



Planning,  
Industry &  
Environment

IRF20/4867

## Gateway determination report – PP\_2020\_WOOLL\_011\_00

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Local heritage listing of Trelawney Court at 3  
Trelawney Street, Woollahra

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# 1 Introduction

## 1.1 Overview of planning proposal

The planning proposal is supported by the following report:

- Assessment of Heritage Significance for Trelawney Court at 3 Trelawney Street, Woollahra (April 2020, Rebecca Hawcroft & Kieran McInerney)

**Table 1 Planning proposal details**

LGA	Woollahra
PPA	Woollahra Municipal Council
NAME	Local heritage listing of Trelawney Court (including interiors) at 3 Trelawney Street, Woollahra
NUMBER	PP_2020_WOOLL_011_00
LEP TO BE AMENDED	Woollahra Local Environmental Plan 2014
ADDRESS	3 Trelawney Street, Woollahra
DESCRIPTION	Lot 1 DP 86213
RECEIVED	8/10/2020 (adequate 19/10/2020)
FILE NO.	IRF20/4867
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1.2 Site description and surrounding area

The subject site is located at 3 Trelawney Street, Woollahra and is legally described as Lot 1 DP 86213 (**Figure 1**). The site is described as Trelawney Court, which is a two-storey residential flat building (RFB) designed by George Robert Reves and Charles Hayes in the modernist style and constructed in 1946 (**Figure 2**).

The site is irregular in shape with a frontage of 16m to Trelawney Street, a rear boundary of 7.5m and a depth of 65m.

The building occupies most of the site, with a sandstone fence, hedge and garden at the front and a freestanding double garage and laundry outbuilding at the rear. On the west side is a concrete driveway and on the east is a stone entry footpath.

The site is in an established residential area zoned R3 Medium Density Residential. The site is bounded by Trelawney Street to the south, the rear of five properties facing Edgecliff Road to the east, 5 Trelawney Street, a two-storey late 20<sup>th</sup> century RFB to the west and a private residential driveway to the north.

The site is in the Woollahra Heritage Conservation Area (HCA) (C15) under Schedule 5 of the Woollahra Local Environmental Plan (LEP) 2014. It is identified as a contributory building in clause 2.7 of the Woollahra Development Control Plan 2015 being an 'Inter-War Flat Building' contributory to the Rosemont Precinct.

The site is also in close proximity to several heritage items (**Figure 5**), including:

- Item 488 - *Building and interiors, street fencing* at 388 Edgecliff Road
- Item 616 – *Great Tree – house and interiors, street fencing* at 7 Trelawney Street
- Item 615 – *Kauri Pine* at 2 Trelawney Street

