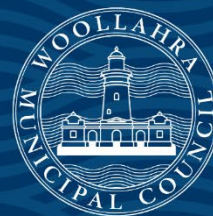


Planning Proposal



Local Heritage Listing: Leslie Wilkinson sites in Woollahra



Version Date:	September 2022, updated February 2023
Division/Department:	Strategic Planning
Responsible Officer:	Kristy Wellfare – Senior Strategic Heritage Officer
HPE CM Record Number:	22/251313

Acknowledgement of Country

Woollahra Council acknowledges the Gadigal and Birrabirragal people, the traditional custodians of the land of Woollahra. We would like to acknowledge Aboriginal or Torres Strait Islander people and pay our respects to Elders past, present and emerging.

Cover Photo: Professor of Architecture Leslie Wilkinson on the ship Naldera, New South Wales, ca. 1930, National Library of Australia (Fairfax archive of glass plate negatives, PIC Row 14/7/5 #PIC/15611/8409)

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Supporting documents (circulated separately)

- **Heritage Study Report *Professor Leslie Wilkinson in Woollahra* dated September 2022**
- **Heritage Inventory Sheets for five sites associated with Professor Leslie Wilkinson dated September 2022**
- **Woollahra LPP Agenda 1 September 2022**
- **Woollahra LPP Minutes 1 September 2022**
- **Woollahra EPC Agenda 4 October 2022**
- **Woollahra Council Minutes 31 October 2022**

1. Introduction

1.1. Summary

This planning proposal seeks to amend the provisions of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to include five new local heritage items in Schedule 5 and on the Heritage Map of the Woollahra LEP 2014.

All these properties have association with Professor Leslie Wilkinson.

The planning proposal is supported by a Heritage Study *Professor Leslie Wilkinson in Woollahra* and Heritage Inventory Sheets that have evaluated the heritage significance of each site and demonstrate that the relevant criteria for local heritage listing have been satisfied.

The planning proposal was referred to the Woollahra LPP on 1 September 2022, where they provided the following advice to Council:

- A. *THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the following sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014:*
- *Monument to Robert Watson, including sandstone tablet, carvings and setting at 22 Military Road, Watsons Bay, Robertson Park (part of Lot 7093 DP 1074769).*
 - *Hampden Lodge, including interiors and garage at 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885).*
 - *House, including interiors and gardens at 43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 DP 131019).*
 - *House, including interiors at 56 Wallaroy Road, Woollahra (Lot 3 DP 17153).*
 - *Wrought iron gate and brick posts at 28A Wentworth Road, Vaucluse (Part of Lot 2 DP 531931)*
- Subject to B below.*
- B. *THAT the Woollahra Local Planning Panel advises Council that the statements of significance should be reformatted to address the criteria in terms of the exclusion and inclusion guidelines of the Heritage NSW guidelines “Assessing Heritage Significance” published by NSW Heritage.*
- C. *THAT the Woollahra Local Planning Panel provides advice to Council staff to proceed with the nomination to the State Heritage Register of the local heritage item “Greenway”—all buildings, interiors and works, grounds, grove of approximately 8 Sydney Pink Gums at 24 Wentworth Road, Vaucluse (Item 413, Lot 101 DP 621888).*
- D. *THAT the Woollahra Local Planning Panel recommends that Council staff arrange to have the final heritage study, which informed the planning proposal, publicly available on Council’s website.*

It is noted that the Woollahra LPP provided the following reasons for its decision:

The panel congratulates Council staff on the thorough research and analysis evident in the heritage study. The Panel also commends Woollahra Council for resourcing such a careful consideration of the extraordinary legacy of Wilkinson’s work in the municipality. His role in Australian architecture deserves such commitment.

The research is comprehensive and further to the public submissions and discussions at the panel meeting, reformatting is recommended of the statements of significance to address the criteria in terms of the exclusion and inclusion guidelines of the Heritage NSW guidelines “Assessing Heritage Significance” published by NSW Heritage.

The heritage study report, the heritage inventory sheets and the planning proposal have been updated based on the advice from the Woollahra LPP.

On 4 October 2022, the planning proposal was examined by the Environmental Planning Committee, who endorsed the study and the staff recommendations to proceed with a planning proposal.

On 31 October 2022, Woollahra Council resolved the following:

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 1 September 2022 regarding the planning proposal to list five sites associated with Professor Leslie Wilkinson as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.*
- B. *THAT Council endorse the planning proposal as contained at **Attachment 4** of the report to the Environmental Planning Committee of to list the following five sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014 and resolve to forward this to the Department of Planning and Environment with a request for Gateway Determination to allow public exhibition:*
 - i. *Monument to Robert Watson, including sandstone tablet, carvings and setting at Robertson Park, Watsons Bay (part of Lot 7093 DP 1074769).*
 - ii. *Hampden Lodge, including interiors and garage at 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885).*
 - iii. *House, including interiors and gardens at 43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 DP 131019).*
 - iv. *House, including interiors at 56 Wallaroy Road, Woollahra (Lot 3 DP 17153).*
 - v. *Wrought iron gate and brick posts at 28A Wentworth Road, Vaucluse (Part of Lot 2 DP 531931).*
- C. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- D. *If appropriate, that staff include in a Section 10.7 Planning Certificate (Part 5) information relating to those properties included in the Leslie Wilkinson Study which have not progressed, as itemised below:*
 - i. *69 Hopetoun Avenue, Vaucluse*
 - ii. *82 Wentworth Road, Vaucluse*
 - iii. *6 Princes Avenue, Vaucluse*
 - iv. *3 Olola Avenue, Vaucluse*
 - v. *83A Drumalbyn Road, Bellevue Hill*
 - vi. *29 Wentworth Road, Vaucluse.*

On 12 December 2022, the Department of Planning and Environmental (DPE) issued the gateway determination for the planning proposal. Those conditions of the gateway determination required to be completed prior to exhibition have been complied with.

1.2. Description of this planning proposal

This planning proposal is made in relation to prominent architect professor Leslie Wilkinson's designs including the following sites:

	Item	Address	Lot/DP
1	<i>Monument to Robert Watson</i> , including sandstone tablet, carvings and setting	Robertson Park, 22 Military Rd, Watsons Bay	Part of Lot 7093 DP 1074769
2	<i>Hampden Lodge</i> , including interiors and garage	12 Hampden Avenue, Darling Point	Lot 1 DP 1184885
3	House, including interiors and gardens	43 Latimer Road, Bellevue Hill	Lot A DP 312687, Lot A DP 318717, Lot 1 DP 131019
4	House, including interiors	56 Wallaroy Road, Woollahra	Lot 3 DP 17153
5	Wrought iron gate and brick posts	28A Wentworth Road, Vacluse	Part of Lot 2 DP 531931

The objective of the planning proposal is to amend the Woollahra LEP 2014 to list the above sites as local heritage items in Schedule 5. Heritage listing of this sites will ensure recognition of their significance, as well as a statutory protection through ensuring that any future proposals are assessed against the heritage provisions of the Woollahra LEP 2014.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Local Environmental Plans* (December 2021).

1.3. Assessments of Heritage Significance

An assessment of heritage significance was carried out by Council Staff and a copy of the report is separately attached to this planning proposal.

The assessment of heritage significance reviewed the subject sites in accordance with the document title *Assessing heritage significance*, published by the NSW Heritage Office in 2001 and *Investigating heritage significance*, published by the Heritage NSW in 2021. There are seven criteria used in the process of assessing heritage significance:

Criterion (a) – Historical significance

An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (b) – Associative significance

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

Criterion (c) – Aesthetic/technical significance

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

Criterion (d) – Social significance

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

Criterion (e) – Research potential

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (f) – Rarity

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural (or the cultural or natural history of the local area).

Criterion (g) – Representative

An item is important in demonstrating the principal characteristics of NSW's

- cultural or natural places; or*
- cultural or natural environments. (or a class of the local area's cultural or natural places; or cultural or natural environments.)*

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

The assessment by Council staff concludes that the following sites are of **local** heritage significance.

