



## **NORTH SYDNEY LOCAL PLANNING PANEL**

### **PLANNING PROPOSALS**

**RECOMMENDATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN  
THE COUNCIL CHAMBERS, NORTH SYDNEY, ON WEDNESDAY 14 SEPTEMBER 2022, AT  
12.00PM.**

### **PRESENT**

#### **Chair:**

Jan Murrell in the Chair.

#### **Panel Members:**

Linda McClure, Panel Member  
Michel Reymond, Panel Member  
Ken Robinson, Community Representative

#### **Staff:**

Marcelo Occhiuzzi, Manager Strategic Planning  
Neal McCarry, Team Leader Policy  
Katerina Papas, Senior Town Planner

#### **Administrative Support**

Peita Rose, Governance Officer (Minutes)

In accordance with the Covid 19 Public Health Order this meeting was conducted by remote (Zoom) means.

#### **1. Minutes of Previous Meeting**

The Minutes of the NSLPP Meeting of Wednesday, 13 July 2022 were confirmed following that meeting.

#### **2. Declarations of Interest**

Nil.

### 3. Business Items

*The North Sydney Local Planning Panel is a NSW Government mandated Local Planning Panel exercising the functions of North Sydney Council, as the Consent Authority, under Section 4.8(2) of the Environmental Planning and Assessment Act, 1979 as amended in relation to development applications, and acts pursuant to a Direction of the Minister for Planning issued under Section 9.1 of the Act, dated 23 February 2018 in relation to Planning Proposals.*

*The Panel has considered the following Business Items and resolves to recommend each matter as described within these minutes.*

#### **ITEM 1**

<b>PP No:</b>	8/22
<b>ADDRESS:</b>	15 Allister Street, Cremorne
<b>PROPOSAL:</b>	To amend the North Sydney Local Environmental Plan 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item under Schedule 5 – Environmental Heritage and identification on the Heritage Map.
<b>REPORT BY NAME:</b>	Jayden Perry, Strategic Planner
<b>APPLICANT:</b>	North Sydney Council

#### **Registered to Speak**

##### **1 Written Submission**

<b>Submitter</b>	<b>Applicant/Representative</b>
	Garry McDonald - representing owners

The Panel was advised by the applicant's heritage expert that the development application plans for numbers 13 - 15 Allister Street have been amended to incorporate the retention of the subject site at No. 15 Allister Street, Cremorne. This will require the repurposing of the building and entail both internal and external alterations and development at the rear of the building, and the adjacent site to the south at No.13.

The applicant's heritage expert also questioned the description of No. 15 Alister Street as a 'Functionalist' interwar flat building and contended that it does not meet the heritage criteria for listing in that it was not remarkable, not distinguishable, not aesthetic and not uncommon.

To date amended DA plans have not been received by the Council.

#### **Panel Recommendation:**

All the Panel members have undertaken independent site inspections prior to the meeting.

The Panel recommends to the Council that it:

- (i) Seek confirmation of whether an amended DA has been lodged that retains the subject building. At the same time it is recognised, this may not necessarily ensure the retention of the building, however, it may lead to adaptive re-use and inform the extent of an inventory as to elements to be retained.
- (ii) The Panel accepts that there is a degree of heritage significance for the subject site. However, this needs to be further investigated and it is recommended this also be done in the context of the subject site with the adjoining site at No. 17 Allister Street, and the adjoining heritage item at No.7 Cranbrook Avenue, contributing to the heritage streetscape and potentially a grouping or conservation area.
- (iii) Given the circumstances and the need for certainty as to the future of the building, the Panel recommends the Council proceed to 'Gateway' and this will allow exhibition and further enquiry to inform the heritage significance of the building in isolation, or whether it is of more heritage significance in its context with No 17 Allister Street and the heritage item at No.7 Cranbrook Avenue.

The Panel considers that public exhibition will also allow further investigation as to the significance of the subject building and an appropriate inventory, in particular whether its interiors are also worthy of protection.

The Panel considers the planning proposal has sufficient site specific and strategic merit to proceed to "Gateway", to allow public exhibition.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Ken Robinson	Y	
Linda McClure	Y				
Michel Reymond	Y				

## **ITEM 2**

<b>PP No:</b>	6/22
<b>ADDRESS:</b>	1-7 Rangers Road & 50 Yeo Street, Neutral Bay
<b>PROPOSAL:</b>	<p>To amend North Sydney Local Environmental Plan (NSLEP) 2013 as follows:</p> <ul style="list-style-type: none"> <li>• Increase the maximum building height control for the site from 16m to part 30m (at 50 Yeo Street) and part 40m (at 1-7 Rangers Road); and</li> <li>• Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.7:1.</li> </ul> <p>To provide greater certainty over a future built form on the site, the Planning Proposal is accompanied by suite of suggested site-specific development controls to be incorporated within North Sydney Development Control Plan (NSDCP) 2013 and an offer to enter into a</p>

	Voluntary Planning Agreement (VPA) to deliver a number of public benefits.
<b>REPORT BY NAME:</b>	Katerina Papas, Senior Strategic Planner
<b>APPLICANT:</b>	Fabcot Pty Ltd (Woolworths)

### Registered to Speak

### 5 Written Submissions

Submitter	Applicant/Representative
Glen Curyer – Chair of Neutral Precinct	Richard Armitage - Woolworths - Applicant
Meredith Trevallyn Jones – Chair of Willoughby Bay Precinct	Georgia Wilson - Koichi Takada Architects – representing Applicant
Aleksandra Serafimovska - Resident	Ben Craig - Ethos Urban - Applicant
Barry Ford - Resident	Josh Milston - JMT Consulting
Peter Moor - Resident	Pierre Abrahamse -Woolworths - (Observing Only)
Nea MacCulloch - Resident	Rafe Wilson - Koichi Takada Architects (Observing Only)
Kathleen Fairley - Resident - (Observing Only)	

The Panel members have undertaken independent site inspections prior to the meeting.

The Panel's recommendation to the Council is that the matter does not proceed to 'Gateway' for the reasons outlined in the Council's Officer's report.

The Panel notes that the Applicant has publicly advised that the number of storeys would be reduced in a revised scheme. The Panel, however, is not privy to any details and it does not constitute an amended planning proposal and as such, the Panel can only consider the planning proposal as submitted..

The Panel notes that the Neutral Bay Military Road Corridor Planning Study was rescinded by Council in January 2022, after being adopted February 2021, and this was after three years of preparation and consultation. The Proponent of this planning proposal is concerned about the time lag for another strategy to be endorsed and adopted by Council. At the same time the Panel notes the current planning proposal does not reflect the urban design outcomes envisaged by the now rescinded Military Road Corridor Planning Study.

The Panel understands that the Council is seeking to incentivize site amalgamation and uplift to facilitate the provision of community facilities including open space, a through-site link, public domain improvements, a meeting place and the like in an overall strategy.



**Panel Recommendation:**

The Panel urges the Council to finalise its strategy and plans as a matter of priority for all stakeholders, including the community. The Panel recognises the importance of strategic planning to guide change and future development having regard to providing certainty on a comprehensive basis, to deliver improved built form outcomes, function and accessibility for the centre as whole.

The Panel considers the planning proposal does not demonstrate either site specific or strategic merit to justify a spot rezoning for this site in isolation, given its location within the Neutral Bay Town Centre

Voting was as follows:

<b>Panel Member</b>	<b>Yes</b>	<b>No</b>	<b>Community Representative</b>	<b>Yes</b>	<b>No</b>
Jan Murrell	<b>Y</b>		Ken Robinson	<b>Y</b>	
Linda McClure	<b>Y</b>				
Michel Reymond	<b>Y</b>				

The public meeting concluded at 1:30pm

The Panel Determination session commenced at 1:40pm.

The Panel Determination session concluded at 3:10pm

Endorsed by Jan Murrell  
North Sydney Local Planning Panel  
**14 September 2022**



### **NSLPP MEETING HELD ON 14/09/2022**

#### **Attachments:**

1. Planning Proposal (including Detailed Heritage Assessment Report  
- Kemp & Johnson Heritage Consultants)

**ADDRESS/WARD:** 15 Allister Street, Cremorne

**PROPOSAL No:** 8/22

**PROPOSAL:** To amend the North Sydney Local Environmental Plan 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item under Schedule 5 – Environmental Heritage and identification on the Heritage Map.

**OWNER:** M. Kerrigan, N. Roche, V. Rowe, T Ward, J. Farge

**APPLICANT:** North Sydney Council

**AUTHOR:** Jayden Perry, Strategic Planner

**DATE OF REPORT:** 25 August 2022

**DATE LODGED:** 23 August 2022

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## EXECUTIVE SUMMARY

In March 2022, a petition was provided to Council signed by over 100 individuals requesting that North Sydney Council investigate imposing an Interim Heritage Order (IHO) on the property. The petition notes:

*“15 Allister Street, built in 1913, was designed by prominent architect, Clifford Finch. From 1927-30, Finch was in partnership with renowned architect, John Burcham Clamp, and jointly designed many significant buildings including Sydney’s Tattersall’s Club, Lawson House (212-218 Cumberland Street), Canberra Grammar School and the Ainslie Hotel, Canberra. Finch also practiced as an independent architect. Several of his designs are listed as local heritage items in the Ku-Ring-Gai LGA.*

*Art-Deco residential flat buildings need to be acknowledged and protected as part of North Sydney’s heritage. The Art-Deco era is Cremorne’s theme as acknowledged in North Sydney Council’s urban design branding.”*

In response to these concerns, Council considered a Notice of Motion at its meeting on 28 March 2022, and resolved:

- 1. THAT Council obtain urgent advice as to an Interim Heritage Order being supported on 15 Allister Street, Cremorne.*
- 2. THAT Council receive the tabled petition in this matter.*

In response to this resolution, Council engaged Kemp & Johnson Heritage Consultants to prepare a preliminary heritage assessment (Preliminary Assessment) to determine if the properties may potentially satisfy the criteria for heritage listing under North Sydney Local Environmental Plan 2013 (NSLEP 2013).

The Preliminary Assessment identified that the site may be eligible for heritage listing with the potential to meet Heritage Listing Criteria:

- a) Historical significance;
- b) Historical Association;
- c) Aesthetic and Technical Significance;
- f) Rarity; and
- g) Representativeness

Furthermore, Council Officers identified that the site was under threat of harm as a result of an active development application which sought the complete demolition of the existing building on the site, which is one of the mandatory criteria before an IHO can be imposed. Subsequently, on the 31 May 2022, the Acting General Manager, under delegation, authorised an IHO on 15 Allister Street, Cremorne, with the IHO being published in the Government Gazette on 3 June 2022.

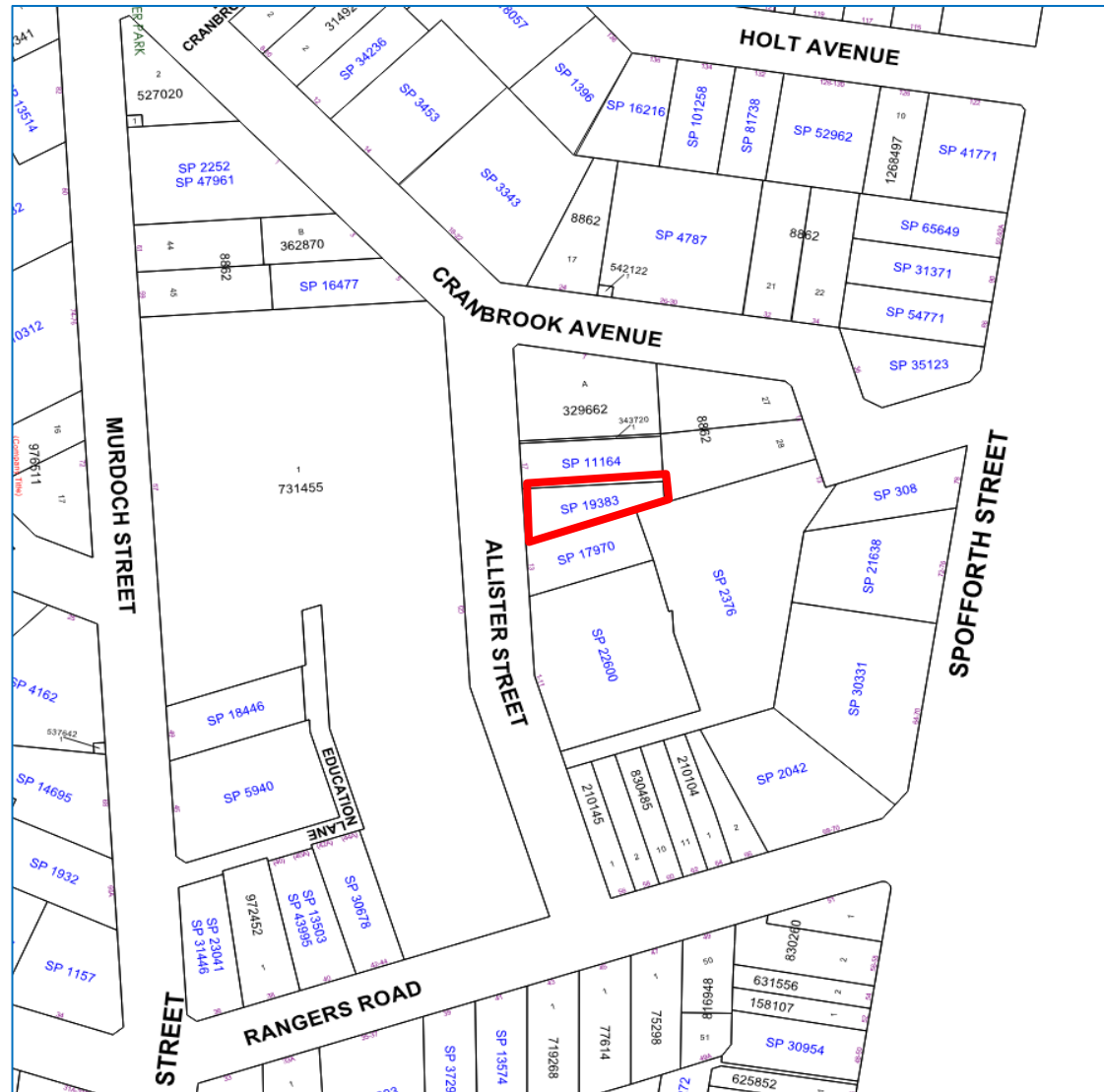
In response to the outcomes and recommendations of the final Heritage Assessment report produced by Kemp and Johnson, Council has prepared a planning proposal to amend NSLEP 2013 such that the property at 15 Allister Street, Cremorne is identified as a local heritage item through its listing within Schedule 5 - Environmental Heritage and identification on the Heritage Map.

The Planning Proposal is supported as it:

- generally complies with the relevant Local Environment Plan making provisions under the Environmental Planning & Assessment Act 1979;
- generally complies with the Department of Planning and Environment's Local Environmental Plan Making Guidelines (December 2021);
- on balance, does not contradict the ability to achieve the objectives and actions of higher order level planning strategies;
- will contribute to the preservation of the character and built heritage of the Cremorne Area.

As such, the Planning Proposal is considered to be satisfactory and should be forwarded to the DPE for Gateway Determination.

## LOCATION MAP



To amend the North Sydney Local Environmental Plan 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item under Schedule 5 - Environmental Heritage and identification on the Heritage Map.

## **PANEL REFERRAL**

On 23 February 2018, the Minister for Planning released a section 9.1 Direction which outlines the instances when a planning proposal must be referred to a Local Planning Panel for advice prior to a council determining whether that planning proposal should be forwarded to the DPE for the purposes of seeking a Gateway Determination.

All planning proposals are required to be referred to the Local Planning Panel, unless they meet any of the following exemptions:

- the correction of an obvious error in a local environmental plan;
- matters that are of a consequential, transitional, machinery or other minor nature; or
- matters that council's general manager considers will not have any significant adverse impact on the environment or adjacent land.

The Planning Proposal does not meet any of the exemption criteria and therefore the Planning Proposal must be referred to the Local Planning Panel for advice prior to Council making any determination on the matter.

## **BACKGROUND**

### ***Previous Heritage Studies***

There have been three previous major heritage studies for the entire Local Government Area undertaken on behalf of North Sydney Council as follows:

- *North Sydney Heritage Study (1981). Latona Masterman Associates.*
- *North Sydney Heritage Study Review (1993). Godden Mackay Logan Pty Ltd.*
- *North Sydney Heritage Review (2007). Architectus in association with John Oultram Heritage and Design.*

The subject site was not previously identified as having heritage significance under any of these broad studies.

### ***Development Applications***

On 11 November 2021, a development application (DA375/2021) was lodged with Council seeking the demolition of an existing residential flat building and a multi-dwelling housing development and construction of a new four storey residential flat building over two levels of basement parking, landscaping, fencing and associated works at 15 Allister Street, Cremorne.

In March 2022, a petition was provided to Council signed by over 100 individuals requesting that North Sydney Council consider imposing an IHO on the property. The petition notes:

*"15 Allister Street, built in 1913, was designed by prominent architect, Clifford Finch. From 1927-30, Finch was in partnership with renowned architect, John Burcham Clamp, and jointly designed many significant buildings including Sydney's Tattersall's Club, Lawson House (212-218 Cumberland Street), Canberra Grammar School and the Ainslie Hotel, Canberra. Finch also practiced as an independent architect. Several of his designs are listed as local heritage items in the Ku-Ring-Gai LGA.*

*Art-Deco residential flat buildings need to be acknowledged and protected as part of North Sydney's heritage. The Art-Deco era is Cremorne's theme as acknowledged in North Sydney Council's urban design branding."*

### **Council Resolution and IHO Listing**

In response to these concerns, Council considered a Notice of Motion at its meeting on 28 March 2022, and resolved:

- 1. THAT Council obtain urgent advice as to an Interim Heritage Order being supported on 15 Allister Street, Cremorne.*
- 2. THAT Council receive the tabled petition in this matter.*

In accordance with this resolution, Council engaged Kemp & Johnson Heritage Consultants to prepare a preliminary heritage assessment (Preliminary Assessment) to determine if the properties may potentially satisfy the criteria for heritage listing under North Sydney Local Environmental Plan 2013 (NSLEP 2013).

The Preliminary Assessment identified that the site may be eligible for heritage listing with the potential to meet Heritage Listing Criteria:

- d) Historical significance;
- e) Historical Association;
- f) Aesthetic and Technical Significance;
- h) Rarity; and
- i) Representativeness

Furthermore, Council Officers identified that the site was under threat of harm as a result of an active development application which sought in part complete demolition of the existing building on the site, which is one of the mandatory criteria before an IHO can be imposed. Subsequently, on the 31 May 2022, the Acting General Manager under delegation, imposed an IHO on 15 Allister Street, Cremorne, which was published in the Government Gazette on 3 June 2022.

It should be noted that the IHO is time limited and expires 6 months after the date it was made. If during this period Council resolves to progress the planning proposal, an additional 6 months will be added to the IHO bringing the total time to 1 year from the date of it being made.

### ***Court Proceedings***

On 1 July 2022 Council was served with a Class 1 Appeal (No.2022/00188395) relating to the property at 15 Allister Street, Cremorne seeking the revocation of the Interim Heritage Order.

This matter is scheduled for a conciliation conference on 25 October 2022. It is understood that the applicant is exploring alternate design options to retain, partly or wholly, the building at 15 Allister Street, Cremorne.

### **DETAIL**

#### **1. Applicant**

The Planning Proposal has been prepared by North Sydney Council.

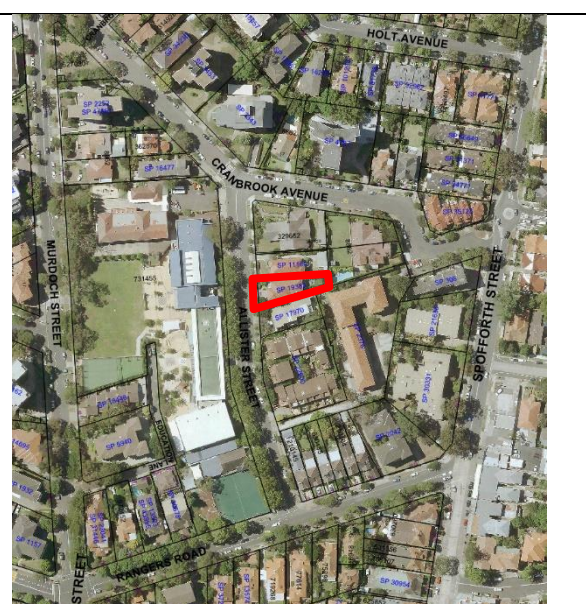
#### **2. Site Description**

The site is located along the eastern side of Allister Street, between Cranbrook Avenue in the north and Military Road in the south. Access to the site is directly via Allister Street. The legal property description is outlined in Table 1.

TABLE 1: Property Description	
Address	Lot and DP
15 Allister, Cremorne SP 19383	15 Allister, Cremorne SP 19383



**FIGURE 1: Subject site**



**FIGURE 2: Aerial photo of subject site**

The building at 15 Allister Street, Cremorne is a 2-storey brick residential flat building with a sandstone under croft. The under croft includes two garages accessed from Allister Street. The building is constructed of red texture brick with distinctive tapestry brick panels to the façade, (western elevation) and has a complex terracotta tiled hipped roof form, with curved balconies to the north-western corner of the building featuring brick balustrades and a brick parapet above the 1st floor level balcony.



The building contains four residential flats, and the internal stairwell features original tiling, and an original staircase with curved cast iron balustrade and timber handrail, original ceiling and an original stained-glass window.



**FIGURE 3: Residential Building at 15 Allister Street, Cremorne.**



**FIGURE 4: Sandstone entry steps at the site.**



**FIGURE 5: View from entry area showing tapestry brick panels to the façade and (at left) curved balconies with brick balustrades.**



**FIGURE 6: Curved corner balconies.**





**FIGURE 7: Detail around main entry doors.**



**FIGURE 8: Original stairway in lobby showing original staircase, original tiling and brick and plaster wall finish.**



**FIGURE 9: Curved glass to corner, with typical timber framed double hung windows with horizontal glazing bars to either side.**



**FIGURE 10: Rear view of the building, noting curved corners.**



**FIGURE 11: Unit 1 balcony.**



**FIGURE 12: Original cornice to Unit 3 living room ceiling.**

### 3. Local Context

The property is located in the southern arm of Cremorne, south-east of the Military Road corridor. The surrounding area includes residential premises including low density housing and mid to high density residential flat buildings. The site is across the road from the SCEGGS Redlands Junior Campus. The property is within the vicinity of other listed heritage items, which are contained in Table 2 below. Two of these items, are of State heritage significance. The property is within close proximity to the Cremorne Heritage Conservation Area (CA03) (see figure 13).

