



IRF22/4140

## Gateway determination report – PP-2022-3852

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Planning proposal to heritage list five sites associated with Leslie Wilkinson in Woollahra

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# Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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**Table 1 Reports and plans supporting the proposal**

Relevant reports and plans
Planning Proposal – November 2022
Heritage Study – Professor Leslie Wilkinson in Woollahra – November 2022
Heritage Inventory Sheets – September 2022
Woollahra Local Planning Panel Advice – 1 September 2022
Environmental Planning Committee Advice – 4 October 2022

# 1 Planning proposal

## 1.1 Overview

The planning proposal seeks to amend the Woollahra Local Environmental Plan (LEP) 2014 to list five sites associated with Professor Leslie Wilkinson in the Woollahra local government area (LGA) as local heritage items.

The proposal is supported by a heritage study and heritage inventory sheets prepared by Council.

**Table 2 Planning proposal details**

<b>LGA</b>	<b>Woollahra</b>
<b>PPA</b>	Woollahra Municipal Council
<b>NAME</b>	Proposal to heritage list five sites associated with Professor Leslie Wilkinson in Woollahra
<b>NUMBER</b>	PP-2022-3852
<b>LEP TO BE AMENDED</b>	Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014)
<b>ADDRESS</b>	<ul style="list-style-type: none"> <li>Robertson Park, 22 Military Road, Watsons Bay</li> <li>12 Hampden Avenue, Darling Point</li> <li>43 Latimer Road, Bellevue Hill</li> <li>56 Wallaroy Road, Woollahra (*the proposal / inventory sheets also refer to 'Vaucluse' in the site address)</li> <li>28A Wentworth Road, Vaucluse</li> </ul>
<b>DESCRIPTION</b>	<ul style="list-style-type: none"> <li><i>Monument to Robert Watson</i>, including sandstone tablet, carvings and setting (Part of Lot 7093 DP 107469)</li> <li><i>Hampden Lodge</i>, including interiors and garage (Lot 1 DP 1184885)</li> <li>House, including interiors and gardens (Lot A DP 312687, Lot A DP 318717, Lot 1 DP 131019)</li> <li>House, including interiors (Lot 3 DP 17153)</li> <li>Wrought iron gate and brick posts (Part of Lot 2 DP 531931)</li> </ul>
<b>RECEIVED</b>	7/11/2022
<b>FILE NO.</b>	IRF22/4140
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1.2 Objectives of planning proposal

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

The objectives of the planning proposal are to amend the Woollahra LEP 2014 to list five sites associated with Professor Leslie Wilkinson as local heritage items in Part 1 Schedule 5, as follows:

- 22 Military Road, Watsons Bay;
- 12 Hampden Avenue, Darling Point;
- 43 Latimer Road, Bellevue Hill;
- 56 Wallaroy Road, Woollahra (\*the proposal / inventory sheets also refer to “Vaucluse” in the site address); and
- 28A Wentworth Road, Vaucluse.

The proposal is based on the findings of the Heritage Study, dated November 2022, and inventory sheets, dated September 2022, prepared by Council. They have concluded that the sites possess heritage significance per the criteria in the Heritage Office manual, *Assessing Heritage Significance*, 2001. The proposed heritage listing seeks to recognise the significance of the sites and provide statutory protection.

The objectives of this planning proposal are clear and adequate.

## 1.3 Explanation of provisions

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


- insert a local heritage listing in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage) for each of the following:
  - Robertson Park, 22 Military Road, Watsons Bay, as ‘Monument to Robert Watson, including sandstone tablet, carvings and setting’;
  - 12 Hampden Avenue, Darling Point, as ‘Hampden Lodge, including interiors and garage’;
  - 43 Latimer Road, Bellevue Hill, as ‘House, including interiors and gardens’;
  - 56 Wallaroy Road, Woollahra, as ‘House, including interiors’;
  - 28A Wentworth Road, Vaucluse, as ‘Wrought iron gate and brick posts’; and
- amend the Heritage Map to identify the sites as heritage items (**Figures 15-24**).

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

## 1.4 Site description and surrounding area

The planning proposal relates to five sites linked to Professor Leslie Wilkinson as identified and described in **Table 3** below.

Table 3 – Site identification

Site identification	
Site 1 – Monument to Robert Watson, Robertson Park	
<b>Address</b>	Robertson Park, 22 Military Road, Watsons Bay (Part of Lot 7093 DP 107469)
<b>Description</b>	<p><i>Monument to Robert Watson, including sandstone tablet, carvings, and setting.</i></p> <p>Upon request from the Royal Australian Historical Society (RAHS), the sandstone monument was commissioned by the then Vaucluse Council to be built by Professor Leslie Wilkinson, to commemorate harbourmaster Robert Watson, in 1929. It consists of a dressed sandstone block with inscriptions flanked by pillars and surmounted by moulding. It is supported on a sandstone wall of rusticated block with built-in seating.</p> <p>The setting of this monument is approximately a 10-metre radius for it to be appreciated.</p>
<b>Site Context</b>	<p>The monument is at the north-western corner of Robertson Park in Watsons Bay, near the ferry wharf.</p> <p>The closest strategic centre is Bondi Junction (7km), and the closest local centre is Rose Bay North (3km).</p>
<b>Existing Controls</b>	The site is currently zoned RE1 Public Recreation and does not have an applicable maximum height of buildings (HOB), or floor space ratio (FSR).
<b>Map</b>	 <p><b>Figure 1: Robertson Park is outlined in pale red, the curtilage/setting of the monument (approximately 10m radius around the monument) is circled in solid red (Source: Planning Proposal)</b></p>

