



12 November 2020

REFERRAL RESPONSE - HERITAGE

FILE NO: Development Applications/ 321/2020/1

ADDRESS: 19-27 Cross Street DOUBLE BAY 2028

PROPOSAL: Demolition of existing structure and construction of a shop top housing development

FROM: Charlotte Simons - Heritage Officer

TO: Mr W Perdigao

DOCUMENTATION

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

- Drawing set by Luigi Rosselli, dated 18 August 2020, and numbered DA_00 - 33
- Demolition Report & Heritage Impact Statement by John Oultram Heritage & Design, dated August 2020
- Statement of Environmental Effects by GSA Planning, dated August 2020
- Visual Analysis Advice by Richard Lamb & Associates, dated 26 August 2020
- Survey by LTS Lockley, dated 3 June 2016.

SITE INSPECTION / RESEARCH

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

- The site was inspected on 14 October 2020, including the streetscape and the general locality.

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
- Review of building and development applications for the subject site
- 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.

STATUTORY AND POLICY DOCUMENTS

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

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

ASSESSMENT OF HERITAGE IMPACT

Compliance with the relevant legislative framework and planning controls



SIGNIFICANCE OF SUBJECT PROPERTY

The land on the subject property was originally part of the extensive landholdings of Daniel Cooper and Solomon Levey, which were initially developed under leasehold. The site was also within the area of the government village of Double Bay. Part of the subject property was developed by John Gray, who established 'Heath Villa' in the vicinity. This part of the site was subdivided in 1927 and a block of flats was erected. The remainder of the site became part of prominent local builder Edward Knox Harkness's development of Transvaal Avenue at the turn of the twentieth century, which resulted in two cottages being erected on this part of the subject property in 1902.

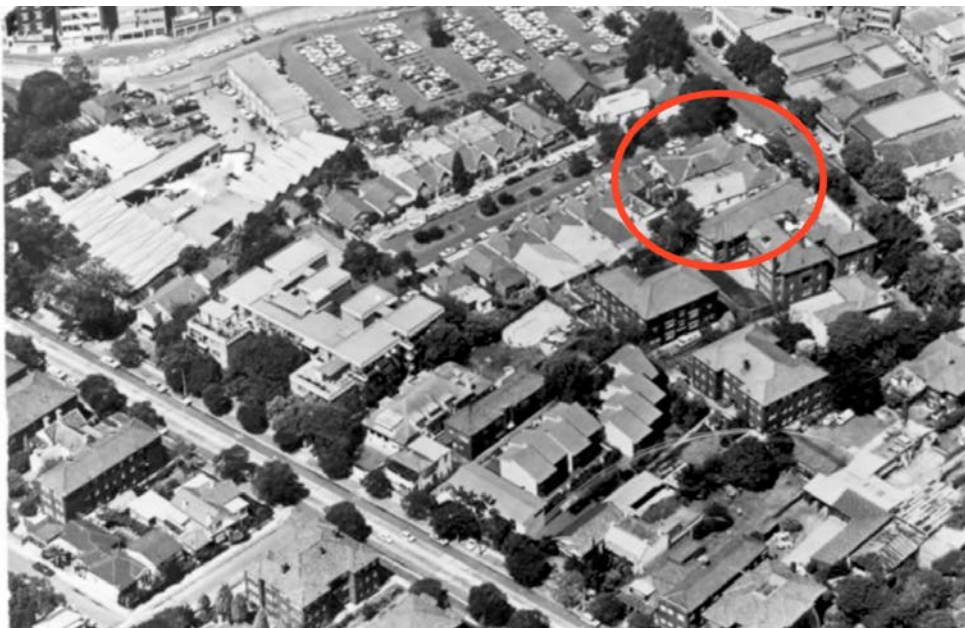


Figure 1: Historical aerial photograph showing the subject property (circled red) in the 1970s. Note the residential flat building and two houses occupying the site.
(Source: Woollahra Library, as found in the Heritage Impact Statement prepared by John Oultram Heritage & Design)



Figure 2: Perspective sketch of the Double Bay Plaza by Synman, Justin and Bialek, 1979
(Source: DA308/78, as found in the Heritage Impact Statement prepared by John Oultram Heritage & Design)



In 1979, the application for the existing commercial building on the subject property was approved by Council. Double Bay Plaza was subsequently completed in August 1980 as a single/two storey commercial building designed by Synman, Justin and Bialek (now SJB Architects). The building is located at the junction of Cross Street and Transvaal Avenue, and was built as part of the ongoing development and commercialisation of Double Bay during the late 20th century. The post-modern building has a concrete frame with full height glazing to shopfronts, with highlight glazing above set on curved openings with rendered masonry parapet above concealing the building's flat roof.

Immediately north of the subject property is the Transvaal Avenue heritage conservation area (HCA). Comprising the cottages built by Edward Knox Harkness at the turn of the 20th century, the conservation area is characterised by modest single storey Gothic Revival style brick cottages that have subsequently been adaptively reused for commercial uses.