TABLE 2: Surrounding Heritage Items					
Locality	Item name	Address	Property Description	Significance	Item No
Cremorne	"Egglemont"	11 Cranbrook Avenue	Lots 27 and 28, DP8862	State	I0046
Cremorne	"Belvedere"	7 Cranbrook Avenue	Lot A, DP 329662	State	I0045
Cremorne	SCEGGS Redlands	53-57 Murdoch Street	Lot 1, DP 731455	Local	I0067
Cremorne	Former Cremorne Hall	57 Murdoch Street (2 Allister Street)	Lot 1, DP 731455	Local	I0068

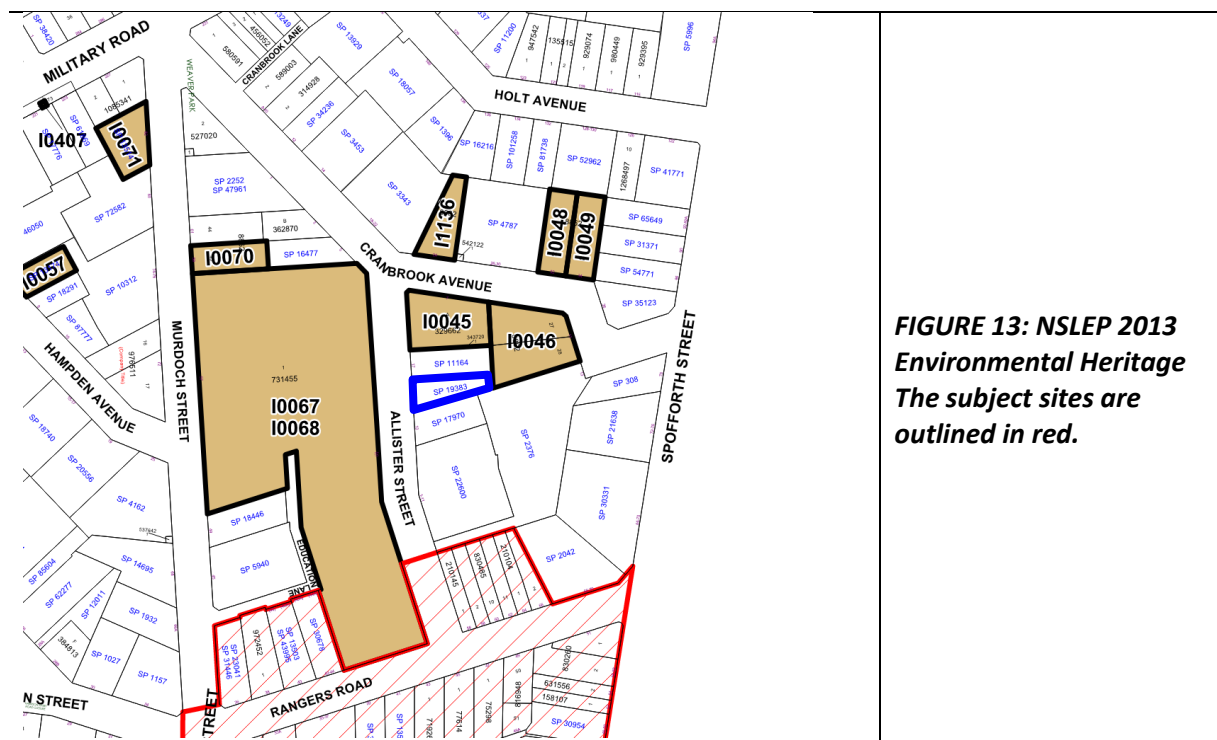
### 4. Current Heritage Context

The following subsections identify the relevant principal planning instruments that apply to the subject site.

#### 4.1 NSLEP 2013

NSLEP 2013 was made on 2 August 2013 through its publication on the NSW legislation website and came into force on the 13 September 2013. The current heritage provisions relating to the subject site and surrounds are as follows:

- No current listing on the site (refer to Figure 13);



## 5. Proposed Instrument Amendment

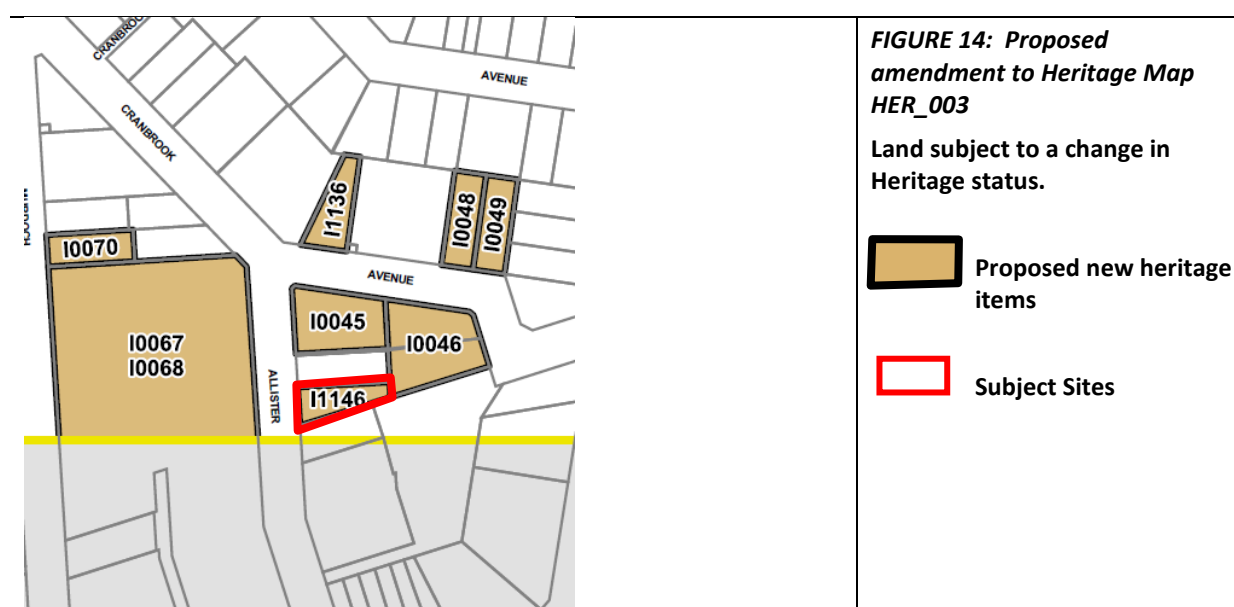
The Planning Proposal seeks to achieve the intended objectives and outcomes by amending NSLEP 2013 as follows:

- Amend the North Sydney Local Environmental Plan 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item under Schedule 5 - Environmental Heritage and identification on the Heritage Map.

The proposal requires mapping amendments which are described below:

- amend the *Heritage Map* (ref: 5950\_COM\_HER\_003\_010\_20200810) to NSLEP 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item on the Heritage Map.

An extract of the proposed amendment to the relevant map is illustrated in Figure 14.



The proposal requires the amending of Schedule 5 - Environmental Heritage by way of inclusion of the following new items within Schedule 5 as follows in Table 3 ([blue underline](#) represents an insertion):

TABLE 3: Proposed Schedule 5 Additions					
Locality	Item Name	Address	Property description	Significance	Item No.
<a href="#">Cremorne</a>	<a href="#">Residential Flat Building</a>	<a href="#">15 Allister Street</a>	<a href="#">SP 19383</a>	<a href="#">Local</a>	<a href="#">I1146</a>

## ASSESSMENT

### 6. Planning Proposal Structure

The Planning Proposal has been prepared in accordance with the requirements of s.3.33 of the Environmental Planning and Assessment (EP&A) Act 1979 and DPE's 'A guide to preparing planning proposals' (December 2021). In particular, the Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed LEP;
- An explanation of the provisions that are to be included in the proposed LEP;
- Justification for those objectives, outcomes and provisions and the process for their implementation; and
- Details of the community consultation that is to be undertaken on the Planning Proposal.

## **7. Justification of the Planning Proposal**

### **7.1 Objectives of the Planning Proposal**

The primary objective of the Planning Proposal is as follows:

*Amend the North Sydney Local Environmental Plan 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item under Schedule 5 - Environmental Heritage and identification on the Heritage Map.*

The proposed amendments to NSLEP 2013 generally achieve the objectives and intended outcomes of the Planning Proposal as the proposal will;

- Result in the listing of the subject site as a heritage item,
- Preserve the built heritage of the Cremorne area for the benefit of the community.

### **7.2 Heritage Context and Justification**

A final detailed Heritage Assessment report was produced by Kemp & Johnson Heritage Consultants on 23 June 2022 (forming Appendix 3 to the Planning Proposal, a copy of which forms Attachment 1 to this report).

The report included an assessment of significance of the property in accordance with the standard criteria established in the NSW Heritage Office guidelines. These guidelines provide the framework for heritage assessment and incorporate the five types of cultural heritage values identified in the Burra Charter into a structured framework. The detailed assessment against this framework can be found on pages 31-38 of the detailed Heritage Assessment report.

The detailed assessment concluded the existing residential flat building meets the criteria for heritage listing at a local level for the following reasons (as discussed in detail on pages 31-36 and summarised on page 37 of the report):

- *Criteria (a): The residential flat building at 15 Allister Street Cremorne is of local historical significance as a fine example of inter-war period architectural design philosophies.*
- *Criteria (b): The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch.*
- *Criteria (c): The building is of local aesthetic significance as a fine example of an architect-designed Interwar Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and staircase with curved cast iron balustrade and timber handrail.*
- *Criteria (f): The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA).*
- *Criteria (g): The building is a fine, intact, representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.*

The final detailed Heritage Assessment report also recommended that Council prepare a planning proposal to amend Schedule 5 and the Heritage Map to NSLEP 2013 to include the following item of local heritage significance:

1. The residential flat building at 15 Allister Street, Cremorne

Having considered the detailed report prepared Kemp & Johnson Heritage Consultants, Council Officers are satisfied that the relevant criteria as set out by the NSW Heritage Office has been addressed. In accordance with legislative requirements, it is proposed that the property be listed as a heritage item of local significance.

### **7.3 Policy and Strategic Context**

#### **7.3.1 Section 9.1 Ministerial Directions**

Section 9.1 of the EP&A Act enables the Minister for Planning to issue directions regarding the content of Planning Proposals. There are a number of Section 9.1 Directions that require certain matters to be addressed if they are affected by a Planning Proposal. Each Planning Proposal must identify which Section 9.1 Directions are relevant to the proposal and demonstrate how they are consistent with that Direction.

The Planning Proposal adequately addresses its consistency with all relevant Ministerial Directions.

#### **7.3.2 Greater Sydney Regional Plan (*A Metropolis of Three Cities*)**

*Metropolis of Three Cities* (Regional Plan). The Plan sets a 40-year vision (to 2056) and establishes a 20-year Plan to manage growth and change for Greater Sydney within an infrastructure and collaboration, liveability, productivity and sustainability framework.

The Regional Plan is guided by a vision of three cities where most people live within 30 minutes of their jobs, education and health facilities, services and great places. The Regional Plan aims to provide an additional 725,000 new dwellings and 817,000 new jobs to accommodate Sydney's anticipated population growth of 1.7 million people by 2036.

The Planning Proposal has been prepared in consistency with the strategic directions, objectives and strategies of the Regional Plan, as it will:

- Protect and preserve the built form heritage of the Cremorne area for its social, aesthetic, economic, historic and environmental values.
- Retain items that contribute to the place and character of the Cremorne area.

The Planning Proposal is consistent with the relevant directions and objectives identified in the Plan.

### 7.3.3 North District Plan

In March 2018, the NSW Government released the North District Plan. The Plan provides the direction for implementing the Greater Sydney Regional Plan: *A Metropolis of Three Cities* at a district level and sets out strategic planning priorities and actions for the North District.

The Planning Proposal is consistent with the relevant planning priorities of the North District Plan, as it will:

- identify, conserve and enhance environmental heritage in the Cremorne area; and
- preserve and celebrate the character of Cremorne and its people.

### 7.3.4 North Sydney Local Strategic Planning Statement (LSPS)

Council's Local Strategic Planning Statement (LSPS) outlines the desired future direction for housing, employment, transport, recreation, environment and infrastructure and is used to guide the content of Council's Local Environmental Plan (LEP) and Development Control Plan (DCP) and support Council's consideration and determination of any proposed changes to development standards under the LEP via Planning Proposals.

An assessment of the proposal against relevant North Sydney LSPS local planning priorities is undertaken in Table 3.

TABLE 3: Compliance with North Sydney Local Strategic Planning Statement	
Local Planning Priority	Comment
I1 – Provide infrastructure and assets that support growth and change	N/A
I2 – Collaborate with State Government Agencies and the community to deliver new housing, jobs, infrastructure and great places.	N/A
L1 – Diverse housing options that meet the needs of the North Sydney community	N/A
L2 – Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community.	N/A
L3 – Create great places that recognise and preserve North Sydney's distinct local character and heritage.	The proposed heritage listing is generally consistent with standards set out by NSW Heritage. The proposal identifies and preserves the environmental heritage in the Cremorne area and will allow Cremorne to retain its character and heritage.
P1 – Grow a stronger, more globally competitive North Sydney CBD	N/A
P2 – Develop innovative and diverse business clusters in St Leonards/Crows Nest	N/A
P3 – Enhance the commercial amenity and viability of North Sydney's local centres.	The proposal will not unduly restrict the commercial viability of the Military Road corridor, given it lies to the south of the area and does not currently support commercial activity.
P4 – Develop a smart, innovative and	N/A



TABLE 3: Compliance with <i>North Sydney Local Strategic Planning Statement</i>	
Local Planning Priority	Comment
prosperous North Sydney economy.	
P5 – Protect North Sydney’s light industrial and working waterfront lands and evolving business and employment hubs.	N/A
P6 – Support walkable centres and a connected, vibrant and sustainable North Sydney.	N/A
S2 – Provide a high quality, well-connected and integrated urban greenspace system.	N/A
S3 – Reduce greenhouse gas emissions, energy, water and waste.	N/A
S4 – Increase North Sydney’s resilience against natural and urban hazards	N/A

### 7.3.5 North Sydney Local Housing Strategy (LHS)

The North Sydney Local Housing Strategy (LHS), which was adopted on 25 November 2019, and approved by the DPE in March 2021, establishes Council’s vision for housing in the North Sydney LGA and provides a link between Council’s vision and the housing objectives and targets set out in the GSC’s *North District Plan*. It details how and where housing will be provided in the North Sydney LGA over the next 20 years, having consideration of demographic trends, local housing demand and supply, and local land-use opportunities and constraints.

The North Sydney LHS identifies the potential for an additional 11,870 dwellings by 2036 under the provisions of NSLEP 2013. Much of these dwelling targets are able to be met by recent strategic studies undertaken by the state government in St Leonards / Crows Nest under the 2036 Plan and by Council under the Civic Precinct Study.

The proposal is specific to one property in Cremorne and it is not considered to be consequential for the provision of housing within the North Sydney LGA, nor will the proposal unduly restrict development in surrounding areas. Furthermore, the listing of the site will not preclude some redevelopment occurring on the site, subject to Clause 5.10 of the NSLEP 2013.

As such, the proposal is not considered to be inconsistent with the LHS.

### 7.3.6 State Environmental Planning Policies (SEPPs)

Each Planning Proposal must identify which State Environmental Planning Policies (SEPP) are relevant to the proposal and demonstrate how they are consistent with that SEPP. The Planning Proposal has been prepared in consistency with all relevant State Environmental Planning Policies.

## **8. SUBMISSIONS**

There are no statutory requirements to publicly exhibit a Planning Proposal before the issuance of a Gateway Determination.

Council does, however, sometimes receive submissions in response to planning proposals which have been lodged but not determined for the purposes of seeking a Gateway Determination.

No submissions have been received in relation to the lodgement of this Planning Proposal.

## **CONCLUSION**

The Planning Proposal seeks to amend NSLEP 2013 such that the property at 15 Allister Street, Cremorne is identified as a heritage item through its listing within Schedule 5 - Environmental Heritage and identification on the Heritage Map.

For the reasons discussed in detail above, it is recommended that the Planning Proposal is supported as it:

- Generally, complies with the relevant Local Environment Plan making provisions under the Environmental Planning & Assessment Act 1979;
- Generally, complies with the Department of Planning and Environment's 'Local Environmental Plan Making Guideline' (December 2021); and
- On balance, does not contradict the ability to achieve the objectives and actions of high level planning strategies.

## **RECOMMENDATION:**

**THAT** the Local Planning Panel support the progression of the Planning Proposal to the DPE seeking a Gateway Determination.

**Jayden Perry**  
**STRATEGIC PLANNER**

**Marcelo Occhiuzzi**  
**MANAGER STRATEGIC PLANNING**

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# **PLANNING PROPOSAL**

## **- 15 Allister Street, Cremorne**

**V1 – 8 August 2022**

## 1 INTRODUCTION

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North Sydney Council (Council) has prepared a Planning Proposal to amend North Sydney Local Environmental Plan (NSLEP) 2013.

The primary intent of the Planning Proposal is to identify the property at 15 Allister Street, Cremorne as a heritage item under NSLEP 2013. In particular, the proposed amendment seeks to include the subject site as a new local heritage item within Schedule 5 – *Environmental Heritage* and have it identified as a general heritage item on the Heritage Map to NSLEP 2013.

The need for the Planning Proposal has arisen from the recommendations of a comprehensive heritage assessment of the subject site prepared following the issuing of an Interim Heritage Order (IHO) over the subject property by Council under delegated authority on 3 June 2022.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) and the Department of Planning and Environment's (DPE) document "*Local Environmental Plan Making Guidelines*" (2021).

## 2 BACKGROUND

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### ***Previous Heritage Studies***

There have been three previous major heritage studies undertaken on behalf of North Sydney Council as follows:

- *North Sydney Heritage Study (1981). Latona Masterman Associates.*
- *North Sydney Heritage Study Review (1993). Godden Mackay Logan Pty Ltd.*
- *North Sydney Heritage Review (2007). Architectus in association with John Oltram Heritage and Design.*

The subject site was not previously identified as having heritage significance under any of these studies.

### ***Development Applications***

On 11 November 2021, a development application (DA375/2021) was lodged with Council seeking the demolition of an existing residential flat building and a multi-dwelling housing development and construction of a new four storey residential flat building over two levels of basement parking, landscaping, fencing and associated works at 15 Allister Street, Cremorne.

In response to this application, a petition was provided to Council signed by over 100 individuals requesting that North Sydney Council urgently impose an IHO on the property. The petition notes:

*“15 Allister Street, built in 1913, was designed by prominent architect, Clifford Finch. From 1927-30, Finch was in partnership with renowned architect, John Burcham Clamp, and jointly designed many significant buildings including Sydney’s Tattersall’s Club, Lawson House (212-218 Cumberland Street), Canberra Grammar School and the Ainslie Hotel, Canberra. Finch also practiced as an independent architect. Several of his designs are listed as local heritage items in the Ku-Ring-Gai LGA.*

*Art-Deco residential flat buildings need to be acknowledged and protected as part of North Sydney’s heritage. The Art-Deco era is Cremorne’s theme as acknowledged in North Sydney Council’s urban design branding.”*

This development application has yet to be determined by Council.

### ***Council Resolution and IHO Listing***

In response to the concerns raised during the assessment of DA 375/2021, Council considered a Notice of Motion (Appendix 1) at its meeting on 28 March 2022, and resolved:

1. *THAT Council obtain urgent advice as to an Interim Heritage Order being supported on 15 Allister Street, Cremorne.*
2. *THAT Council receive the tabled petition in this matter.*

In accordance with this resolution, Council engaged Kemp & Johnson Heritage Consultants to prepare a preliminary heritage assessment (Preliminary Assessment) to determine if the properties may potentially satisfy the criteria for heritage listing under North Sydney Local Environmental Plan 2013 (NSLEP 2013).

The Preliminary Assessment identified that the site may be eligible for heritage listing with the potential to meet Heritage Listing Criteria:

- (a) Historical significance;
- (b) Historical Association;
- (c) Aesthetic and Technical Significance;
- (f) Rarity; and
- (g) Representativeness

Furthermore, Council Officers identified that the site was under threat of harm as a result of an active development application which sought in part complete demolition of the existing building on the site, which is one of the mandatory criteria before an IHO can be imposed. Subsequently, on the 31 May 2022, the Acting General Manager under delegation imposed an IHO on 15 Allister Street, Cremorne, with the IHO being published in the Government Gazette on 3 June 2022 (Appendix 2).

The IHO ceases to take effect after 12 months (i.e. 2 June 2023) of its publication within the government gazette. However, the IHO is automatically revoked 6 months (i.e. 2 December 2022) of its publication within the government gazette, if Council has not made a decision to progress a planning proposal to Gateway Determination to list the property as a local heritage item under NSLEP 2013.

Should the IHO be revoked, it does not prevent the progression of a planning proposal to list the property as a heritage item under NSLEP 2013.

### ***Court Proceedings***

On 1 July 2022 Council was served with a Class 1 Appeal (No.2022/00188395) relating to the property at 15 Allister Street, Cremorne seeking the revocation of the Interim Heritage Order.

This matter is ongoing and the Court had yet to hear the matter at the time this report was prepared.

### ***Detailed Assessment Report***

A final detailed Heritage Assessment report was produced by Kemp & Johnson Heritage Consultants on 23 June 2022 (Appendix 3).

The report included an assessment of significance of the property in accordance with the standard criteria established in the NSW Heritage Office guidelines. These guidelines provide the framework for heritage assessment and incorporate the five types of cultural heritage values identified in the Burra Charter into a structured framework. The detailed assessment against this framework can be found on pages 31-38 of the detailed Heritage Assessment report.

The detailed assessment concluded the existing residential flat building meets the criterion for heritage listing at a local level for the following reasons:

- Criteria (a): The residential flat building at 15 Allister Street Cremorne is of local historical significance as a fine example of inter-war period architectural design philosophies.
- Criteria (b): The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch.

Planning Proposal – 15 Allister Street, Cremorne

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- Criteria (c): The building is of local aesthetic significance as a fine example of an architect-designed Interwar Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and staircase with curved cast iron balustrade and timber handrail.
- Criteria (f): The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA).
- Criteria (g): The building is a fine, intact, representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.

The final detailed Heritage Assessment report also recommended that Council prepare a planning proposal to amend Schedule 5 and the Heritage Map to NSLEP 2013 to include the following item of local heritage significance:

1. The residential flat building at 15 Allister Street, Cremorne

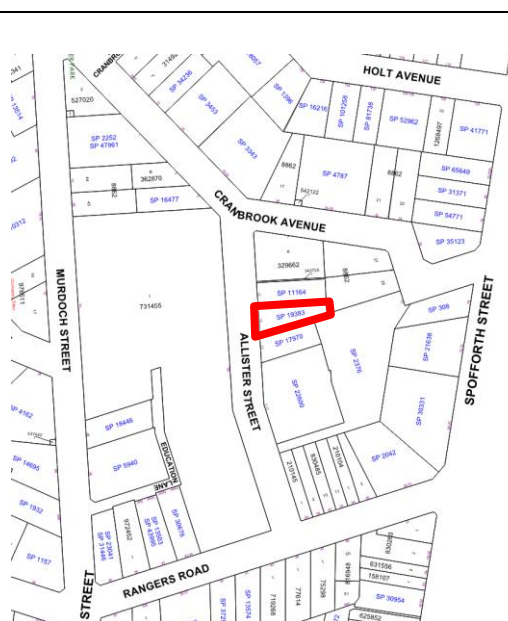
Based on this recommendation, Council has prepared this Planning Proposal to identify the property as a heritage item under NSLEP 2013.

