

Attachment I

**Revised Inventory Sheet - Aquarius, 50–58
Roslyn Gardens, Rushcutters Bay**

Item Name Aquarius, excluding apartment interiors			
Address	50–58 Roslyn Gardens, Rushcutters Bay	Lot number	Part Lot 1 DP 83374, Lots 1–74 SP 10872
Architect	Harry Seidler & Associates	Construction date	1965
Builder	James Wallace	Former names	
Listings	Sydney Local Environmental Plan 2012: Within the Elizabeth and Rushcutters Bays Heritage Conservation Area (C20), identified as detracting on the Sydney Development Control Plan building contributions map. Australian Institute of Architects (NSW Chapter) Register of Significant Architecture (AIA Register).		

Historical overview

The Cadigal people of the Eora nation have lived in the Sydney area for thousands of years and have shaped its landscape and nurtured its plants and animals. The Cadigal people called Rushcutters Bay 'Kogerah'. It was a place where Aboriginal people and Europeans gathered rushes, used respectively for crafting light-weight fishing spears and for thatching settler huts. According to Dr Paul Irish, settlers were cutting rushes in this bay within weeks of the arrival of Europeans in Australia in 1788.¹ Irish further records several different Aboriginal settlements, at different times, occupying land on either side of the Rushcutters Creek (through the present Rushcutters Bay Park) and on higher grounds on either side of the bay.

The subject site formed part of the original 54-acre property granted to Alexander Macleay, Colonial Secretary of New South Wales, by Crown grant in 1831. In 1839 Macleay constructed a stone mansion named Elizabeth Bay House on the property, as well as extensive stables, museums, and a large garden of interesting plants featuring specimen trees, an orchard and an orangery. Financial trouble forced Alexander MacLeay to submit to the foreclosure of his mortgage to his son William Sharp Macleay in 1845. When William died in 1865, the property passed to his brother George. George arranged for the subdivision of the property and sold leaseholds between 1865 and 1882. The subject site is located on part of the Elizabeth Bay Estate, Darlinghurst, advertised for sale by Richardson and Wrench in this period.

In the 1930s the site was occupied by Jensen's Tennis Courts, Rushcutters Bay, a tennis college advertised in March 1932 as being 'the finest in Sydney, equipped with all modern conveniences [with] latest American lighting system, next best to daylight'. The college was run by Edward Patrick Jensen.

In 1959 City of Sydney Council refused a development application by American Motor Courts Ltd to erect a 13-storey motel in Roslyn Gardens, Rushcutters Bay. Eight residents lodged objections to the proposed motel on the site, then occupied by tennis courts and a small single-storey building. From 1960 to 1962 the Council considered acquisition of the land that is adjacent to the Council-owned kindergarten.

Harry Seidler lodged a development application to Council in February 1963 to erect a 10-storey, 100-unit block of bachelor and one-bedroom flats estimated to cost £200,000. The client was Latec Investments Ltd, which intended to purchase the site. Elsewhere the owner and Seidler's client was noted as Theomel Pty Ltd on behalf of Latec Investments.

'Theomel' was the name of the investment company of Theodore Peter Meller of Meller Shoes, for whom Seidler designed one of his first great houses, the Meller House, Castlecrag, 1950–1953, also the home of his brother Jack (Jakob Mehler) in Double Bay, 1958 and a number of high fashion shoe salons for 'Edward Meller of King Street.'

In April 1963 the Council sought amended plans from Harry Seidler & Associates to reduce the number of flats to 80 and reduce the height of the building.

At the end of April the City Building Surveyor recommended the application be granted. The owners promised to build a children's swimming pool, which would have public access at certain times and for certain groups.

¹ Paul Irish, *Hidden in Plain View*, NewSouth Publishing, Sydney, 2017.

Historical overview

Seidler wrote in July 1963: 'The aim of the design was to achieve the best possible amenities for the flats, which is to face all main rooms of the eighty units towards the harbour view coinciding with the desirable orientation of north-east' (Harry Seidler + Associates Architects to Town Clerk, 16 July 1963, DA file 1963/167).

The earlier offer to make the swimming pool available for use by the local community was later rescinded by the owner. The amended plans were provisionally approved subject to provision of off-street parking for 50 cars on the site. The architects lodged the building application in August 1963 for the 10-storey block (the full height limit) of 80 bachelor and one-bedroom flats, estimated to cost £150,000. The working drawings and specifications were approved the following month.

Work had commenced on the site by March 1964 and the building was completed in the second half of 1965. It was advertised from August as the Florida Towers Motel Apartments, offering serviced apartments with a TV, phone, radio and all-electric kitchen as well as carparking. All units enjoyed views of the swimming pool and the harbour beyond.

The building was renamed The Towers Motel by 1972. Artcraft Neon Signs Ltd lodged an application in 1975 on behalf of Page Investments Pty Ltd to change the text of existing illuminated signs on pylons erected within the grounds of 50 Roslyn Gardens from 'Florida Towers Motel Apartments' and 'Sorry no vacancies' to 'Florida Towers, Motel, Swimming Pool Own Kitchen Harbour Views' and 'Guests Parking 1st Drive Left'.

In 1976 Hooker Home Units Pty Ltd advertised 50 Roslyn Gardens as Aquarius, selling studio and one-bedroom apartments with superb waterfront views ranging in price from \$19,250 to \$23,500 for studios and \$24,750 to \$30,000 for one-bedroom apartments.

Harry Seidler & Associates

Harry Seidler (1923–2006) was born in Vienna to Jewish parents. Following the Nazi occupation of Austria in 1938, Seidler relocated to England where he attended Cambridge Polytechnic, before being deported to Canada in 1940. He was awarded a Bachelor of Architecture in Canada in 1944. He won a scholarship to study at the Graduate School of Design, Harvard University, where Walter Gropius and Marcel Breuer were teachers. He then studied at Black Mountain College, under Josef Albers, before working with Breuer in New York City (1946–1948) and briefly with Oscar Niemeyer in Rio de Janeiro, on his way to Sydney in 1948.

Arriving in Sydney, his first commission was to design a house for his parents (Rose Seidler House, 1948–1950). Seidler gained Australian citizenship and in 1958 married Penelope Evatt, who was to be a significant partner in his career. By the 1960s Seidler's practice began to receive significant commissions including Blues Point Tower (completed 1962) and Australia Square (1960–1967). The latter, designed with engineer Pier Luigi Nervi, became a 'type-model' for Seidler's urban tower designs throughout his career. From the 1970s Harry Seidler & Associates was commissioned for significant large-scale commissions across Australia and overseas. These included the Australian Embassy, Paris (1973); MLC Building, Sydney (1978); Riverside Centre, Brisbane (1984); Shell Headquarters, Melbourne (1988); and QV1, Perth (1992).