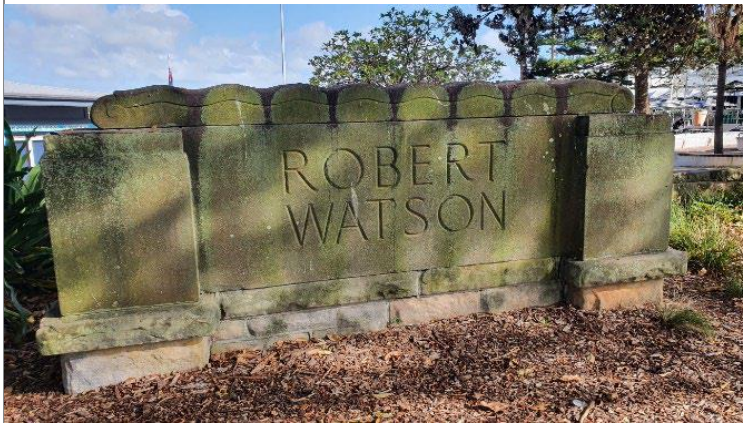


## Site identification

### Site Photos



**Figure 2: The monument to Robert Watson, western elevation, looking east  
(Source: Planning Proposal)**




**Figure 3: The monument to Robert Watson, eastern elevation, looking west  
(Source: Planning Proposal)**

## Site 2 – Hampden Lodge

<b>Address</b>	12 Hampden Avenue, Darling Point (Lot 1 DP 1184885)
<b>Description</b>	<p><i>Hampden Lodge, including interiors and garage.</i></p> <p>A single storey with attic building constructed on a sandstone base. It features a terracotta pitched roof and simple rustic timber detailing, such as a timber screen in the timber gable and window sills on timber brackets. It has eaves and timber double-hung sash windows with blue-painted Venetian shutters.</p> <p>The site is accessed through a voussoir arch with a wrought iron gate. The site features a single-storey garage with a flat parapet roof, circa 1941. Internally, the fireplace and most joineries are original. The building also features original grated windows and front door with entablature.</p>
<b>Site Context</b>	The site is located within a residential area. The closest strategic centre is Bondi Junction (4km) and the closest local centre is Edgecliff (1.5km).



Site identification	
<b>Existing Controls</b>	The site is zoned R3 Medium Density Residential, with a HOB of 13.5m and FSR of 0.9:1.
<b>Map</b>	 <p data-bbox="355 857 1396 929"><b>Figure 4: The site is outlined in red with a frontage to Hampden Avenue (Source: Planning Proposal)</b></p>
<b>Site photos</b>	 <p data-bbox="355 1373 1345 1406"><b>Figure 5: The front entrance to Hampden Lodge (Source: Planning Proposal)</b></p>  <p data-bbox="355 1966 1353 2000"><b>Figure 6: View of the fireplace, with coat of arms (Source: Planning Proposal)</b></p>

Site identification	
Site 3 – 43 Latimer Road, Bellevue Hill	
<b>Address</b>	43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 DP 131019)
<b>Description</b>	<p><i>House, including interiors and gardens.</i></p> <p>The site is accessed from Latimer Road and Vista Lane. The site contains a two-storey house with a terracotta gabled roof and timber double-hung windows, situated on a battle-axe lot. To the rear is a single storey garage accessed from Vista Lane.</p> <p>The house features a north-facing front elevation with loggia overlooking Rose Bay. The site contains landscaped and terraced gardens with sandstone walls and a sandstone water fountain.</p> <p>Internally, the original plan has been subject to minor modification, with finishes replaced. However, the interior features original doors, joineries and fireplace in the living room.</p>
<b>Site Context</b>	The site is located within a residential area. The closest strategic centre is Bondi Junction (2km), and the closest local centre is Rose Bay (2km).
<b>Existing Controls</b>	The site is zoned R2 Low Density Residential, with a HOB of 9.5m and no applicable FSR.
<b>Map</b>	 <p><b>Figure 7: The site is outlined in red, with access from Latimer Road and Vista Lane (Source: Planning Proposal)</b></p>



## Site identification


## Site Photos



**Figure 8: 43 Latimer Road: site and landscaped gardens, with the northern elevation of the house in the background (Source: Planning Proposal)**