### 3 SITE & LOCALITY

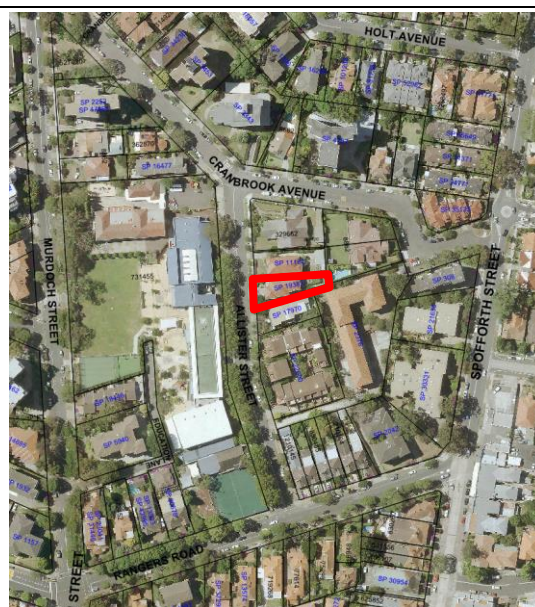
#### 3.1 Site Description

The site is located along the eastern side of Allister Street, between Cranbrook Avenue in the north and Military Road in the south. Access to the site is directly via Allister Street. The legal property description is outlined in Table 1.

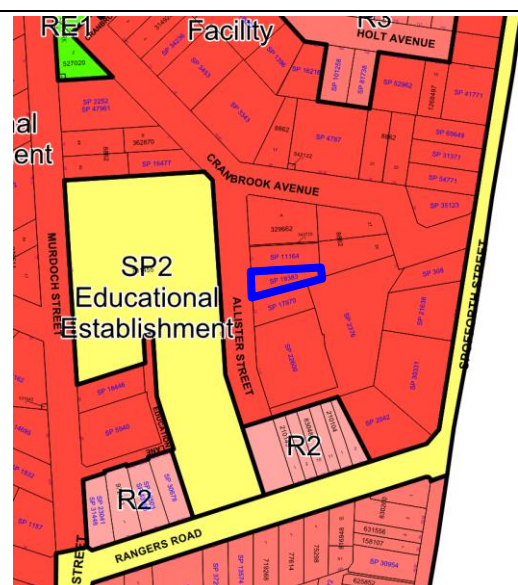
TABLE 1: Property Description	
Address	Lot and DP
15 Allister, Cremorne	SP 19383



**FIGURE 1: Subject site**



**FIGURE 2: Aerial photo of subject site**



#### Zone

B1	Neighbourhood Centre
B3	Commercial Core
B4	Mixed Use
E2	Environmental Conservation
E4	Environmental Living
IN2	Light Industrial
IN4	Working Waterfront
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
RE2	Private Recreation
SP1	Special Activities
SP2	Infrastructure
UL	Unzoned Land

**FIGURE 3: Extract of Land Zoning Map to NSLEP 2013**

The building at 15 Allister Street, Cremorne is a 2-storey brick residential flat building with a sandstone undercroft. The undercroft includes two garages accessed from



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 Planning Proposal – 15 Allister Street, Cremorne
 

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Allister Street. The building is constructed of red texture brick with distinctive tapestry brick panels to the façade, (western elevation) and has a complex terracotta tiled hipped roof form, with curved balconies to the north-western corner of the building featuring brick balustrades and a brick parapet above the 1st floor level balcony.

The building contains four residential flats, and the internal stairwell features original tiling, and an original staircase with curved cast iron balustrade and timber handrail, original ceiling and an original stained-glass window.



**FIGURE 4:** Residential Building at 15 Allister Street, Cremorne.



**FIGURE 5:** Sandstone entry steps at the site.



**FIGURE 6:** View from entry area showing tapestry brick panels to the façade and (at left) curved balconies with brick balustrades.



**FIGURE 7:** Curved corner balconies.



## Planning Proposal – 15 Allister Street, Cremorne



**FIGURE 8:** Detail around main entry doors.



**FIGURE 9:** Original stairway in lobby showing original staircase, original tiling and brick and plaster wall finish.



**FIGURE 10:** Curved glass to corner, with typical timber framed double hung windows with horizontal glazing bars to either side.



**FIGURE 11:** Rear view of the building, noting curved corners.



**FIGURE 12:** Unit 1 balcony.



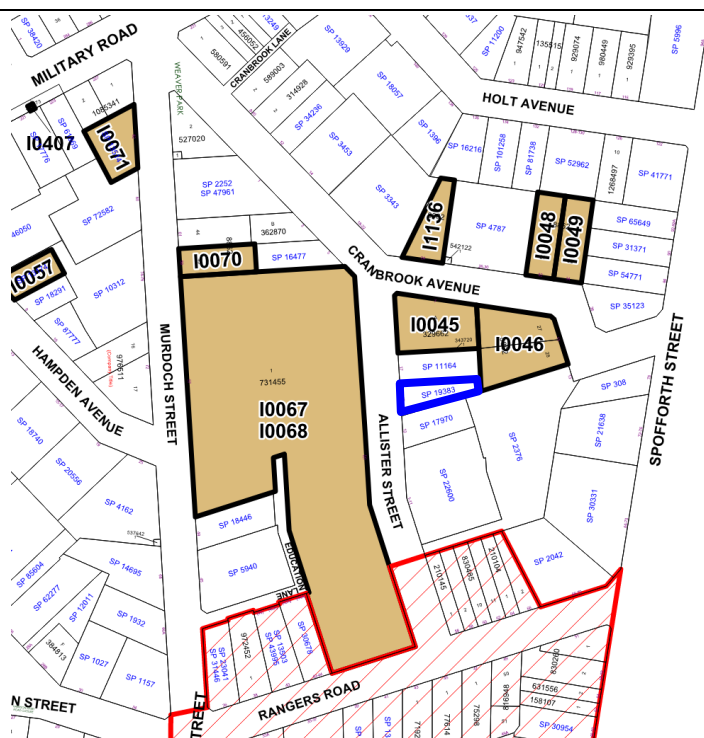
**FIGURE 13:** Original cornice to Unit 3 living room ceiling.

### 3.2 Local Context

The property is located in the southern arm of Cremorne, south-east of the Military Road corridor. The surrounding area includes residential premises including low density housing and mid to high density residential flat buildings. The site is across the road from the SKEGGS Redlands Junior Campus. The property is within the vicinity of other listed heritage items, which are listed in Table 2. Two of these items, are of State heritage significance.

Locality	Item name	Address	Property Description	Significance	Item No
Cremorne	"Egglemont"	11 Cranbrook Avenue	Lots 27 and 28, DP8862	State	I0046
Cremorne	"Belvedere"	7 Cranbrook Avenue	Lot A, DP 329662	State	I0045
Cremorne	SCEGGS Redlands	53-57 Murdoch Street	Lot 1, DP 731455	Local	I0067
Cremorne	Former Cremorne Hall	57 Murdoch Street (2 Allister Street)	Lot 1, DP 731455	Local	I0068

Furthermore, the property is within close proximity to the Cremorne Heritage Conservation Area (CA03).



**FIGURE 14: Extract of NSLEP 2013 Heritage Map**

## 4 STATUTORY CONTEXT

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NSLEP 2013 is the principle planning instrument that applies to the land subject to the Planning Proposal. The relevant sections of NSLEP 2013 are discussed in the following subsections.

### 4.1 Aims of Plan

Clause 1.2 of NSLEP 2013 outlines the aims of the LEP. In particular, it states:

- (1) *This Plan aims to make local environmental planning provisions for land in North Sydney in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) *The particular aims of this Plan are as follows:*
  - (a) *...*
  - (f) *to identify and protect the natural, archaeological and built heritage of North Sydney and ensure that development does not adversely affect its significance, ...*

### 4.2 Heritage conservation

Clause 5.10 of NSLEP contains specific provisions relating to heritage conservation and states:

- (1) *Objectives*  
*The objectives of this clause are as follows:*
  - (a) *to conserve the environmental heritage of North Sydney,*
  - (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
  - (c) *to conserve archaeological sites,*
  - (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*
- (2) *Requirement for consent*  
*Development consent is required for any of the following:*
  - (a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
    - (i) *a heritage item,*
    - (ii) *an Aboriginal object,*
    - (iii) *a building, work, relic or tree within a heritage conservation area,*
  - (b) *altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
  - (c) *disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
  - (d) *disturbing or excavating an Aboriginal place of heritage significance,*
  - (e) *erecting a building on land:*
    - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
    - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
  - (f) *subdividing land:*

- (i) *on which a heritage item is located or that is within a heritage conservation area, or*
  - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*
- (3) *When consent not required*  
*However, development consent under this clause is not required if:*
  - (a) *the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:*
    - (i) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and*
    - (ii) *would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or*
  - (b) *the development is in a cemetery or burial ground and the proposed development:*
    - (i) *is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and*
    - (ii) *would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*
  - (c) *the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*
  - (d) *the development is exempt development.*
- (4) *Effect of proposed development on heritage significance*  
*The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*
- (5) *Heritage assessment*  
*The consent authority may, before granting consent to any development:*
  - (a) *on land on which a heritage item is located, or*
  - (b) *on land that is within a heritage conservation area, or*
  - (c) *on land that is within the vicinity of land referred to in paragraph (a) or (b),**require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*
- (6) *Heritage conservation management plans*  
*The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.*
- (7) *Archaeological sites*  
*The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than*

*land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):*

- (a) notify the Heritage Council of its intention to grant consent, and*
  - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*
- (8) Aboriginal places of heritage significance*  
*The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:*
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
  - (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*
- (9) Demolition of nominated State heritage items*  
*The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:*
- (a) notify the Heritage Council about the application, and*
  - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*
- (10) Conservation incentives*  
*The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:*
- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*
  - (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
  - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
  - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
  - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

A note is also attached to this clause which states:

*Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.*

**4.3 Schedule 5 – Environmental Heritage**

All heritage items are identified within Schedule 5 to NSLEP 2013. The listing comprises, if any:

- Locality (suburb)
- Item name
- Address (street address)
- Property description (legal description)
- Significance
- Item No.

**4.4 Heritage Map**

Heritage items are identified on the Heritage Map to NSLEP 2013 and comprise the following sheet:

- HER\_003      5950\_COM\_HER\_003\_010\_20200810 (Appendix 5)



## 5 THE PLANNING PROPOSAL

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### 5.1 PART 1: STATEMENT OF OBJECTIVES

The primary purpose of the Planning Proposal is to identify the property at 15 Allister Street, Cremorne as a local heritage item under NSLEP 2013. This is consistent with the outcomes of the detailed heritage assessment undertaken by Kemp & Johnson Heritage Consultants (refer to Appendix 2).

### 5.2 PART 2: EXPLANATIONS OF PROVISIONS

The intent of the Planning Proposal can be achieved by amending NSLEP 2013 as follows:

- Inserting one (1) new item within Schedule 5 – Environmental Heritage; and
- Including one (1) new item on the Heritage Map.

The specific amendments sought are identified in the following subsections:

#### 5.2.1 *Schedule 5 – Environmental Heritage*

The intent of the Planning Proposal is proposed to be achieved by including a new item within Schedule 5 as follows (blue underline represents an insertion):

<i>Locality</i>	<i>Item Name</i>	<i>Address</i>	<i>Property description</i>	<i>Significance</i>	<i>Item No.</i>
<u>Cremorne</u>	<u>Residential Flat Building</u>	<u>15 Allister Street</u>	<u>SP 19383</u>	<u>Local</u>	<u>I1146</u>

#### 5.2.2 *Heritage Map*

The intent of the Planning Proposal is proposed to be achieved by replacing the following Sheet to the Heritage Map:

- HER\_003 5950\_COM\_HER\_003\_010\_20200810  
(refer to Appendix 5)

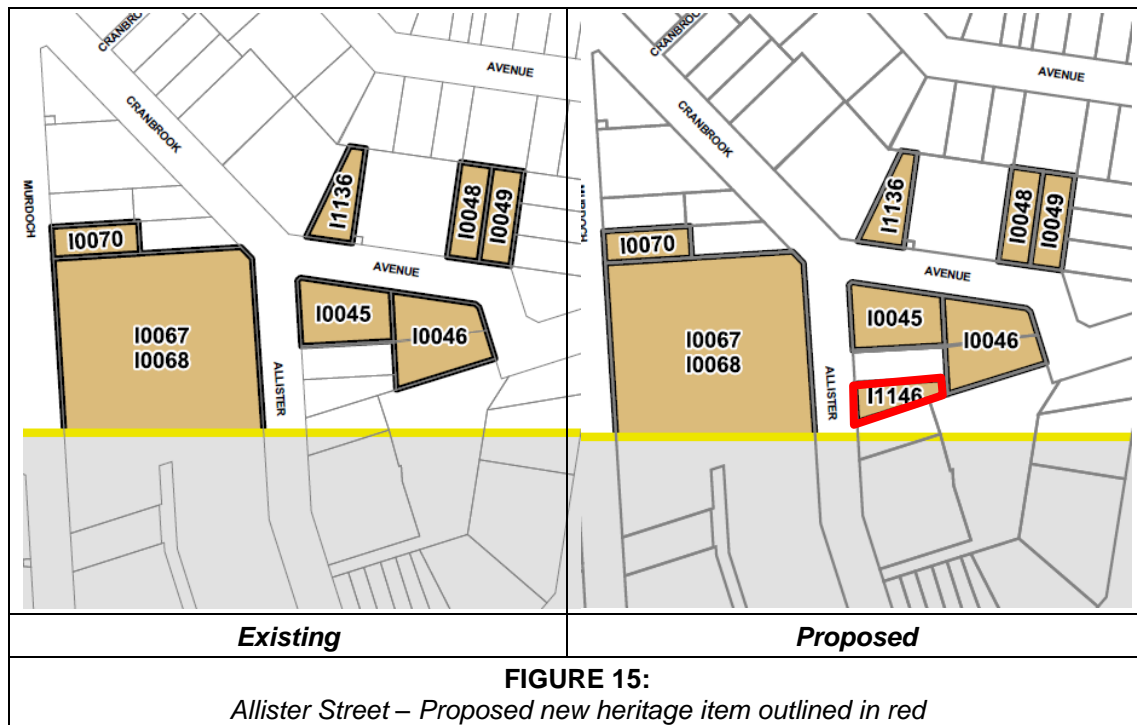
with:

- 5950\_COM\_HER\_003\_010\_20220712  
(refer to Appendix 6)

An extract of the existing controls and proposed amendments is illustrated in Figure 15.



## Planning Proposal – 15 Allister Street, Cremorne



## 5.3 PART 3: JUSTIFICATION

### 5.3.1 Section A – Need for the planning proposal

1. ***Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?***

Yes.

The need to amend NSLEP 2013 has arisen from the recommendations of independent heritage assessment (refer to Appendix 3) of the subject site.

The report included an assessment of significance of the property in accordance with the standard criteria established in the NSW Heritage Office guidelines. These guidelines provide the framework for heritage assessment and incorporate the five types of cultural heritage values identified in the Burra Charter into a structured framework. The detailed assessment against this framework can be found on pages 17-24 of the heritage assessment report.

The detailed assessment of the property concluded that building meets the criterion for heritage listing at a local level, specifically against the guidelines as follows:

**Criterion (a) Historical Significance**

*The building, constructed 1937-1938, is of local historical significance as a fine example of interwar period architectural design philosophies.*

**Criterion (b) Historical Significance (Association)**

*The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch.*

**Criterion (c) Aesthetic/Technical Significance**

*The building is of local aesthetic significance as a fine example of an architect-designed Interwar Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and staircase with curved cast iron balustrade and timber handrail.*

**Criterion (d) Social Significance**

*Not relevant.*

**Criterion (e) Technical/Research Significance**

*Not relevant.*

**Criterion (f) Rarity**

*The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA).*

**Criterion (g) Representativeness**

*The building is a fine, intact representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.*

On this basis the heritage assessment recommended that the subject site be included as an item of local heritage significance under Schedule 5 – Environmental Heritage of NSLEP 2013 and an associated mapping amendment to the Heritage Map.

**2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes. There is no other way to provide long term protection to the heritage significance of the building

**5.3.2 Section B – Relationship to strategic planning framework**

**3. *Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?***

*Greater Sydney Region Plan - A Metropolis of Three Cities*

Released by the Greater Sydney Commission (GSC) in March 2018, *A Metropolis of Three Cities* (Metropolitan Plan) sets the planning framework for the growth of the Sydney metropolitan area over the next 40 years. The Metropolitan Plan sets targets of an additional 725,000 homes and 817,000 jobs in Greater Sydney by 2036.

There is one objective identified in the Metropolitan Plan which is relevant to the Planning Proposal:

- **Objective 13:** Environmental heritage is identified, conserved and enhanced

The Planning Proposal is not inconsistent with the above Direction or Objectives of the Regional Plan. The Planning Proposal has been prepared in consistency with the strategic directions, objectives and strategies of the Regional Plan, as it will:

- Protect and preserve the built form heritage of the Cremorne area for its social, aesthetic, economic, historic and environmental values.
- Retain items that contribute to the place and character of the Cremorne area.

The Planning Proposal is considered to be consistent with the directions and objectives identified in the Plan.

*North District Plan*

Also in March 2018, the GSC released *North District Plan*. The North Sydney LGA is located in the North District along with other LGAs including Lane Cove, Ryde, Willoughby, Hunters Hill, Mosman, Ku-ring-gai, Hornsby and Northern Beaches.

There is one Planning Priority identified in the *North District Plan* which is relevant to the Planning Proposal:

- **Planning Priority N6:** Creating and renewing great places and local centres, and respecting the District's heritage

The proposal to list the subject site as a heritage item is consistent with the Planning Priority in the North District Plan and accompanying objective in the Metropolitan Plan.

**4. *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?***

Yes.

*North Sydney Local Strategic Planning Statement*

On 25 November 2019, Council resolved to adopt an LSPS for the LGA. The LSPS expresses the desired future direction for housing, employment, transport, recreation, environment and infrastructure for the LGA as a whole and reflects the outcomes sought by the Metropolitan Plan and NDP. The Greater Sydney Commission gave its assurance to the LSPS on 20 March 2020. The relevant *Local Planning Priorities* of the LSPS are identified as follows:

***Local Planning Priority L3***

*Create great places that recognise and preserve North Sydney's distinct local character and heritage.*

***Local Planning Priority P3***

*Enhance the commercial amenity and viability of North Sydney's local centres.*

The proposed heritage listing is generally consistent with standards set out by NSW Heritage. The proposal identifies and preserves the environmental heritage in the Cremorne area and will allow Cremorne to retain its character and heritage. Furthermore, the proposal will not unduly restrict the commercial viability of the Military Road corridor, given it lies to the south-east of the area and does not currently support commercial activity.

As such, the proposal is considered to be generally consistent with the priorities and actions of the North Sydney LSPS.

*North Sydney Local Housing Strategy*

The North Sydney Local Housing Strategy (LHS) establishes Council's vision for housing in the North Sydney LGA and provides a link between Council's vision and the housing objectives and targets set out in the GSC's *North District Plan*. It details how and where housing will be provided in the North Sydney LGA over the next 20 years, having consideration of demographic trends, local housing demand and supply, and local land-use opportunities and constraints.

Following public exhibition, on 25 November 2019, Council resolved to adopt the draft North Sydney LHS with an action to forward to the DPIE for their approval. The strategy was approved by DPIE in March of 2021.

The North Sydney LHS identifies the potential for an additional 11,870 dwellings by 2036 under the provisions of NSLEP 2013. Much of these dwelling targets are met by recent strategic studies undertaken by the state government in St Leonards / Crows Nest under the 2036 Plan and by Council under the Civic Precinct Study.

The site is zoned R4 High Density Residential and benefits from a Maximum Building Height of 12m. Existing on site includes a residential flat building of approximately 12m in height housing 4 separate dwellings. As such, the heritage listing of the property is not considered to unreasonably limit the development potential envisaged under the NSLEP controls given the development potential on site has been almost exhausted under existing conditions.

The proposal is specific to one property in Cremorne, and it is not considered to be consequential for the provision of housing within the North Sydney LGA, nor will the proposal unduly restrict development in surrounding areas.

As such, the proposal is generally considered to be consistent with the LHS.

#### Community Strategic Plan 2040

The North Sydney Community Strategic Plan 2040 (CSP) outlines the community-wide priorities and aspirations for the LGA, and provides long-term goals, objectives and actions to achieve these visions. The CSP is Council's most important strategic document and is used to guide and inform Council's decision making and planning for the next ten years.

The relevant Directions, Outcomes and Strategies of the Plan are identified as follows:

<b>Direction:</b>	<b>4</b>	<b><i>Our Social Vitality</i></b>
<b>Outcome:</b>	<b>4.3</b>	<i>North Sydney's history is preserved and recognised</i>
<b>Strategies:</b>	<b>4.3.1</b>	<i>Protect and promote North Sydney's history and heritage</i>
	<b>4.3.2</b>	<i>Protect and maintain historical sites, items and records</i>

The Planning Proposal will allow the relevant Directions, Outcomes and Strategies to be pursued in a robust and strategic manner.

#### North Sydney Council Delivery Program 2022-2026

The North Sydney Council Delivery Program 2022-2026 (Delivery Program) was prepared in accordance with NSW State Government's Integrated Planning and Reporting Framework requirements. The Delivery Program outlines Council's priorities and service delivery programs over four years that will contribute to the long-term strategies and desired outcomes of the Plan.

The Planning Proposal directly supports the vision of the Delivery Program as the five Directions mirror those of the CSP.

**5. Is the planning proposal consistent with applicable state environmental planning policies?**

The Planning Proposal is consistent with those State Environmental Planning Policies (SEPPs) which are relevant to the North Sydney Local Government Area, as demonstrated in TABLE 3.