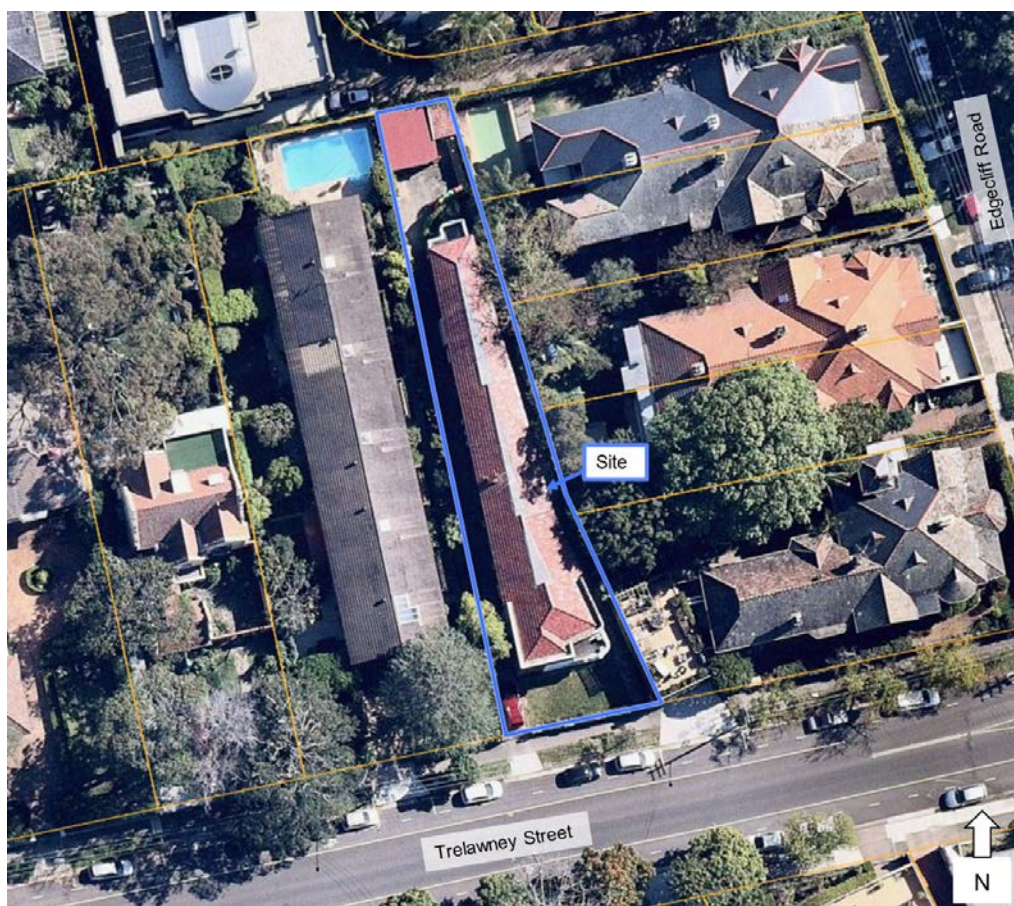
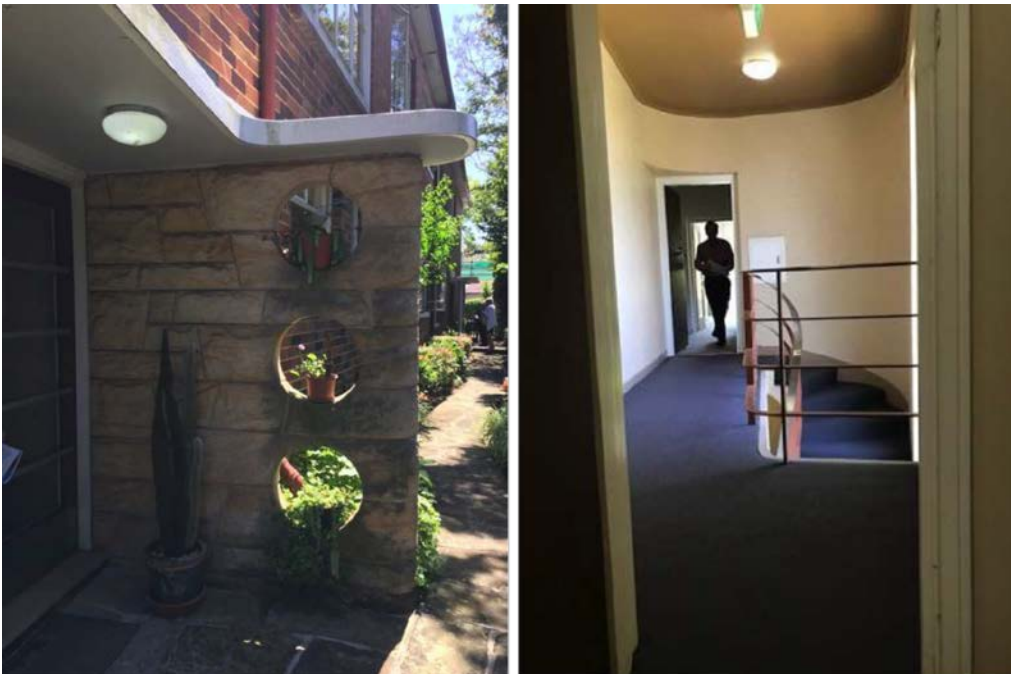