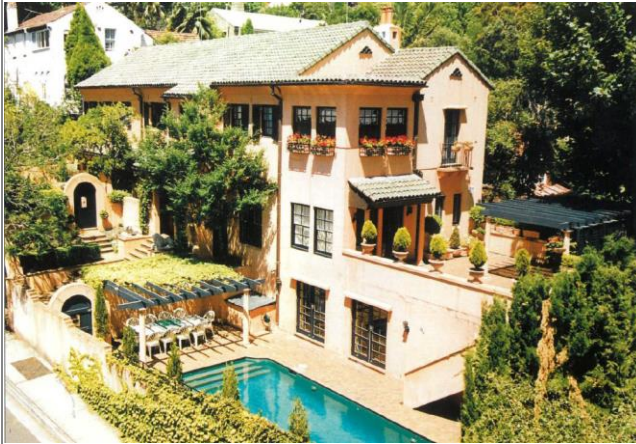
**Figure 9: Internal view of the ground floor entry hall, with the original door (Source: Planning Proposal)**

Site identification	
Site 4 – 56 Wallaroy Road, Woollahra	
<b>Address</b>	<p>56 Wallaroy Road, Woollahra (Lot 3 DP 17153)</p> <p>Note: There are inconsistencies in the planning proposal and heritage inventory sheet regarding the suburb within which the site is located. Some parts of the planning proposal refer to “Vaucluse” (p. 11 and 22), whereas another part of the proposal (p. 7) as well as the inventory sheet refer to “Woollahra”. A Gateway condition is recommended to confirm the address and ensure consistency in the site description.</p>
<b>Description</b>	<p><i>House, including interiors</i></p> <p>The site is a corner block, located adjacent to Glencoe and Wallaroy Road and contains a two-storey house with rendered walls. The main pedestrian entry is via an arch gateway original to the house’s era.</p> <p>A masonry wall with another arched door leads to the upper garden and rear courtyard. The lowest, north-eastern part of the garden features a swimming pool. A formal entry porch leads to the front door, which protrudes from the main elevation. The northern elevation features two inset gables with typical Cordova tile motifs.</p>
<b>Site Context</b>	The site is within a residential area. The closest strategic centre is Bondi Junction (2km) and the closest local centre is Double Bay (1km).
<b>Existing Controls</b>	The site is zoned R2 Low Density Residential, with a HOB of 9.5m and no applicable FSR.
<b>Map</b>	 <p><b>Figure 10: The site is outlined in red and is located adjacent to Glencoe and Wallaroy Road (Source: Planning Proposal)</b></p>



## Site identification

## Site Photos



**Figure 11: Northern and eastern elevations of the house, within the lower garden and swimming pool in the foreground (Source: planning proposal)**



**Figure 12: Interiors of 56 Wallaroy Road, including part stained glass windows and ornate ceilings (Source: planning proposal)**

## Site 5 – 28A Wentworth Road, Vacluse

<b>Address</b>	28A Wentworth Road, Vacluse (part of Lot 2 DP 531931)
<b>Description</b>	<p><i>Wrought iron gate and brick posts</i></p> <p>The wrought iron gate and brick posts at 28A Wentworth Road, Vacluse were designed by Leslie Wilkinson in 1973 for Dr A L Mather. The iron gate forms part of the property that contains a two-storey Neo-Georgian style house situated in a battle axe lot.</p> <p>The design of the gate was inspired by floral motifs, and it was built shortly after Wilkinson's death.</p>
<b>Site Context</b>	The site is located within a residential area. The closest strategic centre is Bondi Junction (6km) and the closest local centre is Rose Bay North (2km).
<b>Existing Controls</b>	The site is zoned R2 Low Density Residential, with a HOB of 9.5m and no applicable FSR.

## Site identification

## Map



**Figure 13: The location of the gate and brick posts is circled in red, within the site of 28A Wentworth Road highlighted in blue (Source: Planning Proposal)**

## Site photo



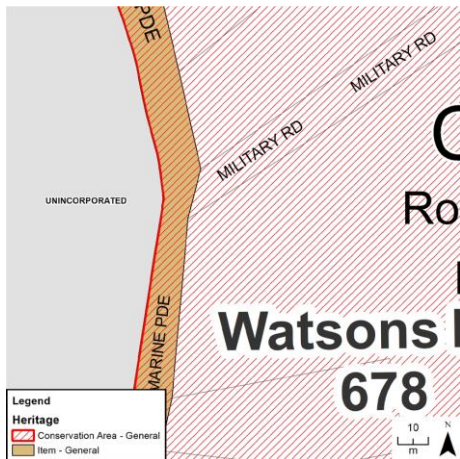
**Figure 14: The wrought iron gate of 28A Wentworth Road designed by Leslie Wilkinson (Source: Planning Proposal)**

## 1.5 Mapping

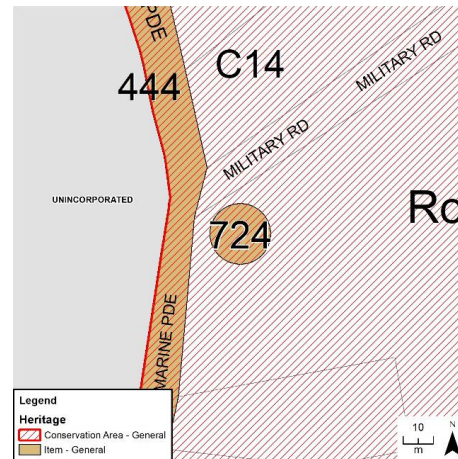
The planning proposal includes mapping (**Figures 15 to 24**) showing the proposed changes to the Heritage maps. The maps identify the proposed heritage items with indicative item numbers.

