



2 October 2024

REFERRAL RESPONSE - HERITAGE

FILE NO: Development Applications: 240/2024/1

ADDRESS: 80 Drumalbyn Road BELLEVUE HILL 2023

PROPOSAL: Demolition of the existing three (3) residential flat buildings and associated structures on the sites and the construction of a new residential flat building comprising 26 units, two swimming pools & landscaping with the sites consolidated

FROM: Tristan Ryan

TO: Ms F Stano

1. DOCUMENTATION

The following documentation provided by the applicant was examined for this referral response:

- Demolition plan by MHNDUnion, dated July 2024.
- Architectural drawing set by MHNDUnion, dated August 2024.
- Demolition Report by Architectural Projects, dated August 2024
- Statement of Environmental Effects by GSA Planning, dated June 2024
- Survey plans by of each property by Pinnacle Land Surveyors, dated December 2023
- Aboriginal Heritage Impact Assessment by Cultural Heritage Connections, dated June 2024

Additionally, the following documentation provided by an objector was examined for this referral response:

- Letter of objection and heritage assessment by GBA Heritage Consultants dated 13 September 2024, and associated sources provided by Graham Brooks of GBA Heritage Consultants.

2. DESCRIPTION OF PROPOSED WORKS

The applications seeks consent to carry out Demolition of the existing three (3) residential flat buildings and associated structures on the sites and the construction of a new residential flat building comprising 26 units, two swimming pools & landscaping with the sites consolidated at the subject site.

3. SITE INSPECTION / RESEARCH

The following research was undertaken in the preparation of this assessment:

- The site was inspected on the 6 September 2024, including the interiors of 80 and 84, the rear yards of the buildings, and the general locality. The interior of 82 was not inspected, but the common lobby area was viewed and photographed through the glass door.

Review of the following documents and photographic evidence:

- Council's property system, to establish dates of earlier building and development applications for the subject and surrounding properties.
- Council's photography files relevant to the immediate area
- Council's heritage inventory sheets
- Council's aerial photography and mapping database
- Google Maps – street view



4. STATUTORY AND POLICY CONTEXT

The following statutory and policy documents are relevant to the application:

- National Parks & Wildlife Act 1974
- Woollahra LEP 2014
- Woollahra DCP 2015

5. SIGNIFICANCE OF SUBJECT PROPERTY

Significance as per the Woollahra LEP 2014

The subject site is not a listed heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014 'Woollahra LEP 2014' and is not within a heritage conservation area.

Comparative analysis

'Cobham', 166 New South Head Road, Edgecliff

Designed by noted architects E C Pitt and A M Bolot, 'Cobham' was featured shortly after its construction in a 1936 edition of *Decoration and Glass*. A resolved composition of Art Deco and Old English elements, with a grand stairway leading to the main entrance. The use of brick fins is seen in 82 Drumalbyn Road, while the pointed arch windows are seen at 80 Drumalbyn, and the basketweave brick patterns seen in both. The lobby of 'Cobham' is both well-resolved and quite intact, notably retaining its original wood paneling.¹

'Hillside', 412 Edgecliff Road, Edgecliff

Again designed by Pitt and Bolot, 'Hillside' is a grand Inter-War apartment building in a prominent location at the top of the hill on Edgecliff Road. It is a strong composition, with skyscraper gothic detailing pairing beautifully with the more Old English style sandstone detail around the central door. The building is intact in its exterior and common areas, featuring its original elevator and full height stained glass window in the stairwell.

'Braemar' (6), 'Miramar' (7) and 'Mirradong' (8) Aston Gardens, Bellevue Hill

Each of these buildings was designed by architect Emil Sodersten, most famous as the designer of the Australian War Memorial. They are listed as part of the Aston Gardens Heritage Conservation Area. 6 and 7 have a somewhat diminished architectural expression at the front due to their garages facing Aston Gardens, but the façade detailing is comparable in quality to those of 80 and 82 Drumalbyn Road. The Drumalbyn Road buildings represent a bolder Art Deco style in comparison to the restrained Old English (6 and 8) and Spanish Mission (7) detailing of Sodersten's buildings. While these and some other buildings in the Aston Gardens HCA were authored by important architects, the buildings taken together are greater than the sum of their parts. They are also far grander buildings, designed for a wealthier clientele, though this does not in itself make them more significant than those on Drumalbyn Road.

'Wycombe' (19), 21, 23 and 'Springfield' (25) Balfour Road, Rose Bay

These buildings are listed individually and are part of the Balfour Road Heritage Conservation Area. Although their contributory value to the HCA is clear, their individual significance is based primarily on the extent to which they are good representative examples of development of the period and relative styles. Much of the detail seen here, including patterned/polychromatic brick, brick fins, etc. is common to the properties on Drumalbyn Road as well. Entryways here are at the sides of the buildings, meaning the street is less grand than those of Drumalbyn Road, but also more resolved architecturally, perhaps due to not having to contend with the landform. These are almost archetypal examples of inter-war flat buildings in Woollahra, and are therefore particularly suited to being representative examples.

¹ GML, *Edgecliff Commercial Centre Heritage Study*, 2023, pp. 241-57.