- *Monument to Robert Watson*, including sandstone tablet, carvings and setting at Robertson Park, 22 Military Road, Watsons Bay (Part of Lot 7093 DP 1074769).
- *Hampden Lodge*, including interiors and garage at 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885).
- House, including interiors and gardens at 43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 DP 131019).
- House, including interiors at 56 Wallaroy Road, Woollahra (Lot 3 DP 17153).
- Wrought iron gate and brick posts at 28A Wentworth Road, Vaucluse (Part of Lot 2 DP 531931)

Accordingly, it is recommended that these sites are listed in Schedule 5 and on the associated Heritage Maps of the Woollahra LEP 2014.

Below, we have included the Statement of Significance for each property.

A copy of the inventory sheets for each property, prepared by Council staff, including an assessment against all heritage criteria, is separately attached.

1.4. Statements of Heritage Significance

1.4.1. Monument to Robert Watson at Robertson Park, Watsons Bay

Erected by Vaucluse Council upon request from the Royal Australian Historical Society (RAHS), the Monument to Robert Watson has historic, associative, aesthetic, social, rarity and representative heritage significance.

Designed in 1929 by Professor Leslie Wilkinson, it demonstrates the proactive and educational role of the RAHS in erecting monuments to celebrate NSW history. It is part of a group of other monuments erected around NSW at the request of RAHS.

The monument has associative significance for its links to Professor Leslie Wilkinson. It has aesthetic significance as a sandstone carved monument with landmark qualities and aesthetically distinctive Art Deco marine carvings.

Wilkinson is a leading and influential figure in Australian architecture for having founded and led the Faculty of Architecture at Sydney University, but also for having combined neo-Georgian with Inter-War Mediterranean styles in response to the sunny Australian climate. A local resident of Vaucluse, this monument is significant as part of the body of work carried out by eminent Architect Professor Leslie Wilkinson in Woollahra between 1918 and 1971.

This monument also has associative significance for its links to Robert Watson, who arrived on the First Fleet on 26 January 1788 and was quartermaster of HMAS Sirius, signal man at South Head, pilot, harbor master and first superintendent of Macquarie lighthouse. It is believed that Watsons Bay was named after Robert Watson.

1.4.2. Hampden Lodge, 12 Hampden Avenue, Darling Point

Hampden Lodge demonstrates the pattern and continuity of the residential development and consolidation of Darling Point through the adaptive reuse of the original stables of the Winslow estate, carried out by prominent architect and architectural academic, Professor Leslie Wilkinson in 1936-47.

Professor Leslie Wilkinson. Wilkinson is a leading and influential figure in Australian architecture, having founded and led the Faculty of Architecture at Sydney University. His design skills and approach to Australian architecture is evident through his teaching and in private professional practice, which combined neo-Georgian with Inter-War Mediterranean styles in direct response to the sunny Australian climate, demonstrated in his work at Hampden Lodge.

Hampden Lodge demonstrates Wilkinson's respectful approach to a modest, but historic stables building, finessing its adaptation and extension for contemporary residential use over a series of functional and physical changes imbued with his scholarship and commitment to creating a new Australian response to climatic design

The engagement of such accomplished architect is evidence of the value placed on excellence in architectural design and quality workmanship associated with the historical phase of consolidation in Darling Point when large estates were gradually subdivided, adapted and redeveloped.

Wilkinson respected the restrained simplicity of the spatial arrangement of the original building adding a hallway to support the changed functionality, and sympathetic additions to

the existing fabric, instinctively foreshadowing today's conservation principle of respecting and not distorting or obscuring the cultural significance of a place.

Wilkinson's design maintained the Federation character of this building while harmoniously adding modest additions showing classical references. The internal layout has been minimally modified, with new detailing introduced in fireplaces, the stable door with entablature, wrought iron grilles and voussoir arch demonstrating Mediterranean influences. The retention of the original internal joinery, Federation vents and windows opening onto the hallway allows for the ready interpretation and appreciation of the original stable building.

External details of his restrained classicism include pastel-coloured rendered walls, wrought iron gate, decorative window grilles, bull's eye windows of the garage, voussoir archway, timber sash windows with louvered shutters, gabled tiled roof and sandstone fireplace finished with a coat of arms.

The relative intactness and interpretability of Wilkinson's layers of adaptation have the capacity to demonstrate his sensitive approach to historic building fabric and form.

Hampden Lodge demonstrates Wilkinson's respectful approach to altering and adding to a modestly scaled building, and is both representative of, and also a contrast and a complement to, the grander fine houses of his oeuvre in Woollahra. It demonstrates the principal characteristics of this class of his architectural work

The aesthetic outcomes of Wilkinson's adaptations are shown in the documentation of Hampden Lodge's significant interiors by Mrs Nesbitt, which are held by the State Library (PXD 351) and the original Wilkinson plans held by Woollahra Council.

This is an important reference site for architects and Woollahra residents interested in architecture, heritage and the breadth of Professor Leslie Wilkinson's oeuvre.

1.4.3.43 Latimer Road Bellevue Hill

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 Wilkinson in 1939, carefully retaining its original landscape setting and prospect toward the harbour and the commitment of successive and current owners and architects to design excellence in building and in landscape setting.

The successive engagement of two such accomplished architects is evidence of the value placed on excellence in architectural design and quality workmanship associated with this historical phase of urban consolidation in Bellevue Hill in the 1920-30s.

This is evidenced in Wilkinson retaining the aesthetic continuity of Moore's original design concepts in his adaptation and extension work. Wilkinson continued the restrained simplicity of Moore's façade in the upper level, respecting his characteristic aesthetic choices of fabric, joinery and detailing, whilst contributing a high degree of creative achievement with professional modesty through subtle distinguishing detailing to new window and door detailing, instinctively foreshadowing today's conservation principle of respecting and not distorting or obscuring the prospect of a place. The internal layout has been minimally modified and new finishes introduced, whilst retaining original doors, joinery and fireplace; changes which do not detract from the interpretation and appreciation of Moore's original design concept. The formal conversion of Moore's open courtyard into a covered loggia, exemplifies Wilkinson's belief in the practical virtues of covered outdoor areas for living in the

Australian climate, and delivering family functionality to a new owner with more expansive residential requirements.

The property demonstrates the original and successive owners and architects' respectful commitment to sustaining shared access to views and garden spaces by retaining a relatively modest building footprint which enabled the maximum retention of existing topography through garden terracing and landscape opportunities, providing "borrowed" landscape to neighbouring properties, a precursor of today's view sharing concepts.

This property is now an uncommon example of a house adapted and conserved through generations of sympathetic owners surviving in its original landscape setting. Together with the complementary aesthetic layers of two of Sydney's prominent architects of the Twentieth Century, such sites are now comparatively rare in Woollahra.

The relative intactness of the Wilkinson layer, and clarity of the original Moore concept in its original landscape setting demonstrate Wilkinson's practical and aesthetic approach to respectful adaptation.

This property (supported by the original Wilkinson plans held at the State Library and Woollahra Council) provides a reference site with illustrative capacity for contemporary architects to appreciate and understand an historical example of sympathetic and sustainable adaptive reuse, and is of significance to architects, planners and the Woollahra community interested in its heritage and the breadth of work by Leslie Wilkinson.

1.4.4.56 Wallaroy Road, Woollahra

On a prominent and highly visible corner and built to the design of Architect Frederick George Leslie Allen for W P Gunning Esq, 56 Wallaroy Road Woollahra is historically significant as an Inter-War Mediterranean house with Spanish Mission influences evidencing the evolution of Wallaroy Road in the Woollahra suburb in the 1930s.

56 Wallaroy Road, Woollahra is an aesthetically distinctive house showing Inter-War Mediterranean and Spanish Mission influences. Domestic in its siting, it is a free standing pastel rendered house with a hipped terracotta tiled roof. The entrance to Wallaroy Road is emphasised through a formal entry porch with vaulted ceilings leading to a prominent circular staircase with niche complemented by a lancet window.