The proposed mapping in the planning proposal is considered suitable for community consultation.

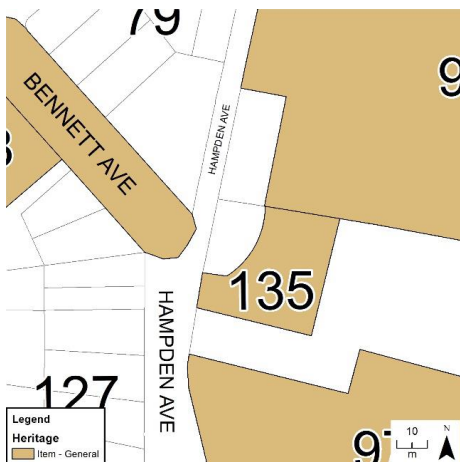




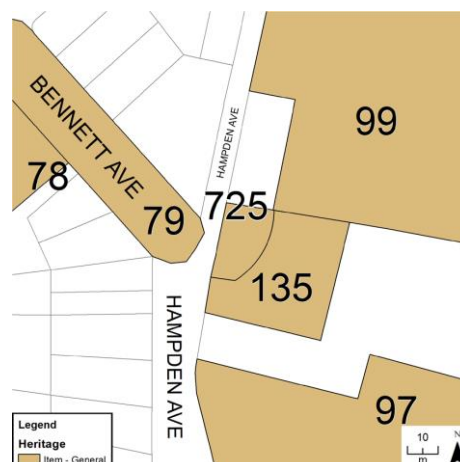
**Figure 15: Current Woollahra LEP 2014 Heritage Map (Source: planning proposal)**



**Figure 16: Proposed Woollahra LEP 2014 Heritage Map with the Monument to Robert Watson listed as a heritage item (Source: planning proposal)**



**Figure 17: Current Woollahra LEP 2014 Heritage Map (Source: planning proposal)**



**Figure 18: Proposed Woollahra LEP 2014 Heritage Map with 12 Hampden Avenue, Darling Point, listed as a heritage item (Source: planning proposal)**



**Figure 19: Current Woollahra LEP 2014 Heritage Map (Source: planning proposal)**

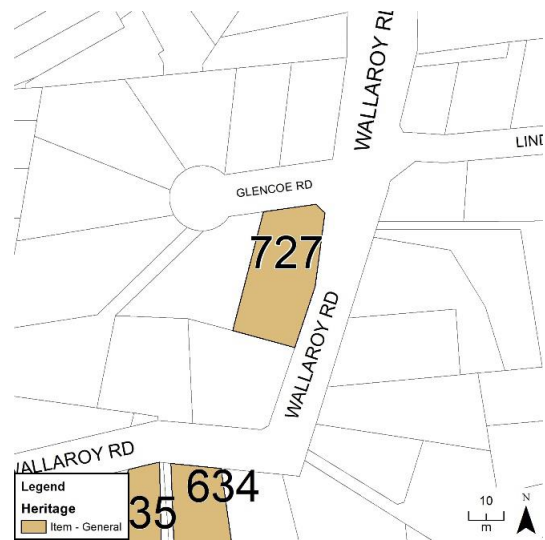


**Figure 20: Proposed Woollahra LEP 2014 Heritage Map with 43 Latimer Road, Bellevue Hill, listed as a heritage item (Source: planning proposal)**