Figure 1 'Hillside' (Source: BresicWhitney.com.au)

Assessment of potential heritage significance against the NSW Heritage Criteria

The site has been the subject of two heritage assessments. One assessment was prepared for the applicant by Architectural Projects as part of a Demolition Report, the other for an objector by GBA Heritage Consultants as part of a letter. The following assessment summarises their respective opinions, and then provides this author's opinion.

Criterion (a) Historical

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

The Demolition Report assessment: "The buildings have low historical significance for its ability to evidence flat development in an area where extensive flat development occurred."

GBA Comment: "Nos. 80, 82 and 84 (along with No. 78, 86, 88 and 90) are a tight knit, cohesive group of fine Interwar Residential Flats buildings that are of historical significance for representing a significant period in the historical evolution of architectural styles in NSW, and for contributing to our understanding of the historical development of the Bellevue Hill area in the period 1919 – 1939."

Senior Strategic Heritage Officer comment: Clearly the group of buildings from 78-90 Drumalbyn Road represent a cohesive group of Inter-War Residential Flat buildings. They do have ability to demonstrate the course and pattern of development in Bellevue Hill and to some extent the wider LGA during the Inter-War period. This they share with the Inter-War flat buildings at 91-99 Drumalbyn Road, also not listed in the Council LEP, as well as numerous other buildings – some listed and some not – in the area.



The author has not seen any evidence that suggests these specific buildings are *important* in the course or pattern of the cultural history of the local area. Given the abundance of buildings of this type in the local area, all of which have the ability to demonstrate the historical development during the Inter-War period of Bellevue Hill, and many of which are better examples of their type and style, the three subject buildings would not reach the threshold for listing under this criterion.

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 NSW's cultural or natural history (or the cultural or natural history of the local area)

The Demolition Report assessment: "The research to date has not indicated historical associative significance because of its association with significant person."

GBA Comment: "GBA Heritage has carried out some preliminary research which points towards the well-regarded Architect, Dudley Ward as the architect of 84 Drumalbyn Road, Bellevue Hill (Source: *Newspapers.com Construction from Sydney, New South Wales Australia.2 Issue Date 21 June 1939 Page 2 and Trove Construction Tenders 19 April 1939*). Dudley Ward is known to have designed large blocks of flats in Macleay Street Potts Point and Fairfax Road, Bellevue Hill.

...

Dudley Ward is known to have designed substantial interwar flat buildings in Fairfax Road Bellevue Hill and Macleay Street Potts Point. He also contributed to the Minerva Theatre in King's Cross.

The quality of each building of the buildings in the subject Drumalbyn Road group strongly suggests the hand of other skilled architects/designers."

Senior Strategic Heritage Officer comment: The original drawings for 84 Drumalbyn Road were by an architect H C Grimster. While the built design differed from Grimster's drawings in the façade treatment, the plan and overall form of the building remained essentially the same. Grimster is not a known person of importance, and given the changes to the design it would be difficult to establish a strong or special association. No architect has been identified for 80 and 82 Drumalbyn Road.

Upon review of the above noted sources and some additional information sent to the author by Graham Brooks, including photographs of comparable buildings by Ward at 32 Fairfax Road, it does not appear that there is any clear evidence of Dudley Ward's authorship for any of the buildings. It is certainly possible, based on similarities in detail with 32 Fairfax Road, that Dudley Ward had some hand in numbers 78 and 82, but the evidence for this is only circumstantial. In any case, it is doubtful that any association with Ward would be "strong or special" in this instance, as the building is unlikely to be considered a major work of Ward's.

The assessment of GBA Heritage Consultants correctly notes that the quality of the buildings suggest the involvement of skilled designers, but the evidence for the involvement of notable architects or other persons of importance is scant, and further evidence is unlikely to be uncovered.

The buildings do not meet the threshold for listing under this criterion.

Criterion (c) Aesthetic

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

The Demolition Report assessment: "The buildings have low aesthetic significance as a representative example of Interwar Art Deco apartment and the buildings are not considered significant as they are not major works by an important designer or artist."



GBA Comment: “The above response is dismissive and does not take into account the noteworthy Interwar characteristics individually embodied in the subject buildings and/or the contribution that the group makes collectively to the Drumalbyn streetscape. Nos. 80, 82 and 84 (along with Nos. 78, 86, 88 and 90) are of aesthetic significance as a tightly knit, cohesive group of buildings as well as individual buildings for demonstrating several fine characteristics and distinctive aesthetic attributes of Interwar architecture and Interwar Residential Flats buildings in the Bellevue Hill area. The buildings belong to a period when the Interwar architecture and its many variations were at a peak, and this is reflected in the expert juxtaposition of elements within the buildings. Landscape, including stepped low boundary walls and entry bridges, is used as an element that weaves Nos. 80, 82 and 84 (and No.78) together as a tight knit group that presents cohesively and reinforces the character of the Drumalbyn streetscape.”

Senior Strategic Heritage Officer comment: The comment by Architectural Projects in the Demolition Report is dismissive. Taken together, the 7 inter-war flat buildings along this side of Drumalbyn Road (to which those on the other side from 91-99 might also be added) are a cohesive group that clearly demonstrate the aesthetic characteristics of their type and style. While some of the buildings have clear aesthetic merit in their own right, taken together they are greater than the sum of their parts. The use of bridges, the decorative brick details and stained glass of the facades, and some of the interior details of the subject buildings demonstrate a level of creative achievement. They demonstrate clearly a fusion of styles – Art Deco and Old English – that was popular in the Woollahra LGA in this period, as was the graceful response to the landform. Taken together, the 7 buildings would meet the threshold for listing as a heritage conservation area under this criterion.