The restrained classical detailing of the elevations featuring timber multi-pane sash windows with shutters, loggias, pergolas, decorative Cordova tile motifs complement the ornate detailing of the interiors, including the vaulted decorated ceilings, leadlight window detailing and intact decorative joineries. Fireplaces, original wrought iron detailing and original joineries are still intact to the ground and first floor.

56 Wallaroy Road, Woollahra is a rarely intact house showing the creative endeavour of Architect Frederick George Leslie Allen in Woollahra. It is representative of the appreciation of the Inter-War Mediterranean/Spanish Mission style in the suburb of Woollahra.

1.4.5. Wrought iron gate and brick posts, 28A Wentworth Road, Vaucluse

The wrought iron gate and brick posts at no. 28A Wentworth Road, Vaucluse are of local heritage significance as part of the body of work carried out by eminent Architect Professor Leslie Wilkinson in Woollahra between 1918 and 1971.

While being a late commission for Wilkinson, the exquisite design of this wrought iron gate is testament of the appreciation of Wilkinson's design and fame in the Eastern Suburbs where

he was actively working up until his death in the 1970s. The gates were erected after his death in 1973.

Wilkinson is a leading and influential figure in Australian architecture for having founded and led the Faculty of Architecture at Sydney University, but also for having combined neo-Georgian with Inter-War Mediterranean styles in response to the sunny Australian climate. His Neo-Georgian design references classical architecture and re-interprets it in a more modern, domestic and restrained way in a fashion that made Wilkinson one of the most influential architects of Australia.

The wrought iron gate and brick posts exhibit social, aesthetic and representative significance for their decorative attractive detailing showing typical floral motifs. There are few Wilkinson houses left with the original wrought iron work.



Figure 2 Current aerial photograph of Robertson Park in Watsons Bay. The area including the Monument to Robert Watson is in the western corner identified with a circle (Source: Woollahra MAPS)



Figure 3: Monument to Robert Watson, west elevation looking east



Figure 4: Carving designed by Leslie Wilkinson



Figure 5: Carving designed by Leslie Wilkinson



Figure 6 Eastern elevation of the Monument to Robert Watson looking west

2.2. Hampden Lodge, 12 Hampden Avenue, Darling Point

This is a single storey building built on a rock sandstone base with terracotta pitched roof with eaves and timber double hung sash windows with blue painted Venetian shutters. It features some rustic simple detailing such as a timber screen in the timber gable (originally with finial), window sills on timber brackets and chimney with chimney pot.

The site is accessed through a voussoir arch with wrought iron gate and a single storey garage with a flat parapet roof. The 1941 garage has bull's eye windows with wrought iron grilles to the north elevation.

This site is legally identified on Lot 1 DP 1184885.

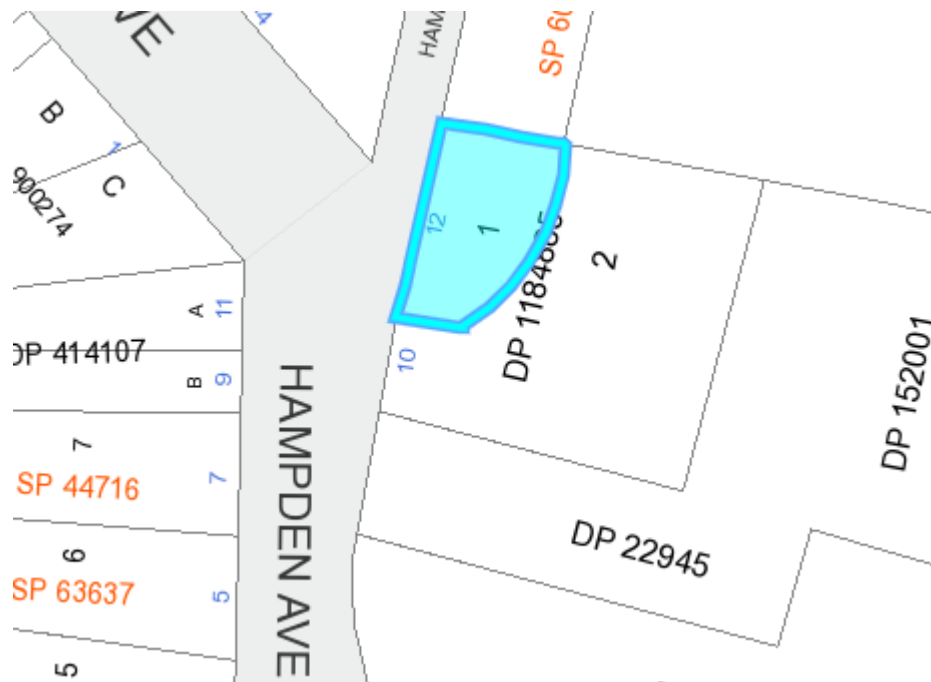


Figure 7 Cadastral map of the area occupied by Hampden Lodge (Source: Woollahra MAPS)

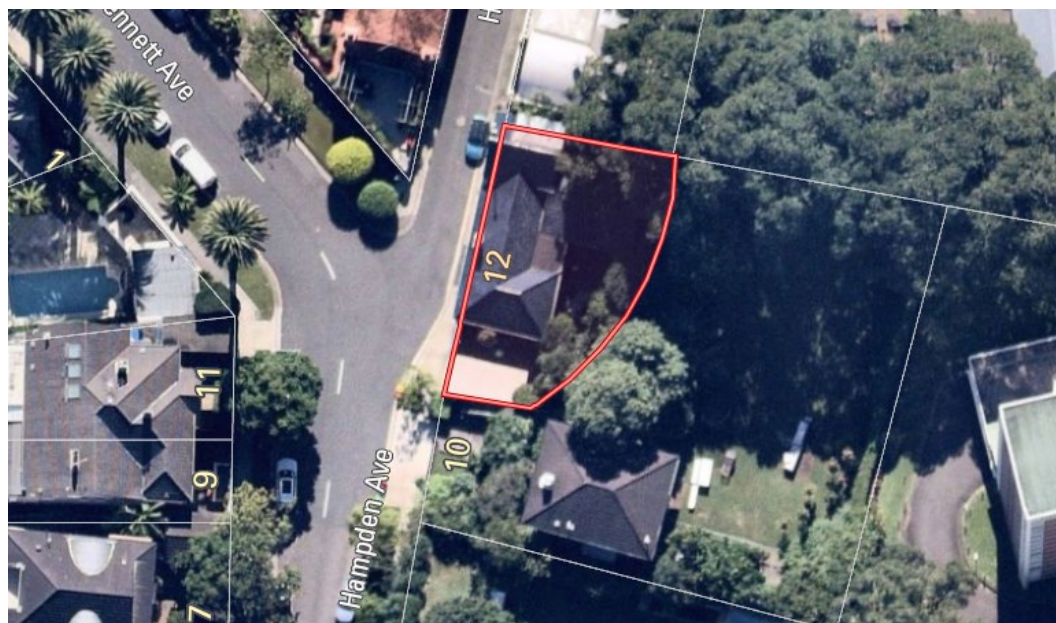


Figure 8 Aerial view of the area occupied by Hampden Lodge (Source: Woollahra MAPS)



Figure 9 View of the main entrance (voussoir arch) to Hampden Lodge



Figure 10 View of Hampden Lodge from Hampden Avenue.



