Lots 30-32 The Boulevard

Source: Land and Titles, Vol. 225, Fol. 175



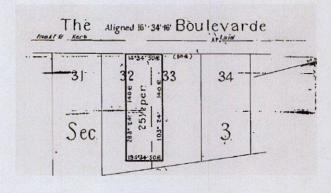
Picture 14 – 1879 Subdivision – Lot 33 on the Boulevard and 3-6 on New Canterbury Road

Source: Land and Titles; Vol. 262, Fol. 17



Picture 15 – 1892 Subdivision – Lots 32-33 (The Boulevard and 4-3 New Canterbury Road)

Source: Land and Titles, Vol. 1050, Fol. 96



Picture 16 – The current land lot ,1921 – covering part of lots 32 and 33 from the original subdivision.

Source: Land and Titles, Vol. 3205, Fol. 148.

Figure 8 – Six maps 1943



Source: Six Maps 2018

Figure 9 - Larger overview of 1943 aerial



Source: Six Maps 2018

Figure 10 – 2018 Aerial photograph – subject site indicated.



Source: Six Maps 2018

#### 3.3. **PROPERTY OWNERS**

Table 1 – Titles results – Lots 30-32 on The Boulevard (Picture 1)

Year	Owner
14 <sup>th</sup> March 1795	Michael Griffin (Crown Grant)
1875	Frances Fryer Nelson
1883	Julius Tait of Randwick, Esquire.
1891	Robina Tait of Randwick
1891	Part to - Edwin Maurice Part to - Percy Johnston

Table 2 – Lots 33 The Boulevard and 3-6 New Canterbury Road (Picture 2)

Year	Owner
14 <sup>th</sup> March 1795	Michael Griffin (Crown Grant)
1879	Charles Nelson of Burwood
1883	John Tait of Randwick
1891	Robin Tait of Randwick

Year	Owner	
1891	Part – Edwin Maurice	

Table 3 – Lots 32-33 The Boulevard and 4-3 new Canterbury Road (Picture 3)

Year	Owner
1895	Part – Robert Percy Johnston
1894	Eliza Christina Johnston, Darcy Johnston and Robert Harrison Johnston
1916	William George Mitchell

Table 4 - Lots 32-33 The Boulevard (Picture 4)

Year	Owner
1921	Parts of Lot 32-33 to Barnett Hyman of Sydney
1942	Stephen Henry Eyers and Esther Eyers
1961	James Henry Eyers (Son of Stephen and Esther)
1987	Registration of Death – Lucienne Maria Eyers
1990-2017	Various occupants.

Table 5 - Sands Directory results of 73 and 73a Boulevard after the current lot was formed and purchased by Barnett Hyman in 1923.

Year	Occupier 73	Occupier 73a
1923	Barnett Hyman	William G. Mitchell
1925-1929	Hector Hubbard	William G. Mitchell
1930-31	Walter W. Ryan	William G. Mitchell
1932-33	Mrs M. Cummins	William G. Mitchell

#### **DATE OF CONSTRUCTION** 3.4.

The approximate date of construction, based on a Titles and Sands directory search is c.1923.

#### 3.5. **ALTERATIONS AND ADDITIONS**

The following table has a summary of works that have taken place since 1950.

Table 6 - Summary of works

Description	Date Created
Not detailed	1950

Application ID	Description	<b>Date Created</b>
BA248/76	Covered Patio	1976
BA730/91	Not detailed	1991
TP92/92	Carport	1992
BA812/96	To install a swimming pool in rear yard of dwelling	1996
BA75/98	For alterations and additions to the rear of dwelling	1998
DA199900727	For alterations and additions at the rear of dwelling	1999
DA199901716	To erect first floor additions to dwelling	1999
CA201800011	Class 1 Appeal in Land and Environmental Court – Deemed Refusal – to demolish existing improvements and to construct a four-storey residential flat building with basement parking.	2018
DA201800049	To demolish existing improvements and to construct a four-storey residential flat building with basement parking	2018

# 4. HERITAGE SIGNIFICANCE

# 4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

## 4.1. HERITAGE LISTING

The subject property is not a heritage listed item under the Marrickville Local Environmental Plan 2011, as shown on the heritage map below.

