

Weir Phillips Heritage and Planning

1st July 2020

Attention: Thirdi Group

c/- Wallace Bruderlin

Per email: wallace@thirdigroup.com.au

Re: Peer Review HIS – 2-4 Blue Street, 1-5 William Street, North Sydney

This letter is a peer review of the Heritage Impact Statement (HIS) which was originally prepared by Urbis in March 2020 to address (DA 47/2020) at 2-4 Blue Street, 1-5 William Street, North Sydney. An independent assessment of the DA (DA 47/2020) was commissioned by North Sydney Council by Lucas Stapleton Johnson (LSJ). Urbis responded to the independent assessment in a supplementary *Heritage Referral Response June 2020*.

The site is located within the North Sydney Local Government Area. The site is not listed as a heritage item but is located within the vicinity of heritage items listed by Schedule 5 of the *North Sydney Local Environmental Plan (LEP) 2013*.

The proposal designed by Woods Bagot at 2-4 Blue Street, 1-5 William Street, North Sydney includes *demolition of all structures, bulk excavation, tree removal and construction of a 10-storey commercial building with basement parking*. The design was refined in June 2020 following comments from the Design Excellence Panel.

The purpose of this peer review letter is to ascertain whether the *HIS* (March 2020) and *Heritage Referral Response* (June 2020) prepared by Urbis, has provided a thorough analysis and assessment for the purposes of a development application and if it will deliver appropriate heritage outcomes. A site inspection was undertaken on 27th June 2020.

1. Statutory Identification

The report correctly identifies the statutory heritage listings for the site and other heritage items in the vicinity.

2. Identification and historical context

The *HIS March 2020* relies on a history of early North Sydney prepared by Leonie Mason for the Dictionary of Sydney in 2010. This entry accurately summarises the early historical development of the site.

Section 3.2 of the *HIS March 2020* provides a comprehensive analysis of the historical development of the site from the early ownership under Bernard Otto Holtermann to Julius Caro from 1886. The history outlines that the site underwent development prior to Caro's ownership in 1886 which is evidenced by the panoramic photograph (Figure 51) taken by Holtermann taken from his house "The Towers" (now part of Shore School) in 1875. Julius Caro did not undertake significant improvements under his ownership. The site and adjoining allotments (now occupied by 40 Miller Street) was converted to torrens title and subdivided then sold as the Caro Estate by his wife

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Annie Theophila Caro in 1937, comprising twelve allotments fronting Miller, Blue and William Streets. At this time the buildings developed under Holtermann's ownership were demolished.

The historical analysis of each building is outlined below:

- The *HIS March 2020* provides documentary evidence sourced from the Stanton Library showing the original architectural drawings of all flat buildings constructed on the site from 1939 to 1941.
- The *HIS March 2020* identifies that Nos 2 and 4 Blue Street were constructed first as "Conway Court" by Oswald Albert Cropley to the design by architects JE and ER Justelius and ND Frederick. This is supported by the architectural plans submitted to North Sydney Council in 1939.
- The *HIS March 2020* indicates that like Nos 2-4 Blue Street, Lot 4 at 1 William Street was developed by Oswald Albert Cropley and was designed by JE and ER Justelius and ND Frederick being completed 1939. This is supported by the architectural plans submitted to North Sydney Council in 1939.
- The *HIS March 2020* indicates No. 3 William Street was transferred to Gordon Seater Luscombe of McMahons Point who also commissioned E and ER Justelius and ND Frederick to design the flat building. This is supported by the architectural plans submitted to North Sydney Council in 1939.
- The *HIS J March 2020* indicates No. 5 William Street was transferred to George O'Dwyer Butement of Balmain in 1938. A building application was lodged for the construction in the same year. No architect is specified for this design of this flat building. Architectural plans showing the original configuration has been sourced from the Stanton Library North Sydney Heritage Centre.

The *Heritage Referral Response June 2020* briefly outlines the history of the architectural firm JE and ER Justelius and ND Frederick. This response recognises that there is limited information available on the architectural firm due to their modest output of constructed buildings. Notwithstanding, the supplementary response recognises that the architects were responsible for a number of Inter-war era hotels, which was recognised as their speciality, including the Blues Point Hotel and Kirribilli Hotel. The report also identifies that aside from the subject sites, there are no known other Inter-war Flat Buildings constructed by the firm. This is confirmed through analysis of the NSW State Heritage Inventory and Stanton Library Records.