Throughout his career, Seidler wrote about architecture and taught at various universities around the world, as well as advocating planning reform in Australia. He was awarded numerous honours throughout his career including being made an Honorary Fellow of both the American Institute of Architects and the Royal Institute of British Architects (RIBA awarded him the Royal Gold Medal in 1996); and a Life Fellow (1970) of the Royal Australian Institute of Architects (receiving 50 awards including five Sulman Medals, four Wilkinson Awards and the Gold Medal [1976]). He was also awarded an Order of the British Empire (1972). His impact and the work of his firm were a major cultural influence, applying uncompromising Bauhaus-inspired modernist architecture and principles in Australia.

Description

An external-only site visit from the public domain was undertaken by GML in September 2024. The physical assessment is based on publicly available documentation of the site.

Description

Setting and context

Aquarius is located on the eastern side of Roslyn Gardens on an irregular shaped lot. The majority of the lot is set 7m below Roslyn Gardens on the flatter land that characterises Rushcutters Bay Park to the east. Access to the building from Roslyn Gardens is via a raised pedestrian bridge. Vehicle access to the ground-level parking is from Roslyn Gardens via a shared driveway between 66 and 68-72 Roslyn Garden.

The apartment building is located within the Elizabeth and Rushcutters Bays Heritage Conservation Area (HCA). The immediate vicinity of the site is characterised by interwar flat buildings and multistorey postwar and contemporary apartments, which are comparable in design and scale to Aquarius. The building is somewhat obscured due to its setback and mature street trees and dense planting to the building's east. However, the scale, design, form and materiality of Aquarius is similar to other modernist flat buildings in its vicinity, all of which collectively make a positive visual contribution to the HCA.

Physical description

Aquarius is a 10-storey apartment building containing 60 studios and 20 one-bedroom units. They are 26-29sqm studio apartments and 39sqm one-bedroom apartments (12 with privately owned terraces, 4 roof and 8 garden), intended for, as Harry Seidler said, 'people of average means'. The building is set asymmetrically on the lot, oriented to the northeast, and offers expansive views of Rushcutters Bay, Rushcutters Bay Park and Sydney Harbour beyond. The massing is that of tower, bridge and slab; a slender slab with a separated core that appears as a tower (much like the Balfour Tower, London, designed by Erno Goldfinger, 1963). The apartments are set back much farther from the streets than their neighbours, necessitating a long bridge that passes dramatically through a tall, blank façade.

The 'tower' core contains two elevators, a lift lobby, an obsolete garbage chute (that ceased operation approximately 20-30 years ago, been bolted up and the garbage room repurposed as the building managers office) and a balcony overlooking the street. At alternate levels a communal laundry is located in the lift lobby space, which is accessed by another small bridge from the access stairs.

The northeastern façade is relatively flush with a subtle rhythmic contrast between the full-height glass to the balconies of one-bedroom apartments and the lower, flusher sliding windows and fixed glass of the studio (bedsit) apartments. The studio windows have blue coloured aluminium roller blinds that, set within the concrete window frames, give the eastern façade a distinctive dynamic balance of elements characteristic of many of Seidler's projects. The balconies appear to have retained their original steel and 'weldmesh' wire mesh balustrades. (These are replacement balustrades matching the original design.)

The southern façade is extraordinary. It is both highly modelled and highly ordered, a matrix of boxes cantilevering from the slab form with horizontal concrete accessways threaded between. The cantilevered boxes are the bedrooms of the one-bedroom apartments (four per floor). A secondary semi-open stairway is located to the east of the residential block.

The building is constructed of a reinforced concrete frame with blond face brickwork infill walls. The brickwork is cantilevered 20mm from the supporting slab edges, creating a band of shadow. Board-formed concrete slabs and beams are exposed externally. The projecting bays have horizontally proportioned aluminium-framed ribbon windows with fixed and awning windows.

The units are oriented so that the living areas face the light and views. Bathrooms are internal with a service core and the kitchens on the south have high ribbon windows for ventilation. From the open gallery access corridor, a half-stair leads up or down to two apartments. Units with an additional bedroom have an internal stair leading to the projecting cuboidal bedrooms along the southern side. The arrangement is extremely efficient with the access corridor set below each apartment, so southern windows remain private, and mirrored units share a service riser.

The interiors have not been inspected and the description is based on documentary evidence including original plans and publications. The integrity of the internal configuration and finishes is unknown.

Landscaping

The landscaping of the site is limited. Some mature trees along Roslyn Gardens provide visual screening to the building. There is a landscaped area and swimming pool on the eastern side of the site at ground level. The trees within Waratah Street Reserve to the eastern side also provide landscape buffering between the site and the public domain.

Description

Modifications/integrity

The original exposed board-formed concrete surfaces have been painted beige.

Council records from 2004 indicate the following:

D/2010/147 was approved for internal alterations to a unit including removal of internal walls and installation of a new bathroom and kitchen.

Various DAs were lodged into 2001, 2002 and 2020 for minor works including alterations and additions to the existing kerbside bin enclosure, front fencing, stairs and alterations to units.

Condition

The overall condition of Aquarius is unknown.

Comparative analysis

Aquarius can be seen as representative of Seidler's early 1960s multi-residential projects with a focus on utility, repetition, density and high levels of amenity, especially solar access, natural ventilation and views. It is also rare as the first and arguably most highly resolved of Seidler's split-level apartment designs of this period.

Aquarius is a representative example of the linearly planned late 1950s and early 1960s works of Harry Seidler & Associates including the City Council Housing Apartments in Camperdown (unbuilt), Ithaca Gardens Apartments 1 (unbuilt) and Diamond Bay Apartments (1962). From 1964 onwards Seidler's housing schemes tended to rely on linear arrangements with complex split-level planning, and later still with curved, radial planning showing Baroque influences.

Aquarius is an important example of a group of projects Seidler completed in the 1960s, when economically planned flats on smaller sites were a particular focus. Although each responded to its site and context, as a group they can be seen as evolving structural and planning prototypes. Seidler noted in relation to this group of apartments 'the aim of their design is the development of prototypes incorporating a system, both of planning and construction' (*Living and Partly Living*, 1971).