Figure 11 View of the internal courtyard with the garage to the right and grilles to the bull's eye windows



Figure 12 View of the internal fireplace with coat of arms

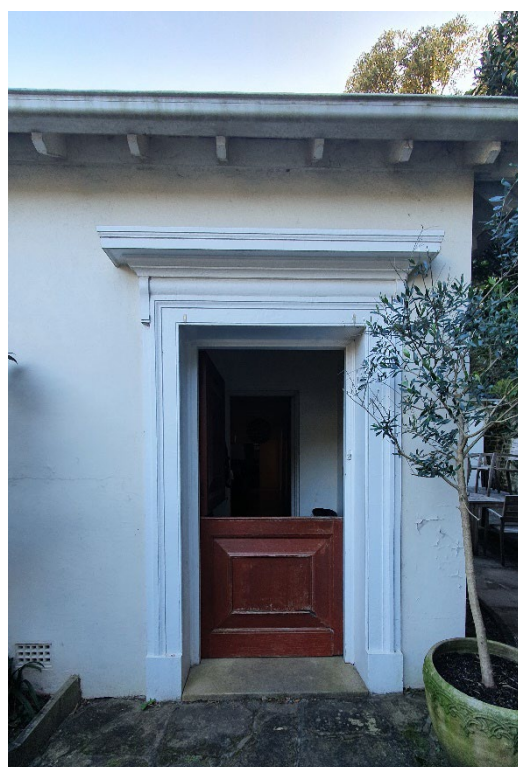


Figure 13 View of the front door with entablature. This detail matches the State Library drawings.

2.3. 43 Latimer Road, Bellevue Hill

Located on a battle-axe allotment accessed from Latimer Road and Vista Lane, this is a two-storey house with terracotta gabled roof, timber double hung sash windows, north facing front elevation with loggia in a terraced block of land overlooking Rose Bay.

To the rear is a single storey garage accessed from Vista Lane. The house is set within a substantially landscaped and terraced garden. Sandstone walls for the terraces and a sandstone water fountain to the lower terrace form part of the setting of the house.

Internally, the house has been renovated, with previous finishes having been replaced by newer ones. The original layout has been minimally modified, original doors, joineries and fireplace in the living room.

This site is legally identified as Lot A DP 312687, Lot A DP 318717 and Lot 1 DP 131019.

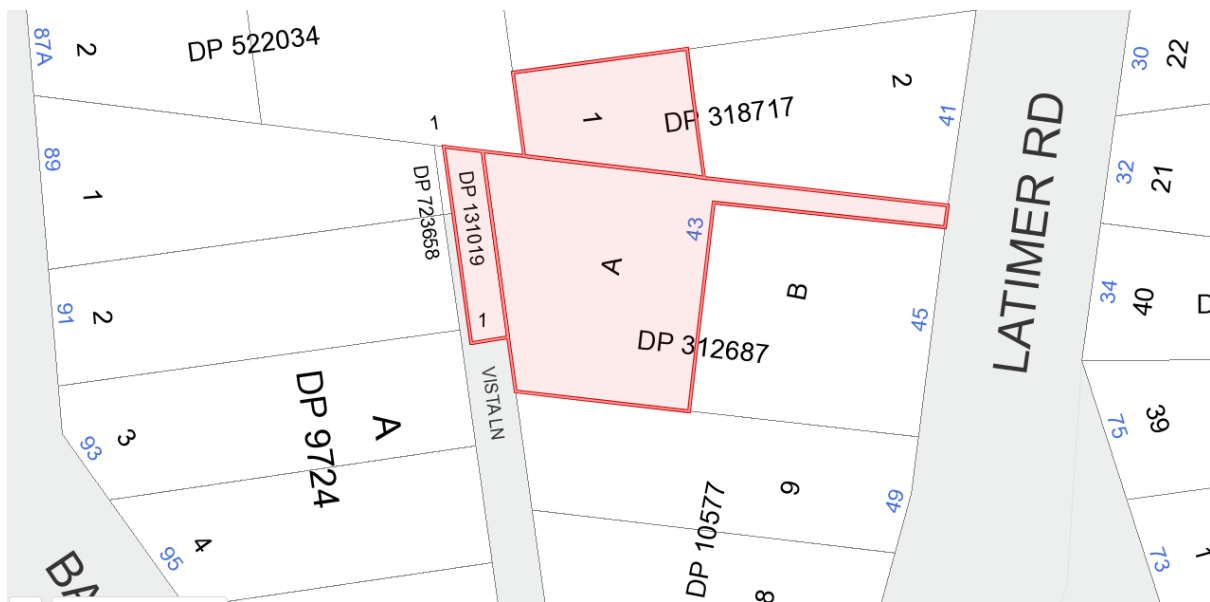


Figure 14 Cadastral description of 43 Latimer Road, Bellevue Hill (Source: Woollahra MAPS)



Figure 15 Aerial photo of 43 Latimer Road, Bellevue Hill



Figure 16 43 Latimer Road, Bellevue Hill within its landscaped grounds



Figure 17 North elevation of 43 Latimer Road, Bellevue Hill



Figure 18 North facing loggia with doric columns and entablature



Figure 19 Fireplace in the living room



Figure 20 One of the original doors



Figure 21 Timber staircase



Figure 22 Bull's eye window



Figure 23 Ground floor hall

2.4. 56 Wallaroy Road, Woollahra

This site is a two storey rendered house located on a prominent corner block facing Wallaroy and Glencoe Road. Two garages are located on the Glencoe Road, while the main pedestrian entry is from an arched timber and masonry gate that is original to the house era.

The garden is laid on terraces with swimming pool to the lowest north-eastern corner. A masonry wall with another arched door leads to the upper level of the garden and rear courtyard area.

A formal entry porch on steps and side statues leads to the front door, which protrudes from the main elevation. The northern elevation features two inset gables with typical Cordova tile motifs and an enclosed sleep over.

The subject site is legally identified as Lot 3 DP 17153.