Figure 1 Aerial map showing the subject site outlined in blue (source: Nearmap)





**Figure 2 Trelawney Court as viewed from Trelawney Street looking north-west (source: Planning proposal)**



**Figure 3 (left) and 4 (right): Main entry door with a curved concrete slab awning and ashlar sandstone blade wall; and internal staircase with curved winders and curved balustrade (source: Heritage significance assessment, Hawcroft & McInerney)**

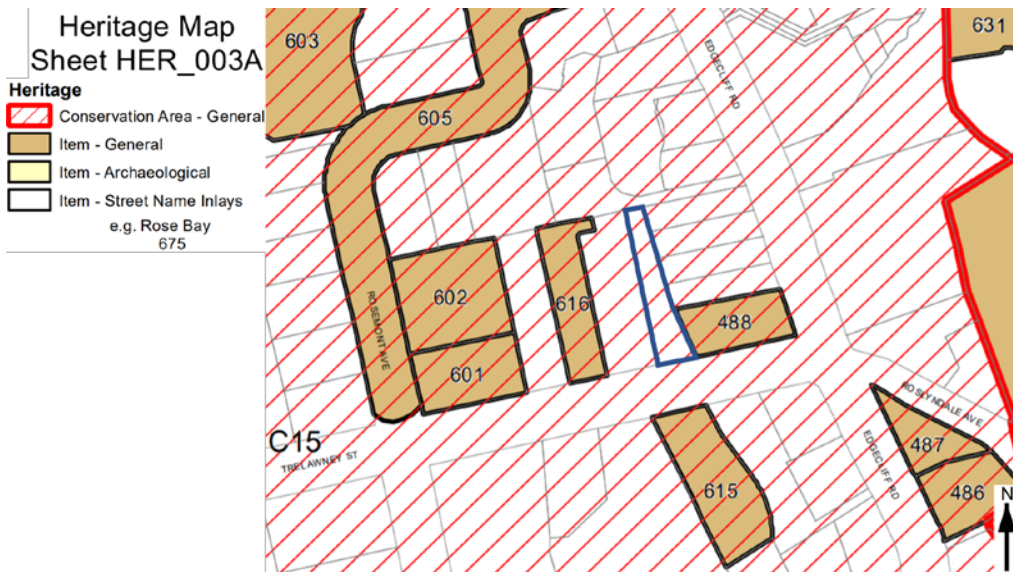


Figure 5 Current Heritage Map with the subject site outlined in blue (source: Woollahra LEP 2014 )

## 2 Proposal

### 2.1 Objectives or intended outcomes

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to recognise the heritage significance of Trelawney Court, including interiors at 3 Trelawney Street, Woollahra and provide it with an additional statutory protection.

The objectives of this planning proposal are clear and adequate.

### 2.2 Explanation of provisions

The planning proposal seeks to amend the Woollahra LEP 2014 to:

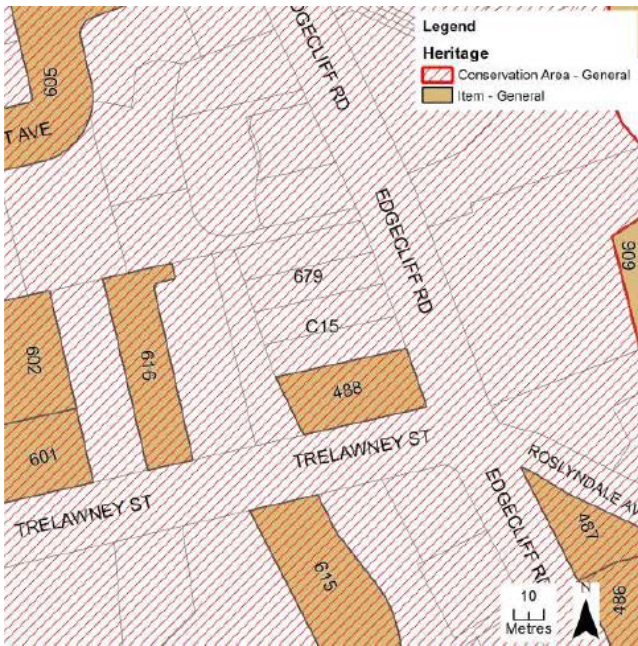
- Insert a local heritage listing for *Trelawney Court, including interiors* at 3 Trelawney Street, Woollahra in Part 1 (Heritage Items) of Schedule 5 Environmental Heritage.
- Amend the Heritage Map (Sheet HER\_003A) of the Woollahra LEP 2014 to identify *Trelawney Court, including interiors* as a heritage item.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

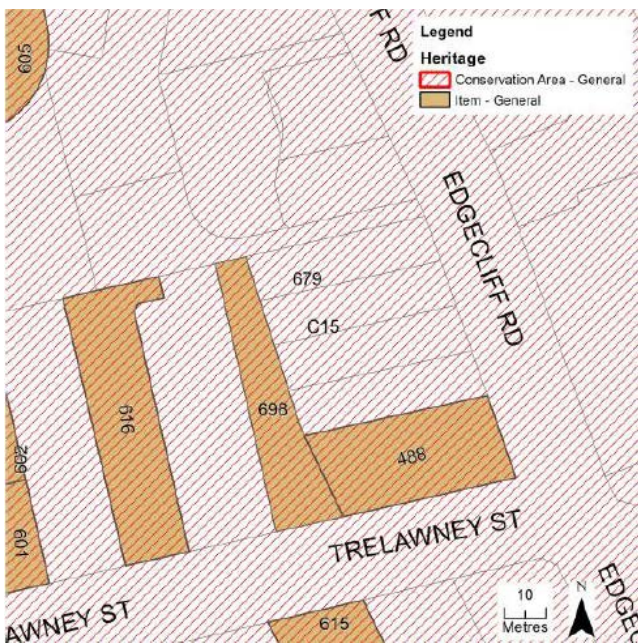
### 2.3 Mapping

The planning proposal includes mapping showing the proposed changes to the Heritage Map, which is suitable for community consultation.





**Figure 6 Current heritage map**



**Figure 7 Proposed heritage map (note: the item number is indicative only and subject to confirmation at finalisation stage)**

### 3 Need for the planning proposal

The planning proposal is based on the recommendations of a Heritage Significance Assessment prepared by Rebecca Hawcroft and Kieran McNerney (**Attachment D**). The assessment concluded that Trelawney Court, including interiors are of local heritage significance and meet the criteria for listing as a local heritage item.

The assessment was undertaken in accordance with the NSW Heritage Office (now Heritage NSW) Guidelines, *Assessing Heritage Significance*. The key findings of the assessment were:



**Historic significance** – Trelawney Court is historically significant as it is an Inter-war flat building designed in the immediate post war period. It displays Moderne and International Style architectural influences and demonstrates the shift in the Woollahra area towards higher density living.

Trelawney Court represents the growing influence of European migrants on the development of Sydney's suburbs post-war as it was designed by émigré architects, George Reves and Robert Hayes, for European clients.

It is also significant as it was designed by architect George Reves, who contributed to several significant modernist houses in the eastern suburbs during the 1950's – 60's, with this being his first project in Australia.

**Aesthetic/technical significance** – Trelawney Court is a significantly intact example of an Inter-war flat building showing elements of both the Moderne and International style and illustrating the transfer of European modernist architectural training to Australia.