Aquarius shares the following characteristics with these projects: each is built of poured-in-place rough-sawn board-formed concrete and brick infill walls. They all explore systematised construction with repeated layouts and segregated vertical access cores, simplifying the main structure. They all express their structure, and their façades express their internal uses and the importance of rooms through window size. Typically, full-height glass walls alternate with ribbon windows created by down-turned concrete slabs. Fixed awnings and sun shading are all carefully arranged to create a characteristic 'tensional' façade pattern.² Lesser rooms (kitchens and bathrooms) are given horizontal ribbon windows, generally on the secondary elevations. During this period Seidler fought regulations requiring direct ventilation for kitchens and bathrooms, so his plans could maximise the amenity of living zones.

Aquarius has particular significance as the first in Seidler's split-level apartment projects. Ithaca Gardens, Elizabeth Bay, and Glenview Apartments, Tamarama, were both originally made up of two-level apartments but were re-designed to contain more conservative single-level apartments. The only other completed examples are Ercildoune, completed just afterward in 1966, and Village Towers (Arlington), Edgecliff (1965–1966), of the same period. Only Ercildoune and Aquarius feature projecting bedroom units on the rear façade, creating one of Seidler's most distinctive façade treatments, possibly his most successful demonstration of his characteristic 'tensional' façade patterns.

The design is based on Housing Type F1 developed by the Standardisation Department at Stroykom RSFR, an office for the development of standardised housing established in the USSR in 1928 and led by the architect Moisei Ginzburg. It contained two-level apartments that are served by an open access corridor on every second floor. Seidler developed this housing type further with the addition of the expressed bedroom volumes to the south.

² Harry Seidler, architects' statement in Ian Mackay, *Living and Partly Living: Housing in Australia*, 1971, p 186.

Comparative analysis

Although this was an approach Seidler adopted in several structures it is perhaps best realised here. These innovations in construction and planning are technically significant and rare for this period in Australian architecture.

Aquarius was widely published in architectural media and by Seidler himself including in the final publication *Harry Seidler: Four Decades of Architecture*, by Kenneth Frampton and Philip Drew. Its plan, section and distinctive façade are all recognisable and have been celebrated as architectural innovations.

Aquarius has representative significance as an important example of Seidler's 1960s multi-unit apartment projects, which collectively have an exceptional level of significance for their ability to demonstrate the architect's evolving planning and construction prototypes. Seidler's architecture of this period was extremely influential, widely published and highly awarded. It can be seen to have made a major contribution to the development of modern architecture in Australia and is highly regarded internationally.

As one of Seidler's most noteworthy early experiments in apartment design Aquarius has exceptional aesthetic significance as an example of creative and technical achievement. Aquarius is considered rare as one of few examples of Seidler's experiments with split-level planning and as a particularly innovative example of his work in the 1960s.

Chris Abel notes in the introduction to *Harry Seidler: Houses & Interiors*, volume 1: 'There have been few architects who have been able to squeeze so much useable space, or so much delight, out of a tight budget'.³ This is demonstrated in Aquarius.



Figure 1 Balfron Tower, Poplar, a Grade II* listed tower block designed by Erno Goldfinger in 1963 for the London County Council, built 1965–1967, which adopts the same separated circulation tower as Aquarius. (Source: Wikimedia)

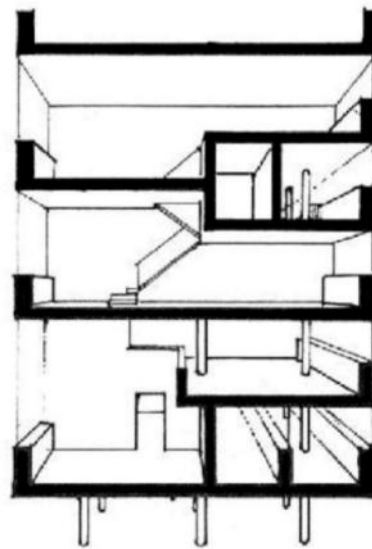


Figure 2 Housing Type F1 developed by the Standardisation Department at Stroykom RSFR, an office for the development of standardised housing established in the USSR in 1928 and led by Moisei Ginzburg. (Source: Wikimedia)

³ Abel, C 2003, *Harry Seidler: Houses & Interiors*, Volume 1, Images Publishing Group, p 9.

Assessment of significance

Criterion A (Historic significance)

Aquarius has historic significance as an innovative example of high-rise housing developed in the Elizabeth Bay and Potts Point area during the 1950s and 1960s. Its construction as a motel, later sold individually as compact studio or one bedroom apartments, is able to demonstrate an important change in the historical and social development of the area.

The building's design demonstrates modernist architecture's engagement with compact multi-housing forms and is a key example of the introduction of Harry Seidler's international influenced modernism into the Australian context. Aquarius is able to demonstrate wider historical trends of importance to the local area and to NSW more generally.

Aquarius **has** cultural significance at a local level under this criterion.

Aquarius does not have cultural significance at a state level under this criterion.

Criterion B (Historical association)

Aquarius is associated with architect Harry Seidler, one of the most significant modernist architects in Australia, who has made an important contribution to the development of Australia's built environment. As one of his most noteworthy apartment projects of the 1960s, Aquarius has strong associations with the architect.

Aquarius **has** cultural significance at a local level under this criterion.

Aquarius does not have cultural significance at a state level under this criterion.

Criterion C (Aesthetic/creative/technical achievement)

Aquarius shows many innovations in planning and construction that make it a noteworthy example of a late 1950s-1960s modernist apartment building.

Aquarius displays typical elements of the work of architect Harry Seidler during the 1960s. It shares aesthetic elements with some of Seidler's most notable projects including Ithaca Gardens, Blues Point Tower, Village Towers (Arlington), and Ercildoune, which demonstrate distinctive aesthetic attributes in form and composition. Aquarius also has unique aspects in its design and construction that demonstrate creative and technical excellence, innovation and achievement.

In construction, planning and detailing Aquarius demonstrates Seidler's progressive development of design prototypes applied across multiple projects. Its expression of structure, its regular façade arrangement, its use of raw materials and efficient planning with a concern for natural light, sun shading, and ventilation are all typical of Seidler's highly acclaimed architecture. Aquarius was widely published and is a noteworthy example of the architect's work. Aquarius is a substantial achievement and the work of an important designer.