It is not clear that any of the three subject properties meets the threshold for listing under this criterion in its own right. No. 80, ‘Stanhope’ is a well-resolved building with polychromatic brick detail enlivening an otherwise ordinary façade. It also retains interior details that may be considered rare (though other examples exist) and therefore important in demonstrating the characteristics of the style. Apart from this, however, the building is not exceptional in aesthetic terms.

No. 82, has an architecturally striking facade, particularly its projecting central window, but a plain and poorly resolved interior common space. The private spaces of this building were not inspected.

No. 84 is a good example of the style, but not aesthetically notable.

It does not appear that any of the buildings are the work of a notable architect, though it is possible further research could reveal authorship by a significant person.

None of the buildings meet the threshold for listing under this criterion in their own right.

Criterion (d) Social

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

The Demolition Report assessment: “The research to date has not indicated any significance under this criterion.”

GBA Comment: “The subject buildings and setting are socially significant in being able to demonstrate a way of life at the time. Internal and external layouts and specific elements such as the trades access stairs reflect the type a lifestyle.”

Senior Strategic Heritage Officer comment: The subject buildings are unlikely to have any significance under this criterion because they are private dwellings, though no research has been carried out by either this author or the other authors to confirm this. The aspect of significance identified by GBA is not current, and is properly understood as an aspect of the historical significance of the place. The buildings do not meet the threshold under this criterion.

Criterion (e) Technical/Research

An item has potential to yield information that will contribute to an understanding of NSW’s cultural or natural history (or the cultural or natural history of the local area)



The Demolition Report assessment: “The research to date has not indicated any technical significance under this criterion.”

GBA Comment: “Subject to more thorough research and analysis, the subject buildings and setting could have the ability to enhance our understanding about the way of life at the time.”

Senior Strategic Heritage Officer comment: It is very unlikely that the buildings have the potential to yield information that is not readily available elsewhere. The buildings do not meet the threshold under this criterion.

Criterion (f) Rarity

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

The Demolition Report assessment: “The research to date has not indicated any significance under this criterion.”

GBA Comment: “The subject buildings, a cohesive group of up to 7 buildings in their setting, can be classified as rare in the steeply falling topography.”

Senior Strategic Heritage Officer comment: The buildings, being Inter-War Residential Flat buildings in a blended Art Deco and Old English style, are not rare in the Woollahra LGA, with numerous examples both listed and not. While the adaptation to falling topography may be unusual elsewhere, it is seen often in Bellevue Hill and other suburbs in Woollahra, where developers sought in the 1930s to take advantage of Harbour views. It is also seen in the group of properties on the opposite side of Drumalbyn Road, for example. The buildings do not meet the threshold under this criterion.

Criterion (g) Representativeness

An item is important in demonstrating the principal characteristics of a class of NSW's

- *cultural or natural places; or*
- *cultural or natural environments.*

(or a class of the local area's

- *cultural or natural places; or*
- *cultural or natural environments.)*

The Demolition Report: “The buildings have low representative significance because it demonstrates principal characteristics of flat development in an area where extensive flat development occurred.”

GBA Comment: “The above response contradicts its own argument. If the buildings demonstrate principal characteristics of flat development in an area where extensive flat development occurred, then it can be reasonably classified as having representative significance. The whole group comprising Nos. 80, 82 and 84 along with No. 78, 86, 88 and 90, are of representative significance for being highly intact surviving examples of Interwar architecture and Interwar Residential Flats Buildings in the Bellevue Hill area, some of which are known to have been designed by Dudley Ward.

The buildings are representative of how landform and landscape influenced the development of the architecture in area.”

Senior Strategic Heritage Officer comment: The subject buildings clearly demonstrate the principle characteristics of Inter-War apartment buildings. Their relative intactness and good quality contribute to their ability to fulfil this criterion. However, the threshold examples in the *NSW Assessing heritage significance guidelines* note that to reach the threshold the buildings must be “*particularly fine*” and/or “*particularly intact*” (p. 50, emphasis added). The description “*particularly fine*” is not truly applicable to any of the buildings. Number 82 presents the finest façade to the street but based on what was observable through the front door this is not carried through to the treatment of the interior common spaces. Numbers 80 and 84 are clearly also of quality design and construction, but not exceptional in the LGA (compare with, for example, the much better resolved and more impressive ‘Hillside’).



No. 84 appears to be the most intact of the three buildings, with balconies added to the rear of 82 and a roof terrace to 80. The apparent intactness of interior details including chrome elements at number 80 is also notable. The level of intactness in the buildings is not exceptional in the LGA. The buildings do not meet the threshold under this criterion.