The building displays modernist architectural characteristics including the curved feature awning and use of ashlar stonework feature panels.

**Research significance** – Trelawney Court has technical significance as it is substantially intact, and its fabric provides opportunities to reveal information about past ways of living, design and construction methods from the mid-20<sup>th</sup> century. The building and interiors provide evidence of past customs and ways of life from when the influence of European migrants was leading to substantial changes across the eastern suburbs.

The site was formerly part of the Elystan estate and may contain archaeological remains of gardens and outbuildings. It also has some value for demonstrating the work of Reves and Hayes.

**Rarity** – Trelawney Court has local significance as a rare example of an intact 1946 RFB, including original interiors and built-in furniture, designed by émigré architects, Reves and Hayes in the Woollahra LGA.

**Representativeness** – Trelawney Court has local representativeness as it is a fine example of its type, displaying the principal characteristics of an important architectural development and is part of a group of buildings, the work of émigré architects, which collectively demonstrate significant historical and social changes.

The objective of the planning proposal is to recognise and provide the statutory mechanism to protect the heritage significance of the site.

The planning proposal states that the best and only means of achieving this objective is through the planning proposal process. Alternative options, such as adding site specific objectives to the Woollahra Development Control Plan 2015 or including heritage conservation conditions to a development consent for the site would not provide the same level of heritage protection and recognition. The proposal notes that without the listing, development under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be undertaken that has potential to impact on the significance of the interiors.

The Department agrees that the planning proposal process is the best means for protecting the site.

## 4 Strategic assessment

### 4.1 District Plan

The site is in the Eastern City District and the Greater Sydney Commission released the Eastern City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with priorities for liveability in the plan as outlined below.

The Department is satisfied that the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant direction and actions.

**Table 2 District Plan assessment**

District Plan	Justification
Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage	The planning proposal is consistent with this Priority as it seeks to provide the statutory mechanism to protect and respect the District's heritage. The proposal will further recognise and provide on-going protection of the heritage significance of Trelawney Court and its interiors through listing it on the Woollahra LEP 2014.

## 4.2 Local

The proposal states that it is consistent with the following local plan and endorsed strategy and the relevant strategic direction and objectives contained therein, as discussed in the table below:

**Table 3 Local strategic planning assessment**

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	<p>The planning proposal is consistent with the endorsed Woollahra LSPS, particularly with <i>Planning Priority 5 - Conserving our rich and diverse heritage</i>, under the theme of <i>Liveability</i>.</p> <p>The proposal intends to facilitate the conservation and protection of Trelawney Court and its interiors which have been identified as having local heritage significance in a heritage significance assessment commissioned by Council.</p>
Community Strategic Plan (CSP)	<p>The planning proposal is consistent with Council's CSP, particularly with strategy 4.3 in Goal 4 (Well-planned neighbourhood) – <i>Protect our heritage, including significant architecture and the natural environment</i>.</p> <p>The proposal seeks to recognise and protect the local heritage significance of the site.</p>

## 4.3 Local planning panel (LPP) recommendation

On 6 August 2020, the Woollahra LPP considered a report on the planning proposal for the local heritage listing of Trelawney Court and recommended Council proceed with the proposal and forward it to the Department for a Gateway determination.

Council accepted the LPP's advice at its meeting of 29 September 2020.

## 4.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 4 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
2.3 Heritage Conservation	Consistent	<p>This Direction requires that a planning proposal must contain provisions which facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance, as identified in a study of the environmental heritage of the area.</p> <p>The planning proposal is informed by a heritage significance assessment prepared by Rebecca Hawcroft and Kieran McInerney. The assessment was undertaken in accordance with the NSW Heritage Office guidelines. The report concluded that the subject site satisfies the relevant criteria for local heritage listing and thereby the proposal is warranted. The proposal will facilitate the conservation and protection of the site and is therefore considered to be consistent with this Direction.</p>

## 4.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

## 5 Site-specific assessment

### 5.1 Environmental

There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject site. There are no likely environmental impacts that would arise as a result of the planning proposal.