The original design and structure are largely intact, with minimal alterations visible to the exterior of the buildings.

Aquarius **has** cultural significance at a local level under this criterion.

Aquarius has potential significance at a state level under this criterion.

Assessment of significance

Criterion D (Social, cultural and spiritual significance)	Aquarius is listed on the Australian Institute of Architects (NSW Chapter) Register of Significant Architecture, indicating that it has importance to architects and the design community more generally. Aquarius has cultural significance at a local level under this criterion. Aquarius does not have cultural significance at a state level under this criterion.
Criterion E (Research potential)	As an early example of innovative apartment design and construction in Australia, and as an example of Seidler's early apartment designs, Aquarius has the ability to contribute to knowledge about the evolution of housing in Australia and the work of Harry Seidler. Aquarius has cultural significance at a local level under this criterion. Aquarius has potential significance at a state level under this criterion.
Criterion F (Rare)	Aquarius is considered rare as an early and innovative modernist apartment project in Elizabeth Bay. As one of Seidler's most noteworthy early experiments in apartment design Aquarius has exceptional aesthetic significance as an example of creative and technical achievement. Aquarius is considered rare as the first, and one of few examples, of Seidler's experiments with split-level planning, and as a particularly innovative example of his work in the 1960s. Aquarius has cultural significance at a local level under this criterion. Aquarius does not have cultural significance at a state level under this criterion.
Criterion G (Representative)	Aquarius is considered to have representative significance as one of a group of 1960s apartment projects designed by Harry Seidler & Associates, which as a group are highly significant. Other examples include Ithaca Gardens, Blues Point Tower, Village Towers (Arlington), Ercildoune and Gemini. These projects were widely published and featured in the multiple surveys of Harry Seidler's career. As Seidler himself noted, each project applied a series of evolving structural and planning prototypes. They were built of the same materials, and with evolving structural systems, repeated layouts for construction efficiencies, repeated window units and sun shading elements to create characteristic 'tensional' façade patterns. Aquarius is noteworthy among this group as the best-realised version of Seidler's split-plan form with projecting rooms and separated vertical circulation unit. Aquarius displays key characteristics of this significant group of apartment projects and is an important representative example of Seidler's long-term innovation and engagement with construction and planning efficiency. Aquarius is representative of wider trends in housing, the redevelopment of inner-city suburbs with higher density apartments, and the growing demand for compact, well-located housing.

Assessment of significance

Aquarius **has** cultural significance at a local level under this criterion.

Aquarius has potential significance at a state level under this criterion.

Statement of significance

Aquarius has historic significance as an innovative example of medium-rise housing developed in the Elizabeth Bay and Potts Point area during the 1950s and 1960s. The building's design demonstrates modernist architecture's engagement with compact multi-housing forms and is a key example of the introduction of Harry Seidler's international influenced modernism into the Australian context. Aquarius is able to demonstrate wider historical trends of importance to the local area and to NSW more generally. It has strong historic associations with architect Harry Seidler, one of the most significant modernist architects in Australia.

Aquarius has exceptional levels of aesthetic significance, demonstrating a high degree of creative and technical achievement. It contains many innovations in planning and construction that make it a noteworthy example of a late 1950s–1960s modernist apartment building. It shares aesthetic elements with some of Seidler's most notable projects including Ithaca Gardens, Blues Point Tower, Village Towers (Arlington), Ercildoune and Victoria Towers (Gemini), which are distinctive in form and composition. Widely published, Aquarius is a noteworthy example of the architect's work. Aquarius is a substantial achievement and the work of an important designer.

Aquarius is likely to have importance to architects and the design community more generally as an early example of innovative apartment design and construction in Australia. As an example of Seidler's early apartment designs, Aquarius has the ability to contribute to knowledge about the work of Harry Seidler and the evolution of housing in Australia.

Aquarius is considered rare as an early and innovative modernist apartment project in the Elizabeth Bay and Potts Point area. Aquarius is considered rare as one of few examples of Seidler's experiments with split-level planning and as a particularly innovative example of his work in the 1960s.

Aquarius has representative significance as one of a group of 1960s apartment projects designed by Harry Seidler & Associates, which are collectively highly significant. Aquarius displays key characteristics of this significant group of apartment projects and is an important representative example of Seidler's long-term innovation and engagement with construction and planning efficiency.

Recommendations

Aquarius meets the threshold for local heritage significance under all seven criteria and is recommended for heritage listing on the Sydney Local Environmental Plan.

Heritage approval pathway

The best way to conserve the heritage significance of places is to carry out minor works and regular maintenance and repairs.

Most minor works or maintenance works that do not affect the significance of a heritage item don't require development approval. However, consent is generally required for other works to be carried out on heritage items or items within heritage conservation areas. The following provides guidance as to when development approval is required.

Local heritage exemption

When undertaking minor works you need to apply for a local heritage exemption and receive written confirmation from us (Council) before you start.

This includes 'like-for-like' replacement or rectification works, and minor or maintenance works, for example replacing failing gutters, replacement of downpipes to match original details or the

upgrading of services.

Requests for local heritage exemptions should be lodged online using our ePlanning service. Fees may apply. (<https://www.cityofsydney.nsw.gov.au/development-applications/gain-exemption-development-consent-heritage-works>)

Development approval

Works of a more complex nature or that impact the fabric of the place, alter its external appearance or make changes to common areas require planning consent. In many cases these works will be approved after their potential heritage impacts have been assessed through a Statement of Heritage Impact (<https://www.environment.nsw.gov.au/publications/guidelines-preparing-statement-heritage-impact>).

This process requires submission of a development application through the NSW Planning Portal. When you are preparing an application, we (Council) can provide general advice about planning controls, application requirements and fees, and help identify potential issues including through our duty planner or pre-lodgement advice service (<https://www.cityofsydney.nsw.gov.au/development-applications/get-advice-city-development-application>).

Definitions

The following terms reference the definitions set out by Australia ICOMOS in the Burra Charter, or terminology utilised by Heritage NSW.