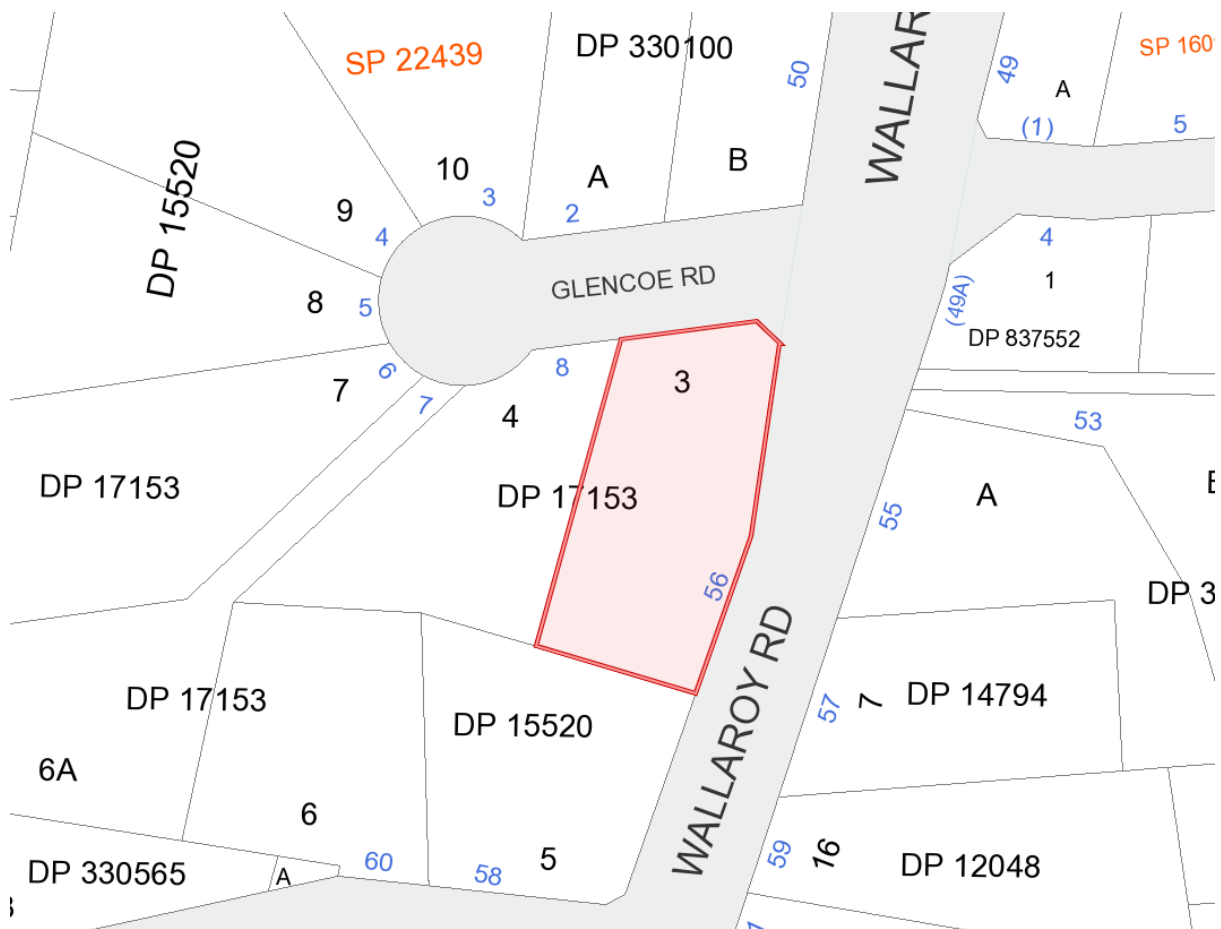


Figure 24 Cadastral description of (Source: Woollahra MAPS)



Figure 25 Aerial photo of 56 Wallaroy Road, Woollahra (Source: Woollahra MAPS)



Figure 26 House from a real estate brochure by Laing & Simmons (undated)



Figure 27 Eastern elevation of 56 Wallaroy Road Woollahra (Source: www.realestate.com.au)



Figure 28 Interiors of 56 Wallaroy Road, Woollahra. Note the windows and the ornate ceilings. (Source: www.realestate.com.au)



Figure 29 Fireplace, decorated windows and ornate cornices in the living room. (Source: www.realestate.com.au)



Figure 30 Vaulted ceiling in the main hallway



Figure 31 View of the internal circular staircase with niche and alcove window

2.5. Wrought iron gate and brick posts at 28A Wentworth Road, Vacluse

The wrought iron gate and brick posts at 28A Wentworth Road, Vacluse were designed by Professor Leslie Wilkinson in 1973 for Dr A L Mather.

The main property is set in a battle axe allotment on Wentworth Road accessed through a right of way. It is legally identified as Lot 2 DP 531931.

The house is a two storey rendered masonry building with a hipped, tiled roof and wide eaves. There is an off-set projecting arched entrance porch on the front elevation and a projecting single storey, hipped-roofed, wing to one side.

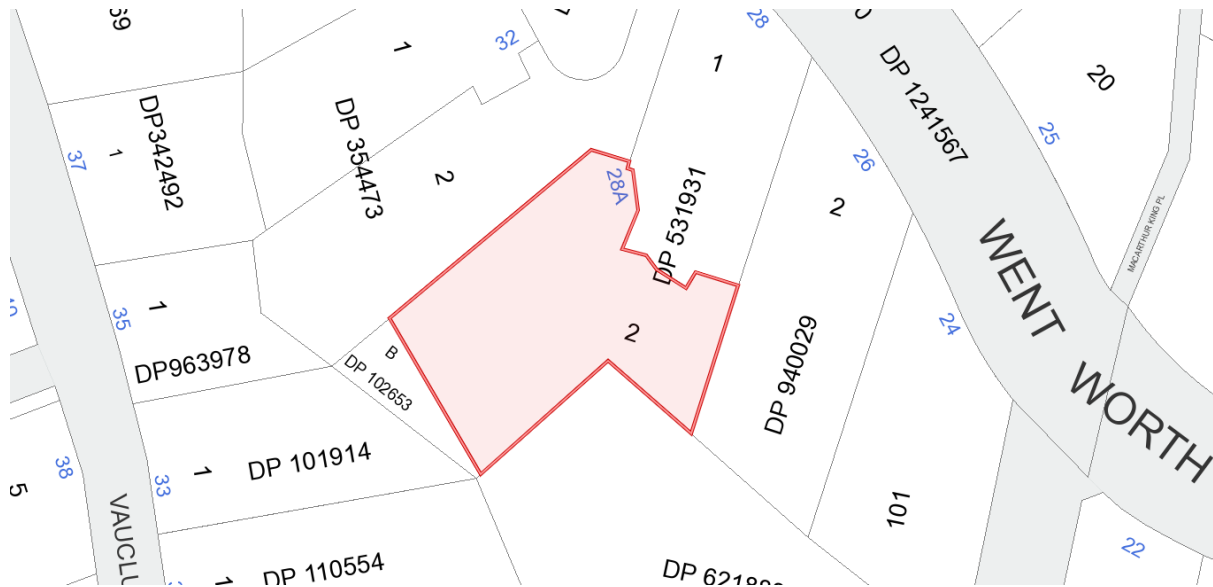


Figure 32 Cadastral description of (Source: Woollahra MAPS)



Figure 33 Aerial photo of 28A Wentworth Road, Vaucluse with the location of the wrought iron gate and brick posts circled in red (Source: Woollahra MAPS)



Figure 34 Wrought iron gate designed by Professor Leslie Wilkinson

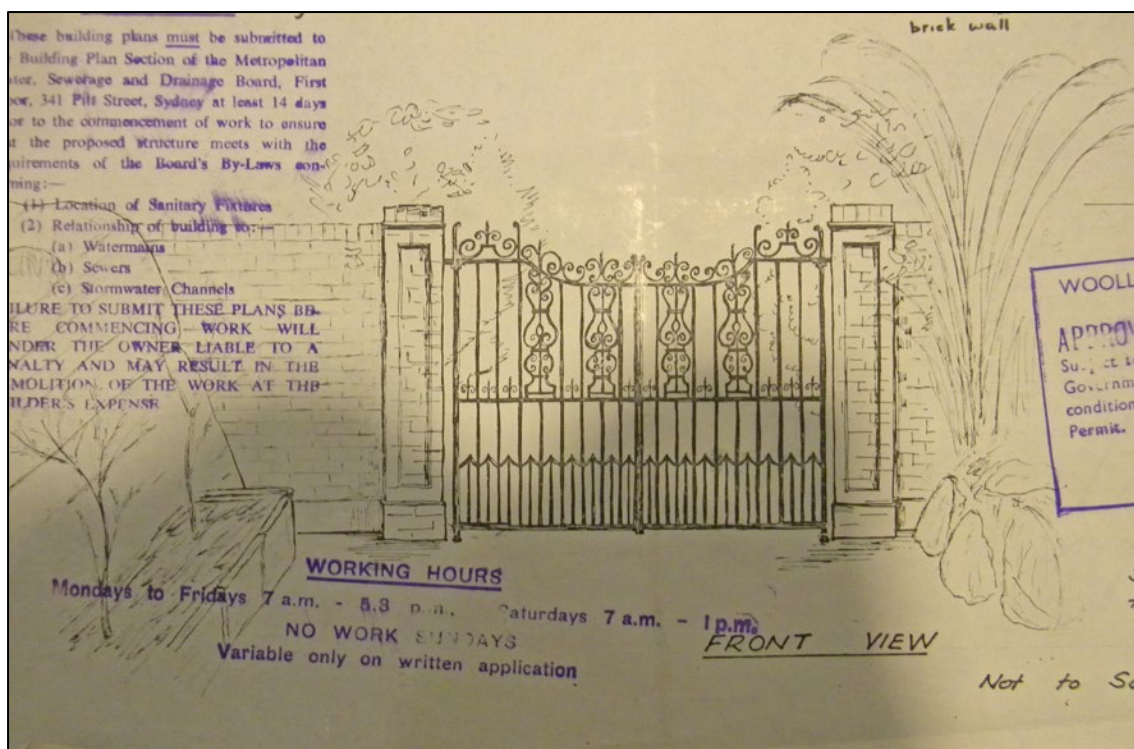


Figure 35 Extract from BA1274/1973 showing the wrought iron front gate and fence designed by Leslie Wilkinson (Source: Woollahra Records)