A demolition/heritage significance report has been submitted with the development application and includes historical research on the development of the property over time. The assessment of significance of the existing commercial building on the subject property concludes that the building would not meet the threshold for identification as a place of local heritage significance. While the building is associated with a prominent architectural firm, Double Bay Plaza is not considered to represent an important work within the extensive oeuvre of Synman, Justin Bialek (SJB architects). The findings of this report are considered to be accurate.

National Parks and Wildlife Act 1974

A basic search conducted on AHIMS (Aboriginal Heritage Information Management System) on 25 September 2020 from the Office of Environment & Heritage NSW (OEH) website has revealed that there are no recorded Aboriginal sites or places recorded within a 200m buffer in or near the above location.

The site does not contain 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.

The AHIMS basic search did not reveal any recorded Aboriginal sites within 200m of the subject site. The subject site is located within a Deep Creek soil landscape. As the site has been previously disturbed when the existing structures were constructed, it is unlikely that any archaeological evidence will remain, therefore no further actions under the Due Diligence Code of Practice are required.

Woollahra LEP 2014 Clause 1.2 Aims of Plan

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

The existing building on the subject property, Double Bay Plaza, was constructed in 1979-1980 as a 1-2 storey commercial development. The building is located at the corner of Cross Street and Transvaal Avenue.



The property is not heritage listed and is not located within a heritage conservation area. A Demolition Report by John Oultram Heritage & Design has been submitted with the development application and includes historical research on the development of the subject property over time. The construction of the plaza is associated with Synman, Justin and Bialek (SJB Architects), a prominent architectural firm that have been practicing for over 40 years. The existing building is not considered a major work by Synman, Justin and Bialek, and does not have any distinctive landmark qualities or other features that would make it potentially significant or rare. The Demolition Report prepared by John Oultram Heritage & Design has assessed the potential heritage significance of the Double Bay Plaza and has concluded that the property does not meet the criteria for identification as a place of local significance. The findings of the report are considered to be accurate. Accordingly, the property is not of heritage value and therefore no objection is raised to the proposed demolition of the existing building.

The subject property is not listed as a heritage item and is not within a heritage conservation area. However, the subject property is in the immediate vicinity of the Transvaal Avenue HCA. In its current form, the proposed 6-7 storey development does not provide a sympathetic transition to the single storey character of the HCA. It is considered the proposal would diminish the setting of and would dominate the contributory single storey Gothic style cottages in the vicinity and would result in an adverse impact on the conservation area. Detailed discussion of the impact of the proposal on the Transvaal Avenue HCA is provided below against the Woollahra LEP 2014 (Part 5.10) and Woollahra DCP 2015.

Given that the building that is proposed to be demolished is an insignificant item, it is considered that the photographic record of the property submitted in the Demolition Report & Heritage Impact Statement prepared by John Oultram Heritage & Design that formed part of the development application satisfies the standard condition for recording insignificant items.

Woollahra LEP 2014 Part 5.10 Heritage Conservation

The subject site is not a heritage item in Woollahra Local Environment Plan 2014 'the LEP' and is not within a heritage conservation area.

Significance of items in the vicinity

The following listed heritage items/heritage conservation areas are located in proximity of the site:

- Transvaal Avenue Heritage Conservation Area (LEP No. C7).

The Statement of Significance for the Transvaal Avenue HCA is as follows (Woollahra DCP 2015, Chapter D5, Appendix 1.4):

The Transvaal Avenue retail strip provides a physical record of a significant historical phase in the evolution of the Double Bay Commercial Centre.



The group of buildings provides physical evidence of the working class residential boom at the end of the 19th century by a renowned local developer, Edward Knox Harkness, who was responsible for many fine Federation styled semi-detached cottages within the Double Bay area.

The quality and distinction of the architectural decoration of the turn of the century buildings exemplifies the economic boom in that period and the expansion of residential development after the introduction of the tram service to the City in 1894 and from Rose Bay in 1898.

The area provides an historical record of the time through the naming of each of the properties and the avenue after the victories of the British force in the South African Boer War. Transvaal is the alternate name of the South African Republic.

The consistency and relative intactness of the cottages with their fine Federation but Gothic style brick and tile construction, stucco details and timber fretwork creates a distinctive and aesthetically pleasing character.

The uniformity of form and scale within the Harkness development of the single storey brick and tile semi-detached cottages contributes to the unique qualities of the housing group within the Double Bay commercial precinct.

The streetscape has high aesthetic value which is enhanced by the closed vistas and the carefully maintained street trees and landscape works at the northern end.

The area has social significance to the local community, demonstrated through the involvement of the local community during the 1980s when the area was granted heritage conservation area status after the number of objections raised to the proposed redevelopment of the group.

Collectively, the early 20th century housing in Transvaal Avenue represents an important historic element reflecting the early development of Double Bay. The uniformity of scale and form of the single storey Gothic Revival style cottages, which are generally around 6 metres in height, coupled with their architectural detailing has resulted in the distinctive ‘fine grain’ streetscape character and aesthetic value of the Transvaal Avenue HCA.