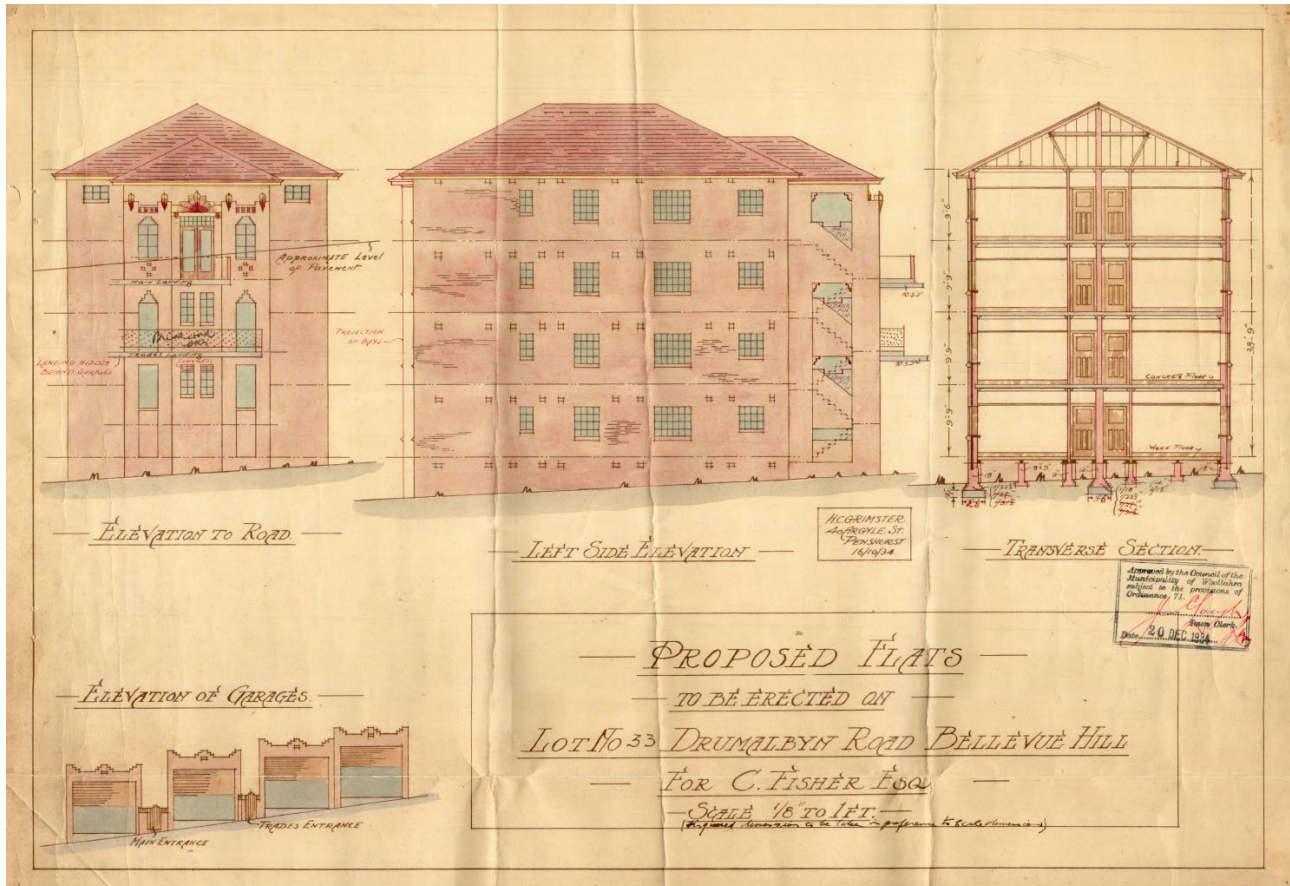


Figure 2 Original drawings for 84 Drumalbyn Road by H C Grimster. The facade as built is quite different, and the garages were constructed without detail.