3. Existing planning controls

3.1. Woollahra Local Environmental Plan 2014

All sites are subject to the existing planning controls of the Woollahra LEP 2014. The current development standards that apply to the land under the Woollahra LEP 2014 are summarised as follows:

Table 2: Summary of current development standards

Site Location	Zone	Maximum building height (m)	Floor space ratio
Monument to Robert Watson, Robertson Park	RE1 Public Recreation zone	N/A	N/A
Hampden Lodge, 12 Hampden Avenue, Darling Point	R3 Medium Density Residential Zone	13.5	0.9
43 Latimer Road, Bellevue Hill	R2 Low Density Residential Zone	9.5	N/A
56 Wallaroy Road, Woollahra	R2 Low Density Residential Zone	9.5	N/A
28A Wentworth Road, Vaucluse	R2 Low Density Residential Zone	9.5	N/A

3.1.1. Zoning Objectives

The objectives of the R2 Low Density Residential zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for development that is compatible with the character and amenity of the surrounding neighbourhood.*
- *To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.*

The objectives of the R3 Medium Density Residential zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.*

The objectives of the RE1 Public Recreation zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

No changes to the principal development standards currently applicable to the sites under the Woollahra LEP 2014 are proposed to change under this planning proposal.

The land is not currently identified in the Woollahra LEP 2014 as containing any items of heritage significance.

All properties are identified under the Woollahra LEP 2014 as potentially containing Class 5 acid sulfate soils, with the exception of the monument to Robert Watson which is partially identified as Class 2.

The lands are not known to be subject to any other environmental constraints.

3.2. Woollahra Development Control Plan 2015

The *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) applies to the subject sites. Any development proposals either on one of the sites or on adjoining sites are required to address any relevant Woollahra DCP 2015 controls.

The proposed listing of these sites as heritage items as requested in this Planning Proposal is generally consistent with the provisions of the Woollahra DCP 2015 and will not impact on its continued application.

4. Objectives of planning proposal

The objective of the amendment to Woollahra LEP 2014 is to recognise the heritage significance of five sites in Woollahra and provide them with statutory heritage protection. Heritage listing of these properties aims to ensure the recognition of their significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the Woollahra LEP 2014.

Item	Address
<i>Monument to Robert Watson</i> , Robertson Park	22 Military Road, Watsons Bay, Robertson Park
<i>Hampden Lodge</i> , house, including interiors and garage	12 Hampden Avenue, Darling Point
House, including interiors and gardens	43 Latimer Road, Bellevue Hill
House, including interiors and garage	56 Wallaroy Road, Woollahra
Wrought iron gate and brick posts	28A Wentworth Road, Vaucluse

5. Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for each site in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage).
[The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP].
- Amend the Heritage Maps to identify five additional heritage items.

6. Justification

The planning proposal has strategic merit. The key reason for amending the Woollahra LEP 2014 is that the heritage listing of five sites, associated with prominent architect Professor Leslie Wilkinson, will ensure their significance is recognised and their ongoing conservation is implemented.

These matters are further discussed below in part 6.1 to 6.3.

6.1. Need for planning proposal

1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The planning proposal is the result of the recommendations found in the heritage study report *Professor Leslie Wilkinson in Woollahra* and Heritage Inventory Sheets prepared by

Council's Senior Strategic Heritage Officer. The report concluded that five sites meet the criteria for listing as local heritage items.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The objective is to recognise the heritage significance of all five sites and provide them with statutory heritage protection. The best means of achieving this objective is through an amendment to Woollahra LEP 2014 to list the sites as local heritage items. This is achieved through the planning proposal process.

Other options, such as adding site-specific objectives and controls to the Woollahra DCP 2015, or including heritage conservation conditions to a potential development consent will not provide the same level of heritage protection and recognition.

6.2. Relationship to strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The planning proposal is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly Objective 13: "Environmental heritage is identified, conserved and enhanced".

Identifying these five sites as local heritage items will provide ongoing protection and recognition of their heritage significance.

Eastern City District Plan

The planning proposal is generally consistent with the directions, priorities and objectives of the *Eastern City District Plan*, particularly Planning Priority E6 and Action 20:

Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage

Objective 13 'Environmental heritage is identified, conserved and enhanced'

Action 20 'Identifying, conserving and enhancing the environmental heritage of the local area' through:

- a. engaging with the community early to understand heritage values*
- b. applying adaptive re-use and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places*

Heritage listing of these five sites will provide ongoing protection and recognition of the heritage significance of these items.

4. Will the planning proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Woollahra Local Strategic Planning Statement

Planning Priority 5 of the Woollahra Local Strategic Planning Statement is relevant:

Planning Priority 5 Conserving our rich and diverse heritage

In particular Actions 28 and 30 of this planning priority seek to ensure that heritage is conserved and that the LEP and DCP reflect the evolving nature of heritage:

28. Continue to proactively conserve and monitor heritage in the Municipality including:

- *reviewing and updating provisions in Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015*
- *sustainably managing visitation to our heritage conservation areas and destinations*
- *promoting a high standard of urban design in both the public and private domain that respects and communicates with heritage and our heritage conservation areas*
- *supporting implementation of legislation for Aboriginal Heritage.*

30. Undertake further theme-based Municipality-wide studies, with consideration for the fact that heritage is constantly evolving.

Community Strategic Plan, Woollahra 2032

The planning proposal is consistent with *Woollahra 2032 – Community Strategic Plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhoods) under the Social theme:

4.2 Conserving our rich and diverse heritage

Heritage listing of these five sites will provide ongoing protection and recognition of the heritage significance of these items, consistent with these local strategies.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Yes. The planning proposal is consistent with other relevant State or regional study or strategy.

6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

6.3. Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the items will be required when development is proposed, or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

10. Has the planning proposal adequately addressed any social and economic effects?

Yes. The heritage assessments measured five properties against the criteria for 'cultural significance' as defined in the *Australia ICOMOS Burra Charter*, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that these five sites meet a number of heritage criteria at a local level. While the planning proposal does not have any direct economic effect, it has some social impact for the local community that appreciates and enjoys local heritage in Woollahra.

6.4. State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

Yes. The planning proposal involves the local heritage listing of five sites and does not involve amendments to the planning controls that will facilitate intensified development.

Currently, both properties have access to adequate public infrastructure such as water, sewer, electricity and telephone services.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the site are suitable for the proposal of a local heritage listing in a residential zone.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Should the planning proposal proceed to public exhibition, consultation with the relevant public authorities will be carried out. These authorities will include, but are not limited to:

- Heritage NSW
- The National Trust of Australia (NSW).

Further consultation will take place with any other authorities identified by the Gateway Determination.

7. Mapping

The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Maps (Sheets 8500_COM_HER_004, 8500_COM_HER_002, 8500_COM_HER_003D, 8500_COM_HER_003A and 8500_COM_HER_005) by applying an “Item-General” classification to the following sites:

	Item	Address	Lot/DP
1	<i>Monument to Robert Watson</i> , including sandstone tablet, carvings and setting	22 Military Rd, Watsons Bay, Robertson Park	Part of Lot 7093 DP 1074769
2	<i>Hampden Lodge</i> , including interiors and garage	12 Hampden Avenue, Darling Point	Lot 1 DP 1184885
3	House, including interiors and gardens	43 Latimer Road, Bellevue Hill	Lot A DP 312687, Lot A DP 318717, Lot 1 DP 131019
4	House, including interiors	56 Wallaroy Road Woollahra	Lot 3 DP 17153
5	Wrought iron gate and brick posts	28A Wentworth Road, Vacluse	Part of Lot 2 DP 531931

An extract of the existing and proposed heritage maps are shown in the following figures. It should be noted that the heritage item numbers as shown are indicative only, and will be subject to confirmation at the finalisation stage