3. Identification of fabric

The overall layout and site description is thoroughly documented and explained. The accompanying photographs provide a sound illustration of the site.

It is noted that the *HIS March 2020* concludes that the buildings appear in poor condition through visual analysis only. No independent structural or condition report has been produced to verify these claims.

4. Identification of surrounding fabric

This section describes the very mixed building typologies of the area. Ranging from large commercial infrastructure within the North Sydney CBD to the north and northeast of the site, to the lower scale educational precinct of the Shore School to the west and the residential area to the south separated by St Peter's Church and Manse.

5. Assessment of significance

The assessment of significance is carried out using standard heritage office Criteria. The responses to each criterion were updated in the Heritage Referral Response June 2020 following issued raised in the LSJ heritage referral.

1. Comparative analysis

The *Heritage Referral Response June 2020* provides a twofold comparative analysis of both Interwar Flat Buildings and buildings constructed by JE and ER Justelius and ND Frederick.

The comparative analysis of the heritage listed Inter-war flat buildings with Art Deco, Modern and Modernist architectural details in the North Sydney LGA has been completed to establish whether they are a significant grouping within the locality. The conclusion of the analysis identifies that in North Sydney this group of Inter-war flat buildings are not rare as multiple examples of the style, and groupings are illustrated in the table and throughout the LGA. The comparative examples provided are also identified as being located within residential areas. This is considered to be closer to the original setting of the flat buildings, prior to the conversion of this part of North Sydney into a commercial precinct from the 1960s onwards. This review concurs with the conclusions reached, agreeing that better more architecturally homogenous examples existing in their original residential setting, better illustrating Inter-war era flat building development within the LGA.

The report completes a thorough analysis of the identified architectural works of JE and ER Justelius and ND Frederick. It is clear from the analysis that although talented local architects, their speciality lay in the design and construction of Inter-war style Hotels and other commercial buildings. Of the identified domestic work they produced, none are considered to merit heritage listing or recognition on architectural/aesthetic grounds. As such, this review concurs with the *Heritage Referral Response June 2020* that the subject buildings are not representative examples of JE and ER Justelius and ND Frederick's work.

2. Integrity & Condition

Integrity, in terms of heritage significance, can exist on a number of levels. A heritage item or place may be an intact example of a particular architectural style or period and thus have a high degree of significance for its ability to illustrate this style or period. Equally, heritage significance may arise from a lack of architectural integrity, where significance lies in an ability to provide information of a significant evolution or change in use.

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The integrity of different aspects of the site must be considered including how the site boundaries and general layout of the site has changed over time, how structures have physically changed over time and how view corridors and the setting have changed over time.

While not discussed in a dedicated section, the integrity of the buildings is discussed in the description and comparative analysis sections of both Urbis Reports. Externally, the dwellings are considered to be relatively intact despite some minor alterations when compared with the original architectural drawings sourced from North Sydney Archives. They are clearly demonstrative of Inter-war era flat buildings. Weir Phillips Heritage and Planning undertook a site inspection on 27/06/2020 and can verify this description. No internal inspection was undertaken, however from analysis of the original and current floorplans, it is clear that the interiors of the apartments have been altered to suit modern apartment living. For example, making larger openings between the living spaces and kitchen areas.

In terms of the integrity of the setting the site, it is abundantly clear that the lower scale commercial and residential mix that occupied the area of the North Sydney CBD has been redeveloped at high density since the 1960s. The high rise setting in the immediate proximity of the site has overwhelmed the site and creates an awkward unsympathetic juxtaposition between the Inter-war flat buildings and the contemporary high rise of the North Sydney CBD.

It is noted that the *HIS March 2020* concludes that the buildings appear in poor condition through visual analysis only. No independent structural or condition report has been produced to verify these claims.

3. View corridors

The *HIS March 2020* did not provide a thorough assessment of view corridors to and from heritage items within the vicinity. The *Heritage Referral Response June 2020* provided additional information with regard to view corridors from heritage items with the proposed design superimposed into the photograph to illustrate the change in view corridor.