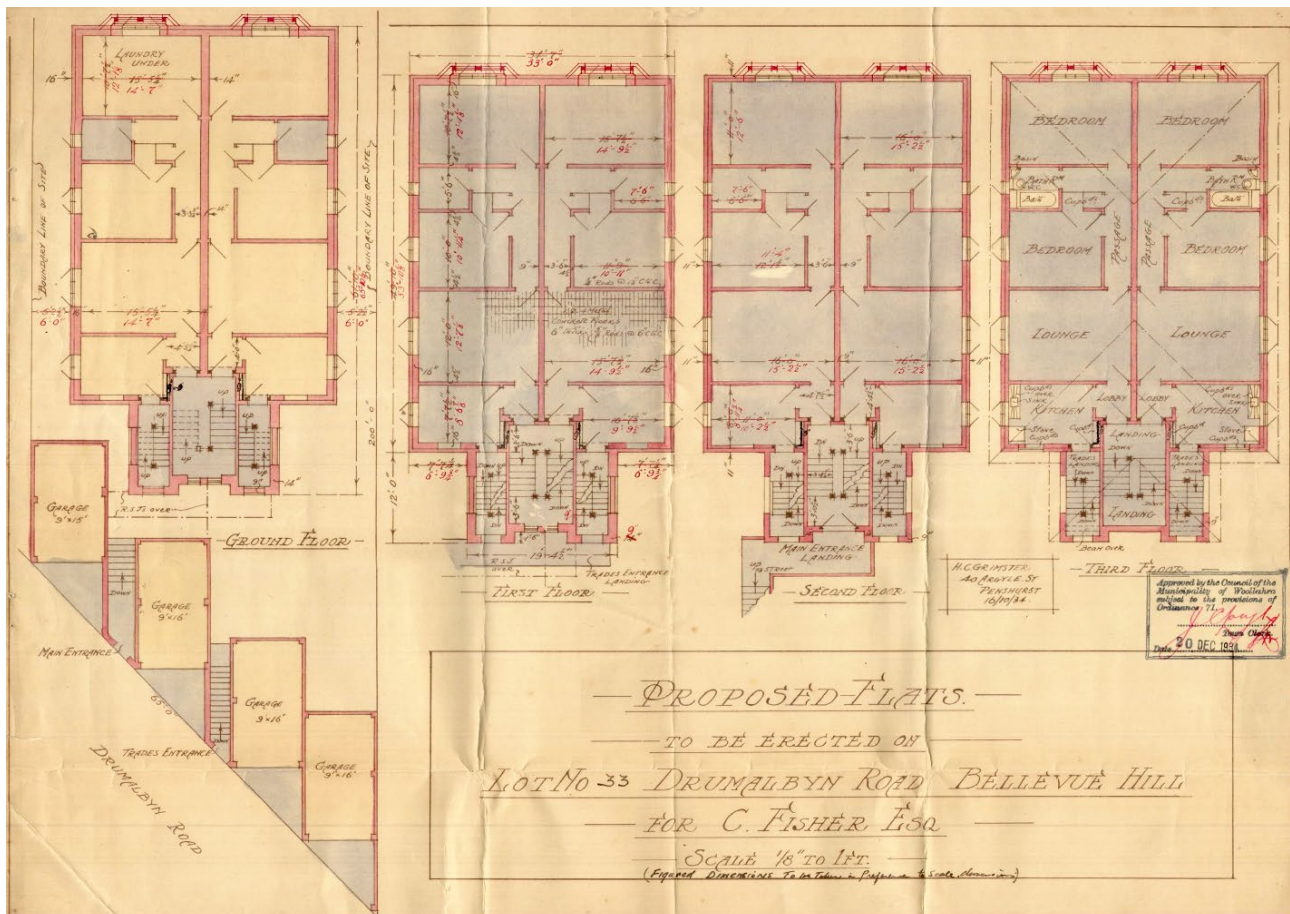


Figure 3 The building plan by Grimster is, however, similar to the layout and planning of the final building. It seems likely that expense was spared on Grimster's proposed fine details, or perhaps simply a change of taste.



Figure 4 84 Drumalbyn Road facade as viewed from the street. The fenestration had been altered as compared with the original drawings, as has the doorway and decorative detailing. However, it is likely that the building was constructed with this detailing.



Figure 5 Wyndella House at 82 Drumalbyn Road presents a very fine facade to Drumalbyn Road, with polychromatic brick detail and projecting central window.