### 5.2 Social and economic

**Social:** The planning proposal is unlikely to result in any adverse social impact. While the site is already in a heritage conservation area, listing the Trelawney Court and its interiors as a heritage item will better help to conserve the heritage significance of the interiors.

**Economic:** The planning proposal acknowledges it could result in minor economic impacts on the landowner as there are additional costs involved in preparing a development application for a heritage listed site, as a heritage management document must be prepared.

The proposal also notes that heritage listing of the property will prevent certain works being carried out as either exempt or complying development.

Notwithstanding, the proposal does not change the zoning or development standards applicable to the site, and the heritage listing of the site would conserve the significance of the building and its contribution to the character of the area.

## 5.3 Infrastructure

There is no significant infrastructure demand that will result from the planning proposal. The planning proposal does not involve any amendments to the planning controls that will facilitate intensified development. The site has access to adequate public infrastructure such as water, sewer, electricity, telephone services and is nearby to transport services.

## 6 Consultation

### 6.1 Community

Council proposes a community consultation period of a minimum of 28 days.

The exhibition period proposed is considered appropriate, and forms a condition of the Gateway determination.

#### Landowner consultation

The planning proposal states that Council staff contacted the current landowner in February 2020 informing them of Council's adopted notice of motion to assess the site with a view to a local heritage listing. The landowner was also provided with a copy of the draft heritage assessment and draft heritage inventory sheet on 28 April 2020 and given until 26 June 2020 to make a submission. No comments were received.

On 12 June 2020 the landowner lodged a development application (DA 193/2020) for '*alterations and additions to the residential flat building, including a new level accommodating one additional unit.*' At the time of writing the DA remains under assessment by Council.

The Department notes the landowners will have the opportunity to provide feedback on the planning proposal during exhibition.

### 6.2 Agencies

Council has nominated to consult with Heritage NSW, NSW Heritage Council and The National Trust of NSW about the planning proposal.

It is noted that the NSW Heritage Council advises the Minister administering the *Heritage Act 1977* on heritage matters in NSW and makes recommendations and decisions to the Minister for the listing of places and objects on the State Heritage Register. As the proposal is for local heritage listing under the Woollahra LEP, consultation with the Heritage Council is not deemed necessary and will not be required as part of the Gateway condition.

It is recommended the following agencies / organisations be consulted on the planning proposal and given at least 21 days to comment:

- Heritage NSW
- The National Trust of NSW

## 7 Timeframe

Council proposes a 7 month time frame to complete the LEP (by June 2021).



The Department recommends a time frame of 9 months to allow for some flexibility for Council to finalise the planning proposal.

A condition to the above effect is recommended in the Gateway determination.

## 8 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal is minor in nature and of local significance, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

## 9 Assessment Summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposed heritage listing is supported by a heritage significance assessment report and inventory sheet which determined that Trelawney Court, including its interiors are of local heritage significance. The heritage significance assessment has been undertaken in accordance with the NSW Heritage Office Guidelines;
- The proposal will recognise and provide on-going protection of the heritage significance of Trelawney Court, including its interiors; and
- The proposal is consistent with the Eastern City District Plan, Council's local strategic plans, and relevant SEPPs and Section 9.1 Directions.

As discussed in the previous sections 4 and 5, the proposal should be updated to:

- Update the project timeline to reflect the timeframe allowed to complete the LEP, where appropriate

## 10 Recommendation

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to community consultation to:
  - Update the project timeline to reflect the timeframe allowed to complete the LEP, where appropriate.
2. Consultation is required with the following public authorities/organisations:
  - Heritage NSW
  - The National Trust of NSW
3. The planning proposal is to be made available for community consultation for a minimum of 28 days.
4. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.

5. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.



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