The view corridors indicate that due to the scale of intervening building stock, sloping site topography and vegetation that the site is not readily visible from the Lavender Bay HCA, or from Shore School. From St Peter's Church the site is visible in the background from Blues Point Road and from within the lawn area of the church grounds to the south western section of the church. Large modern buildings are already a part of the setting of St Peter's Church when viewed from the south.

4. NSW Heritage Office Criterion

An assessment of significance is carried out using the NSW Heritage Division criteria.

1. Criterion a – Historical Significance

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

The *Heritage Referral Response June 2020* recognises that the subject buildings are representative of development in Sydney during the Inter-war years. The report recognises that while the sites are associated with Inter-War development, so were numerous other sites in North Sydney developed during the Inter-war years. This is attested by the statistic '60 building applications for flats were received by North Sydney Council in 1937'. The authors of this review concur with this statement and consider that the buildings and the Caro Estate are one of many Inter-war Era developments in the North Sydney LGA. In the study by R. Thompson (1986) *Sydney's flats: a social and political history* states that by 1933 there were 4,380 flats in the North Sydney LGA by 1947 that number had doubled to 8,139.¹ This highlights that the site was one of many flat buildings constructed in the suburb during the building boom of the Interwar years. While representative of a change in the composition of the suburb they do not epitomise a significant historical phase and there are many other examples throughout the North Sydney LGA.

2. Criterion b – Associative Significance

An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.

As outlined above in Section 5 (i) The report completes a thorough analysis of the identified architectural works of JE and ER Justelius and ND Frederick. It is clear from the analysis that although talented local architects, their speciality lay in the design and construction of Inter-war style Hotels and other commercial buildings. Of the identified domestic work they produced, none is considered to merit heritage listing or recognition on architectural grounds. As such, this review concurs with the *Heritage Referral Response June 2020* that the subject buildings are not representative examples of JE and ER Justelius and ND Frederick's work.

3. Criterion c – Aesthetic Significance

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

The *Heritage Referral Response June 2020* recognises that the four flat buildings at 2-4 Blue and 1-3 William Streets are a modest cohesive group of Inter War flat buildings. The flats demonstrate a mixture of Art Deco and Moderne Motifs in their primary elevations with their central courtyard demonstrating an integrated planning approach to the complex. However, as demonstrated by the comparative analysis, there are other examples of flat building groupings and complexes within the LGA that are demonstrative of this planning approach. The comparative examples provided are also identified as being located within residential areas which is considered to be closer to the original setting of the flat building. This review concurs with the conclusions reached, agreeing that better architecturally distinctive examples existing in their original residential setting better illustrating Inter-war era development

¹ Thompson. (1986) *Sydney's flats: a social and political history*. Available at: <http://hdl.handle.net/1959.14/90117>. p.34

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within the LGA. This alone does not warrant inclusion for listing as per the guidelines in *Assessing Heritage Significance* (2001).

Due to the orientation of Nos 1 and 3 William Street, in which their primary elevations are oriented to the north and south and are largely obscured from the public domain by the Nos 2 and 4 Blue Street to the south and 5 William Street to the north. They are not readily understood from the public domain as a grouping of Inter-war Flat buildings as only their utilitarian side elevation is exposed to the public domain. The contribution to the streetscape as grouping is diminished, as only two of the buildings on site are readily understood as Inter-war era Flat Buildings.

4. Criterion f – Rarity

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

The authors of this review concur with the findings of the comparative analysis which concludes the site is one of many Inter-war Era subdivisions and development that occurred in North Sydney in the Late 1930s.

5. Criterion g - Representative

The authors of this statement agree that the buildings on site have some merit as examples of Inter-war Flat buildings, with different motifs from the Moderne, Modernist and Art Deco Stylings. As demonstrated by the comparative analysis they are one of many groupings of flat buildings constructed during the Inter-war years in the North Sydney LGA. Their mix of common architectural features integrated into the complex is not considered to be a significant enough deviation from the Inter-war period style to warrant consideration for listing under this criterion.

5. Statement of significance

The site is shown to have limited historic significance through its association with the Caro Estate Subdivision as this is recognised as one of many subdivisions that occurred during the intensification of development in the North Sydney LGA during the 1930s.