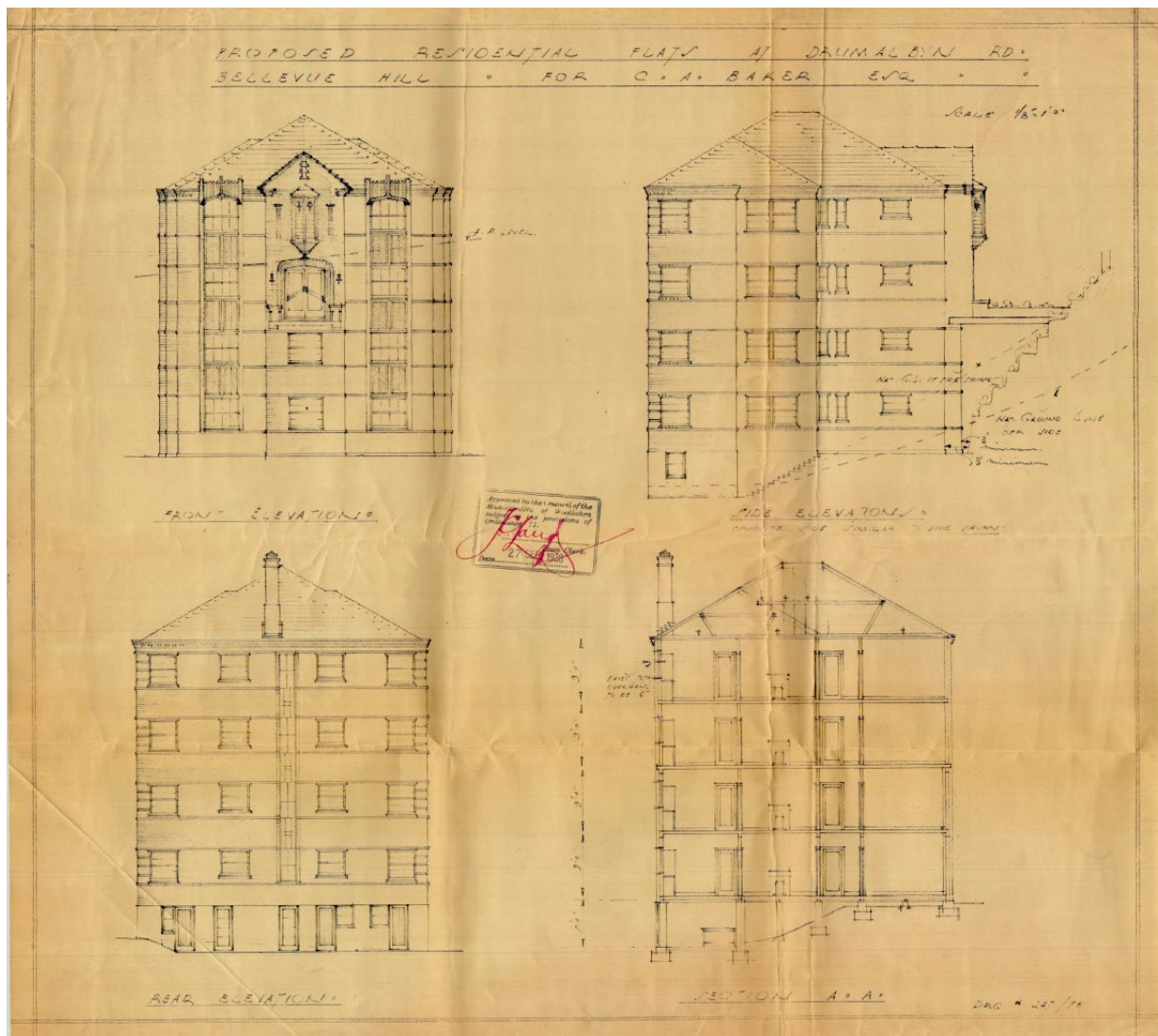


Figure 6 The original drawings for 82 Drumalbyn Road, to which the building appears to have been built. No architect is identified on these plans, but the client - C A Baker - is.



Figure 7 The entrance lobby of Wyndella House, as seen through the door, suggests that the grand exterior was not replicated in the internal design.

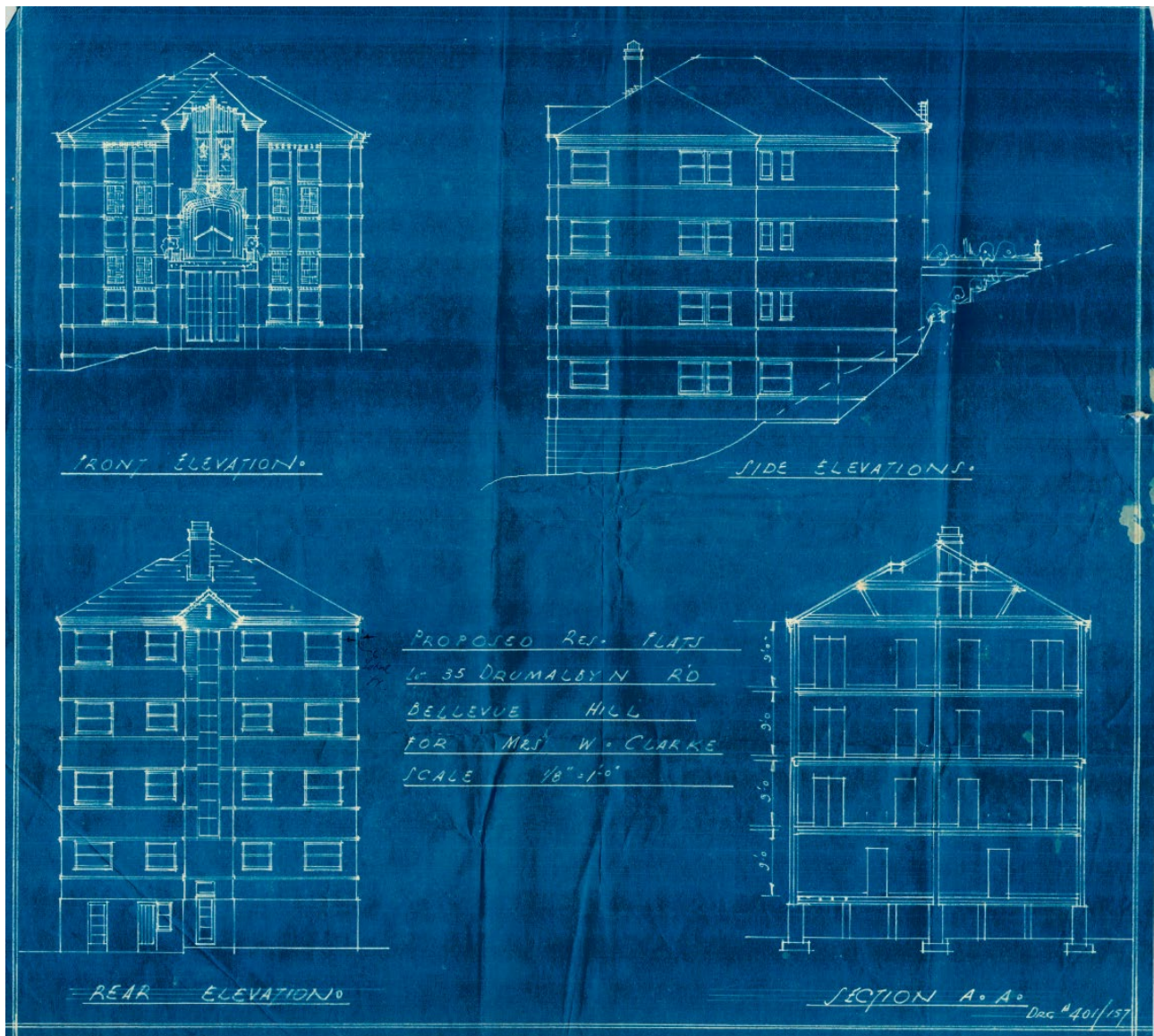


Figure 8 Original blueprints for 80 Drumalbyn Road, Bellevue Hill. The final design differs from these drawings primarily in the facade detailing. It seems plausible that the developer did not have the funds to complete the building as drawn.