- **Heritage significance:** the historic, aesthetic, scientific or social value of a place, for past, present or future generations.
- **Fabric:** all the physical material of a place, including its building materials, fixtures, finishes and other elements.
- **Conservation:** all the processes of looking after a place so as to retain its heritage significance. This can include maintenance, preservation, restoration, reconstruction and adaptation.
- **Maintenance:** the continuous protective care of a place and its fabric.
- **Preservation:** maintaining the fabric of a place in its existing state and slowing down deterioration.
- **Restoration:** returning existing fabric to a known earlier state, for example by removing later changes or reassembling existing parts.
- **Reconstruction:** returning a place as nearly as possible to a known earlier state, usually by introducing materials.
- **Adaptation / adaptive reuse:** changing a place to suit an existing or proposed use while respecting its heritage significance.
- **Compatible use:** a use that respects the cultural significance of a place and has little or minimal impact on that significance.
- **Setting:** the area around a place, which may contribute to how its heritage significance is understood and experienced.
- **Local heritage exemption:** written confirmation from Council that minor works or maintenance can proceed without development consent because they will not adversely affect heritage significance. This requires a heritage exemption application to be lodged online using our ePlanning service and written confirmation from us (Council) before you start.
- **Statement of Heritage Impact:** a report that explains how proposed works may affect the heritage significance of a place and how impacts can be avoided or reduced. This is consistent with NSW heritage guidance and common planning practice. (<https://www.environment.nsw.gov.au/publications/guidelines-preparing-statement-heritage-impact>)
- **Like-for-like:** replacing or repairing an element using matching or very similar materials, design, dimensions, finish and appearance, so the heritage character is maintained.
- **Sympathetic:** A sensitive approach wherein changes and alterations to the site do not impact the heritage significance.

Specific Guidelines

This guidance is provided so that owners and Council officers have a shared understanding of what elements of Aquarius do and do not contribute to its significance and what can be altered without detailed investigation.

These management recommendations outline general guiding principles for managing and maintaining the significant elements of the place. They do not override strata by-laws; works must still be structurally adequate and installed in accordance with manufacturer's specifications and comply with the Building Code of Australia (BCA) and other planning controls. Heritage exemptions are assessed on a case-by-case basis and written confirmation from Council should be obtained before proceeding.

General management guidelines

All work undertaken to Aquarius should aim to be sympathetic to the place's identified heritage values and significance.

In general, works should seek to reinstate missing or altered original elements where possible. For example, replacement of non-original windows should seek to reinstate windows with a design and materials sympathetic to the originals.

Any proposal for non-minor work or work that will impact significant building features or fabric should be prepared in consultation with a heritage specialist and be assessed through a Statement of Heritage Impact. Works that will result in an impact to the heritage significance of the place should be avoided.

All conservation, adaptive reuse and future development should be undertaken in accordance with the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter) and under the supervision or guidance of a heritage specialist.

Where major changes are proposed to the item, a Heritage Asset Action Plan (HAAP) should be prepared for the place following the relevant Heritage NSW guidelines to guide future use, maintenance and development and ensure its heritage values are well understood by the building owners and managed appropriately.

It is recommended that unit owners or strata managers consult with the City of Sydney through its Duty Planner service prior to a heritage exemption application or DA submission to determine whether works are exempt from development consent or to develop strategies and mitigation measures to assist in the application and approval process.

Face brickwork is to remain unpainted and unrendered.

The fenestration pattern and blue shade awnings are a significant part of the building's design and should be maintained.

Where removal of hazardous materials is required for health and safety purposes, they must be replaced with sympathetic, like-for-like alternatives.

The installation of a whole of building, coordinated air conditioning systems is encouraged in preference to single occupancy split systems, or window or wall mounted units.

Original features such as fittings to foyers, door hardware and wall and floor finishes, should be retained.

General maintenance, repairs and service upgrades

The following works can typically be undertaken with Council's written confirmation after a local heritage exemption application, provided they adopt a like-for-like approach to materials, colour schemes, dimensions and finishes, and do not impact the identified heritage values of Aquarius or alter its external appearance:

- maintenance, repairs and conservation works to building façades such as repainting of rendered surfaces, repairs to concrete spalling and face brickwork, and brick re-pointing.
 - maintenance, repairs and conservation works to balconies and original steel and 'weldmesh' balustrades;
 - maintenance, repairs and conservation works to gutters, downpipes and other rainwater goods and flashings;
 - works and activities associated with the ongoing maintenance of existing external
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communal areas limited to the swimming pool, roadways, carparks, verges, garden, plantings, drainage, pedestrian pathways and steps;

- works associated with the maintenance, repair, renewal and upgrade of services and utilities including communications, water, gas and electricity—these works must utilise existing conduits and fixings where possible; if new penetrations are required, they should be located in less visually prominent areas and non-significant fabric;
- installation of new services where this will not have an impact on the visual appearance of the building or exceed the existing building parapet; and
- works and activities associated with the maintenance, repair, or upgrade of mechanical plant where this does not increase the existing scale or exceed the height of the existing plant.

Apartment interiors

Individual apartment interiors are not included in the heritage listing. Internal renovations, repairs and maintenance work to bathrooms, kitchens, living rooms and bedrooms would not require heritage approvals provided they are not visible from common areas, do not impact structural walls, and do not alter the size or pattern of windows or enclose external openings. These activities/works must be carried out in accordance with the building's strata by-laws and relevant planning controls.

Common areas

The following works can typically be undertaken with Council's written confirmation after a local heritage exemption application is submitted provided they adopt a like-for-like approach to materials, colour schemes, dimensions, placement and finishes, and do not impact the identified heritage values of Aquarius or alter its external appearance:

- removal, repair and replacement of non-original building elements such as security gates, fences, vehicle access roller doors and post-and-wire mesh fence along Roslyn Gardens, communal pool gates, the low brick wall around the pool, balustrades, fencing and paving;
- installation of bike racks, safety mirrors and electric-vehicle charging facilities within the carparking area;
- installation of new services and other ancillary structures, which must utilise existing conduits, penetrations and fixings where possible; if new penetrations are required, they should be located to less visually prominent areas and to non-significant fabric—fixings must be made to the mortar joints of the brickwork rather than the face of the brickwork; and
- maintenance, repairs and upgrades to the roof including waterproofing, repair or replacement and the installation, upgrade or maintenance of utilities.

The following minor works to common areas works are unlikely to require heritage approval:

- the removal and replacement of non-original flooring;
- installation of non-slip surface treatments;
- repainting of common areas;
- upgrades and replacement of lighting and smoke alarms; and
- other minor repairs and maintenance.

Lifts

Maintenance, repair or upgrade activities to lifts which do not result in the vertical or horizontal expansion of the lift shaft and overrun can typically be undertaken without Council's written confirmation provided they do not materially or visually impact on the identified heritage values of Aquarius or alter its external appearance.