Figure 11 - Heritage map - subject site indicated



#### 4.2. SIGNIFICANCE ASSESSMENT

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. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been prepared in accordance with the 'Assessing Heritage Significance' guides.

Table 7 - Assessment of heritage significance

Criteria	Significance Assessment	
A – Historical Significance  An item is important in the course or pattern of the local area's cultural or natural history.	Neither the existing dwelling nor the lot is part of the original subdivision of the Boulevarde from 1875. The lot, as it is now registered was not determined until 1921 when the larger blocks of land were subdivided.  Whilst the subdivision in the 1920s is still a significant subdivision, the subject site has been assessed to have no connections to significant historical events or items.  The significant physical fabric of the dwelling is only partially in-tact due to a number of alterations and works to the dwelling between the 1950s and late 1990s.	
Guidelines for Inclusion	Guidelines for Exclusion	
shows evidence of a significant human activity     is associated with a significant activity or historical phase     maintains or shows the continuity of a historical processor activity	<ul> <li>has incidental or unsubstantiated connections with historically important activities or processes</li> <li>provides evidence of activities or processes that dubious historical importance</li> <li>has been so altered that it can no longer provide evidence of a particular association</li> </ul>	
B – Associative Significance  An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.	The subject site does not have any associative significance as it is not linked to any special associations of importance to the local area's cultural or natural history.	
<u>Guidelines for Inclusion</u>	Guidelines for Exclusion	
<ul> <li>shows evidence of a significant human occupation</li> <li>is associated with a significant event, person, or group of persons</li> </ul>	<ul> <li>has incidental or unsubstantiated connections with historically important people or events</li> <li>provides evidence of people or events that are of dubious historical importance</li> </ul>	
	has been so altered that it can no longer provide evidence of a particular association	

Criteria		Significance Assessment	
C – Aesthetic Significance  An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.		The dwelling that occupies the subject site is an interbungalow. It retains features of the bungalow aesther including a sandstone base course and redbrick faça and much original interior timber work.  Due to the many alterations to the dwelling, the subject on longer demonstrates sufficient significance to the threshold for individual aesthetic significance.	etic ade ect
Guidelines for Inclusion		<u>Guidelines for Exclusion</u>	
<ul> <li>shows or is associated with, creative or technical innovation or achievement</li> <li>is the inspiration for a creative or technical innovation or achievement</li> <li>is aesthetically distinctive</li> <li>has landmark qualities</li> <li>exemplifies a particular taste, style or technology</li> <li>D – Social Significance</li> <li>An item has strong or special association with a particular or spiritual group in the local area for social cultural or spiritual reasons.</li> </ul>	- crticular	<ul> <li>is not a major work by an important designer or artist</li> <li>has lost its design or technical integrity</li> <li>its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded</li> <li>has only a loose association with a creative or technical achievement</li> <li>The subject site has been assessed to contain no se significance.</li> </ul>	□ □ □ □
<ul> <li>Guidelines for Inclusion</li> <li>is important for its associations with an identifiable group</li> <li>is important to a community's sense of place</li> </ul>		Guidelines for Exclusion  Is only important to the community for amenity reasons  Is retained only in preference to a proposed alternative	
E – Research Potential  An item has potential to yield information that will contribute to an understanding of the local area's contribute to an understanding of the local area.	ultural	The dwelling has been heavily altered so there is no research potential.  It is outside of this report's brief to consider archaeo research potential.	

Criteria		Significance Assessment		
Guidelines for Inclusion	ol	Guidelines for Exclusion		
<ul> <li>has the potential to yield new or further substanti scientific and/or archaeological information</li> </ul>	al	the knowledge gained would be irrelevant to research on science, human history or culture		
is an important benchmark or reference site or type     provides evidence of past human cultures that is unavailable elsewhere	0	<ul> <li>has little archaeological or research potential</li> <li>only contains information that is readily available from other resources or archaeological sites</li> </ul>		
F – Rarity  An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history		The subject site is not a rare or endangered feature local community. There are a number of inter-war bungalows within the Inner West that have been key more intact condition and or are associated with hig quality intact representative examples as a group.	pt in	
Guidelines for Inclusion		Guidelines for Exclusion		
provides evidence of a defunct custom, way of life or process		is not rare      is numerous but under threat		
demonstrates a process, custom or other human activity that is in danger of being lost				
shows unusually accurate evidence of a significant human activity				
is the only example of its type				
demonstrates designs or techniques of exceptional interest				
shows rare evidence of a significant human activity important to a community				
G - Representative		The subject site has been found to be representative		
An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area's):		the principle characteristics of a class of NSWs and to Dulwich Hill however not to eh extent of individual listing.		
cultural or natural places; or				
cultural or natural environments.				