<b>TABLE 3: Consistency with SEPPs</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
<b>SEPP (Biodiversity and Conservation) 2021</b>		
2 – Vegetation in Non-Rural Areas	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
3 – Koala Habitat Protection 2020	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
4 – Koala Habitat Protection 2021	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
5 – Murray River Lands	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
6 - Bushland in urban areas	YES	The Planning Proposal does not seek to further reduce the extent of land zoned in the E2 Environmental Conservation zone nor will it affect the attainment of this aspect of the SEPP's aims and objectives.
7- Canal Estate Development	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
8 – Sydney Water Drinking Catchment	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
9 – Hawkesbury Nepean River	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
10 - Sydney Harbour Catchment	YES	The Planning Proposal is consistent with the SEPP as it will not impede the attainment of the aims and objectives of this SEPP
11 – Georges River Catchment	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
12 - Willandra Lakes	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
<b>SEPP (Building Sustainability Index: BASIX) 2004</b>	N/A	The Planning Proposal does not relate to building sustainability.
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
<b>SEPP (Housing) 2021</b>		
2 - Affordable Rental Housing	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
3 – Diverse housing	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
<b>SEPP (Industry and Employment) 2021</b>		

<b>TABLE 3: Consistency with SEPPs</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
2 – Western Sydney employment area	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
3 - Advertising and signage	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
<b>SEPP (Planning Systems) 2021</b>		
2 - State and Regional Development	N/A	This aspect of the SEPP does not apply as the Planning Proposal does not relate to state or regional development nor the operation of joint regional planning panels.
3 – Aboriginal Land	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
4 - Concurrences and Consents	YES	The Planning Proposal is consistent with this aspect of the SEPP as it will not impede the attainment of the aims and objectives of this SEPP.
<b>SEPP (Precincts-Eastern Harbour City) 2021</b>		
2 – State Significant Precincts	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
3- Darling Harbour	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
4 – City West	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
5 – Walsh Bay	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
6 – Cooks Cove	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
7 – Moore Park Showground	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
<b>SEPP (Primary Production) 2021</b>		
2 – Primary Production and Rural Development	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
3 – Central Coast Plateau	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
<b>SEPP (Resilience and Hazards) 2021</b>		
2 - Coastal Management	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
3 - Hazardous and offensive development	N/A	This SEPP does not apply as the Planning Proposal does not relate to land upon which hazardous and offensive development is permitted.
4 - Remediation of land	YES	The Planning Proposal does not seek to amend the permissibility of land use within any zone nor introduce a site-specific use which may be sensitive to contamination issues (e.g. rezoning land zoned for commercial or industrial purposes to residential or recreational uses).
<b>SEPP (Resources and Energy) 2021</b>		

<b>TABLE 3: Consistency with SEPPs</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
2 - Mining, Petroleum Production and Extractive Industries	YES	The Planning Proposal is consistent with this aspect of the SEPP as it will not impede the attainment of the aims and objectives of this SEPP.
3 – Extractive Industries	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
<b>SEPP (Transport and Infrastructure) 2021</b>		
2- Infrastructure	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
3 - Educational Establishments and Child Care Facilities	YES	The Planning Proposal is consistent with this aspect of the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
4 – Major Infrastructure Corridors	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
5 – Three Ports	N/A	The planning proposal does not apply to land affected by this aspect of the SEPP.
<b>SEPP No. 65 - Design Quality of Residential Apartment Development</b>	YES	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.

**6. *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?***

The Planning Proposal is consistent with the relevant Directions issued under Section 9.1 of the EP&A Act by the Minister to councils, as demonstrated in TABLE 4.

<b>TABLE 4: Consistency with s.9.1 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
<b>1. Planning Systems</b>		
1.1 Implementation of Regional Plans	YES	Refer to question 3 to Section 5.3.2 of this report.
1.2 Development of Aboriginal Land Council land	N/A	This Direction does not apply as the Planning Proposal does not relate to any land identified under State Environmental Planning Policy (Aboriginal Land) 2019.
1.3 Approval & Referral Requirements	YES	The Planning Proposal does not seek to introduce new concurrence, consultation or referral requirements, nor identify development types for the purpose of designated development.
1.4 Site Specific Provisions	N/A	This Direction does not apply as the Planning Proposal does not relate to any site specific land use controls, nor introduce new development standards not already contained in the LEP.
1.5 Parramatta Road Corridor Transformation Strategy	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.



<b>TABLE 4: Consistency with s.9.1 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This Direction does not apply as the Planning Proposal does not relate to any land comprising the Greater Parramatta Priority Growth Area.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
1.10 Implementation of Western Sydney Aerotropolis Plan	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	This Direction does not apply as the Planning Proposal does not relate to the identified area.
1.14 Implementation of Greater Macarthur 2040	N/A	This Direction does not apply as the Planning Proposal does not relate to the identified area.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	This Direction does not apply as the Planning Proposal does not relate to the identified area.
1.16 North West Rail Link Corridor Strategy	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
<b>2 Design and Place</b>		
<b>3 Biodiversity and Conservation</b>		
3.1 Conservation Zones	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified area.
3.2 Heritage Conservation	YES	The Planning Proposal does not alter the existing heritage conservation provisions within NSLEP 2013 which already satisfy the requirements of the Direction. In addition, the Planning Proposal seeks to undertake minor amendments to the Heritage Map and Schedule 5 to NSLEP 2013 to include an additional item of local heritage significance resulting from the recommendations of a detailed heritage assessment of the subject site (refer to Appendix 3).
3.3 Sydney Drinking Water Catchment	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.

<b>TABLE 4: Consistency with s.9.1 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
3.5 Recreation Vehicle Areas	N/A	The Planning Proposal does not enable land to be developed for the purposes of a recreational vehicle area.
<b>4 Resilience and Hazards</b>		
4.1 Flooding	N/A	This Direction does not apply as the Planning Proposal does not relate to land identified as being flood prone land.
4.2 Coastal Management	N/A	The Planning Proposal does not affect land that covered by the Coastal Management SEPP.
4.3 Planning for Bushfire Protection	N/A	This Direction does not apply as the Planning Proposal does not relate to land identified as being bushfire affected land.
4.4 Remediation of Contaminated Land	YES	The proposal does not seek to alter the zoning of any land, thereby increasing the potential risk to exposure to contamination.
4.5 Acid Sulfate Soils	N/A	This Direction does not apply as the Planning Proposal does not relate to land affected by Acid Sulfate Soils.
4.6 Mine Subsidence & Unstable Land	N/A	This Direction does not apply as the Planning Proposal does not relate to land affected by mine subsidence nor has it been identified as being unstable land.
<b>5 Transport and Infrastructure</b>		
5.1 Integrating Land Use & Transport	YES	The Planning Proposal does not seek to minimise development potential in close proximity to mass public transport.
5.2 Reserving Land for Public Purposes	N/A	This Direction does not apply as the Planning Proposal does not relate to land reserved for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	YES	Despite not being located in close proximity to Sydney Airport, almost the entire LGA is affected by an Obstacle Limitation Surface (OLS) of 156m AHD. The Planning Proposal does not seek to increase the maximum height permitted on any land within the LGA.
5.4 Shooting Ranges	N/A	This Direction does not apply as the Planning Proposal does not relate to land in the vicinity of a shooting range.
<b>6 Housing</b>		
6.1 Residential Zones	YES	Clause (4)(a) states that a planning proposal must include provisions that encourage the provision of housing that will broaden the choice of building types and locations available in the housing market. The Planning Proposal is therefore consistent with the requirements of the Direction as it will not reduce the ability to undertake residential development on those parcels of land where residential development is currently permitted.

<b>TABLE 4: Consistency with s.9.1 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
6.2 Caravan Parks & Manufactured Home Estates	N/A	This Direction does not apply as the Planning Proposal does not seek to permit caravan parks or manufactured home estates under NSLEP 2013.
<b>7 Industry and Employment</b>		
7.1 Business & Industrial Zones	N/A	This Direction does not apply as the Planning Proposal does not relate to any land zoned business or industrial.
7.2 Reduction in non-hosted short term rental accommodation period	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
7.3 Commercial and retail development along the Pacific Highway, North Coast	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
<b>8 Resources and Energy</b>		
8.1 Mining, Petroleum Production & Extractive Industries	YES	The Planning Proposal does not seek to alter the permissibility of these types of land uses.
<b>9 Primary Production</b>		
9.1 Rural Zones	N/A	This Direction does not apply as there are no existing rural zones under NSLEP 2013 nor proposed under the Planning Proposal.
9.2 Rural Lands	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
9.3 Oyster Aquaculture	N/A	This Direction does not apply as the Planning Proposal is not located in a water catchment area that directly drains to a water body containing a Priority Oyster Aquaculture Area or a current oyster aquaculture lease in the national parks estate.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast.	N/A	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.

### **5.3.3 Section C – Environmental, social and economic impact.**

**7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

No.

The Planning Proposal seeks to identify one (1) new item of heritage significance and will not result in an adverse impact on any critical habitat or threatened species, populations or ecological communities, or their habitats.

**8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No.

The Planning Proposal merely seeks to identify one (1) new item of heritage significance and is unlikely to result in any adverse environmental impacts.

**9. How has the planning proposal adequately addressed any social and economic effects?**

On 11 November 2021, a development application (DA375/2021) was lodged with Council seeking the demolition of an existing residential flat building and a multi-dwelling housing development and construction of a new four storey residential flat building over two levels of basement parking, landscaping, fencing and associated works at 15 Allister Street, Cremorne.

In response to this application, the petition notes:

*15 Allister Street, built in 1913, was designed by prominent architect, Clifford Finch. From 1927-30, Finch was in partnership with renowned architect, John Burcham Clamp, and jointly designed many significant buildings including Sydney's Tattersall's Club, Lawson House (212-218 Cumberland Street), Canberra Grammar School and the Ainslie Hotel, Canberra. Finch also practiced as an independent architect. Several of his designs are listed as local heritage items in the Ku-Ring-Gai LGA. Art-Deco residential flat buildings need to be acknowledged and protected as part of North Sydney's heritage. The Art-Deco era is Cremorne's theme as acknowledged in North Sydney Council's urban design branding.*

It was noted that during the assessment of DA375/2021 a petition was provided to Council signed by over 100 individuals raising strong objections to the demolition of the dwelling and requesting that North Sydney Council urgently impose an IHO on the property.

In response to the recommendations of a preliminary heritage assessment and the identification of a threat of harm, Council imposed an IHO over the subject site to provide temporary protection to the property to enable a more detailed heritage assessment to be undertaken.

Following the implementation of an IHO over the property, Kemp & Johnson Heritage Consultants undertook a detailed heritage assessment (refer to Appendix 3) of the subject site. The purpose of the assessment was to determine whether the subject site and any building or structure thereon had sufficient significance to warrant listing as a heritage item under NSLEP 2013.

Accordingly, the intent of the Planning Proposal would satisfy the concerns of the local community.

The public exhibition of the Planning Proposal will provide additional opportunity for the owners of the property and the wider community to provide feedback and help determine whether heritage listing of the subject sites is considered appropriate or not.

**5.3.4 Section D – State and Commonwealth interests****10. Is there adequate public infrastructure for the planning proposal?**

The Planning Proposal seeks to identify a new item of heritage significance and is likely to have negligible impact upon the demand for public infrastructure.

If required, consultation with relevant public infrastructure agencies during the public exhibition of the planning proposal will ensure any concerns are addressed prior to progressing any heritage listing.

**11. *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The Planning Proposal has not yet been considered by State or Commonwealth public authorities and would be typically gained through the Gateway Determination process.

In light of the proposed changes to NSLEP 2013, Council considers that, the Heritage Council of NSW be consulted with during the public exhibition process.

## **5.4 PART 4: MAPPING**

The Planning Proposal requires amendment of the Heritage Map to NSLEP 2013. In particular, the Planning Proposal would require the replacement of the following Sheet to the Heritage Map:

- HER\_003 5950\_COM\_HER\_003\_010\_20200810  
(refer to Appendix 5)

With the following sheet:

- 5950\_COM\_HER\_003\_010\_20220712  
(refer to Appendix 6)

## **5.5 PART 5: COMMUNITY CONSULTATION**

Consultation will be undertaken in accordance with the requirements made by the Gateway Determination and Council's internal stakeholder engagement guidelines.

In light of the proposed changes to NSLEP 2013, Council considers that the following stakeholders be consulted with during the public exhibition process:

- Heritage Council of NSW
- North Shore Historical Society
- National Trust

## **5.6 PART 6: PROJECT TIMELINE**

TABLE 5 provides a project timeline having regard to identified milestones and estimating approximately 6 months from submitting the proposal to the DPE to the amending LEP being made.

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 Planning Proposal – 15 Allister Street, Cremorne
 

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<b>TABLE 5 – Project Timeline</b>							
<b>Milestone</b>	<b>Aug 2022</b>	<b>Sep 2022</b>	<b>Oct 2022</b>	<b>Nov 2022</b>	<b>Dec 2022</b>	<b>Jan 2023</b>	<b>Feb 2023</b>
1. Local Planning Panel considers Planning Proposal							
2. Council determines whether to progress to Gateway Determination							
3. Request for Gateway Determination sent to DPE							
4. DPE considers request							
5. Gateway Determination issued to Council							
6. Amendment of Planning Proposal to align with Gateway Determination							
7. Public exhibition undertaken							
8. Council considers submissions							
9. Council considers post exhibition report							
10. Submission to DPE / PCO requesting making of LEP							
11. Drafting of LEP and making							

# **APPENDIX 1**

***Notice of Motion and Council Resolution – 28 March 2022***

**DECISION OF 3757<sup>th</sup> COUNCIL MEETING  
HELD ON MONDAY 28 MARCH 2022**

**9.1. Notice of Motion 19/22 - Cr Welch - Interim Heritage Order, 15 Allister St Cremorne**

**1. THAT** That Council obtain urgent advice as to an Interim Heritage Order being supported on 15 Allister Street, Cremorne

The Motion was moved by Councillor Welch and seconded by Councillor Spenceley.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 9 / 1

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Drummond, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley and Councillor Welch

**Against:** Councillor Mutton

**Absent:** Nil

**92. RESOLVED:**

**1. THAT** Council obtain urgent advice as to an Interim Heritage Order being supported on 15 Allister Street, Cremorne.

**2. THAT** Council receive the tabled petition in this matter.



### **9.1. Notice of Motion 19/22 - Cr Welch - Interim Heritage Order, 15 Allister St Cremorne**

**1. THAT** That Council obtain urgent advice as to an Interim Heritage Order being supported on 15 Allister Street, Cremorne

#### **BACKGROUND (as supplied by the submitter)**

Over 100 individuals have signed a petition requesting that North Sydney Council urgently impose an Interim Heritage Order on 15 Allister Street, Cremorne. The property is threatened with demolition by DA 375/2021.

15 Allister Street, built in 1913, was designed by prominent architect, Clifford Finch. From 1927-30, Finch was in partnership with renowned architect, John Burcham Clamp, and jointly designed many significant buildings including Sydney's Tattersall's Club, Lawson House (212-218 Cumberland Street), Canberra Grammar School and the Ainslie hotel, Canberra. Finch also practiced as an independent architect. Several of his designs are listed as local heritage items in the Ku-ring-gai LGA.

Art-Deco residential flat buildings need to be acknowledged and protected as part of North Sydney's heritage. The Art-Deco era is Cremorne's theme as acknowledged in North Sydney Council's urban design branding.

#### **Director City Strategy Comment**

With respect to issuing IHOs, they can be issued by Council subject to meeting a number of criteria, particularly, Council would need to demonstrate a "threat of harm" to the property. The NSW Heritage Office's Local Government Heritage Guidelines indicate that a threat of harm can constitute:

- Council's own observation of the item (i.e. actual works to the item),
- Notification under other legislation;
- Pre-development application consultation;
- Lodgement of a development application; or
- Community lobbying.

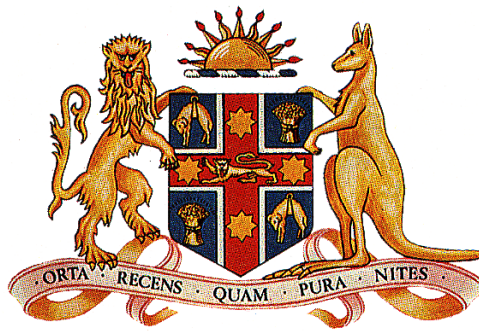
The site is in the R4 zone, zoned for high density residential since LEP1989 and is subject to a development application. It is recognised that the community has raised concerns as to the heritage value of this property.

An initial IHO review by a suitably qualified heritage consultant represents expenditure in the order of \$4-5,000. If successful a further \$10,000 to finalise the assessment would be required. The planning policy review budget has been allocated and or spent in full for 2020/2021, as such a funding allocation of \$15,000 will need to be made to pursue this course of action.

Council's delegation to issue an IHO needs to be carefully managed lest the privilege is seen to be overused or used for the purposes of anti-development. Whilst there may well be heritage related merit in pursuing such action, it also represents a very significant, often irreversible change for applicants.

## **APPENDIX 2**

### ***Interim Heritage Order – Government Gazette Notice***



# *Government Gazette*

of the State of

New South Wales

**Number 241–Planning and Heritage**

**Friday, 3 June 2022**

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The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

**North Sydney Council**

Heritage Act 1977

Interim Heritage Order No. 2/2022

15 Allister Street, Cremorne

Under Section 25 of the Heritage Act, 1977, North Sydney Council, do by this notice:

- I. Make an Interim Heritage Order to cover the items of the environmental heritage specified or described in Schedule 'A'; and
- II. Declare that the Interim Heritage Order shall apply to the curtilage or site of such items, being the land described in Schedule 'B'

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- (1) In the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- (2) In the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.



Robert Emerson

Acting General Manager

North Sydney Council

Dated at North Sydney 31st May 2022

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**SCHEDULE 'A'**

The property situated at 15 Allister Street, Cremorne NSW 2090 on the land described in Schedule 'B'.

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**SCHEDULE 'B'**

The parcel of land known as SP 19383, shown edged heavy red on the plan catalogued NSC IHO 2/22.

IHO 2/22 – 15 Allister Street, Cremorne



North Sydney Council

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Further details can be obtained by calling (02) 9336 8100 or e-mail [mapinfo@northsydney.nsw.gov.au](mailto:mapinfo@northsydney.nsw.gov.au)



Scale 1 : 500 @ A4



## **APPENDIX 3**

*Detailed Heritage Assessment Report prepared by Kemp & Johnson Heritage  
Consultants*



# Heritage Assessment Report

## 15 Allister Street, Cremorne NSW (SP19383)

June 2022



prepared by Kemp & Johnson Heritage Consultants  
for North Sydney Council

Kemp & Johnson  
Heritage Consultants

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Revision	Date	Issued By
1-Preliminary	2 May 2022	Chery Kemp, Principal Partner/Heritage Specialist
2-IHO version	26 May 2022	Chery Kemp, Principal Partner/Heritage Specialist
3-final	23 June 2022	Chery Kemp, Principal Partner/Heritage Specialist

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## FIGURES

Cover: 15 Allister Street, Cremorne (centre) within the Allister Street context.

Figure 1: Location of the subject property at 15 Allister Street, Cremorne (shaded yellow, outlined in red) Source: NSW Land Registry

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## 1.0 INTRODUCTION/BACKGROUND

### THE BRIEF

This heritage assessment report has been prepared on behalf of North Sydney Council to assess the heritage significance of the property at 15 Allister Street, Cremorne.

### APPROACH AND METHODOLOGY

The methodology used in this report is in accordance with the guidelines of the NSW Heritage Manual and in accordance with the latest version of Heritage NSW *Assessing Heritage Significance* guidelines. This report is also in accordance with the principles and definitions set out in the Australia ICOMOS Burra Charter 2013 and its Practice Notes.

### LIMITATIONS

The historical background in this report has been thoroughly researched by professional historian Dr. Charles Pickett from a mix of primary (e.g., *Sand's Directory*, Lands Titles) and secondary sources, and is a detailed history sufficient to provide the basis for heritage significance analysis of the place.

### AUTHOR IDENTIFICATION

This report was prepared by Kemp & Johnson Heritage Consultants, Architects and Heritage Consultants, 180 Darling St Balmain NSW 2041.

This report was authored by Chery Kemp, Heritage Specialist, with historical research undertaken and history written by Dr. Charles Pickett, Historian sub-consultant, and site photos taken by professional photographer Nathanael Hughes (unless otherwise credited).

### ACKNOWLEDGEMENTS

The assistance of Stanton Library Heritage Centre in undertaking the historical research for this report is gratefully acknowledged.

### DEFINITIONS

For the purposes of this report

Local Refers to North Sydney Council area

State refers to New South Wales

The following definitions used in this report and are from *Article 1: Definitions* of The Burra Charter 2013, the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance.

Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*.

Places may have a range of values for different individuals or groups.

Fabric	means all the physical material of the <i>place</i> including elements, fixtures, contents and objects.
Conservation	means all the processes of looking after a <i>place</i> so as to retain its <i>cultural significance</i> .
Maintenance	means the continuous protective care of a <i>place</i> , and its <i>setting</i> . Maintenance is to be distinguished from repair which involves <i>restoration</i> or <i>reconstruction</i> .
Preservation	means maintaining a <i>place</i> in its existing state and retarding deterioration.
Restoration	means returning a <i>place</i> to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
Reconstruction	means returning a <i>place</i> to a known earlier state and is distinguished from <i>restoration</i> by the introduction of new material.
Adaptation	means changing a <i>place</i> to suit the existing <i>use</i> or a proposed use.
Use	means the functions of a <i>place</i> , including the activities and traditional and customary practices that may occur at the place or are dependent on the place.
Compatible use	means a <i>use</i> which respects the <i>cultural significance</i> of a <i>place</i> . Such a use involves no, or minimal, impact on cultural significance.
Setting	means the immediate and extended environment of a <i>place</i> that is part of or contributes to its <i>cultural significance</i> and distinctive character.
Related Place	means a <i>place</i> that contributes to the <i>cultural significance</i> of another place.
Related object	means an object that contributes to the <i>cultural significance</i> of a <i>place</i> but is not at the place.
Associations	mean the connections that exist between people and a place.
Meanings	denote what a place signifies, indicates, evokes or expresses to people.
Interpretation	means all the ways of presenting the cultural significance of a place.

## SITE LOCATION

The subject site at 15 Allister Street, Cremorne is located on the eastern side of Allister Street opposite Sceggs Redlands Murdoch Campus. The real property details are outlined in Table 1 below. Figures 1-3 show the location of the site.