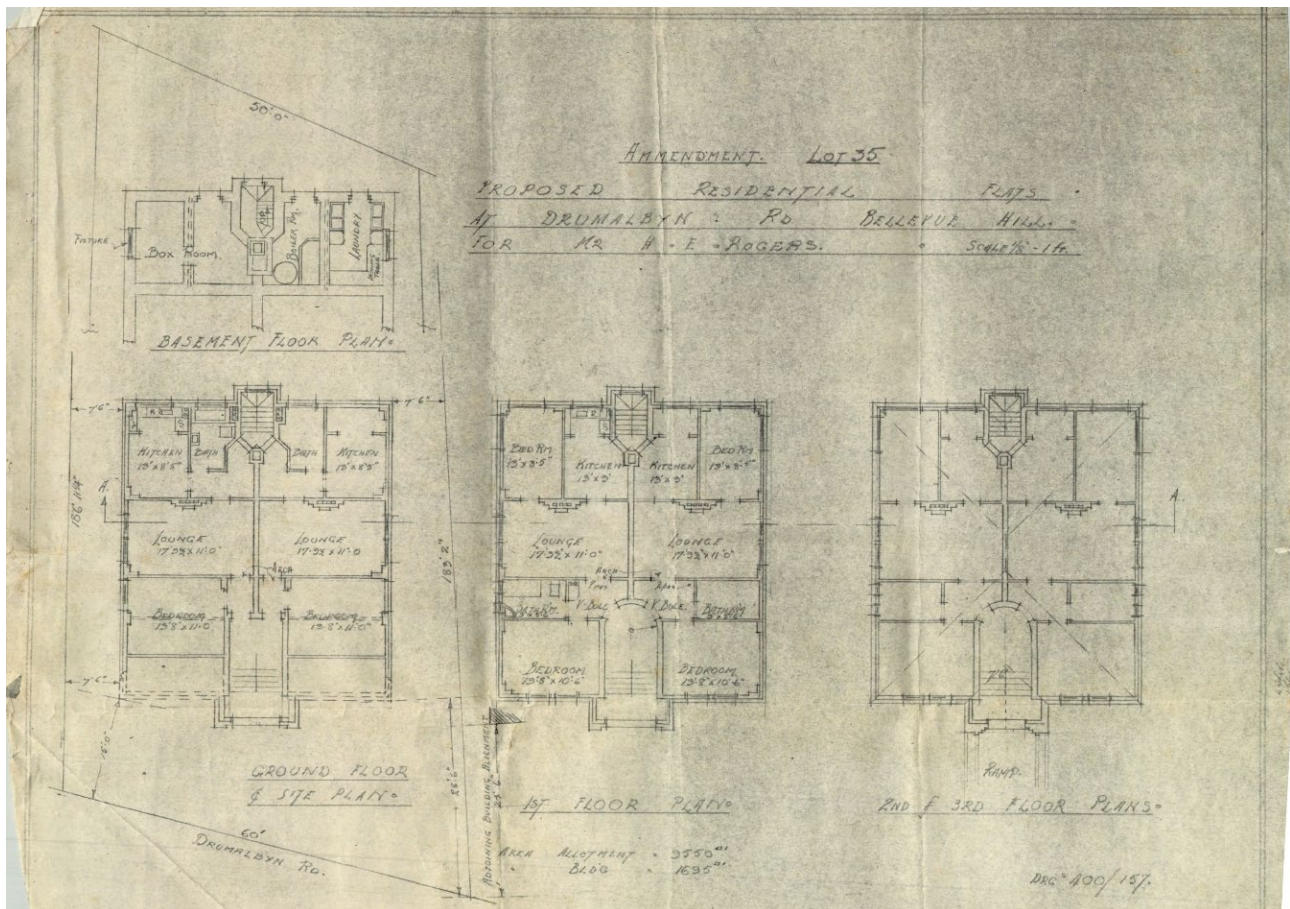


Figure 9 The final design for 80 Drumalbyn Road seems to have stayed largely true to these floorplans. If another architect was brought in, they made only minimal changes. These plans show the name of the developer – H. E. Rogers.



Figure 10 80 Drumalbyn Road as built. The central element has been simplified as compared with the drawings.



Figure 11 80 Drumalbyn Road as built, rear. Detailing matches the original drawings.

Integrity

- The buildings have largely retained their design integrity, notwithstanding alterations to 80 and 82. The fabric of the buildings is generally intact.

Conclusion

In consideration of the above comparative analysis and significance assessment, it does not appear that any of the three subject buildings merits listings in its own right. They clearly have some significance as good examples of Inter-War Apartment Buildings, particularly of the combined Art Deco/Old English style that is common in Woollahra. However, none is a particularly fine example in its own right, nor meets the threshold of high creative achievement.