Major lift repairs or replacement may require a local heritage exemption application or development application, depending on the nature and extent of the works.

Windows

Replacement, refurbishment, repairs or modifications to anodised aluminium window frames and glazing (such as the installation of double glazing, re-sealing, waterproofing, glazed panel replacement, removal of air conditioning units and hardware repair) can be carried out with

Council's written confirmation after a local heritage exemption application is submitted provided works:

- adopt a like-for-like approach replacing or reinstating natural anodised aluminium frames and clear glass windows;
- maintain the fenestration pattern and external masonry reveal depth defined by full-height windows, flusher sliding windows and fixed windows;
- retain the blue aluminium roller shutters for shading; and
- remove detracting elements such as air conditioning units (replacement with more sympathetic alternatives is encouraged).

Window shutters

The repair or installation of replacement external blue aluminium roller blinds can be undertaken under a local heritage exemption application provided they are carried out in accordance with strata by-laws, including that the awning be retractable, blue in colour, installed in a proper and tradesperson-like manner, and approved with written consent from the Owners Corporation.

Information sources				
Type	Author	Title	Year	Repository
Site inspection (external)	GML		2024	GML

Information sources				
Written	City Building Surveyor's Department	Development Application No. 167 Year 1963	1963	City of Sydney Archives
Written	City Building Surveyor's Department	Building Application File No. 1570 Year 1963	1963	City of Sydney Archives
Written	City Building Surveyor's Department	Building Application File No. 1909 Year 1965	1965	City of Sydney Archives
Written	<i>Sydney Morning Herald</i>	'Aquarius'	7 August 1976	Sydney Morning Herald Archives 1955–1995, State Library of NSW
Written	Architecture in Australia	'Roslyn Towers'	July 1966, pp 81–85	Stanton Library (AAPI 1910–1983)
Written	<i>Sydney Morning Herald</i>	'Each apartment in block has a harbour view'	8 Mar 1966, p 16	Sydney Morning Herald Archives 1955–1995, State Library of NSW

Written	<i>Sydney Morning Herald</i>	'Flats with views'	18 Oct 1966, p 26	Sydney Morning Herald Archives 1955–1995, State Library of NSW
Publication	Richard Apperly and Peter Lind	<i>444 Sydney Buildings</i> (No. 325, p 47)	1971	
Published	Ian McKay et al	<i>Living and Partly Living: Housing in Australia</i>	1971	
Published	Peter Blake	<i>Architecture for the new world: The work of Harry Seidler</i>	1973	
Published	Kenneth Frampton and Philip Drew	<i>Harry Seidler: Four Decades of Architecture</i>	1992	
Published	Chris Abel	'Introduction' in <i>Harry Seidler: Houses & Interiors</i> , Volume 1	2003	

Image caption	Site plan of Aquarius.				
Image year	1963	Image by	Harry Seidler & Associates	Image copyright holder	In copyright; Harry Seidler & Associates

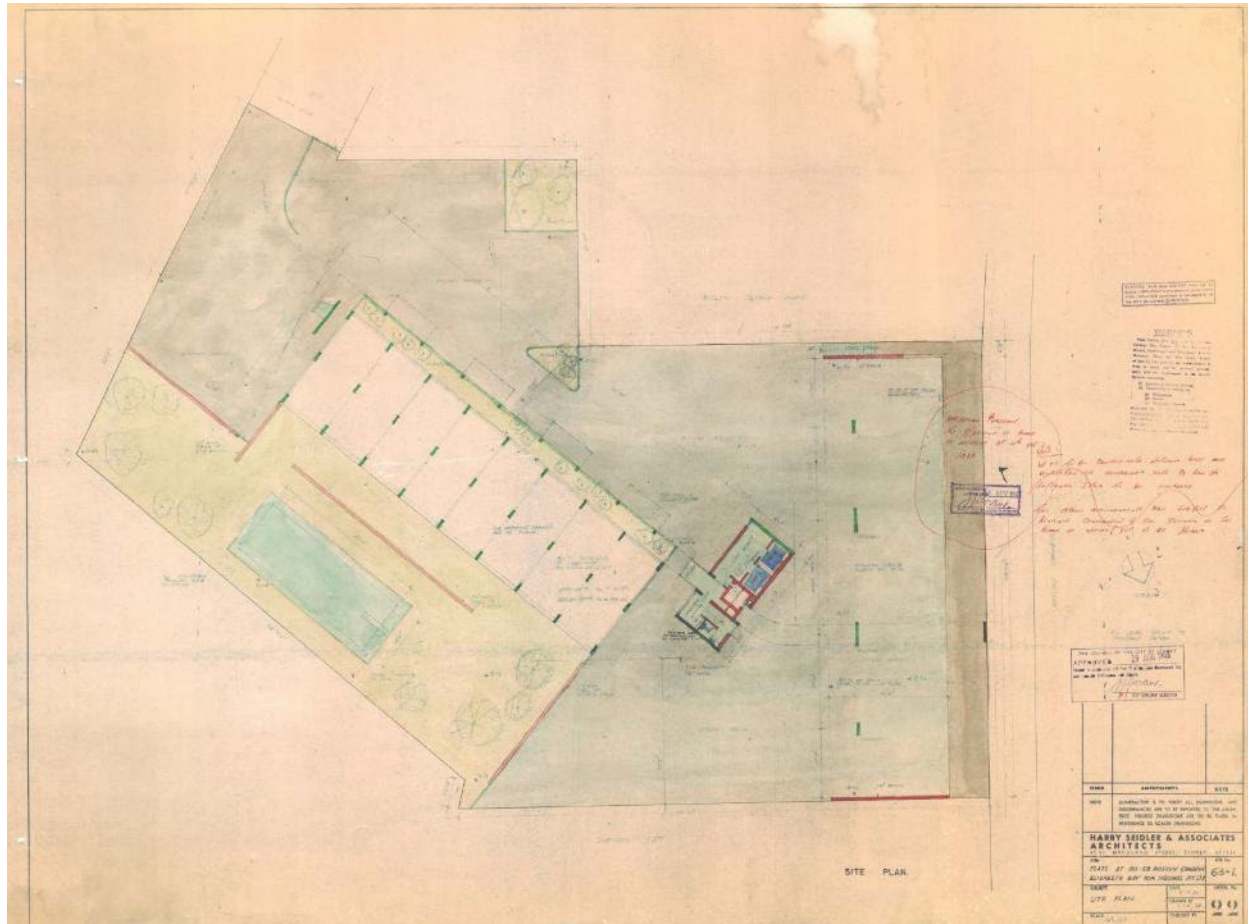


Image caption	Floor plans of Aquarius.				
Image year	1963	Image by	Harry Seidler & Associates	Image copyright holder	In copyright; Harry Seidler & Associates