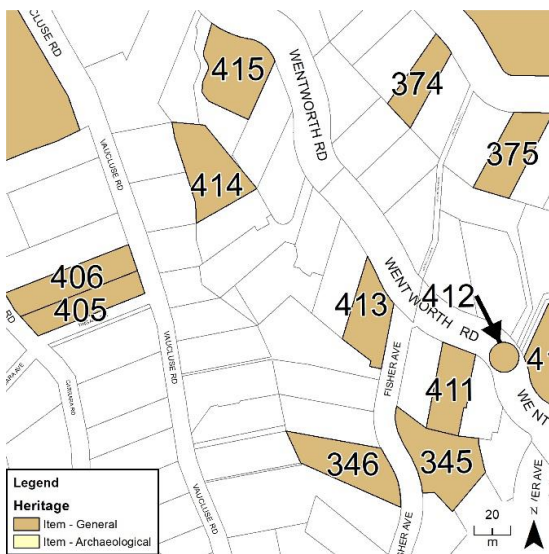




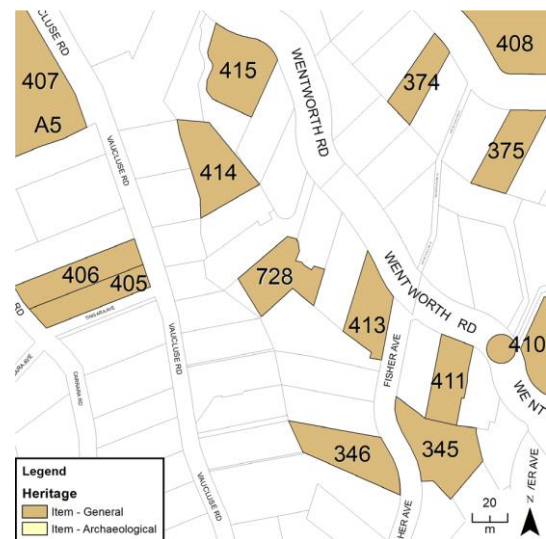
**Figure 21: Current Woollahra LEP 2014 Heritage Map (Source: planning proposal)**



**Figure 22: Proposed Woollahra LEP 2014 Heritage Map with 56 Wallaroy Road, Woollahra, listed as a heritage item (Source: planning proposal)**



**Figure 23: Current Woollahra LEP 2014 Heritage Map (Source: planning proposal)**



**Figure 24: Proposed Woollahra LEP 2014 Heritage Map with the Wrought Iron Gate and Brick Posts at 28A Wentworth Road, Vaucluse, listed as a heritage item (Source: planning proposal)**

## 1.6 Background

The timeline for the planning proposal is shown in **Table 4**.

**Table 4 Overview of background to the planning proposal**

Date	Description	Outcome
<b>1 September 2022</b>	Council referred the planning proposal to the Woollahra Local Planning Panel (LPP) for advice.	<p>The Woollahra LPP advised Council to proceed with the proposal to list the items in Schedule 5 and the Heritage Map of the Woollahra LEP 2014, subject to certain matters including:</p> <ul style="list-style-type: none"> <li>• Council to reformat the statements of significance to address the inclusion and exclusion guideline in Heritage NSW's <i>Assessing Heritage Significance</i> guidelines; and</li> <li>• Council staff to arrange the final heritage study to be made publicly available on Council's website.</li> </ul>
<b>4 October 2022</b>	The planning proposal, heritage study and inventory sheets were examined by Council's Environmental Planning Committee (EPC).	The Committee endorsed the study and advised the Council to proceed with the planning proposal.
<b>31 October 2022</b>	The planning proposal and supporting documents were reported to the full Council.	<p>Council resolved to forward the proposal to the Department for a Gateway determination, and to request delegation to be the local plan-making authority (LPMA).</p> <p>The proposal, along with the heritage study and inventory sheets, were subsequently lodged with the Department for a Gateway determination.</p>
<b>7 November 2022</b>	The proposal was lodged on the planning portal and received by the Department.	-

## 2 Need for the planning proposal

The planning proposal is the result of the findings and recommendations of the Leslie Wilkinson Heritage Study 2022 and supporting heritage inventory sheets prepared by Council. The assessment of significance concludes that the five sites associated with Professor Leslie Wilkinson, an influential figure in architecture who had a body of work within the Woollahra area, meet the criteria for listing at a local level.

The planning proposal is the only means to alter Part 1 Schedule 5 of the Woollahra LEP 2014 and the Heritage Map, to recognise the heritage significance of the sites and allow provisions that facilitate their ongoing conservation and management.

### Assessment of heritage significance

The heritage significance of the sites has been assessed in accordance with the *Assessing Heritage Significance* manual published by NSW Heritage Office in 2001. All sites have been assessed against the seven listing criteria in the manual, being (a) historic significance, (b) historic association significance, (c) aesthetic significance, (d) social significance, (e) research potential, (f) rarity, and (g) representativeness. If an item meets one of the seven criteria at a local level, it can

be considered to have local heritage significance. The assessment of the sites is summarised in **Table 5**, which finds that each site satisfies relevant criteria, thus meeting the threshold for local heritage listing.

**Table 5 Heritage assessment of Leslie Wilkinson sites against NSW Heritage Office guideline**

Site	(a) historic	(b) association	(c) aesthetic	(d) social	(e) research potential	(f) rarity	(g) representativeness
'Monument to Robert Watson' 22 Military Road, Watsons Bay (Part of Lot 7093 DP 107469)	✓	✓	✓	?	✗	✓	✓
'Hampden Lodge' 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885)	✗	✓	✓	?	✓	✓	✓
43 Latimer Road, Bellevue Hill Lot A DP 312687, Lot A DP 318717 and Lot 1 DP 131019)	✓	✓	✓	?	✓	✓	✓
56 Wallaroy Road, Woollahra (Lot 3 DP 17153)	✓	✗	✓	?	✗	✓	✓
Gate and gate posts, 28A Wentworth Road, Vaucluse (part of Lot 2 DP 531931)	✗	✓	✓	?	✗	✓	✓

The following provides a summary of the assessment of significance undertaken by Council. The full details are in the planning proposal, heritage study and inventory sheets.