Figure 3: View looking north west across Transvaal Avenue towards the Double Bay Plaza and Transvaal Avenue HCA.



Figure 4: View looking south west across Transvaal Avenue towards the Double Bay Plaza and Transvaal Avenue HCA.



The proposal is for a 6-7 storey shop-top housing development adjacent to the low-height historic development within the Transvaal Avenue HCA. At its greatest setback, the proposal includes a setback distance of around 9.6 metres from the northern boundary of the site (adjoining the Transvaal Avenue HCA) and inclusion of an open plaza and seating area.

While the setback provided by the open plaza and seating area is considered to be positive from a heritage perspective, the scale of the proposed shop-top housing development would dominate the Transvaal Avenue HCA. The 6-7 development would exceed the height of the historic single storey cottages within the adjacent conservation area by over 17 metres (including roof terrace and lift overrun). The lower 6 storeys of the development have a uniform setback distance from the northern boundary of the site that would exceed the predominant height of cottages within the Transvaal Avenue HCA by 13.5 metres. This is not considered to provide an appropriate transition in terms of scale, bulk and height between the new development and the conservation area in the vicinity.

It is considered that the setting of the Transvaal Avenue HCA would be compromised by the proposal. In particular, the prominence of the modest single storey contributory items located at the southern extent of the conservation area on the western side of Transvaal Avenue (as viewed looking south-west from the northern end of Transvaal Avenue) would be diminished against the 'plane' of the continuous 6 storey northern elevation of the proposed development. It is noted the late 20th century Intercontinental Hotel located to the west of the Transvaal Avenue HCA pre-dates the Woollahra DCP and is not considered precedent development for the proposal within the context of the heritage conservation area.

The proposal should be refined on the northern elevation to minimise the impact on the adjacent conservation area. A 'stepped form' incorporating a lower built form to the street and increased setbacks on the northern elevation to upper levels would assist in providing a more sympathetic transition to the adjacent single storey character of the Transvaal Avenue HCA.

In its current form, the proposal does not provide a sympathetic transition to and would dominate the single storey character of the Transvaal Avenue HCA. As such, it is considered the proposal would adversely impact the heritage significance of the Transvaal Avenue HCA, including associated setting and views. The proposal therefore does not comply with Clause 1(a) and (b) of Part 5.10 of the Woollahra LEP 2014.

Woollahra DCP 2015

Chapter D5 - Double Bay Centre

Appendix 1: Transvaal Avenue Heritage Conservation Area

Objectives O1, O2

The proposed 6-7 shop-top housing development would exceed the height of the single storey contributory items within the adjacent Transvaal Avenue HCA by over 17 metres (including roof terrace and lift overrun). The lower 6 storeys of the development have a uniform setback distance from the northern boundary of the site that would exceed the predominant height of cottages within the conservation area by 13.5 metres. This is not considered to provide a sympathetic transition in terms of scale, bulk and height between new development and the adjacent historic single storey development within the Transvaal Avenue HCA. As such, it is



considered the proposal would not retain or enhance the visual prominence of the existing contributory buildings in Transvaal Avenue within the surrounding streetscape. Therefore the proposal does not meet Objective O1 under Clause A1.1.

D5.1.3 Objectives

Objectives O4, O10

The proposal, which does not provide an appropriate transition in scale, bulk and height between the 6-7 storey shop-top development and the adjacent single storey contributory items of the Transvaal Avenue HCA, is not considered to be compatible with the heritage significance of listed heritage items in the vicinity. This does not meet Objective O10 under Clause D5.1.3 and is not supported.

CONCLUSION

Woollahra LEP 2014

- Clause 1.2 (2) (f) The development does not conserve the built heritage of Woollahra, unless design amendments are made.

Part 5.10

- Clause 1(a) The development does not conserve the heritage of Woollahra, unless design amendments are made
- Clause 1(b) The impact upon the heritage significance of the heritage conservation area in the vicinity will be adverse, unless design amendments are made
- Clause 4 This referral constitutes an assessment under this clause.

RECOMMENDATION

The application is generally unacceptable as it does not comply with the relevant statutory and policy documents and would have an unsatisfactory impact.

The proposal in its current form is unsatisfactory for the following reasons:

1. The proposal would dominate and adversely impact the significance of the adjacent Transvaal Avenue HCA including setting and views, and would not retain or enhance the visual prominence of the existing contributory buildings within the conservation area. The proposal is therefore contrary to:
 - a. Woollahra LEP 2014, Clause 1.2(2)(f)
 - b. Woollahra LEP 2014, Part 5.10, Clause 1(a) and 1(b)
 - c. Woollahra DCP 2015, Chapter D5, Clause D5.1.3, Objective O10
 - d. Woollahra DCP 2015, Chapter D5, Appendix 1, Clause A1.1, Objective O1.

Charlotte Simons - Heritage Officer