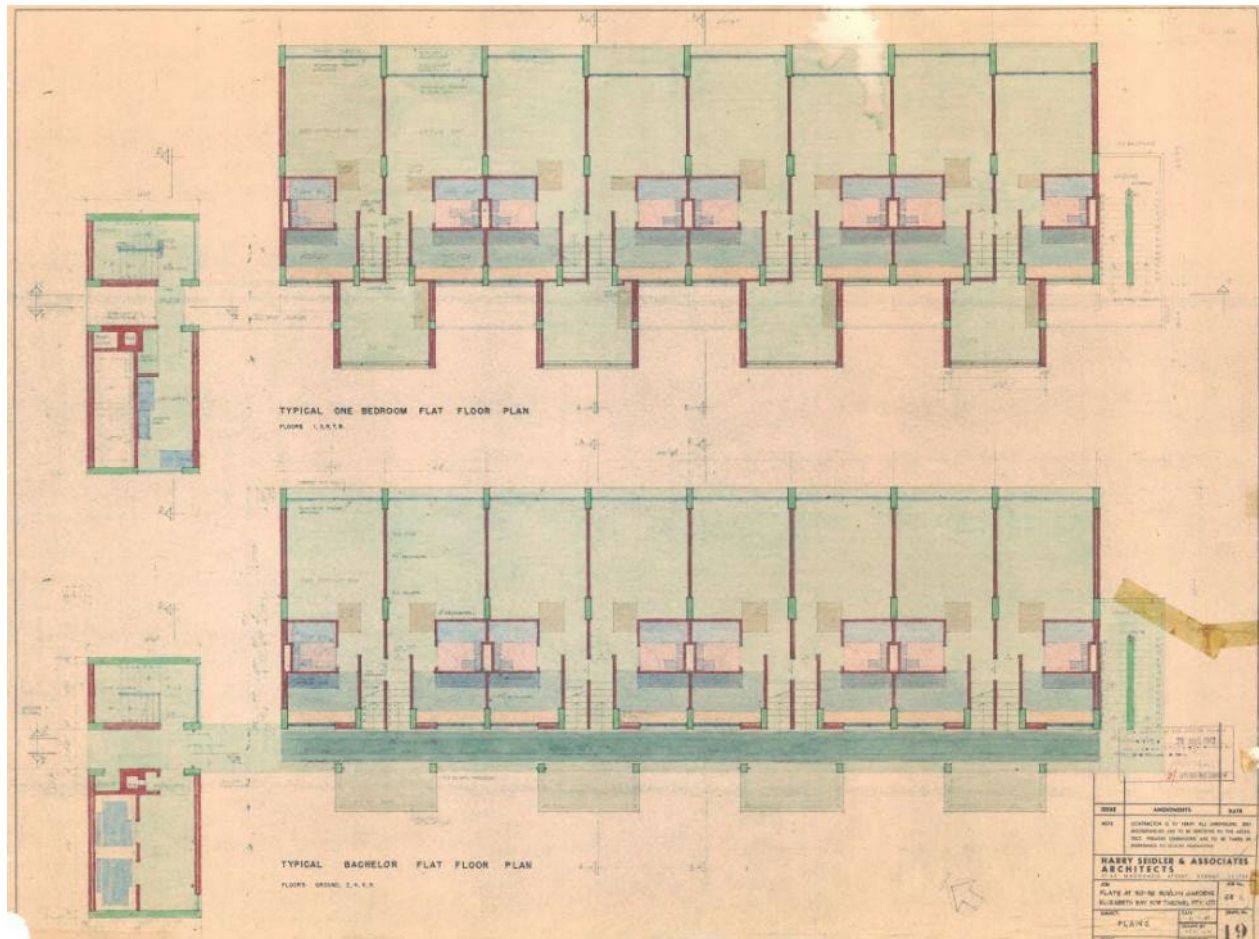


Image caption	Elevation of Aquarius.				
Image year	1963	Image by	Harry Seidler & Associates	Image copyright holder	In copyright; Harry Seidler & Associates