### Criterion (a) Historic Significance

With regard to 'historic significance', three of the sites (Robertson Park / Military Road, Latimer Road, and Wallaroy Road) are found to satisfy the criterion on account of:

- The monument to Robert Watson demonstrates the proactive and educational role of the Royal Australian Historical Society (RAHS) in erecting monuments to celebrate NSW's history.
- 43 Latimer Road demonstrates the pattern and continuity of the residential development of Bellevue Hill through the construction, adaptation and enlargement of John D Moore's 1925 house by Leslie Wilkinson in 1939. The successive engagement of two leading architects provides evidence of the value placed on excellence in architectural design during a historical period of urban consolidation in Bellevue Hill in the 1920-30s.
- 56 Wallaroy Road is historically significant as an Inter-War Mediterranean style house with Spanish Mission influence, which demonstrates the development of Wallaroy Road in the 1930s and the influx of architecturally designed houses at the time.

### Criterion (b) Associative Significance

Four of the sites (apart from Wallaroy Road) meet the criterion for associative significance, as they are associated with the influential architect Leslie Wilkinson, who designed the monument to Robert Watson, the alterations and adaptation of the houses in Hampden Road and Latimer Road, and the wrought iron gates and brick posts to the house in Wentworth Road. Wilkinson was a prominent figure who founded and led the Faculty of Architecture at the University of Sydney, and who was also a resident of Vacluse.

The monument in Robertson Park also has associative significance for its link to Robert Watson, who arrived on the First Fleet in 1788 and was harbour master and first superintendent of Macquarie lighthouse.

### Criterion (c) Aesthetic Significance

All sites meet this criterion for listing on account of:

- The monument to Robert Watson exhibits aesthetically distinctive Art Deco marine carvings and landmark qualities.
- 12 Hampden Avenue demonstrates Wilkinson's design approach that maintains the Federation character of the original building while harmoniously adding modest additions showing classical references. His design respects the restrained simplicity of the spatial arrangement of the original stable complex, with sympathetic additions to the existing fabric.
- 43 Latimer Road demonstrates Wilkinson's design approach that retains the aesthetic continuity of the original building in the extension and adaptation. In particular, the main elevation shows typical Mediterranean detailing in its use of restrained classical motifs. The site also demonstrates a commitment to garden spaces and shared access to views by retaining a relatively modest building footprint.
- 56 Wallaroy Road is an aesthetically distinctive Inter-War Mediterranean house with Spanish Mission influences that occupies a prominent street corner.
- The wrought iron gate at 28A Wentworth Road is an excellent example of wrought ironwork and is a testament to Wilkinson's design and influence in the Eastern suburbs.

### Criterion (d) Social Significance

Council did not undertake a full social assessment as part of their heritage study. Further investigation would be needed to confirm whether this criterion is met for the sites. However, three of the sites (Military Road, Hampden Avenue and Latimer Road) show potential for having social

significance due to their links to Wilkinson and his architecture, which would have been held in high regard by members of the community.

#### Criterion (e) Research Potential

Two of the sites (Hampden Avenue and Latimer Road) satisfy the criterion for research potential. Both sites provide a significant reference and resource for architects, planners and the broader community to appreciate and understand historical approaches to sympathetic and sustainable adaptive re-use.

#### Criterion (f) Rarity

With regard to 'rarity', all sites have satisfied the criterion on account of:

- The monument to Robert Watson is possibly the only monument designed by Leslie Wilkinson in Woollahra. Its rarity is also attributed to its association with a historic event rather than a war commemoration.
- 12 Hampden Avenue is a rare example of a stable building skilfully adapted over time for residential use. The relative intactness of Wilkinson's layers of adaptation has the capacity to demonstrate his sensitive approach to historic building fabric and form, as well as the Mediterranean influences of his design philosophy.
- 43 Latimer Road is an uncommon example of a house adapted and conserved through generations, and has survived in its original landscape setting with relatively intact layer of adaptation by Wilkinson.
- 56 Wallaroy Road is potentially the only work of architect Frederick George Leslie Allen in Woollahra displaying his Inter-War Mediterranean influences.
- The wrought iron gate at 28A Wentworth Road is rare and intact, as many wrought iron works have already been removed from other Wilkinson houses.

#### Criterion (g) Representativeness

All sites have met the criterion for representatives on account of:

- The monument to Robert Watson is part of a group of monuments erected to the request of the RAHS.
- 12 Hampden Avenue demonstrates Wilkinson's respectful approach to altering and adding to a modest building, and the principal characteristics of this class of his architectural work.
- 43 Latimer Road provides a complement to the grander houses of Wilkinson's oeuvre in Woollahra, which demonstrates the principal characteristics of this class of his works.
- 56 Wallaroy Road is representative of the Inter-War Mediterranean style with Spanish Mission influences in the LGA.
- The wrought iron gate at 28A Wentworth Road is a distinctive work detailed by Wilkinson and was part of the Mediterranean style of his domestic commissions.

## 3 Strategic assessment

### 3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the *Greater Sydney Region Plan: A Metropolis of Three Cities*.