Table 1: Real Property Details for the site

Street address	Real property description
15 Allister Street, Cremorne	SP19383



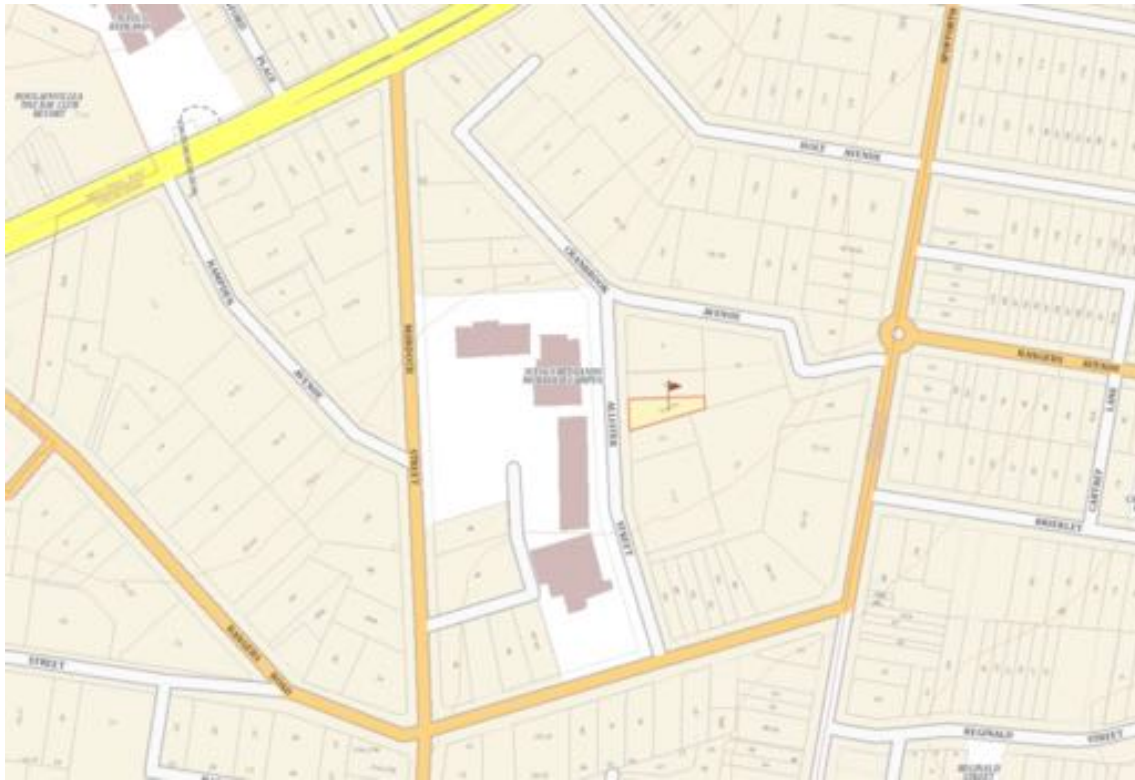


Figure 1: Location of the subject property at 15 Allister Street, Cremorne (shaded yellow, outlined in red) Source: NSW Land Registry Services Six maps



Figure 2: Recent satellite view of the site (shaded yellow, outlined in red) Source: Source: NSW Land Registry Services Six maps



Figure 3: 1943 aerial photo of the site (shaded yellow, outlined in red) Source: NSW Land Registry Services Six maps

## STATUTORY LISTINGS AND CONTROLS

### NSW HERITAGE ACT 1977 (AS AMENDED)

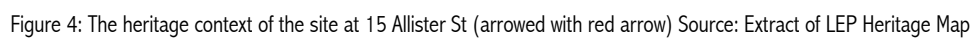
The site is not included on the State Heritage Register (SHR).

### NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2013

The site is not listed as a heritage item and is not within a heritage conservation area listed in the LEP. However, the property is in the vicinity of other listed heritage items, which are listed in Table 2 below. Two of these items, are of State heritage significance. Figure 4 below shows the heritage context of the site.

Table 2: NSLEP 2013 listing details for Heritage items in the vicinity of the site (in order of proximity to the site)

Locality	Item name	Address	Property description	Significance	Item No.
Cremorne	"Egglemont"	11 Cranbrook Avenue	Lots 27 and 28, DP8862	State	I0046
Cremorne	"Belvedere"	7 Cranbrook Avenue	Lot A, DP 329662	State	I0045
Cremorne	Sceegs Redlands	53-57 Murdoch Street	Lot 1, DP 731455	Local	I0067
Cremorne	Former Cremorne Hall	57 Murdoch Street (2 Allister Street)	Lot 1, DP 731455	Local	I0068



No National Trust listings or Australian Institute of Architects listings have been noted for the subject property.

## 2.0 HISTORY

### CREMORNE

Cremorne forms one of the prominent peninsulas of the north shore of Sydney Harbour. The area gained its present name in 1856, when an amusement park and pleasure gardens opened at Cremorne Point, borrowing the name of a similar London attraction. The amusement park was short-lived, but the gardens remained a popular picnic and camping spot for some decades.

The Cammeraygal people named the area Wulworra-Jeung, its sandstone outcrops and foreshore perfect for fishing and sheltering. Unlike the neighbouring locales of North Sydney and Mosman, the peninsula saw little residential development during the 1800s, despite Thomas Brisbane's 1833 grant of 35 hectares to government clock maker James Robertson.

Subdivision plans were delayed by a series of unsuccessful legal challenges to the 100 feet (30 metre) foreshore reserve, a condition of most harbour foreshore land grants. The last of these challenges was dismissed in 1891, at which time the newly formed North Sydney Council was also opposing a proposal to mine coal on the peninsular.

Cremorne Reserve was gazetted during 1905, finally protecting the foreshore from industrial and residential development.

### CREMORNE HEIGHTS ESTATE

Meanwhile 700 acres (283 hectares) of land running south from Military Road became the property of Alfred Thrupp, an early free settler who met Sarah Piper, daughter of naval officer John Piper, while sailing to Sydney during 1814. Purchased by Thrupp's new father-in-law following his 1816 wedding to Sarah Piper, this large estate covered most of Neutral Bay, Kurraba Point and the northern part of Cremorne.

The Thrupps did not reside on their estate, much of which was purchased by the emancipist merchant and landowner Daniel Cooper. From 1879 Richard Hayes Harnett began to aggregate parts of Cooper's land south from Military Road, Cremorne. Harnett was a land speculator who was also significant in promoting the North Shore Railway and ferry services to Mosman; his son Richard junior became Mosman's first Mayor in 1883.

The Depression of the 1890s saw the Harnetts sell parts of their estate including land between Spofforth and Murdoch Streets and Military Road<sup>1</sup>. 4.13 hectares was purchased by Sydney accountant Daniel McAllister who in 1917 had the land subdivided into 52 lots and auctioned as the Cremorne Heights Estate<sup>2</sup>. Allister Street and Cranbrook Avenue were created at this time<sup>3</sup>:

WITHIN 20 MINUTES OF THE CITY. Cremorne Heights Estate, SITUATE IN THE  
PREMIER POSITION of this Popular Residential Locality, commanding a wide range of  
UNRIVALLED AND BEAUTIFUL VIEWS OVER SYDNEY HARBOR AND EXTENDING  
TO THE PACIFIC OCEAN OVER BONDI...Lots to be offered are of very liberal  
dimensions, and from everyone DELIGHTFUL PEEPS OF THE HARBOR ARE  
OBTAINED.<sup>4</sup>

<sup>1</sup> Primary Application 14399, 1907

<sup>2</sup> Deposited Plan 8862

<sup>3</sup> Vol.1819, Folio 200, 1907

<sup>4</sup> The Sun, 25 May 1917, p.8



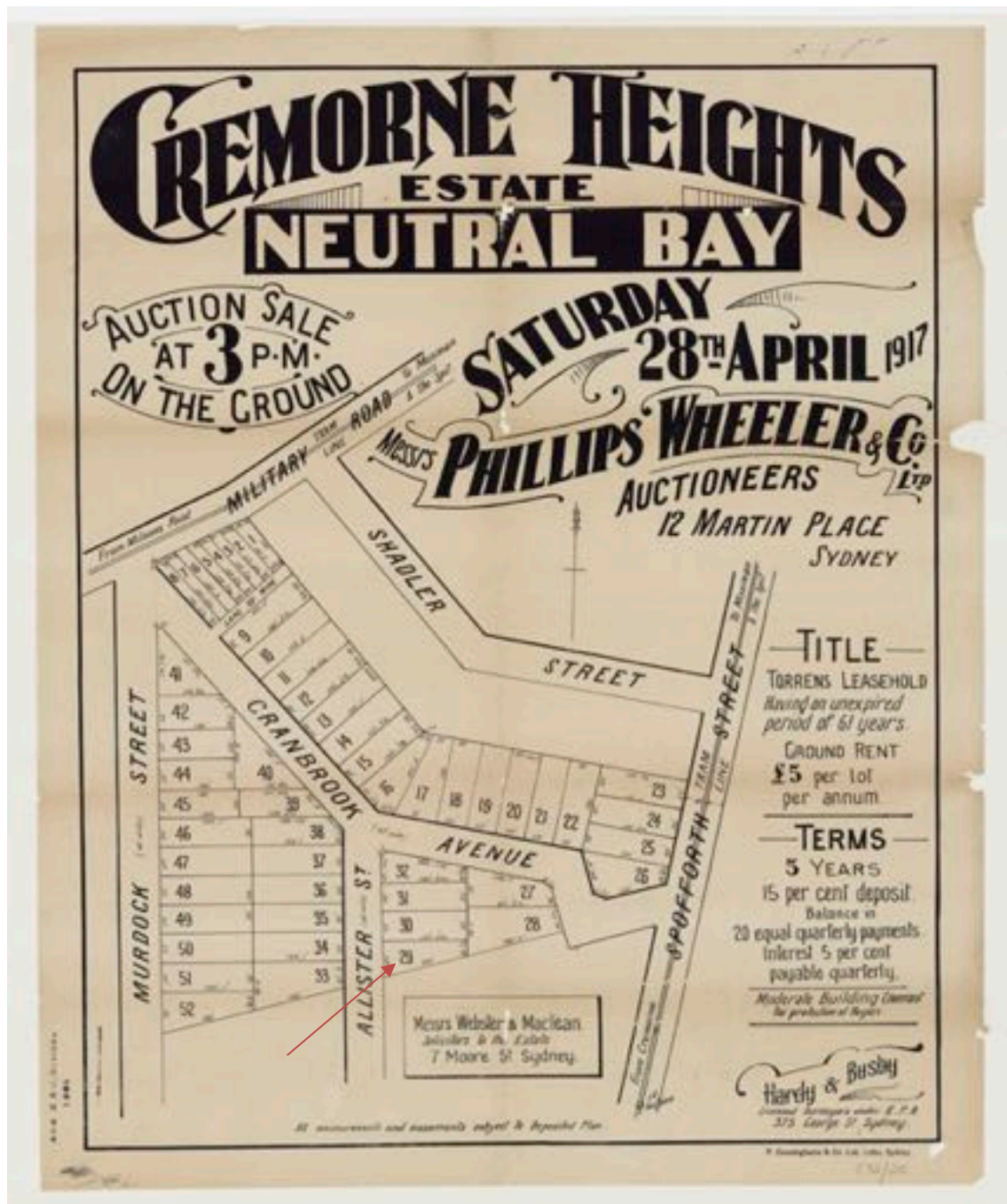


Figure 5: Cremorne Heights Estate, 1917. Lot 29 (arrowed) is the subject site at 15 Allister Street. Source: State Library of NSW

Lot 29 was at the then southern extent of Allister Street; it changed hands three times between 1917 and 1925 when it was sold with four other lots to Petersham builder James Leckie<sup>5</sup>.

By 1932 the other Allister Street lots were occupied but number 15 remained vacant until July 1937 when it was purchased by Ford Reynolds, a grazier at Capertee, south of Mudgee.

<sup>5</sup> Vol. 3743 Folio 193, 1925

Reynolds also conducted a busy social and business life in Sydney and in September 1937 sold the 556 square metre lot to Augusta Clementina Frances Boulton, wife of Joseph Francis Boulton<sup>6</sup>. Boulton had managed the Sydney factory of Henry Jones and Company, makers of IXL jam, before moving to similar positions in other food manufacturers.

## CLIFFORD H. FINCH

During August 1937 requests for building tenders appeared in the building press:

‘Cremorne – Erection of a block of 4 flats – C.H. Finch, 28 Martin Place, Sydney’<sup>7</sup>

‘Clifford H Finch tenders for residence in Garnet Street Killara and for a block of four flats Cremorne’<sup>8</sup>.

Clifford Horace Finch (1894-1967) studied at Sydney Technical College, before being articled to John Burcham Clamp, one of Sydney’s most prominent architects. Shortly after completing his articles in 1915, he enlisted in the Australian Imperial Force, serving as an engineer in Egypt and France. Returning to Sydney Finch practiced independently before becoming partner to Burcham Clamp in 1924<sup>9</sup>. Burcham Clamp & Finch designed numerous church and school buildings for the Anglican Church (Clamp was surveyor for the Sydney Diocese) notably the Church of England Grammar School Chapel, North Sydney, and the Church of England Boys Home at Carlingford. The practice also designed the Richard Johnson obelisk at Bligh Street, marking Sydney’s first Christian service. Among numerous commercial and residential structures, Burcham Clamp & Finch designed the Tattersall’s Club, Castlereagh Street, Lawson House, Cumberland Street and the Ainslie Hotel, Canberra.

Finch returned to individual practice during 1930, designing primarily residential buildings with some exceptions including Woy Woy Council Chambers and Roseville Golf Club. His son, Barry Clifford Finch also became a successful architect, in 1963 forming the high-profile practice Kann Finch with Czech émigré Alexander Kann.

Attachment 1 to this report is a list of tender notices involving Clifford H. Finch and Clamp & Finch in the period 1903 to December 1927.

## 15 ALLISTER STREET

The completed block contains four flats containing two bedrooms, living room, kitchen and bathroom. The front flats occupy 82 square metres of floor space; the larger rear flats also include a dining room; the lower rear flat (Flat 3) also includes a veranda taking its floor area to 95 square metres. Two garages formed the ground floor on the street side.

The flats were available for rent by April 1938:

‘CREMORNE HEIGHTS 15 ALLISTER STREET. Only two of these new Unfurnished Flats now available, spacious lounge-rooms, 2 bedrooms, balconies, breakfast room, tiled kitchen and bathroom, hot water, sunny. Representative on premises 2 p.m. to 4 p.m. today’<sup>10</sup>.

The Boultons had previously lived nearby in Mosman, their four children having reached adulthood they now resided in Flat 3 and rented the other flats, a common arrangement in the decades prior to the advent of strata title during the 1960s. At that time apartments were most

<sup>6</sup> Vol.4881 Folio160

<sup>7</sup> Construction, 18 August 1937, p.7

<sup>8</sup> Sydney Morning Herald, 17 August 1937, p.6

<sup>9</sup> Building, 7 January 1924, p.2

<sup>10</sup> Sydney Morning Herald, 9 April 1938, p.22

common in affluent municipalities including Waverley, Woollahra, Randwick, North Sydney and Manly.

Jean Rosamond Boulton took the title from her parents in 1957, while Nancy Muriel Knaster became owner in 1962; she was still owner when the block was strata titled in 1982 (see Attachment 2 of this report).

## DOCUMENTATION AND ANALYSIS

Although Clifford Finch requested builders' tenders for 15 Allister Street during August 1937, his design for the new apartment block was not approved until an amended plan was submitted to North Sydney Council during October that year. The main alteration to the design was the addition of curved balconies to flats 1 and 3, facing Allister Street (see Figures 6-8 below).

Sydney's building and land tenure rules were designed for detached houses; hence walk-ups on single lots became the dominant format, allowing apartments to be accommodated to existing subdivision patterns but limiting their architectural and urban potential. 15 Allister Street follows a well-established template, although its well-placed balconies, verandas and corner windows gave its component flats superior access to light, breezes and views when compared to most walk-ups of the time.

A patterned texture brick exterior was generic to Sydney cottages and apartments during the 1930s, the latest expression of affluent Sydney's love affair with brick and tile.

## REFERENCES USED FOR THIS HISTORY

Reference: Old Form Torrens Registers, Old System Deeds, Plan Lodgment Books, Old System purchasers and vendors indexes, 1825-1982.

Source: NSW Land Registry Services, Historical Land Records viewer:

<https://hlrv.nswlrs.com.au/>

Reference: Trove: Digitised newspapers and more

Source: National Library of Australia

<https://trove.nla.gov.au>

Reference: Sands Directory

Source: City of Sydney Archives

<https://archives.cityofsydney.nsw.gov.au>

Reference: North Sydney Council building plans, 1929-1949

Source: Stanton Library Heritage Centre

[https://www.northsydney.nsw.gov.au/Library\\_Databases/Heritage\\_Centre/Digital\\_Collections](https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Digital_Collections)

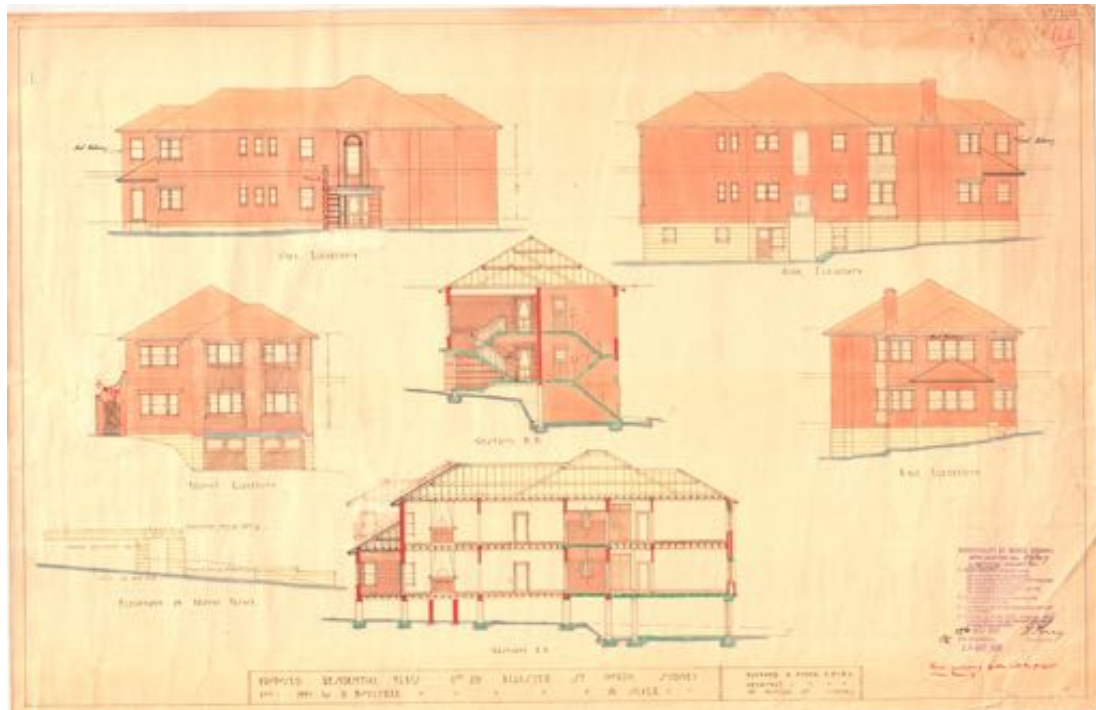


Figure 6: Elevations by architect Clifford Finch dated 12 October 1937. Source: Stanton Library Heritage Centre

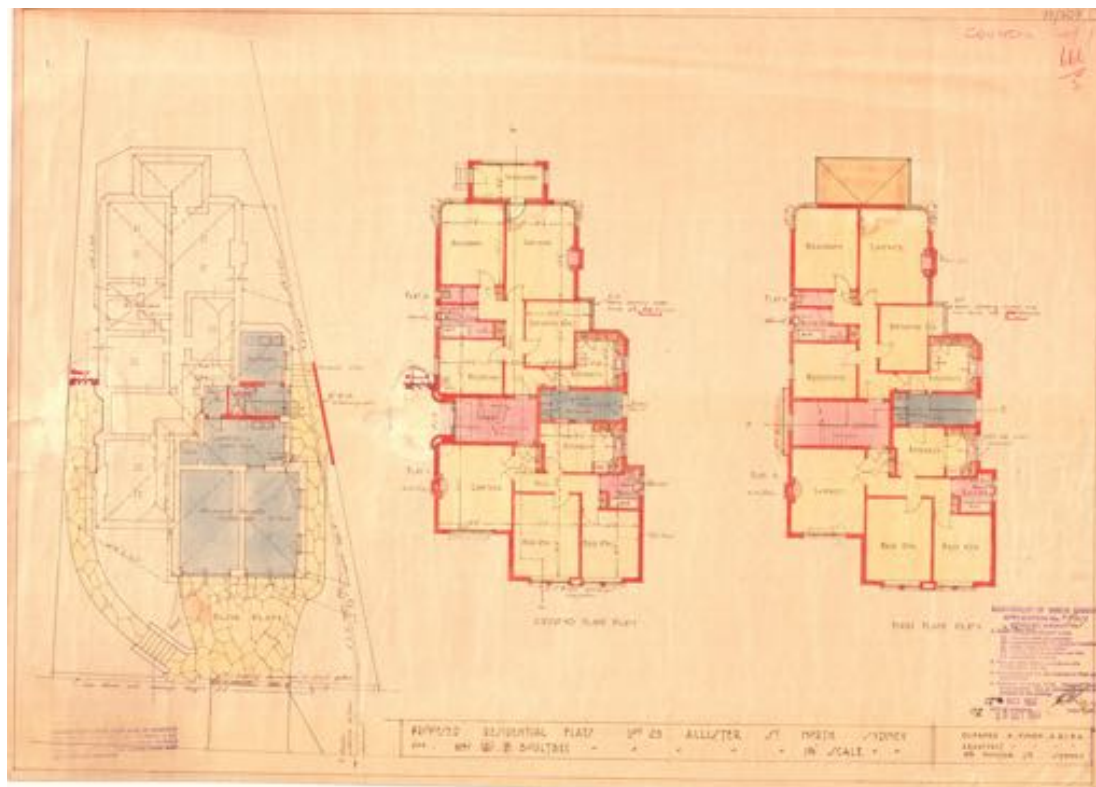
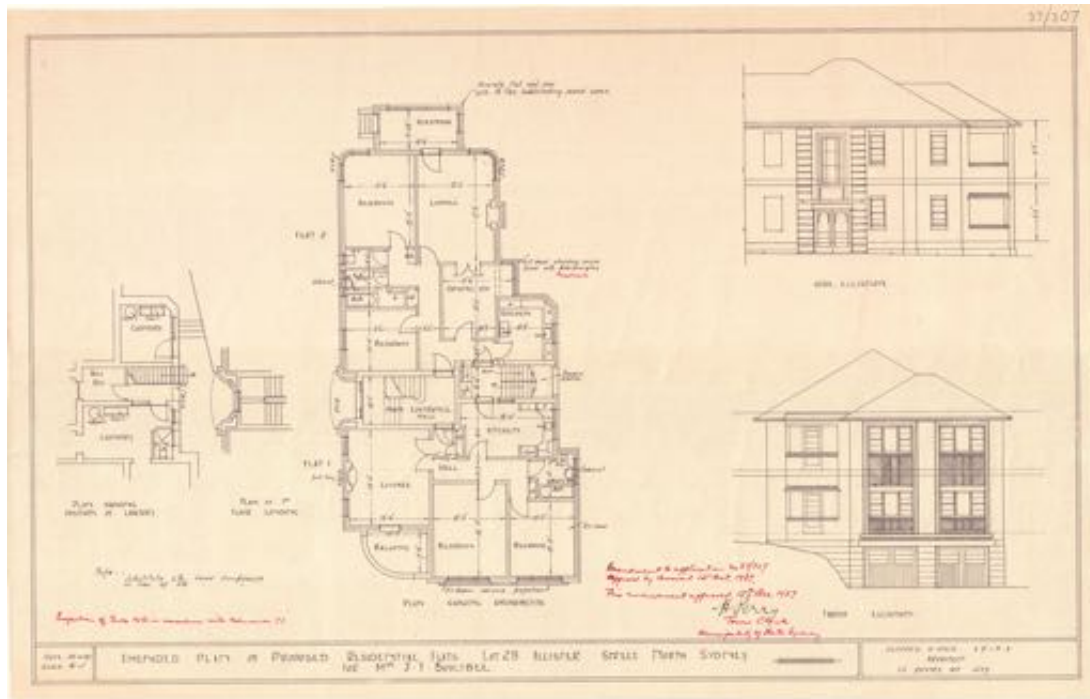


Figure 7: Plans by architect Clifford Finch dated 12/10/1937. Source: Stanton Library Heritage Centre





### 3.0 PHYSICAL DESCRIPTION

The building at 15 Allister Street, Cremorne is a 2-storey brick residential flat building with a sandstone undercroft. The undercroft includes two garages accessed from Allister Street. The building is constructed of red texture brick with distinctive tapestry brick panels to the façade, (western elevation) and has a complex terracotta tiled hipped roof form, with curved balconies to the north-western corner of the building featuring brick balustrades and a brick parapet above the 1<sup>st</sup> floor level balcony.