Note that, while joint listings of items are possible, the more common way of addressing such a situation is through a Heritage Conservation Area, within which some items may merit listing in their own right. It would be unusual for Council to seek a joint listing as opposed to an HCA, and there is no clear justification for doing so in this case.

Significance of items in the vicinity

There are no listed heritage items in close proximity that would be adversely affected by the proposal.

6. ASSESSMENT OF HERITAGE IMPACT - Compliance with the relevant legislative framework and planning controls

National Parks and Wildlife Act 1974



The site is in an area of Potential Aboriginal Heritage Sensitivity. Therefore, an Aboriginal Heritage Impact Assessment was required as part of the DA to ascertain whether potential Aboriginal cultural heritage will be impacted by the proposal.

This report, with agreement from the La Perouse LALC, identified a low possibility of locating Aboriginal objects, but also proposes precautionary measures to address the possibility of finding Aboriginal heritage during the works.

A basic search conducted on AHIMS (Aboriginal Heritage Information Management System) on 2 October 2024 from the Office of Environment & Heritage NSW (OEH) website has revealed that there are 2 recorded Aboriginal sites recorded within a 200m buffer in or near the above location and 0 Aboriginal sites within a 0m buffer in or near the above location. The sites are a rock shelter and art site, and are 80m and 100m away from the nearest point of the site.

The site does contains landscape features that indicate the likely existence of Aboriginal objects as defined in Section 2, Step 2 p.12 of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW ('Due Diligence Code') published by the Department of Environment, Climate Change and Water and dated 13 September 2010.

The subject site is considered to be on 'disturbed land' as per the definition outlined in the Due Diligence Code, p. 18.

Appropriate conditions are provided to manage Aboriginal heritage, including unexpected finds, are provided.

Woollahra LEP 2014

Clause 1.2 Aims of Plan

Subclause 1.2. (2) (f) – to conserve and enhance built and natural environmental heritage

Clause 5.10 Heritage Conservation

The proposal has been considered having regard to the provisions of Clause 5.10 of the Woollahra LEP. The following commentary is provided:

- **Clause 5.10(1)(a):** The proposed development does not unduly impact the heritage of Woollahra.
- **Clause 5.10(2) and (3):** Consent is required for the proposed works
- **Clause 5.10(4):** This referral constitutes an assessment under this clause.
- **Clause 5.10(7) and (8):** The site is not identified as an archaeological site or a place of Aboriginal heritage significance. The potential for Aboriginal heritage has been considered in the assessment of the proposal and found to be low but possible. A referral was sent to the La Perouse Local Aboriginal Land Council.
- **Clause 5.10(9):** Demolition of a nominated State heritage item is not proposed.
- **Clause 5.10(10):** Conservation incentives are not being sought as part of this application.

Woollahra DCP 2015

Part B – General Residential – B3 General Development Controls

CLAUSE B3.8 ADDITIONAL CONTROLS FOR DEVELOPMENT OTHER THAN DWELLING HOUSES

B3.8.7 Inter-War flat buildings

Objectives O1, O2

Controls C2

- The proposed demolition of these three buildings is contrary to the controls and objectives of the DCP.



7. CONCLUSION

An assessment of the significance of the buildings proposed for demolition having been carried out, there is no clear evidence that they would be likely to meet the threshold for listing. It is quite likely that they would form contributory items to a heritage conservation area were one to be proposed. An Interim Heritage Order could only apply to the items under threat (the subject properties), and therefore would not be appropriate to consider in this instance.

The proposal has been considered having regard to the applicable legislation and policy documents and, on balance, is considered to be acceptable from a heritage perspective.

Despite noncompliance with the Clause B3.8.7 of the Woollahra DCP 2015, the proposal would not impact any heritage items or conservation areas, and therefore the proposal is acceptable. An assessment of the properties has determined that they do not have significance in their own right.

8. RECOMMENDATION

No objections are raised to the proposal, subject to the conditions as recommended, as it complies with the relevant statutory and policy documents and would have an acceptable heritage impact.

Consent, subject to conditions is recommended.

Standard Conditions

2B Recording of significant or contributory buildings prior to any demolition or alteration
8B Archaeological Features - Unexpected Findings
9B Skeletal Remains
10B Aboriginal Objects – Unexpected Findings
12B Aboriginal Heritage Due Diligence Responsibilities
13B Aboriginal Heritage Induction (LALC Required)

Special Conditions

A	1.	Salvage
		Brick masonry, sandstone, roof tiles, chimney pieces, timber joinery, internal decorative plaster ceilings, cornices, joinery, timber flooring, and any original decorative architectural elements to be demolished must be catalogued, labelled, salvaged and where practical reused on the project or transferred to an established second building material dealer for recycling. Documentation of the salvage methodology must be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of demolition.
		Condition Reason: To promote the use of ecologically sustainable building materials in accordance with O2 of Clause E6.1.4 Woollahra DCP 2015 and to enable the conservation of other heritage buildings in accordance with the Woollahra LEP 2014, Clause 5.10 Heritage Conservation, 1(a), (b).

Tristan Ryan
Senior Strategic Heritage Officer

2 October 2024
Completion Date