**Table 6 Regional Plan assessment**

Regional Plan Objectives	Justification
13: Environmental heritage is identified, conserved, and enhanced	<p>The Region Plan emphasises the need to conserve items of heritage significance. Objective 13 notes that environmental heritage should be protected for its social, aesthetic, economic, historic and environmental values.</p> <p>The heritage study and inventory sheets prepared by Council have provided an assessment of significance indicating that the sites have reached the threshold for listing at a local level.</p> <p>The proposal is consistent with the objectives of the Region Plan, as it seeks to recognise the heritage significance of the sites and facilitate their ongoing protection.</p>

## 3.2 District Plan

The site is within the Eastern City District and the former Greater Sydney Commission (now the Greater Cities 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 the priorities for liveability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. **Table 7** below provides an assessment of the planning proposal against relevant directions and actions.

**Table 7 District Plan assessment**

District Plan - Planning Priorities	Justification
<p>E6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <p>Action 20: Environmental heritage is identified, conserved, and enhanced.</p>	<p>This priority seeks to identify, conserve, interpret and celebrate Greater Sydney's heritage values.</p> <p>The proposal contributes to the protection of the district's heritage through listing of five sites in the Woollahra LGA, which have been found to have heritage significance in a study. The listing will recognise the places' significance and facilitate their on-going conservation.</p> <p>The proposal is considered to be consistent with the District Plan.</p>

## 3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as summarised in **Table 9** below.



**Table 8 Local strategic planning assessment**

Local Strategies	Justification
Woollahra Local Strategic Planning Statement 2020 (LSPS)	<p>The planning proposal is consistent with the endorsed Woollahra LSPS, particularly <i>Planning Priority 5: Conserve our rich and diverse heritage</i>, under the theme of <i>Liveability</i>.</p> <p>The planning proposal is consistent with this priority as it seeks to recognise and facilitate the on-going protection of five sites, which have been found to have significance in a heritage study prepared by Council.</p>
Woollahra Community Strategic Plan 2030 (CSP)	<p>The Woollahra CSP outlines a vision for Council's current and future goals and strategies. The planning proposal is consistent with the CSP, particularly with <i>Strategy 4.3: protect our heritage, including significant architecture and the natural environment</i> under Goal 4 (Well-planned neighbourhood), as it seeks to recognise the heritage values of five sites and facilitate their on-going conservation.</p>

## 3.4 Local planning panel (LPP) recommendation

The planning proposal was referred to the Woollahra LPP on 1 September 2022. The LPP recommended that council proceed with the planning proposal to list all five sites as heritage items in Schedule 5 Part 1 of the Woollahra LEP, subject to reformatting the heritage inventory sheets to address the inclusion/exclusion guidelines outlined in the Heritage Office manual, *Assessing Heritage Significance*, 2001, and making the final heritage study publicly available on Council's website.

## 3.5 Section 9.1 Ministerial Directions

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

**Table 9 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Yes	This Direction applies to the proposal as it seeks to give effect to the Greater Sydney Region Plan and Eastern City District Plan. The proposal is consistent with this Direction.
3.2 Heritage Conservation	Yes	<p>The Direction applies to the planning proposal as it seeks to conserve five items of environmental heritage significance. The Direction requires that a planning proposal contain provisions that facilitate the conservation of items identified in a study of environmental heritage significance.</p> <p>The planning proposal is informed by a heritage assessment undertaken in accordance with the NSW Heritage Office manual. The assessment concluded that the subject sites satisfy the relevant criteria for local heritage listing and thereby the proposal is warranted. The proposal will facilitate the conservation and protection of these sites.</p> <p>The proposal is consistent with this Direction.</p>



Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
6.1 Residential Zones	Yes	<p>This Direction applies as four of the sites (Hampden Avenue, Latimer Road, Wallaroy Road, and Wentworth Road) are located within existing residential zones (R2 and R3). The proposal does not seek to alter the existing residential zoning or any development standards applicable to the site.</p> <p>Listing the sites as local heritage items would require any future development application for the sites to be assessed against the provisions of Clause 5.10 <i>Heritage Conservation</i> under the Woollahra LEP 2014.</p> <p>The proposal is consistent with this Direction.</p>

### 3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

## 4 Site-specific assessment

### 4.1 Environmental

The proposal will not have any adverse effects on any critical or threatened species, populations or ecological communities, or their habitat.

The planning proposal seeks to provide statutory protection of five sites which have been found to have local heritage significance. The proposal is informed by a heritage report and heritage inventory sheets undertaken by Council. The assessment of significance has been carried out in accordance with the NSW Heritage Office manual.