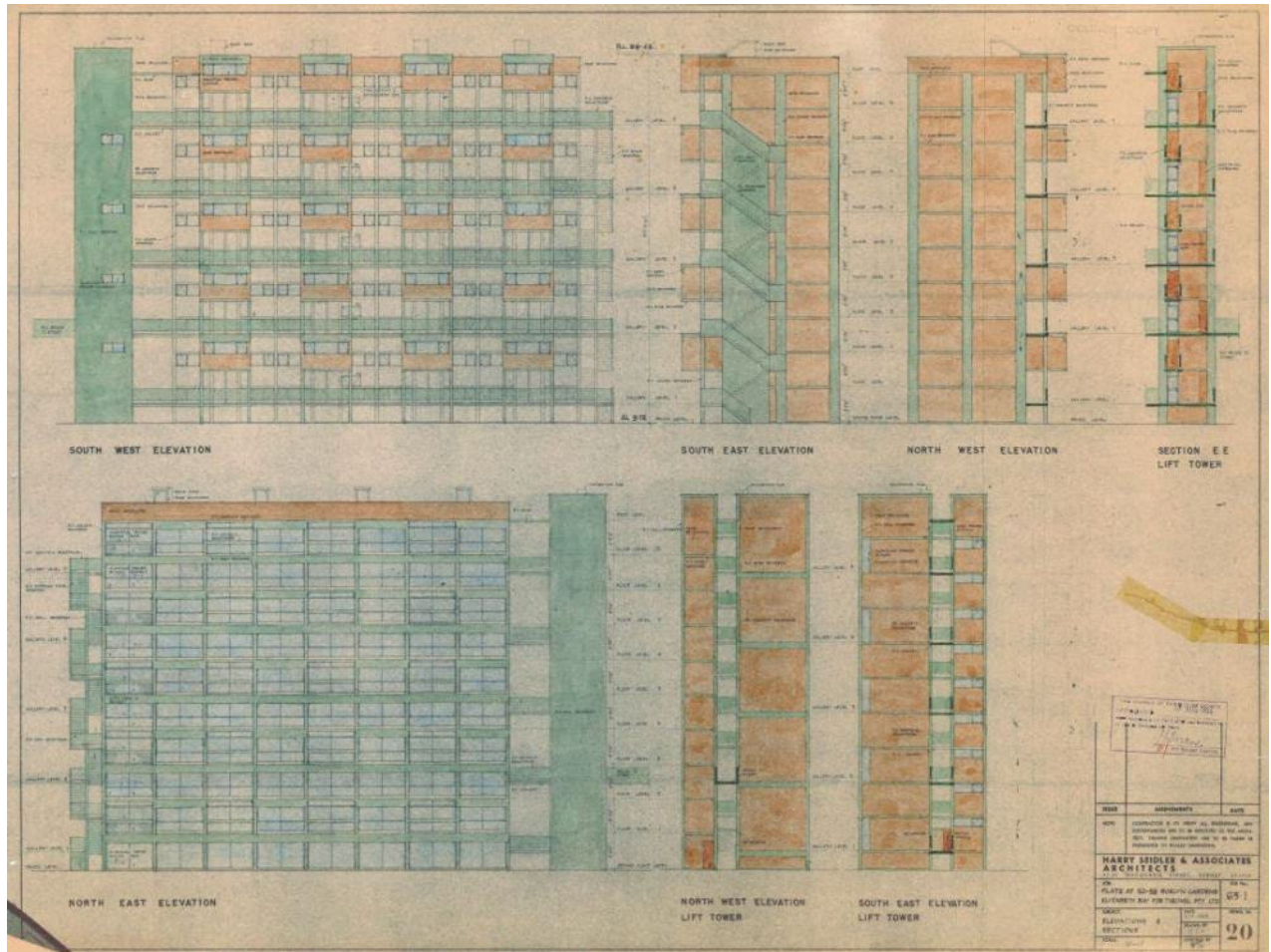


Image caption	Sectional isometric view of Aquarius. Showing external circulation galleries that serve two floors of flats and one-bedroom units alternating with studios.				
Image year	1971	Image by	<i>In Living and Partly Living: Housing in Australia, 1971, p 186</i>	Image copyright holder	Harry Seidler & Associates

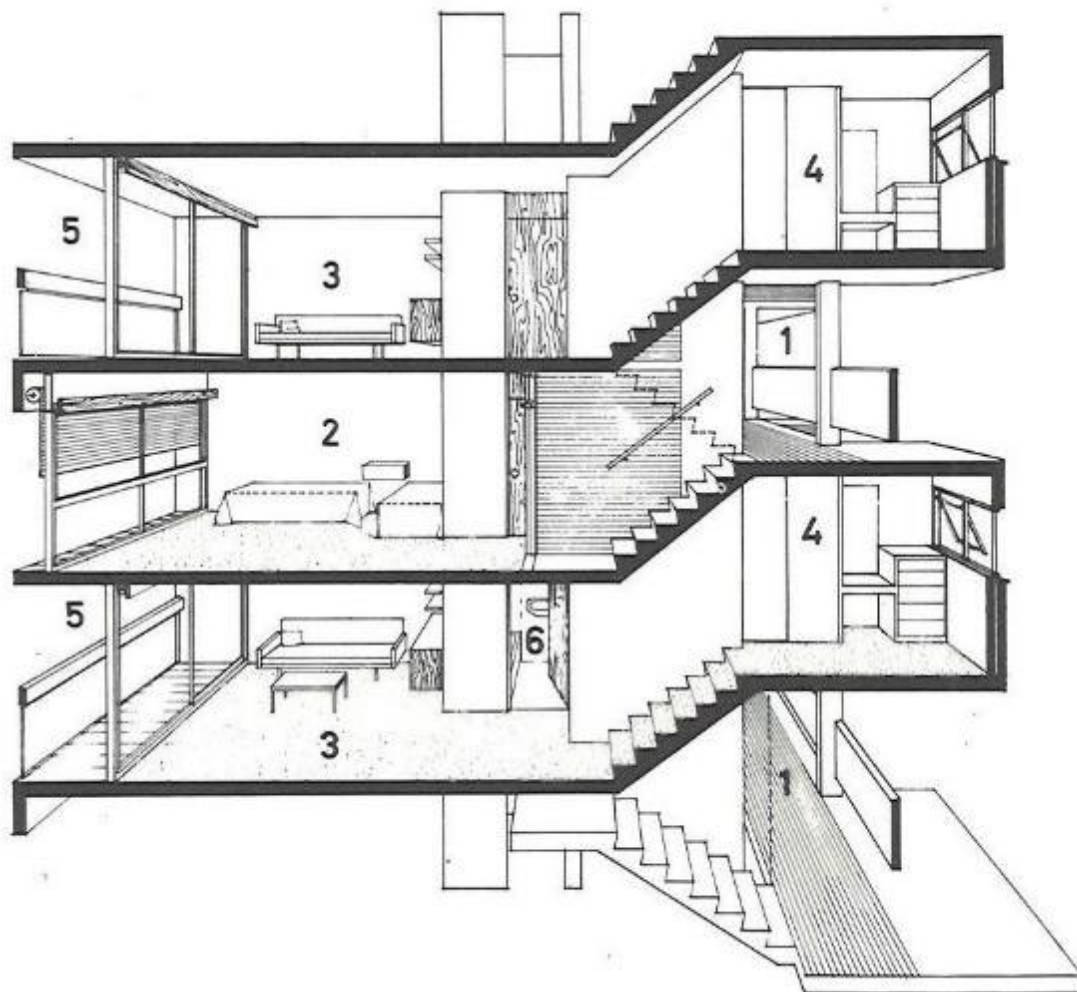


Image caption	Southern elevation of Aquarius.				
Image year	2024	Image by	GML	Image copyright holder	GML



Image caption	Western elevation of Aquarius with pedestrian bridge from Roslyn Gardens.				
Image year	2024	Image by	GML	Image copyright holder	GML



Image caption	Northern elevation of Aquarius from Waratah Street.				
Image year	2024	Image by	GML	Image copyright holder	GML



Image caption	Balcony with original metal mesh balustrade. Original raw concrete wall finish has been painted.				
Image year	2024	Image by	Realestate.com.au	Image copyright holder	Realestate.com.au



Image caption	Common area swimming pool on the northern side of the site.				
Image year	2024	Image by	Realestate.com.au	Image copyright holder	Realestate.com.au