Monument to Robert Watson at Robertson Park, Watsons Bay

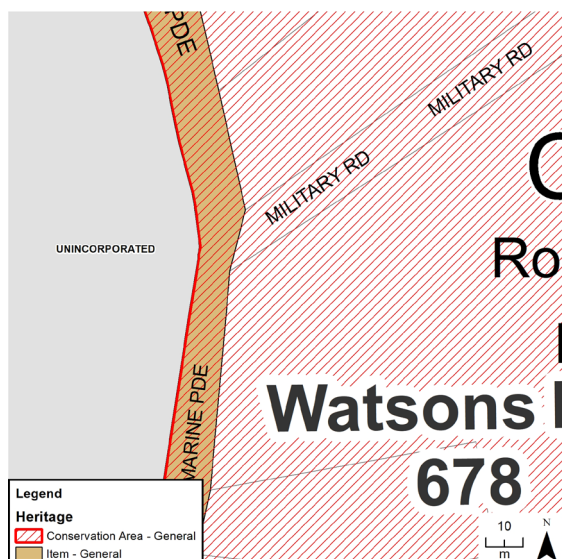


Figure 36 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_004)

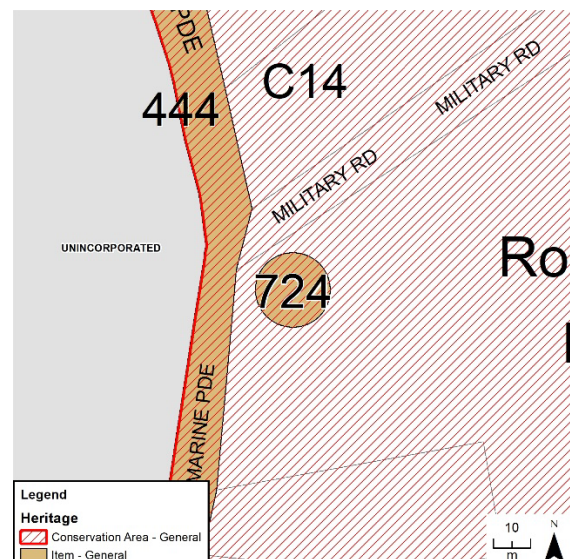


Figure 37 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_004)

Hampden Lodge, 12 Hampden Avenue, Darling Point

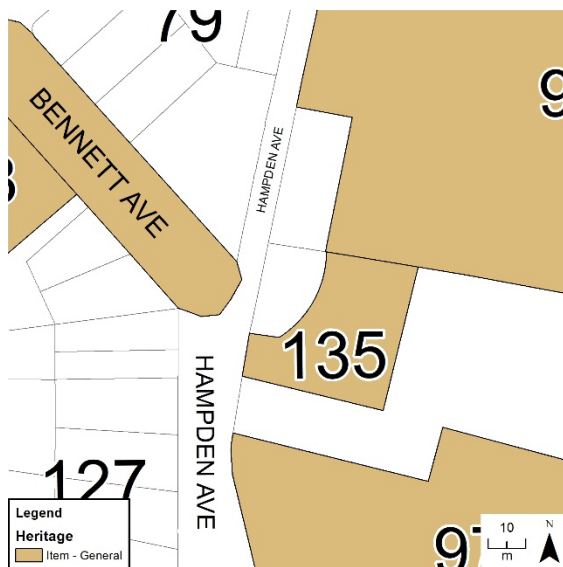


Figure 38 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_002)

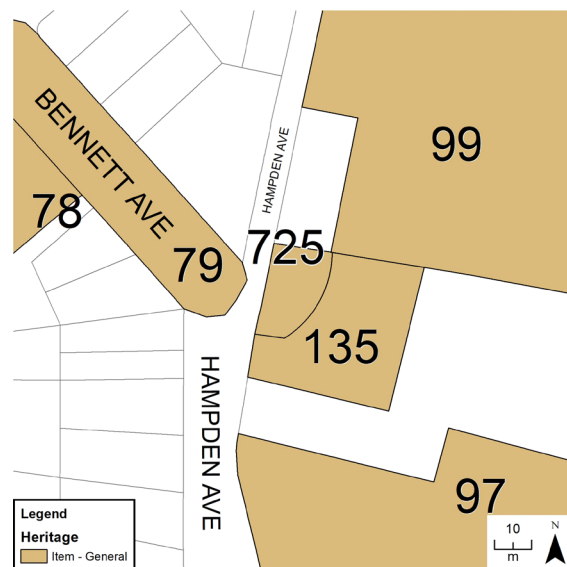


Figure 39 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_002)

43 Latimer Road, Bellevue Hill

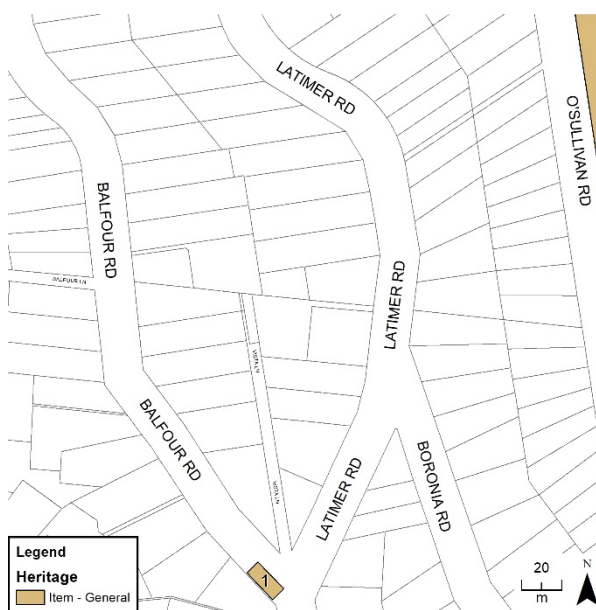


Figure 40 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_003D)

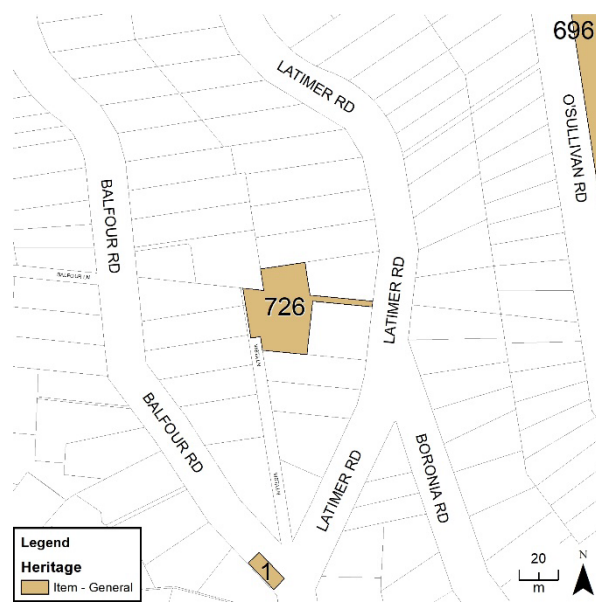


Figure 41 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_003D)

56 Wallaroy Road, Vaucuse

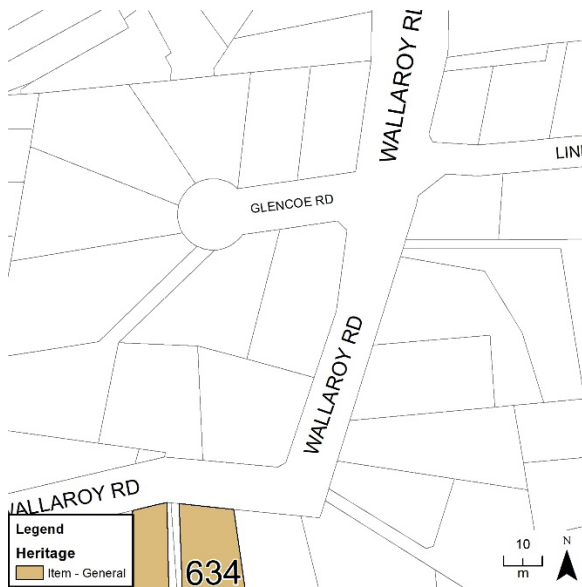


Figure 42 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_003A)