### 4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

**Table 10 Social and economic impact assessment**

Social and Economic Impact	Assessment
Social	<p>The planning proposal is unlikely to have any significant adverse social impacts. Listing the sites as heritage items will provide the community with greater certainty regarding the heritage significance of the sites and facilitate their ongoing protection.</p> <p>Through the community consultation process, the wider community will have an opportunity to voice their views regarding the values of the sites and whether the proposed listing is warranted.</p>

Social and Economic Impact	Assessment
Economic	<p>There would be a minor economic impact to the landowner as the heritage listing of the properties may require specialist heritage studies to form part of any future development application submission.</p> <p>However, the proposal does not change the zoning or development standards applicable to the sites. As discussed above, the proposed listing means that the consent authority will need to consider the effect of any future development on the heritage significance of the sites pursuant to Cl. 5.10 of the LEP, it does not prohibit change or development as such. The proposal is considered to have an acceptable economic impact.</p>

## 4.3 Infrastructure

The proposal does not seek to change any existing infrastructure or facilitate further infrastructure provision. The proposal will not alter the existing zoning or development standards applicable to the sites. The proposal would not facilitate intensified developments and therefore would not generate additional demand for infrastructure.

## 5 Consultation

### 5.1 Community

Council proposes a community consultation period of 28 days.

As the planning proposal is categorised as a ‘basic’ per the *Local Environmental Plan Making Guideline 2022*, a timeframe of minimum 10 working days is proposed. A condition has been included in the Gateway determination, consistent with the benchmark timeframes in the Guideline.

### 5.2 Agencies

It is recommended that the following agencies / public organisations be consulted on the planning proposal:

- Environment and Heritage Group, Department of Planning and Environment; and
- National Trust of Australia (NSW)

### 5.3 Landowner submission

The legal representative of the landowner of 43 Latimer Road, Bellevue Hill provided a submission on 6 December 2022, which does not support the heritage listing of the above property. The submission raises concerns about the heritage listing, including:

- Leslie Wilkinson did not have a significant involvement in the design and construction of the building. There are many better examples of Wilkinson’s work.
- The proposed listing does not deliver environmental benefit; the property is not visible from the street and the listing would not add social value; and there would be a substantial economic impact on the owner due to the opportunity cost of redevelopment into a modern residence and the on-going maintenance cost.

The submission is supported by a peer review of the planning proposal and a heritage assessment of the subject property, both prepared by GBA Heritage in November 2022. It is noted that the GBA

heritage assessment concludes that the property does not meet any of the thresholds for heritage listing in the Woollahra LEP.

The planning proposal does not seek to amend the zone or development standards currently applicable to the sites. The proposed listing of the sites would enable consideration to be given to the nature of any proposed change in the future and its potential impact on the heritage significance of the sites through the application of Clause 5.10 of the Woollahra LEP 2014.

The proposed listing does not preclude any future development of the properties, such as change of use, renovation, alterations, additions or adaptation. The listing will ensure that the effect of any proposed development on the heritage significance will be considered prior to a development consent being granted. As part of the development application process, the consent authority may require a heritage management document (e.g. heritage conservation management plan or heritage impact statement) to be prepared to assess the effect of the development and to enable informed decisions to be made. As such, the proposed heritage listing is not considered to unreasonably restrict future development of the site. It will ensure due process will be undertaken that considers the potential impacts on the heritage significance.

As discussed in this report, Council's assessment of significance has been carried out in accordance with the process and criteria stated in the Heritage Office manual.

During exhibition of the planning proposal, any members of the community may make a submission to Council. Council as the planning proposal authority will consider any submissions made to inform its decision as to whether the planning proposal should be finalised.

## 6 Timeframe

Council proposes a nine- month time frame to complete the LEP.

The LEP Making Guideline recommends a timeframe of 115 working days to complete a 'basic' LEP following Gateway determination (i.e. by mid May 2023 in this case). Factoring in the Christmas / new year period, the Department recommends a time frame of eight months (by mid August 2023) to ensure it is completed in line with its commitment to reduce processing times.

The timeline in the planning proposal should be revised to align with the above.

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

## 7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

The Department supports this request as it relates to matters of local heritage significance.

## 8 Assessment summary

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

- It is supported by an assessment of significance prepared in accordance with the NSW Heritage Office manual, *Assessing Heritage Significance*, 2001, which finds that all five sites satisfy relevant listing criteria and reach the threshold for local heritage listing.
- The proposal will recognise and provide on-going protection of the heritage significance of the sites.
- The proposal is consistent with the relevant objectives, directions and priorities of the Greater Sydney Region Plan, Eastern City District Plan and Local Strategic Planning Statement, and the applicable State Environmental Planning Policies and Section 9.1 Ministerial Directions.

## 9 Recommendation

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

1. Prior to exhibition, the planning proposal should be revised to address the following:
  - Confirm the suburb in which the site at 56 Wallaroy Road is located and update the planning proposal, heritage study and inventory sheet accordingly; and
  - Update the project timeline in section 9 of the planning proposal to align with the timeframe specified in the Gateway determination and remove the reference to forwarding of the LEP amendment to the Greater Sydney Commission.
2. The planning proposal should be made available for community consultation for a minimum of 10 working days.
3. Consultation with the Environment and Heritage group (Department of Planning and Environment) and the National Trust of Australia should be undertaken.
4. The timeframe for completing the LEP should be eight months from the date of the Gateway determination.
5. Council should be authorised to be the local plan-making authority.



*12 December 2022*

Simon Ip

Manager, Place and Infrastructure

Assessment officer

Shruthi Sriram

Planning Officer, Agile Planning