The building contains four residential flats, and the internal stairwell features original tiling and brickwork, and an original staircase with curved cast iron balustrade and timber handrail, original ceiling and an original stained-glass window. The photos below illustrate the building.

The windows have been replaced in recent years, however the new windows are sympathetic to the style and period of the building. There are no Council records for the window replacement.

Internally (2 units accessed) the joinery and ceilings are generally original, however one unit has downlights to some ceilings, and originally dark stained joinery in one unit has been stripped and refinished to a lighter colour. Fireplaces to the two units accessed have been originally designed for heaters, and have been slightly modified in both units. Kitchens and bathrooms/toilets in both units have modern fitouts. There is no evidence in the two units accessed of any significant change to the internal layouts.

Overall, the level of integrity of the building to its original design both externally and internally (in relation to the units accessed) is high.



Figure 9: The residential flat building at 15 Allister Street, Cremorne, from Allister Street.



Figure 10: (Left) Sandstone entry steps



Figure 11: (Left) Windows and tapestry brickwork details to the façade, 15 Allister Street, Cremorne



Figure 12: (Left) Curved corner balconies



Figure 13: (Left) Main entry doors





Figure 14: (Left) Detail around main entry doors



Figure 15: (Left) Internal lobby with main entry doors, noting original brickwork and tiled floor.



Figure 16: (Left) Original stairway in lobby showing original staircase, original tiling and brick and plaster wall finish



Figure 17: (Left) Unit 1 internal entry door



Figure 18: Cornice detail to entry lobby



Figure 19: (Left) Looking up the stairway to the leadlight window.



Figure 20: (Left) Detail of stairway balustrade

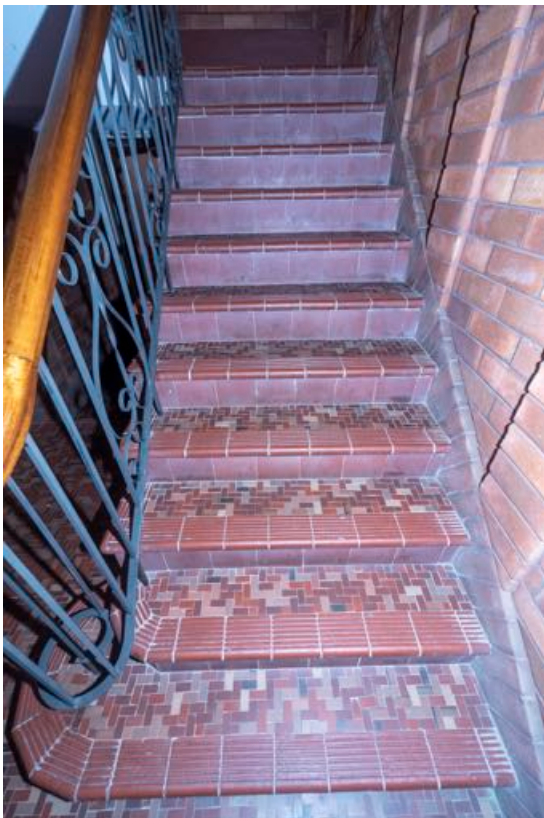


Figure 21: (Left) Detail of original tiling to stairway



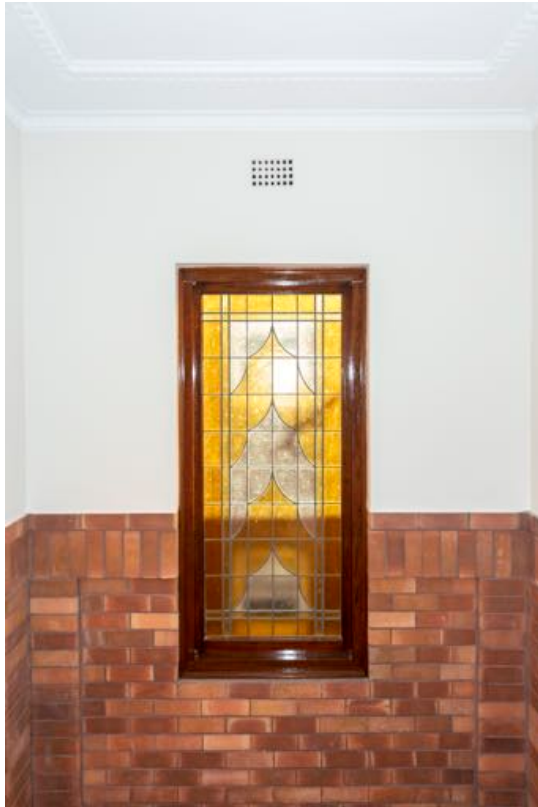


Figure 22: (Left) Leadlight window and original plaster ceiling with decorative cornices to stair lobby.



Figure 23: (Left) View of stairway to 1<sup>st</sup> floor lobby, noting original 1<sup>st</sup> floor lobby ceiling, brickwork, plasterwork, tiling and original stairway details.



Figure 24: Curved glass to corner, with typical timber framed double hung windows with horizontal glazing bars to either side. Source: photo supplied by North Sydney Council



Figure 25: Rear view of the building, noting curved corners



Figure 26: Unit 1 Kitchen



Figure 27: Unit 1 internal built-in storage



Figure 28: Unit 1 living area



Figure 29: Unit 1 original cornice detail to ceiling in living room



Figure 30: Unit 1 fireplace to living room



Figure 31: Unit 1 hallway, bathroom, bedroom door





Figure 32: Unit 1 bedroom with original ceiling



Figure 33: Original cornice detail to Unit 1 bedroom



Figure 34: Unit 1 2<sup>nd</sup> bedroom with original ceiling



Figure 35: Cornice detail to 2<sup>nd</sup> bedroom ceiling, Unit 1



Figure 36: Unit 1 balcony

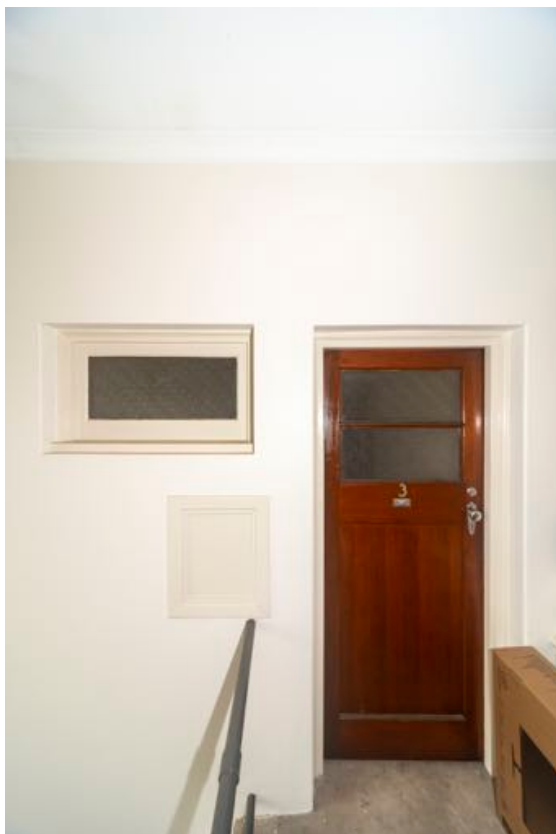


Figure 37: Unit 3 door



Figure 38: Unit 3 kitchen



Figure 39: Unit 3 dining room



Figure 40: Unit 3 living room





Figure 41: Fireplace to Unit 3



Figure 42: Curved corner to Unit 3 living room



Figure 43: Original cornice to Unit 3 living room ceiling



Figure 44: Unit 3 sunroom



Figure 45: Unit 3 bathroom



Figure 46: Unit 3 toilet



Figure 47: Unit 3 bedroom



Figure 48: Unit 3 2<sup>nd</sup> bedroom



Figure 49: Unit 3 cornice detail to 2<sup>nd</sup> bedroom

## 4.0 COMPARATIVE ANALYSIS DISCUSSION

A comparative analysis search of heritage listed inter-war residential flat buildings constructed 1920-1940 within the North Sydney LGA reveals 23 other residential flat buildings listed in the North Sydney LEP. The Comparative Analysis table is Attachment 2 to this report.

Only one of these heritage listed flat buildings - at 68 Kurraba Road, Neutral Bay - is described as an Inter-war Functionalist style building (the same architectural style as the subject building), however there are also two other buildings, at 3 Wulworra Avenue Cremorne Point and 5 Wulworra Avenue Cremorne Point, which, while described as “Art Deco” on their SHI forms, could also be considered Inter-war Functionalist style. Therefore, it can be considered that there are 3 comparative flat buildings of the same architectural style to the subject building in the North Sydney LEP. None of these buildings are by a known architect, unlike the subject building, and all differ in detail to the subject building. For example, the subject building features curved balconies which is a distinctive feature. The detailing of the subject building is also very fine, including leadlight windows to stairwell, curved glass, tapestry brickwork, and the building appears very original in its external and stairwell fabric.

It should also be noted that only one of the heritage listed flat buildings in the North Sydney LGA – 14 Harrison Road, Cremorne – has an identified architect, however this may be the result of a lack of research.

The subject residential flat building at 15 Allister Street, Cremorne is therefore considered locally rare in the North Sydney LGA as one of only four known residential flat buildings of the Inter-war Functionalist style, and one of only two known residential flat buildings with an identified architect.

The building is also considered to be an intact fine example of the style and a fine example of the residential work of the well-known Sydney Inter-war period architect Clifford H. Finch.

## 5.0 ASSESSMENT OF HERITAGE SIGNIFICANCE

### CRITERIA FOR ASSESSING CULTURAL HERITAGE SIGNIFICANCE

The NSW Heritage Manual (1996, amended 2001) in the *Assessing heritage significance* section sets out the basis for assessment of the heritage significance of an item, place or site by evaluating its significance in reference to specific criteria. These criteria can be applied at national, state or local levels of significance.

Below is an analysis of the significance of the subject building in relation to these criterion:

#### **Criterion (a) Historical significance**

The item is important in the course of, or pattern of New South Wales' cultural or natural history (State significance) OR An item is important in the course, or pattern, of the local area's cultural or natural history.

#### **Guidelines for Inclusion:**

- Shows evidence of a significant human activity

*Applicable.* The building is evidence of the architectural design philosophy of a well-known Sydney architect of the inter-war period.

- Is associated with a significant activity or cultural phase

*Applicable.* The building is associated with inter-war period architectural design in Sydney.

- Maintains or shows the continuity of a historical process or activity

*Not applicable*

#### **Guidelines for Exclusion:**

- Has incidental or unsubstantiated connections with historically important activities or processes

*This exclusion guideline is not applicable.* The historical research in this report has established that the building was designed by architect Clifford H. Finch and includes biographical information on the architect which indicates he was a well-known architect of the inter-war period. When in partnership as Burcham Clamp & Finch, Clifford Finch designed numerous church and school buildings for the Anglican Church (Clamp was surveyor for the Sydney Diocese) notably the Church of England Grammar School Chapel, North Sydney, and the Church of England Boys Home at Carlingford. The practice also designed the Richard Johnson obelisk at Bligh Street, marking Sydney's first Christian service. Among numerous commercial and residential structures, Burcham Clamp & Finch designed the Tattersall's Club, Castlereagh Street, Lawson House, Cumberland Street and the Ainslie Hotel, Canberra.

In his own architectural practice after 1930 Finch undertook numerous residential projects, however also designed the Roseville Golf Club and the Woy Woy Council Chambers.

- Provides evidence of activities or processes that are of dubious historical importance

*Not relevant (see above).*

- Has been so altered that it can no longer provide evidence of a particular association

*Not relevant.* The building is very original in its exterior and stairwell detailing and therefore reflects the original design of the architect very well.

Types of items which meet criterion (a) include:

- Items which demonstrate strong associations to past customs, cultural practices, philosophies or systems of government, regardless of the intactness of the item or any structure on the place;

*Applicable.* The building demonstrates the architectural design philosophy of a well-known Sydney architect of the inter-war period.

Items associated with significant historical events, regardless of the intactness of the item or any structure on the place.

*Not Applicable.*

- Significant cultural landscapes and other items demonstrating overlays of the continual pattern of human use and occupation; and/or

*Not Applicable.*

- Items where the physical fabric (above or below ground) demonstrates any of the points described above.

*Applicable.* The physical fabric of the building demonstrates the original architect's design philosophy and the design philosophy of architects of the inter-war period in Sydney.

## **Criterion (b) Historical Association**

An item has strong or special association with the life or works of a person, or group of persons, of importance in New South Wales' cultural or natural history (State significance) OR

An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of the local area (Local significance).

### **Guidelines for Inclusion:**

- Shows evidence of a significant human occupation

*Not Applicable.*

- Is associated with a significant event, person or group of persons

*Applicable.* The building is an example of a design by architect Clifford Finch, a well-known architect of the inter-war period in Sydney.

### **Guidelines for Exclusion:**

- Has incidental or unsubstantiated connections with historically important people or events

*Not Applicable.*

- Provides evidence of people or events that are of dubious historical importance

*Not relevant.*

- Has been so altered that it can no longer provide evidence of a particular association.

*Not relevant.*

Types of items which meet this criterion include:

- Items which demonstrate strong associations to a particular event, historical theme, people or philosophies, regardless of the intactness of the item or any of its structures;

The building's design by architect Clifford Finch has been established through historical research in this report.

- Items associated with significant historical events, regardless of the intactness of the item or any structure on the place; and/or

*Not Applicable.*

- Items where the physical fabric (above or below ground) demonstrates any of the points described above.

*Applicable.* The building is a relatively intact example of the architect Clifford Finch's design work.

### **Criterion (c) Aesthetic/Technical significance**

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in New South Wales (State significance); OR

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area (Local significance).

#### **Guidelines for Inclusion:**

- Shows or is associated with, creative or technical innovation or achievement

*Applicable.* The building is a fine example of an Inter-war Functionalist style residential flat building designed by well-known Sydney inter-war period architect Clifford H. Finch.

Is the inspiration for a creative or technical innovation or achievement

*Not Applicable.*

- Is aesthetically distinctive

*Applicable.* The building is distinctive in its design including features such as curved balconies with parapet, use of fine tapestry brickwork, stained glass windows to stairwell, cast iron balustrade and curved timber handrail to staircase.

- Has landmark qualities.

*Not Applicable.*

- Exemplifies a particular taste, style or technology.

*Applicable.* The building is a fine example of the Inter-war Functionalist style.

#### **Guidelines for Exclusion:**

- Is not a major work by an important designer or artist

*Not Applicable.* The building is a good example of the work of the well-known Sydney architect Clifford H. Finch.

- Has lost its design or technical integrity

*Not Applicable.* The building is intact externally and in relation to the common area stairwell.

- Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded

*Not Applicable (see above).*

- Has only a loose association with a creative or technical achievement.

*Not Applicable.*

Types of items which meet this criterion include:

- Items which demonstrate creative or technical excellence, innovation or achievement.

*Applicable.* The building is a fine example of an Inter-war Functionalist style residential flat building designed by well-known Sydney architect of the period Clifford H. Finch.

- Items which have been the inspiration for creative or technical achievement.

*Applicable/Not Applicable.*

- Items which demonstrate a highly original and influential style, such as an important early (seminal) work of a major architect; and/or

*Not Applicable.*

- Items which demonstrate the culmination of a particular architectural style (known as climactic).

*Not Applicable.*

### **Criterion (d) Social significance**

An item has strong or special association with a particular community or cultural group in New South Wales for social, cultural or spiritual reasons (State significance) OR

An item has strong or special association with a particular community or cultural group in the area for social, cultural, or spiritual reasons (Local significance).

#### **Guidelines for Inclusion:**

- Is important for its associations with an identifiable group

*Not applicable.*

- Is important to a community's sense of place.

*Applicable.* The building is a fine example of its period and type in the North Sydney LGA.

#### **Guidelines for Exclusion:**

- Is only important to the community for amenity reasons

*Not applicable.*

- Is retained only in preference to a proposed alternative.

*Not applicable.*

Types of items which meet this criterion include:

- Items which are esteemed by the community for their cultural values;

*Not applicable*

- Items which if damaged or destroyed would cause a community a sense of loss.

*Applicable.*

and/or

- Items which contribute to a community's sense of identity.

*Not applicable.*

Items are excluded if:



- They are valued only for their amenity (service convenience); and/or

*Not applicable.*

- The community seeks their retention only in preference to a proposed alternative.

*Not applicable.*

### **Criterion (e) Research potential**

An item has potential to yield information that will contribute to the understanding of New South Wales' cultural or natural history (State significance) OR

An item has potential to yield information that will contribute to an understanding of the area's cultural or natural history (Local significance).

#### **Guidelines for Inclusion:**

- Has the potential to yield new or further substantial scientific and/or archaeological information

*Not applicable.*

- Is an important benchmark or reference site or type.

*Not applicable.*

- Provides evidence of past human cultures that is unavailable elsewhere.

*Not applicable.*

#### **Guidelines for Exclusion:**

- The knowledge gained would be irrelevant to research on science, human history or culture

*Applicable*

- Has little archaeological or research potential

*Applicable.*

- Only contains information that is readily available from other resources or archaeological sites.

*Applicable.*

### **Criterion (f) Rarity**

An item possesses uncommon, rare or endangered aspects of New South Wales' cultural or natural history (State significance); OR

An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history (Local significance).

#### **Guidelines for Inclusion:**

- Provides evidence of a defunct custom, way of life or process

*Not applicable.*

- Demonstrates a process, custom or other human activity that is in danger of being lost

*Not applicable.*

- Shows unusually accurate evidence of a significant human activity

*Not applicable.*

- Is the only example of its type

*Not applicable.*

- Demonstrates designs or techniques of exceptional interest

*Applicable.* The building is a fine example of the Inter-war Functionalist architectural style.

- Shows rare evidence of a significant human activity important to a community.

*Not applicable.*

**Guidelines for Exclusion:**

- Is not rare

*Not applicable.* The building is one of only four identified Inter-war Functionalist style flat buildings in the North Sydney LGA, and the only one of these identified as architect designed.

- Is numerous but under threat

*Not applicable.*

**Criterion (g) Representativeness**

An item is important in demonstrating the principal characteristics of a class of New South Wales' cultural or natural places; or cultural or natural environments (State significance) OR

An item is important in demonstrating the principal characteristics of a class of the area's cultural or natural places; or cultural or natural environments (Local significance).

**Guidelines for Inclusion:**

- Is a fine example of its type

*Applicable.* The building is a fine example of an Inter-war Functionalist style residential flat building.

- Has the principal characteristics of a particular way of life, philosophy, custom, significant process, design, technique or activity

*Applicable.* The building is an example of an Inter-war functionalist residential flat building which represents the architectural design philosophies of the period.

- Is a significant variation to a class of items.

*Applicable.* The building has distinctive design features.

- Is part of a group which collectively illustrates a representative type

*Not applicable.*

- Is outstanding because of its setting, condition or size

*Not applicable.*

- Is outstanding because of its integrity or the esteem in which it is held.

*Applicable.* The building is very intact externally and in relation to the common area stairwell.

**Guidelines for Exclusion:**

- Is a poor example of its type.

*Not applicable.*

- Does not include or has lost the range of characteristics of a type

*Not applicable.*

- Does not represent well the characteristics that make up a significant variation of a type.

*Not applicable.*

## ANALYSIS OF HERITAGE SIGNIFICANCE

### CRITERION (A) HISTORICAL SIGNIFICANCE

The building, constructed 1937-1938, is of local historical significance as a fine example of inter-war period architectural design philosophies.

### CRITERION (B) HISTORICAL SIGNIFICANCE (ASSOCIATION)

The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch.

### CRITERION (C) AESTHETIC/TECHNICAL SIGNIFICANCE

The building is of local aesthetic significance as a fine example of an architect-designed Inter-war Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and staircase with curved cast iron balustrade and timber handrail.

### CRITERION (D) SOCIAL SIGNIFICANCE

Not relevant.

### CRITERION (E) TECHNICAL/RESEARCH SIGNIFICANCE

Not relevant.

### CRITERION (F) RARITY

The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA).

### CRITERION (G) REPRESENTATIVENESS

The building is a fine, intact representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.

## SUMMARY STATEMENT OF HERITAGE SIGNIFICANCE

The residential flat building at 15 Allister Street Cremorne is of local historical significance as a fine example of inter-war period architectural design philosophies. The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch. The building is of local aesthetic significance as a fine example of an architect-designed Inter-war Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and staircase with curved cast iron balustrade and timber handrail. The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA). The building is a fine, intact, representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.

## 6.0 CONCLUSION/RECOMMENDATIONS

The residential flat building at 15 Allister Street Cremorne is recommended for an Interim Heritage Order initially followed by LEP heritage listing as a locally significant heritage item, as the significance analysis above establishes that the building passes the significance threshold for local heritage listing.

It should also be noted that, in relation to the current Development Application involving demolition of the building, the heritage impact of demolition also needs to be assessed in relation to potential adverse impact on the adjacent State Heritage Register listed property at 11 Cranbrook Avenue.

## 7.0 ATTACHMENTS

ATTACHMENT 1: LIST OF TENDER NOTICES INVOLVING CLIFFORD H. FINCH AND CLAMP & FINCH IN THE PERIOD 1903 TO DECEMBER 1927.