Aesthetically, the flat buildings at 2 and 4 Blue Street, and 1 and 3 William Street incorporate elements of the Inter War Art Deco, Moderne and Functionalist styles. Designed by the same architects JE and ER Justelius and ND Frederick Architects, the flat buildings incorporate an integrated planning approach through the centralised shared courtyard of the complex. However, as demonstrated by the comparative analysis, there are other examples of flat building groupings and complexes within the LGA that are demonstrative of this planning approach. The comparative examples provided are also identified as being located within residential areas which is considered to be closer to the original setting of the flat buildings. This review concurs with the conclusions reached, agreeing that better architecturally distinctive examples existing in their original residential setting better illustrating Inter-war era development within the LGA.

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The special skills of JE and ER Justelius and ND Frederick lay in the design and construction of Inter-war style Hotels and other commercial buildings. Of the identified domestic work they produced, none is considered to merit heritage listing or recognition on architectural grounds.

The authors of this statement concur with the findings in the two Urbis Heritage Impact Statements that the subject sites are not considered to meet the threshold for individual heritage listing as assessed under the seven (7) criteria for heritage significance provided for by the NSW Heritage Division.

6. Review of impact assessment

The HIS March 2020 impact assessment is dealt with firstly under heritage controls of the *North Sydney LEP 2013* and *North Sydney DCP 2013* as well as responding to concerns raised in the Pre-lodgement Meeting minutes. The revised *Heritage Referral Response June 2020* responds to response to the independent assessment of DA (DA 47/2020) commissioned by North Sydney Council by Lucas Stapleton Johnson (LSJ). Together these two documents assess the heritage impact of the proposal.

1. Proposed Design.

Designed by Woods Bagot the proposed design involves the demolition of all structures, bulk excavation, tree removal and construction of a 10-storey commercial building with basement parking. The materiality includes grid of large format glazing framed by solid terracotta cladding elements that reference the terracotta roof tiles of the residential areas.

The design was revised in June 2020 following comments from the Design Excellence Panel. Refinements included:

- Increased setbacks on the western façade including additional landscaping around the north, west and south of the site.
- Introduction of plantings to be included in the terraces and additional street trees and landscaping along William and Blue Street too will soften overall built form.
- Relocation of the plant room to the floor below to reduce the overall height of the building.

2. Assessment of impact on the site.

The assessment provided is comprehensive and thorough which conclude that the Inter-war era flat buildings do not meet the threshold for individual listing under the seven (7) criteria for heritage significance provided for by the NSW Heritage Division. The demolition of the buildings on the subject site, will not have a significant heritage impact on the significance of the North Sydney LGA for reasons outlined above.

Reasons for the removal of the buildings have been given and the impact of this mitigated through recommendations through interpretation, material salvage (where possible) and an archival recording.

3. Assessment of impact on heritage items in the vicinity

St Peters Church

The *Heritage Referral Response June 2020* assesses whether the proposed built form will unreasonably overshadow St Peter's Church and Manse. The proposed updated shadow assessment by Woods Bagot indicate that the increased shadows to the north and east elevation of the St Peter's Church Manse and the north elevation of the St Peter's Church only during winter. Urbis argue that the proposed increased shadowing will only affect areas of the church and manse which already experience shadowing from the existing topography of the church's site and the mature trees located within the church site at its northern boundary and existing street trees along the southern edge of Blue Street. The report indicates that shadows only affect the first floor rooms located on the northern and western elevations which are primarily bedrooms, not living areas. The authors of the review agree with this statement and conclude that the heritage significance of the manse will not be unreasonably affected by the overshadowing during the winter months due to the existing overshadowing and existing non-living use of the rooms which will experience the additional overshadowing. Furthermore, the living areas are oriented towards Blues Point Road, which allows them to benefit from the amenity provided by the views to the City, Harbour and Harbour Bridge.

The *Heritage Referral Response June 2020* assesses whether the proposed built form will overwhelm and dominate St Peter's Church and Manse. The response refutes the concerns raised in the LSJ which state the proposal will 'substantially decrease the open sky views currently available from the southeast and thereby will diminish the setting of the place'. The *Referral Response* indicates that the images sourced along Blues Point Road for the LSJ report do not accurately reflect the typical view a person walking on the footpath as the images presented are taken from Google Streetview. The *Referral Response* includes a comparison of the existing setting of the St Peter's Church and Manse as viewed from the opposite side of Blues Point Road. The rendered images supplied of the more accurate vantage point indicate that in comparison to the UGL Building the proposal will fill a minor component of the sky above the Manse. The *Heritage Referral Response June 2020* also clarifies that 'it is also not accepted that it is essential for a heritage item to have a blue sky backdrop'. The authors of this statement concur with this statement and agree that it is not essential to have a blue sky backdrop and the church to understand its significance or reverence. It will continue to be readily interpreted and understood as a Victorian Rustic Gothic style church and manse from the public domain, particularly from Blue Point Road to which it is oriented. The proposed building will read as a background element as part of the North Sydney CBD.