Criteria	Significance Assessment	
Guidelines for Inclusion	Guidelines for Exclusion	
is a fine example of its type	is a poor example of its type	
has the principal characteristics of an important class or group of items	does not include or has lost the range of characteristics of a type	
has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity	does not represent well the characteristics that make up a significant variation of a type	
is a significant variation to a class of items		
is part of a group which collectively illustrates a representative type		
is outstanding because of its setting, condition or size		
is outstanding because of its integrity or the esteem in which it is held		

## 4.3. STATEMENT OF SIGNIFICANCE

This assessment has found that the subject site does not meet the criteria to be an item of heritage significance.

The dwelling that occupies the site is typical bungalow found in the Dulwich Hill and Inner West area that was constructed during the inter-war period, c.1923. Alterations have taken place in the interior and the exterior of the dwelling replacing a lot of the original features of the property.

The dwelling has representative qualities of the period however is located in an area that has been subject to residential flat development. The changes to the street and the original subdivision has meant the dwelling does not contribute to a consistent group or area of dwellings of the period.

# 5. CONCLUSION AND RECOMMENDATIONS

The subject dwelling does not reach the threshold for listing as in individual item in the local government area and does not contribute to a consistent group or to the consistent character of an area. The dwelling has had a number of alterations and additions that have also reduced its representative value as an intact interwar bungalow.

It is recommended that the building not be included in a heritage schedule under the local environmental plan.

# 6. BIBLIOGRAPHY AND REFERENCES

#### 6.1. BIBLIOGRAPHY

Department of Lands 2018, Spatial Information Exchange, Department of Lands, Sydney, available at: <a href="http://imagery.maps.nsw.gov.au/">http://imagery.maps.nsw.gov.au/</a>>.

Google Maps 2018, Aerial view of subject site, available at: <a href="http://maps.google.com.au/maps?hl=en&tab=wl">http://maps.google.com.au/maps?hl=en&tab=wl</a>.

#### 6.2. REFERENCES

Apperly, R., Irving, R. and Reynolds, P. (eds) 2002, A Pictorial Guide to Identifying Australian Architecture: Styles and Terms from 1788 to the Present, Angus and Robertson, Pymble.

Australia ICOMOS 1999, The Burra Charter: 2013 The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS, Burwood.

Heritage Office and Department of Urban Affairs & Planning 1996, NSW Heritage Manual, Heritage Office and Department of Urban Affairs & Planning (NSW), Sydney.

Heritage Office 2001, Assessing Heritage Significance, Heritage Office, Parramatta.

[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

# **DISCLAIMER**

This report is dated 30 May 2018 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 Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Wil Nino (**Instructing Party**) for the purpose of Assessment (**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).

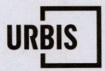
In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

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.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.



#### BRISBANE

Level 7, 123 Albert Street Brisbane QLD 4000 Australia T+61 7 3007 3800

#### **GOLD COAST**

45 Nerang Street, Southport QLD 4215 Australia T+61 7 5600 4900

#### **MELBOURNE**

Level 12, 120 Collins Street Melbourne VIC 3000 Australia T+61 3 8663 4888

#### **PERTH**

Level 14, The Quadrant 1 William Street Perth WA 6000 Australia T+61 8 9346 0500

#### SYDNEY

Tower 2, Level 23, Darling Park 201 Sussex Street Sydney NSW 2000 Australia T+61 2 8233 9900

#### **CISTRI - SINGAPORE**

An Urbis Australia company #12 Marina View 21 Asia Square, Tower 2 Singapore 018961 T +65 6653 3424 W cistri.com