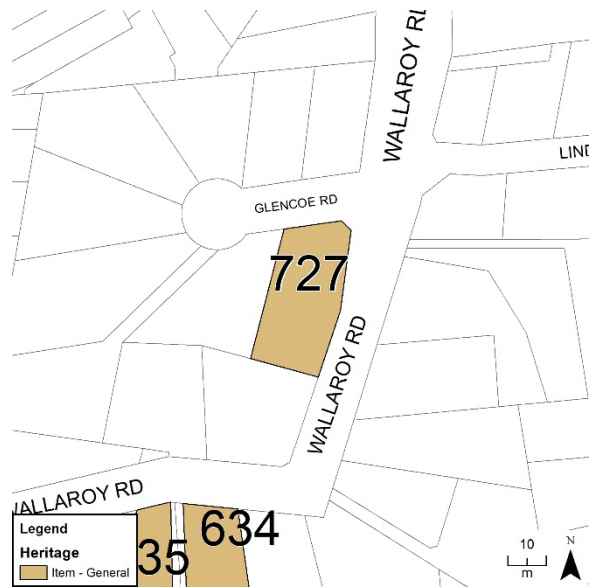


Figure 43 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_003A)

Wrought Iron Gate and Brick Posts at 28A Wentworth Road, Vaucuse

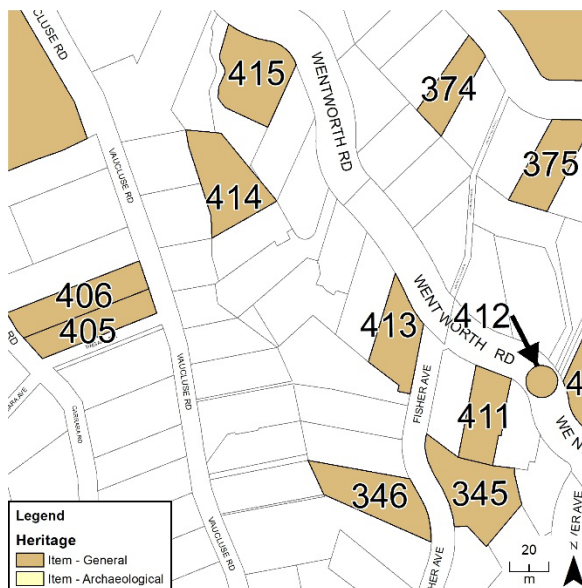


Figure 44 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_005)



Figure 45 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500_HER_COM_005)

8. Community consultation

Public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2021*. It will also have regard to the other relevant plans and guidelines including the *Community Participation Plan 2019*, the *Local Environmental Plan Making Guideline* (2021) and any conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period, when a hardcopy version of that newspaper is being published.
- a notice on Council's website.
- a letter to land owners in the vicinity of each site, which will include every landowner in the Centre.
- notice to local community, resident and business groups such as the Woollahra History and Heritage Society, the Darling Point Society, the Vaucluse Progress Association and the Watsons Bay Association.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- the planning proposal, in the form approved by the gateway determination.
- the Gateway determination.
- information relied upon by the planning proposal (such as relevant Council reports).
- Woollahra LEP 2014.
- Section 9.1 Directions.

9. Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Environmental Planning Committee recommends proceeding	4 October 2022
Council resolution to proceed	24 October 2022
Gateway determination	12 December 2022
Completion of technical assessment	Usually none required
Government agency consultation	February 2023 to March 2023
Public exhibition period	Same time as agency consultation
Submissions assessment	March 2023
Council assessment of planning proposal post exhibition	April 2023
Council decision to make the LEP amendment	April 2023
Council to liaise with Parliamentary Counsel to prepare LEP amendment	June 2023
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	July 2023
Notification of the approved LEP	August 2023

Schedules

Schedule 1 – Consistency with State Environmental Planning Policies (SEPPs)

State environmental planning policy	Comment on consistency
SEPP (Biodiversity and Conservation) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Industry and Employment) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No.65 – Design Quality of Residential Apartment Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Planning Systems) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Applicable There are currently no identified state significant precincts located in the Woollahra LGA.

State environmental planning policy	Comment on consistency
SEPP (Precincts – Regional) 2021	Not applicable.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resilience and Hazards) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resources and Energy) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Transport and Infrastructure) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

Schedule 2 – Compliance with section 9.1 directions

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
1	Planning systems	
1.1	Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 13: Environmental Heritage is identified, conserved and enhanced. The heritage listing of these five properties will provide ongoing protection of the heritage significance of these items. Refer to Schedule 1 of this report.
1.2	Development of Aboriginal Land Council land	Not applicable. This planning proposal does not affect Aboriginal Land Council Land.
1.3	Approval and referral requirements	The planning proposal seeks to heritage list five properties in the Woollahra Local Government Area. This is not expected to require any additional approval or referral requirements. The planning proposal is consistent with this direction.
1.4	Site specific provisions	The planning proposal does not contain any unnecessarily restrictive site specific planning controls. The planning proposal is consistent with the direction
1	Planning systems – place based	
1.5 – 1.17	Implementation Plans	Not applicable. These plans do not apply to the Woollahra LGA.
2	Design and place	
3	Biodiversity and conservation	
3.1	Conservation zones	Applicable and consistent. The planning proposal will not affect the conservation standards of any environmentally sensitive land.
3.2	Heritage conservation	Applicable and consistent. The planning proposal will not affect the significance of places with environmental heritage. Heritage listing of five properties in Woollahra will provide ongoing protection and recognition of the heritage significance of these properties.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
3.3	Sydney drinking water catchments	Not applicable. This direction does not apply to the Woollahra LGA.
3.4	Application of C2 and C3 zones and environmental overlays in Far North Coast LEPs	Not applicable. This direction does not apply to the Woollahra LGA.
3.5	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.
4	Resilience and hazards	
4.1	Flooding	Applicable and consistent. The planning proposal will not rezone flood liable land or affect the application of controls that ensure that development on flood liable land will not result in risk to life or damage to property. The planning proposal is consistent with the direction.
4.2	Coastal management	Not applicable. The planning proposal will not affect land in a coastal zone.
4.3	Planning for bushfire protection	Not applicable. The planning proposal will not affect bushfire prone land.
4.4	Remediation of contaminated land	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to this direction.
4.5	Acid sulfate soils	Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.
4.6	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
5	Transport and infrastructure	
5.1	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> • <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and • <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
5.2	Reserving land for public purposes	The planning proposal does not amend reservations of land for public purposes. The planning proposal is consistent with the direction
5.3	Development near regulated airport and defence airfields	Applicable and consistent. The planning proposal does not contain a provision which is contrary to this direction.
5.4	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
6	Housing	
6.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction
6.2	Caravan parks and manufactured home estates	The planning proposal will not affect any caravan parks or manufactured housing estates.
7	Industry and employment	
7.1	Business and industrial zones	Not applicable. The direction does not apply where sites are zoned for business or industry
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable. This direction does not apply to the Woollahra LGA.
7.3	Commercial and retail development along the Pacific Highway, North Coast	Not applicable. This direction does not apply to the Woollahra LGA.
8	Resources and energy	
8.1	Mining, petroleum production and extractive industries	Not applicable. This planning proposal will not affect any of the nominated activities.
9	Primary production	
9.1	Rural zones	Not applicable. This planning proposal will not affect any rural zones.
9.2	Rural lands	Not applicable. This planning proposal will not affect any rural lands.
9.3	Oyster aquaculture	Not applicable. This planning proposal will not affect any Priority Oyster Aquaculture Areas.

**Planning proposal –
Compliance with section 9.1 directions**

Direction		Applicable/comment
9.4	Farmland of state and regional significance on the NSW Far North Coast	Not applicable. This direction does not apply to the Woollahra LGA.