ATTACHMENT 2: 1982 STRATA PLAN

ATTACHMENT 3: COMPARATIVE ANALYSIS TABLE

ATTACHMENT 4: HERITAGE INVENTORY FORM FOR  
15 ALLISTER STREET, CREMORNE

# ATTACHMENT 1:

LIST OF TENDER NOTICES INVOLVING CLIFFORD H. FINCH  
AND CLAMP & FINCH IN THE PERIOD 1903 TO DECEMBER  
1927

Source	Suburb	Source date	P.	Type	Street/owner	Architect	Contractor	Description
SMH	Cremorne	13-Mar-1929	13	called, no closing date	Laurels	Clamp & Finch		connecting The Laurels at Cremorne with the sewer
SMH	Cremorne	20-Jul-1937	5	contract let	Waldorf Flats	Finch, Clifford H.	Albers, O; Lindfield	renovations, painting etc to the Waldorf Flats, Cremorne
SMH	Cremorne	17-Aug-1937	6	tenders		Finch, Clifford H.		block of four flats
SMH	Cremorne	28-Feb-1939	6	contract let	Fernhurst Ave	Finch, Clifford H.	Holland, FH; Gordon	new residence in Fernhurst Ave Cremorne
SMH	Darling Point	12-Mar-1924	9	contract let		Clamp & Finch	George & Son [T George & Son]	garage
SMH	Darling Point	21-Dec-1927	8	accepted		Clamp & Finch	Parkinson Bros; Hurstville	conversion of a residence into flats at Darling Pt
SMH	Darling Point	28-Dec-1927	6	accepted		Clamp & Finch	Parkinson Bros; Hurstville	conversion of a residence into flats at Darling Pt
SMH	Darling Point	25-Jan-1928	10	accepted		Clamp & Finch	Parkinson Bros; Hurstville	conversion of residence into flats
SMH	Darling Point	19-Nov-1929	5	accepted		Clamp & Finch	Callaghan, FC	erection of a garage
SMH	Darling Point	18-Sep-1934	8	contract let	New South Head Road	Finch, Clifford H.	Newton, N; Castlereagh St	construction of a block of eight residential flats in New South Head
SMH	Darling Point	16-Jun-1936	6	contract let	Mono Lane	Finch, Clifford H.	Holland, FH; Pennant Hills	garages; construction of block of garages and other buildings
SMH	Darlinghurst	12-Nov-1924	8	contract let	CofE Grammar School	Clamp & Finch	Burgin, A	erection of a gymnasium and classrooms at the Church of England Grammar School for Girls, Forbes St Darlinghurst
SMH	Darlinghurst	18-Nov-1925	12	preparing plans	CofE Grammar School	Clamp & Finch		school hall to be converted into a chapel
SMH	Darlinghurst	8-Sep-1926	12	accepted	CofE Grammar School for Girls	Clamp & Finch		additions to CofE Grammar School for Girls at Darlinghurst
SMH	Darlinghurst	4-Jul-1928	11	accepted	CofE Grammar School for Girls Darlinghurst	Clamp & Finch	Callaghan, FC	additions & alterations to be made at the Church of England School for Girls, Darlinghurst

## ATTACHMENT 2: 1982 STRATA PLAN



[illegible]

LOWE'S FURNITURE STORE



GROUND FLOOR

ACCOUNTS BY UNIT ESTIMATE	
LOT NO	UNIT ESTIMATE
1	79
2	27
3	29
4	27
TOTAL	162



71751 86000

These data are not a measure of the quality of the data, but only a measure of the quantity of the data. The quality of the data is a function of the quality of the data source, the quality of the data collection process, and the quality of the data analysis process. The quality of the data source is a function of the quality of the data source, the quality of the data collection process, and the quality of the data analysis process. The quality of the data collection process is a function of the quality of the data source, the quality of the data collection process, and the quality of the data analysis process. The quality of the data analysis process is a function of the quality of the data source, the quality of the data collection process, and the quality of the data analysis process.

Reduction Ratio: 1:100

Lengths are in metres

Ad. 18.1.1941

Oliver Park  
Oliver Park

Received 15 November 2005; accepted 12 January 2006

## ATTACHMENT 3: COMPARATIVE ANALYSIS TABLE

## COMPARATIVE ANALYSIS FOR 15 ALLISTER STREET, CREMORNE

The following comparative analysis is undertaken by comparing the subject building at 15 Allister Street, Cremorne, with Inter-war residential flat buildings constructed circa 1920-1940, within the North Sydney LGA which are heritage listed in the NSLEP 2013. Information in the table below has been sourced from NSW State Heritage Inventory (SHI) forms. Photos are either from SHI forms or Google streetview.

Note that the following have been excluded from the comparative analysis: earlier buildings which have been converted to residential flats; flat buildings of earlier construction periods/styles generally (for example Federation free classical style flat buildings in Cremorne Point and McMahon's Point); flat buildings of later construction periods generally (for example the 1954 Greenway Flats in Kirribilli).

Building	Heritage listing	Date of construction & brief description/notes
15 Allister Street, Cremorne	None (subject site under assessment)	Constructed 1938, designed by architect Clifford Finch; 2-storey tapestry brick Inter-war Functionalist style flat building with sandstone base with base level including two garages. Timber framed windows with horizontal glazing bars, hipped terracotta tiled main roof, curved balconies with brick balustrades and flat balcony roofs concealed by brick parapet.



15 Allister Street, Cremorne Source: Google streetview

Flat building, 6 Hampden Avenue, Cremorne	Local significance, Item No. 10057, NSLEP 2013	Inter-war Old English style 3-storey flat building
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6 Hampden Avenue, Cremorne

Building	Heritage listing	Date of construction & brief description/notes
Alcombe Flats, 14 Harrison Street, Cremorne	Local significance, Item No. 10061, within CA02 HCA, NSLEP 2013	Inter-war, architect William Hardy Wilson, Georgian Revival flat building
 <p data-bbox="204 954 818 981">14 Harrison Avenue, Cremorne Source: Heritage NSW SHI form</p>		
Flat building, 83 Cremorne Road, Cremorne Point	Local significance, Item No. 10098, within a HCA, NSLEP 2013	Inter-war Georgian Revival style flat building, 3-storeys
 <p data-bbox="204 1935 866 1962">83 Cremorne Road, Cremorne Point Source: Heritage NSW SHI form</p>		



Building	Heritage listing	Date of construction & brief description/notes
Flat building, 18-20 Cremorne Road, Cremorne Point	Local significance, Item No. I00092, within a HCA, NSLEP 2013	4-storey Inter-war Georgian Revival flat building with sandstone base level and dark brickwork



18-20 Cremorne Road, Cremorne Point

Warrigal Flats, 13 Milson Road, Cremorne Point	Local significance, Item No. I0113, within a HCA, NSLEP 2013	4-storey Inter-war Free Classical style flat building
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13 Milson Road, Cremorne Point Source: Heritage NSW SHI form



Building	Heritage listing	Date of construction & brief description/notes
Riviera Flats, 73 Milson Road, Cremorne Point	Local significance, Item No. I0122, within a HCA, NSLEP 2013	4-storey Inter-war Free Classical style flat building



73 Milson Road, Cremorne Point Source: Heritage NSW SHI form

Mayfair Court, 86 Milson Road, Cremorne Point	Local significance, Item No. I0123, within a HCA, NSLEP 2013	Inter-war Free Classical style 3-storey flat building
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Building	Heritage listing	Date of construction & brief description/notes
86 Milson Road, Cremorne Point Source: Heritage NSW SHI form		
Gloucester Flats, 3 Wulworra Avenue, Cremorne Point	Local significance, Item No. I0133, NSLEP 2013	3-storey Inter-war Art Deco style flat building
		
3 Wulworra Avenue, Cremorne Point Source: Google streetview		
Windsor Flats, 5 Wulworra Avenue, Cremorne Point	Local significance, Item No. I0134, within a HCA, NSLEP 2013	3-storey Inter-war Art Deco style flat building
		
3 Wulworra Avenue, Cremorne Point Source: Heritage NSW SHI form		



Building	Heritage listing	Date of construction & brief description/notes
Huntingdon Apartments, 6 Holbrook Avenue, Kirribilli	Local significance, Item No. I0236, within a HCA NSLEP 2013	Inter-war Classical style 3-storey flat building



6 Holbrook Avenue, Kirribilli Source: Heritage NSW SHI form

Mayfair Apartments, 21 Holbrook Avenue, Kirribilli	Local significance, Item No. I0240, within a HCA, NSLEP 2013	Inter-war Free Classical style flat building
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21 Holbrook Avenue, Kirribilli Source: Heritage NSW SHI form

Building	Heritage listing	Date of construction & brief description/notes
Regent Apartments, 29 Waruda Street, Kirribilli	Local significance, Item No. 10294, within a HCA, NSLEP 2013	3-4 storey Inter-war Georgian Revival style flat building designed by John P. Tate and Young, post 1921.




29 Waruda Street, Kirribilli Source: Heritage NSW SHI form

Flat building, 15 Waiwera Street, Lavender Bay	Local significance, Item No. 10354, NSLEP 2013	Inter-war Free Classical style flat building, since converted to a single residence.
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15 Waiwera Street, Lavender Bay (Centre left) Source: Heritage NSW SHI form

Building	Heritage listing	Date of construction & brief description/notes
Bellarion Court, 23 Waiwera Street, Lavender Bay	Local significance, Item No. 10359, within a HCA, NSLEP 2013	Inter-war Spanish Mission style 2-3 storey flat building. Constructed 1928.
 <p data-bbox="204 909 790 938">23 Waiwera Street, Lavender Bay Source: Google Streetview</p>		
Clifton Flats, 176 Blues Point Road, McMahon's Point	Local significance, Item No. 10420, within a HCA, NSLEP 2013	Modest inter-war Georgian Revival style flats.
 <p data-bbox="204 1435 914 1464">176 Blues Point Road, McMahon's Point Source: Heritage NSW SHI Form</p>		
ADEA Court apartment building, 7 East Crescent Street, McMahon's Point	Local significance, Item No. 10463, within a HCA, NSLEP 2013	3-5 storey Inter-war Free Classical style flat building
 <p data-bbox="204 1955 909 1984">7 East Crescent Street, McMahon's Point Source: Heritage NSW SHI form</p>		



Building	Heritage listing	Date of construction & brief description/notes
Flat building, 11 East Crescent Street, McMahon's Point	Local significance, Item No. 10464, NSLEP 2013	2-3 storey Inter-war Mediterranean style flat building.





11 East Crescent Street, McMahon's Point Source: Google streetview

Flat building, 19 East Crescent Street, McMahon's Point	Local significance, Item No. 10467, NSLEP 2013	Inter-war Spanish Mission style 3-storey flat building
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19 East Crescent Street, McMahon's Point. Source: Heritage NSW SHI form

Building	Heritage listing	Date of construction & brief description/notes
Flat building, 68 Kurraba Road, Neutral Bay	Local significance, Item No. I0655, NSLEP 2013	2-storey Inter-war Functionalist style flat building
 <p data-bbox="204 831 807 857">68 Kurraba Road, Neutral Bay Source: Heritage NSW SHI form</p>		
Flat building, 25 King Street, Waverton	Local significance, Item No. I1070, NSLEP 2013	Inter-war Free Classical style 2-storey brick flat building, brick with sandstone base, matches No. 27 King St
 <p data-bbox="204 1373 663 1400">25 King St Waverton Source: Google streetview</p>		
Flat building, 27 King Street, Waverton	Local significance, Item No. I1071, NSLEP 2013	Inter-war Free Classical style 2-storey brick flat building, brick with sandstone base, matches No. 25 King St
 <p data-bbox="204 1977 663 2004">27 King St Waverton Source: Google streetview</p>		

Building	Heritage listing	Date of construction & brief description/notes
"San Carlos" Flat building, 26 Toongarah Road, Waverton	Local significance, Item No. I1080, within a HCA, NSLEP 2013	2-storey Inter-war Spanish Mission style flat building
 <p data-bbox="205 981 730 1010">26 Toongarah Rd Waverton Source: Google streetview</p>		
Kyneton Apartments, 19 Ivy Street, Wollstonecraft	Local significance, Item No. I1090, NSLEP 2013	2 storey brick Inter War Art Deco flat building, builder/designer Claude Coyte, 1935.
 <p data-bbox="205 1603 790 1632">19 Ivy Street, Wollstonecraft Source: Heritage NSW SHI form</p>		

ATTACHMENT 4:  
HERITAGE INVENTORY FORM FOR  
15 ALLISTER STREET, CREMORNE

## NSW State Heritage Inventory form

Item Details			
Name of Item		Residential flat building	
Other name/s/former names			
Item type		Built	
Item group		Residential buildings (private)	
Item category		Block of flats	
Area, group or collection name			
Street number		15	
Street name		Allister Street	
Suburb/town	Cremorne	Postcode	2090
Local Government Area		North Sydney	
Property description			
Latitude		Longitude	
Owner		Private	
Current use		Residential	
Former use		Residential	
<p>Statement of significance: The residential flat building at 15 Allister Street Cremorne is of local historical significance as a fine example of inter-war period architectural design philosophies. The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch. The building is of local aesthetic significance as a fine example of an architect-designed Inter-war Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and staircase with curved cast iron balustrade and timber handrail. The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA). The building is a fine, intact, representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.</p>			
Level of significance		Local	
Designer: Clifford H. Finch, Architect			
Builder/maker: not known			
<p>Physical description: The building at 15 Allister Street, Cremorne is a 2-storey brick residential flat building with a sandstone under croft designed in the Inter-war Functionalist style. The under croft includes two garages accessed from Allister Street. The building is constructed of red texture brick with distinctive tapestry brick panels to the façade, (western elevation) and has a complex terracotta tiled hipped roof form, with curved balconies to the north-western corner of the building featuring brick balustrades and a brick parapet above the 1st floor level balcony.</p> <p>The building contains four residential flats, and the internal stairwell features original tiling and brickwork, and an original staircase with curved cast iron balustrade and timber handrail, original ceiling, and an original stained-glass window.</p>			



Internally (2 units accessed) the joinery and ceilings are generally original, however one unit has downlights to some ceilings, and originally dark stained joinery in one unit has been stripped and refinished to a lighter colour. Fireplaces to the two units accessed have been originally designed for heaters and have been slightly modified in both units. Kitchens and bathrooms/toilets in both units have modern fitouts. There is no evidence in the two units accessed of any significant change to the internal layouts.						
Physical condition and Archaeological potential				The building is in good condition overall with few modifications. Archaeological potential of the site is considered to be low.		
Construction years	Start year	1937	Finish year	1938	Circa	No
Modifications and dates			The windows have been replaced in recent years; however, the new windows are sympathetic to the style and period of the building. There are no Council records for the window replacement.			
Further comments:						
<p>History:</p> <p><b>CREMORNE</b></p> <p>Cremorne forms one of the prominent peninsulas of the north shore of Sydney Harbour. The area gained its present name in 1856, when an amusement park and pleasure gardens opened at Cremorne Point, borrowing the name of a similar London attraction. The amusement park was short-lived, but the gardens remained a popular picnic and camping spot for some decades.</p> <p>The Cammeraygal people named the area Wulworra-Jeung, its sandstone outcrops and foreshore perfect for fishing and sheltering. Unlike the neighbouring locales of North Sydney and Mosman, the peninsula saw little residential development during the 1800s, despite Thomas Brisbane's 1833 grant of 35 hectares to government clock maker James Robertson.</p> <p>Subdivision plans were delayed by a series of unsuccessful legal challenges to the 100 feet (30 metre) foreshore reserve, a condition of most harbour foreshore land grants. The last of these challenges was dismissed in 1891, at which time the newly formed North Sydney Council was also opposing a proposal to mine coal on the peninsular.</p> <p>Cremorne Reserve was gazetted during 1905, finally protecting the foreshore from industrial and residential development.</p> <p><b>CREMORNE HEIGHTS ESTATE</b></p> <p>Meanwhile 700 acres (283 hectares) of land running south from Military Road became the property of Alfred Thrupp, an early free settler who met Sarah Piper, daughter of naval officer John Piper, while sailing to Sydney during 1814. Purchased by Thrupp's new father-in-law following his 1816 wedding to Sarah Piper, this large estate covered most of Neutral Bay, Kurraba Point, and the northern part of Cremorne.</p> <p>The Thrupps did not reside on their estate, much of which was purchased by the emancipist merchant and landowner Daniel Cooper. From 1879 Richard Hayes Harnett began to aggregate parts of Cooper's land south from Military Road, Cremorne. Harnett was a land speculator who was also significant in promoting the North Shore Railway and ferry services to Mosman; his son Richard junior became Mosman's first Mayor in 1883.</p>						

The Depression of the 1890s saw the Harnetts sell parts of their estate including land between Spofforth and Murdoch Streets and Military Road. 4.13 hectares was purchased by Sydney accountant Daniel McAllister who in 1917 had the land subdivided into 52 lots and auctioned as the Cremorne Heights Estate. Allister Street and Cranbrook Avenue were created at this time:

WITHIN 20 MINUTES OF THE CITY. Cremorne Heights Estate, SITUATE IN THE PREMIER POSITION of this Popular Residential Locality, commanding a wide range of UNRIVALLED AND BEAUTIFUL VIEWS OVER SYDNEY HARBOR AND EXTENDING TO THE PACIFIC OCEAN OVER BONDI...Lots to be offered are of very liberal dimensions, and from everyone DELIGHTFUL PEEPS OF THE HARBOR ARE OBTAINED.

Lot 29 was at the then southern extent of Allister Street; it changed hands three times between 1917 and 1925 when it was sold with four other lots to Petersham builder James Leckie.

By 1932 the other Allister Street lots were occupied but number 15 remained vacant until July 1937 when it was purchased by Ford Reynolds, a grazier at Capertee, south of Mudgee.

Reynolds also conducted a busy social and business life in Sydney and in September 1937 sold the 556 square metre lot to Augusta Clementina Frances Boulton, wife of Joseph Francis Boulton. Boulton had managed the Sydney factory of Henry Jones and Company, makers of IXL jam, before moving to similar positions in other food manufacturers.

CLIFFORD H. FINCH

During August 1937 requests for building tenders appeared in the building press:

‘Cremorne – Erection of a block of 4 flats – C.H. Finch, 28 Martin Place, Sydney’

‘Clifford H Finch tenders for residence in Garnet Street Killara and for a block of four flats Cremorne’.

Clifford Horace Finch (1894-1967) studied at Sydney Technical College, before being articled to John Burcham Clamp, one of Sydney’s most prominent architects. Shortly after completing his articles in 1915, he enlisted in the Australian Imperial Force, serving as an engineer in Egypt and France. Returning to Sydney Finch practiced independently before become partner to Burcham Clamp in 1924. Burcham Clamp & Finch designed numerous church and school buildings for the Anglican Church (Clamp was surveyor for the Sydney Diocese) notably the Church of England Grammar School Chapel, North Sydney, and the Church of England Boys Home at Carlingford. The practice also designed the Richard Johnson obelisk at Bligh Street, marking Sydney’s first Christian service. Among numerous commercial and residential structures, Burcham Clamp & Finch designed the Tattersall’s Club, Castlereagh Street, Lawson House, Cumberland Street and the Ainslie Hotel, Canberra.

Finch returned to individual practice during 1930, designing primarily residential buildings with some exceptions including Woy Woy Council Chambers and Roseville Golf Club. His son, Barry Clifford Finch also became a successful architect, in 1963 forming the high-profile practice Kann Finch with Czech émigré Alexander Kann.

Attachment 1 to this report is a list of tender notices involving Clifford H. Finch and Clamp & Finch in the period 1903 to December 1927.

15 ALLISTER STREET

The completed block contains four flats containing two bedrooms, living room, kitchen, and bathroom. The front flats occupy 82 square metres of floor space; the larger rear flats

also include a dining room; the lower rear flat (Flat 3) also includes a veranda taking its floor area to 95 square metres. Two garages formed the ground floor on the street side. The flats were available for rent by April 1938:

‘CREMORNE HEIGHTS 15 ALLISTER STREET. Only two of these new Unfurnished Flats now available, spacious lounge-rooms, 2 bedrooms, balconies, breakfast room, tiled kitchen and bathroom, hot water, sunny. Representative on premises 2 p.m. to 4 p.m. today’.

The Boulbrees had previously lived nearby in Mosman, their four children having reaching adulthood they now resided in Flat 3 and rented the other flats, a common arrangement in the decades prior to the advent of strata title during the 1960s. At that time apartments were most common in affluent municipalities including Waverley, Woollahra, Randwick, North Sydney and Manly.

Jean Rosamond Boulbree took the title from her parents in 1957, while Nancy Muriel Knaster became owner in 1962; she was still owner when the block was strata titled in 1982.

#### DOCUMENTATION AND ANALYSIS

Although Clifford Finch requested builders' tenders for 15 Allister Street during August 1937, his design for the new apartment block was not approved until an amended plan was submitted to North Sydney Council during October that year. The main alteration to the design was the addition of curved balconies to flats 1 and 3, facing Allister Street. Sydney's building and land tenure rules were designed for detached houses; hence walk-ups on single lots became the dominant format, allowing apartments to be accommodated to existing subdivision patterns but limiting their architectural and urban potential. 15 Allister Street follows a well-established template, although its well-placed balconies, verandas and corner windows gave its component flats superior access to light, breezes and views when compared to most walk-ups of the time.

A patterned texture brick exterior was generic to Sydney cottages and apartments during the 1930s, the latest expression of affluent Sydney's love affair with brick and tile.