Lavender Bay HCA and Education Precinct

This review agrees with the *Heritage Referral Response June 2020* which asserts that due to the topography of the area and distance from the subject site (approx. 120m) the impact on the Lavender Bay HCA is negligible. This is reinforced by the view corridor assessments taken from the MacKenzie and Millers Streets, which is the closest point of the HCA to the site, looking north west toward the subject site.

Similarly, the impact on the Shore School is also considered to be negligible. Although the entire site is listed, the western side of the Shore School site is dominated by late twentieth century and contemporary school buildings which are not overwhelmed or dominated by the proposed built form. Other significant components of the school are located some distance from the subject site, where it will not be readily visible.

The buildings on site are located within a block associated with high density North Sydney CBD development. It is recognised that in their current form the buildings are of lower scale than the buildings eastern side of the same block which could be identified as a type of transition from low to high density. The surrounding context as identified in Section 2 of the *Urbis HIS (March 2020)*, indicates that beyond the subject site there is unlikely to be any further encroachment of the CBD to the south and west past the subject site due to the siting of St Peter's Church and Manse, and the Shore School. It is these sites, not the subject site, that act as the buffer for to the CBD. Therefore, the removal and redevelopment will not have an undue impact on the other heritage items in the vicinity including the Lavender Bay HCA as its development is constrained by the existing boundaries of the CBD and other heritage items in the vicinity.

4. Conclusions

I agree with the conclusions of the Urbis report:

- The revised Urbis report is comprehensive and deals with the key heritage issues arising from the proposal.
- The authors of this statement concur with the findings in the two Urbis Heritage Impact Statements that the subject sites are not considered to meet the threshold for individual heritage listing as assessed under the seven (7) criteria for heritage significance provided for by the NSW Heritage Division. Including:
 - The site is shown to have limited historic significance through its association with the Caro Estate Subdivision as this is recognised as one of many subdivisions that occurred during the intensification of development in the North Sydney LGA during the 1930s.
 - Aesthetically, the flat buildings at 2 and 4 Blue Street, and 1 and 3 William Street incorporate elements of the Inter War Art Deco, Moderne and Functionalist styles. Designed by the same architects JE and ER Justelius and ND Frederick Architects, the flat buildings they incorporate an integrated planning approach through the centralised shared courtyard of the complex. However, as demonstrated by the comparative analysis, there are other examples of flat building groupings and complexes within the LGA that are demonstrative of this planning approach. The comparative examples provided are also identified as being located within residential areas which is considered to be closer to the original setting of the flat buildings. This review concurs with the conclusions reached, agreeing that better architecturally distinctive examples existing in their original

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residential setting better illustrating Inter-war era development within the LGA.

- JE and ER Justelius and ND Frederick who designed the buildings were talented local architects, with their speciality laying in the design and construction of Inter-war style Hotels and other commercial buildings. Of the identified domestic work they produced, none is considered to merit heritage listing or recognition on architectural grounds.
- The impact on the setting of St Peters Church and Manse is negligible considering its current setting and any overshadowing impacts.
- The impact on the Shore School is also considered to be negligible as the western side of the Shore School site is dominated by late twentieth century and contemporary school buildings which are not overwhelmed or dominated by the proposed built form.
- The impact on the Lavender Bay HCA is considered to be negligible due to the topography of the area and distance from the subject site.
- A heritage interpretation strategy and archival recording are the appropriate means of dealing with the history of the site and the removal of buildings.
- The proposed new building has an acceptable impact on surrounding heritage items and creating an appropriate response to the urban context of the site.

In summary, I concur with the analysis and findings of both Urbis Reports

Please do not hesitate to contact me on 02 8076 5317 if you have any questions.

Yours faithfully,

James Phillips | Director