#### Historical Themes

National historical theme/s		Developing cultural institutions and ways of life Building settlements, towns and cities	
State historical theme	Welfare	Local historical theme	Architectural Styles and Periods - Inter-war Functionalist style
Application of significance criteria			
Historical significance SHR criterion (a)		The building, constructed 1937-1938, is of local historical significance as a fine example of inter-war period architectural design philosophies.	
Historical association significance SHR criterion (b)		The building has historical association with its' designer, well-known Sydney Inter-war period architect Clifford H. Finch.	
Aesthetic significance SHR criterion (c)		The building is of local aesthetic significance as a fine example of an architect-designed Inter-war Functionalist style residential flat building and a fine example of the residential work of architect Clifford H. Finch. Features include use of curved balconies, fine tapestry brickwork, curved glass, stained glass window to stairwell, and	

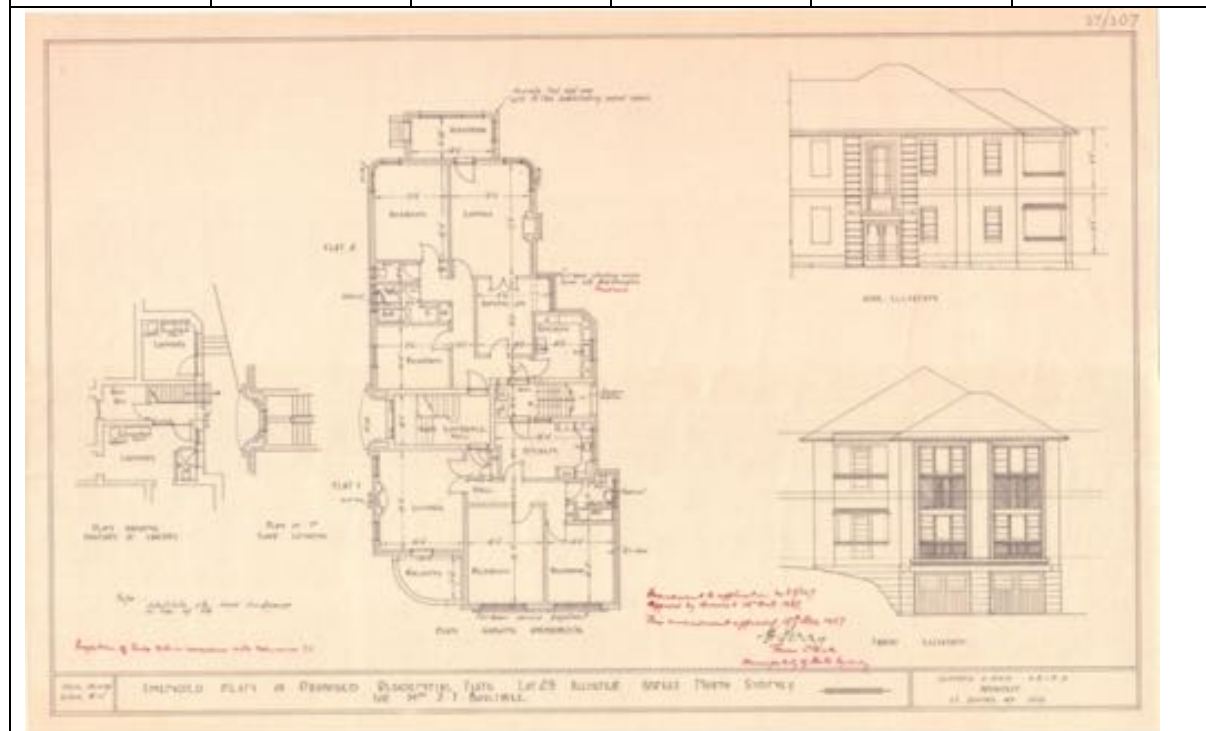
	staircase with curved cast iron balustrade and timber handrail.		
Social significance SHR criterion (d)	Not relevant		
Technical/research significance SHR criterion (e)	Not relevant		
Rarity SHR criterion (f)	The building is a locally rare example of an Inter-war Functionalist style residential flat building (only three other known examples in North Sydney LGA).		
Representativeness SHR criterion (g)	The building is a fine, intact representative example of the residential work of architect Clifford H. Finch and of Inter-war Functionalist style residential flat buildings generally.		
Integrity	The building has a high level of integrity externally and internally, however windows have been replaced.		
Heritage Listings			
Heritage listings	None		
Information sources			
Reference: Old Form Torrens Registers, Old System Deeds, Plan Lodgement Books, Old System purchasers and vendors indexes, 1825-1982. Source: NSW Land Registry Services, Historical Land Records viewer: <a href="https://hlrv.nswlrs.com.au/">https://hlrv.nswlrs.com.au/</a>	Reference: Trove: Digitised newspapers and more Source: National Library of Australia <a href="https://trove.nla.gov.au">https://trove.nla.gov.au</a>		
Reference: Sands Directory Source: City of Sydney Archives <a href="https://archives.cityofsydney.nsw.gov.au">https://archives.cityofsydney.nsw.gov.au</a>	Reference: North Sydney Council building plans, 1929-1949 Source: Stanton Library Heritage Centre <a href="https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Digital_Collections">https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Digital_Collections</a>		
Recommendations			
Heritage list in North Sydney LEP.			
References			
Name of study or report	15 Allister Street Cremorne: Heritage Assessment	Year of study or report	2022
Item no in study or report			
Author of study or report	Kemp and Johnson Heritage Consultants		
Inspected by	Chery Kemp & Nathanael Hughes, Kemp and Johnson Heritage Consultants		

NSW Heritage Manual guidelines used?	Yes		
This form completed by	Chery Kemp, Kemp and Johnson Heritage Consultants	Date	23 June 2022

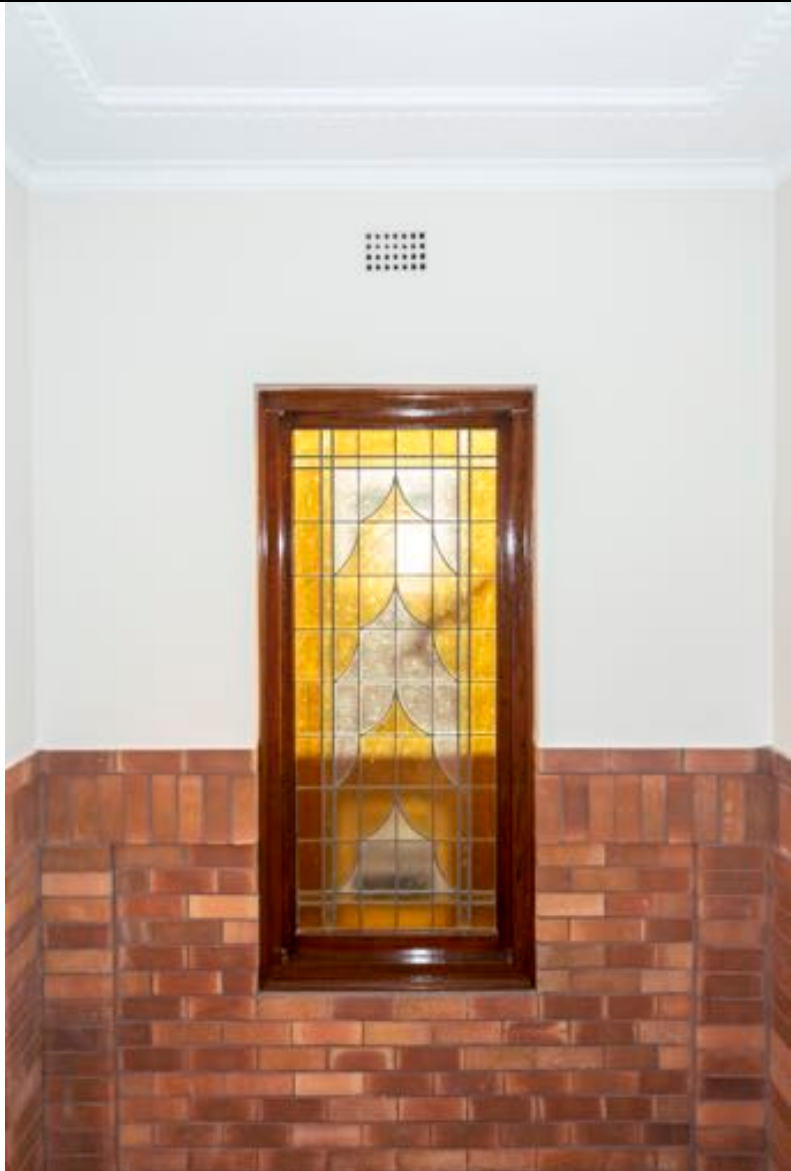
Images					
Image caption			Residential flat building at 15 Allister Street Cremorne: View from Allister Street		
Image year	2022	Image by	Nathanael Hughes	Image copyright holders	Nathanael Hughes, Chery Kemp, Kemp and Johnson Heritage Consultants, North Sydney Council

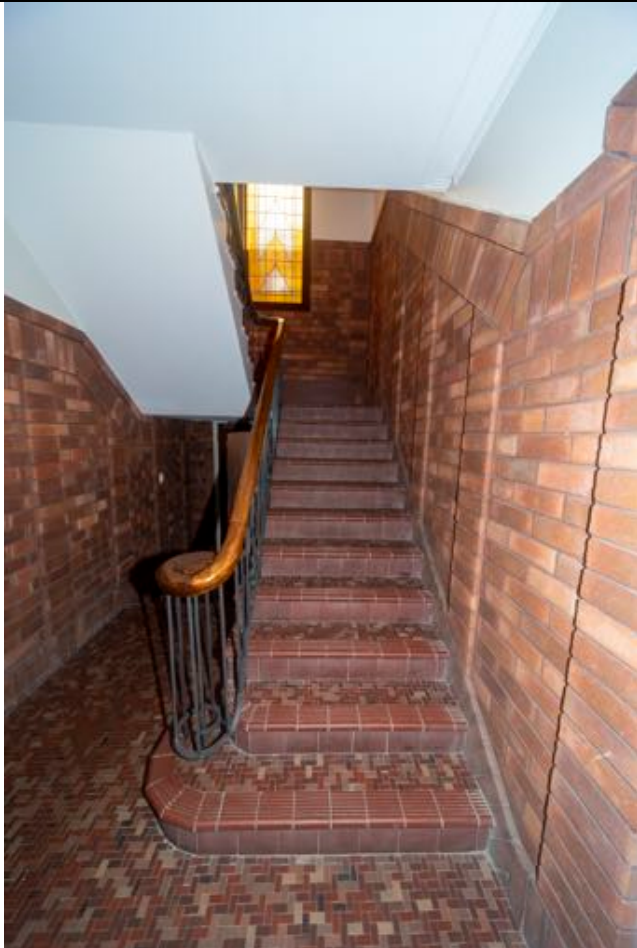



Images					
Image caption			Amended plans by Clifford H. Finch architect dated 25.10.1937 for construction of residential flat building at 15 Allister Street, Cremorne.		
Image year	1937	Image by	Held in Stanton Library Heritage Centre	Image copyright holder	No copyright





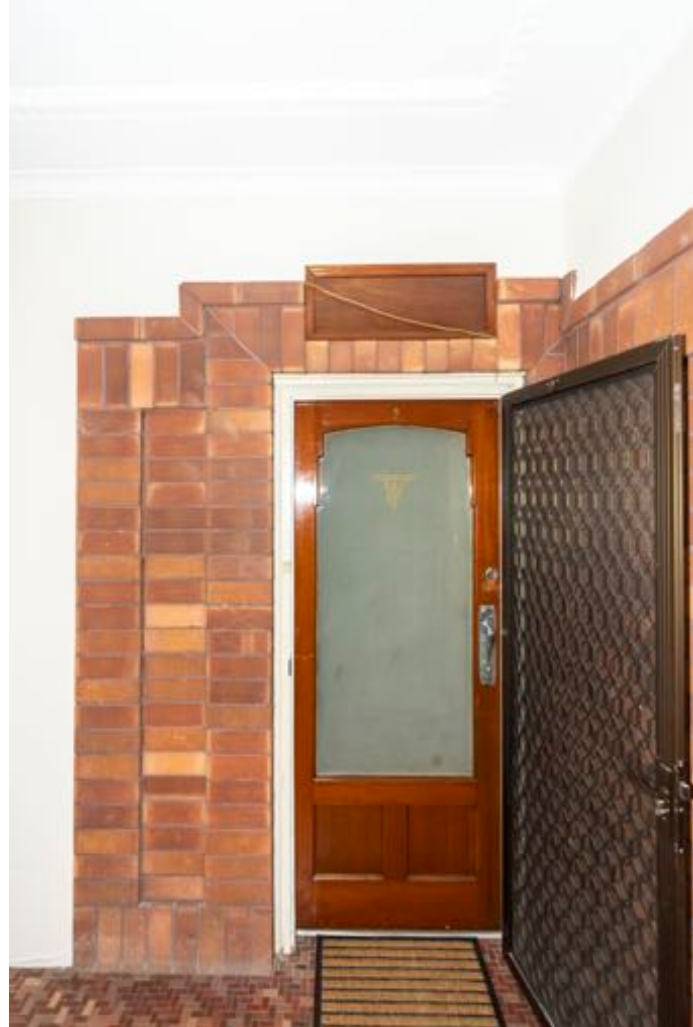
Images					
Image caption			Leadlight window to stairwell, 15 Allister Street Cremorne		
Image year	2022	Image by	Nathanael Hughes	Image copyright holder	Nathanael Hughes, Chery Kemp, Kemp and Johnson Heritage Consultants, North Sydney Council
					

Images					
Image caption			Stairwell and stair, 15 Allister Street, Cremorne		
Image year	2022	Image by	Nathanael Hughes,	Image copyright holder	Nathanael Hughes, Chery Kemp, Kemp and Johnson Heritage Consultants, North Sydney Council
					

Images					
Image caption			Façade detail, 15 Allister Street Cremorne		
Image year	2022	Image by	Nathanael Hughes,	Image copyright holder	Nathanael Hughes, Chery Kemp, Kemp and Johnson Heritage Consultants, North Sydney Council
					

Images					
Image caption			Cornice detail, 15 Allister Street, Cremorne		
Image year	2022	Image by	Nathanael Hughes,	Image copyright holder	Nathanael Hughes, Chery Kemp, Kemp and Johnson Heritage Consultants, North Sydney Council
					

Images					
Image caption			Unit 4 door detail, 15 Allister Street, Cremorne		
Image year	2022	Image by	Nathanael Hughes,	Image copyright holder	Nathanael Hughes, Chery Kemp, Kemp and Johnson Heritage Consultants, North Sydney Council



## **APPENDIX 4**

### ***Site Identification Map***



# North Sydney Local Environmental Plan 2013

## Site Identification Map

Part of map tile:

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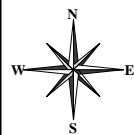
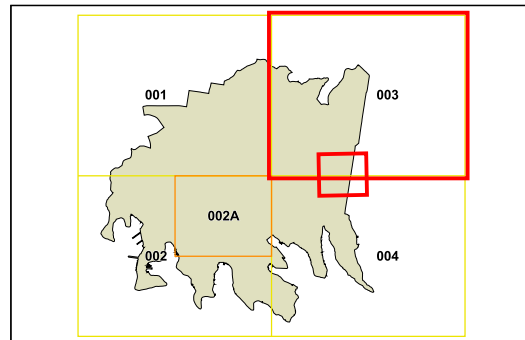
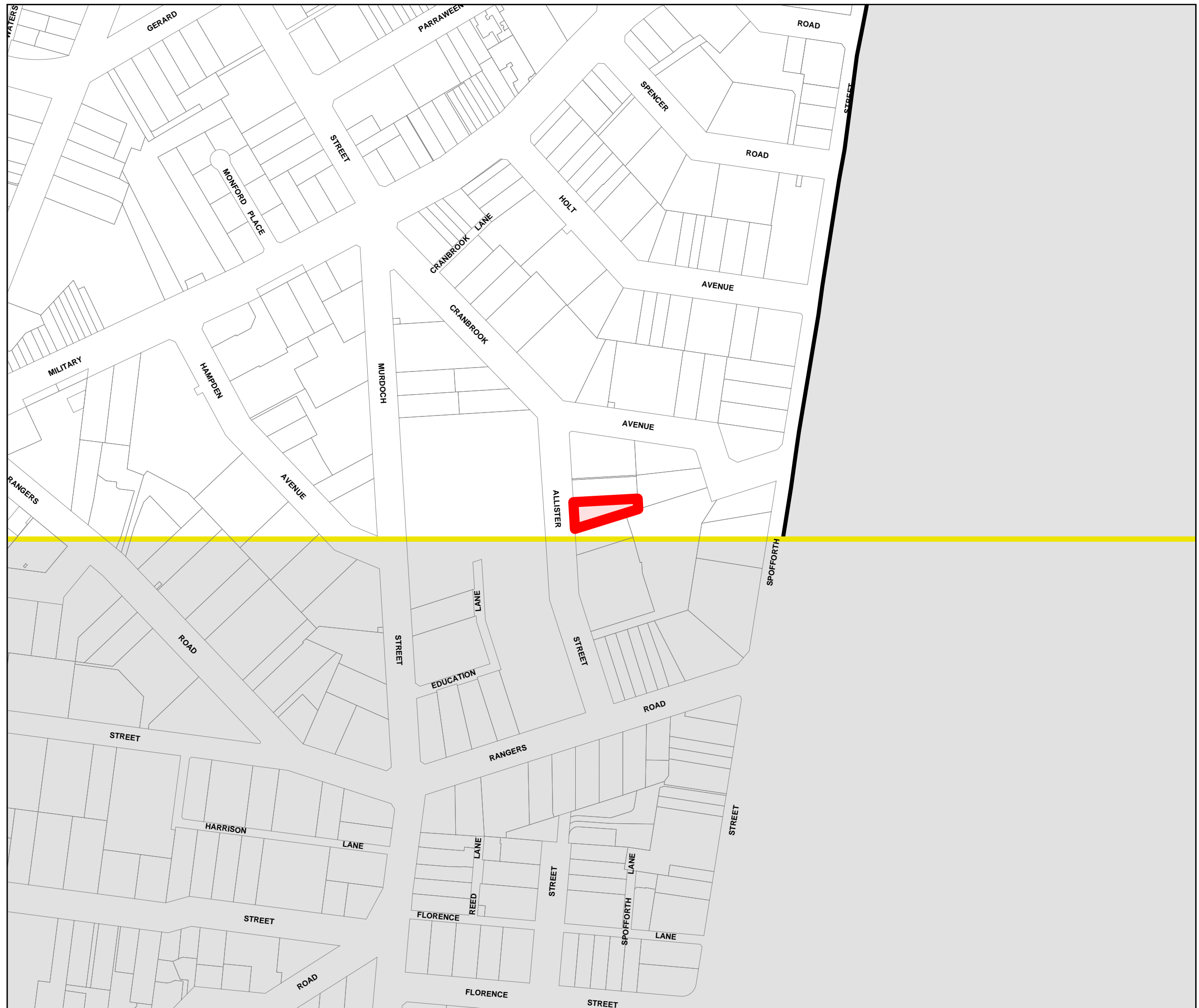


Subject Land

### Cadastre



Cadastre 12/07/22 © North Sydney Council



Scale: 1:2500 @ A3

Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_HER\_003\_025\_20220712



## **APPENDIX 5**

***NSLEP 2013 Heritage Map Sheets - Current***






## **APPENDIX 6**

### ***NSLEP 2013 Heritage Map Sheets - Proposed***




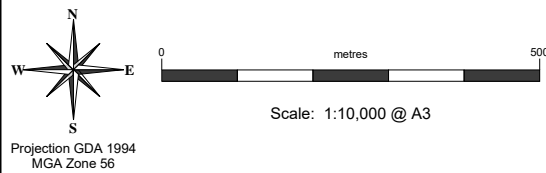
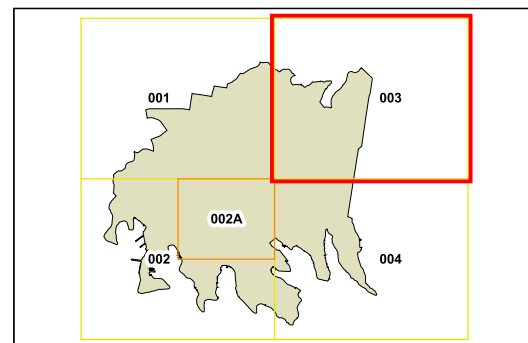
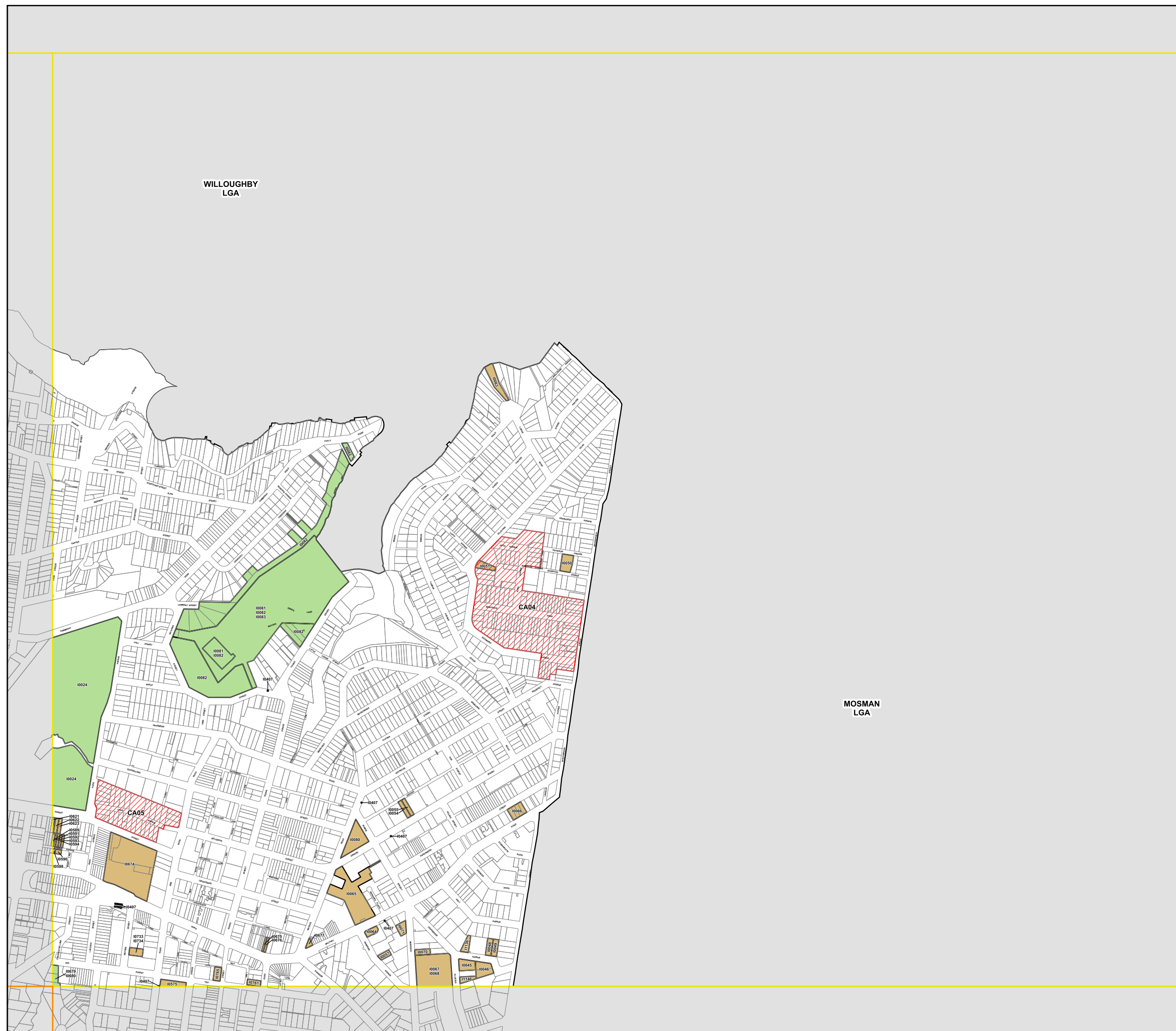
Heritage Map  
- Sheet HER\_003

## Heritage

-  Conservation Area - General  
 Item - General  
 Item - Landscape

## Cadastre

-  Cadastre 12/07/22 © North Sydney Council



Map identification number:  
5950\_COM\_HER\_003\_010\_20220712