



Woollahra Local Planning Panel (Public Meeting)

Thursday 19 September 2024
1.00pm

Agenda

Woollahra Local Planning Panel (Public Meetings):

Woollahra Council will be holding Woollahra Local Planning Panel (WLPP) meetings using conferencing technology.

The Chair of the Panel, members of the Panel and staff will be participating in meetings in person and members of the public may attend via audio-visual link instead of attending in person.

In response to the Directive issued by the Minister for Planning & Public Spaces on 30 June 2020, the Woollahra Local Planning Panel was required to change the way applications are considered from 1 August 2020.

In this regard, the applications listed on this Agenda will be considered at a public meeting by the Panel.

Members of the public are invited to listen to meetings using conferencing technology or address the AAP meeting by conferencing technology. Public participation will be managed in accordance with meeting procedures.

- **To watch the meeting live or listen to the meeting live at 1.00pm**
Visit Council's website at 1.00pm and watch live via the following link:
<https://www.youtube.com/@woollahracouncil5355/streams>
- **To request to address the Panel (pre-register by 12noon the day before the meeting)**
Pre-register to listen to the meeting live or request to address the Panel by 12noon the day before the meeting by using the relevant registration form on Council's website - <http://www.woollahra.nsw.gov.au>
- **To submit late correspondence (submit by 12noon the day before the meeting)**
Members of the public may submit late correspondence on an agenda item being considered at a Panel Meeting. If you wish to make a written submission on an item on the Agenda, please email your submission to records@woollahra.nsw.gov.au by 12noon on the day before the meeting.

Once registered you will be forwarded information on how to join the meeting via email.

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

Outline of Meeting Protocol & Procedure:

- The Chair will call the Meeting to order and ask the Panel/Staff to present apologies and/or late correspondence.
- The Chair will commence the Order of Business as shown in the Index to the Agenda.
- To register to speak at the meeting, you should register using the appropriate 'Register to address the Panel Application Form' as available on Council's website at: www.woollahra.nsw.gov.au by **12noon on the day before the meeting**.
- Members of the Public who have pre-registered to listen or speak at a meeting will be sent an email with the audio-visual link prior to the meeting. Please **do not** share the audio-visual link with any third party/ies.
- Members of the Public who have pre-registered to speak will be allowed three (3) minutes in which to address the Panel, one (1) warning bell will be rung at the conclusion of two (2) minutes and two (2) warning bells rung at the conclusion of three (3) minutes. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (e.g. applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allocated three (3) minutes, the speaker takes no further part in the debate unless specifically called to do so by the Chair.
- If there is more than one (1) person wishing to address the Panel from the same side of the debate, the Chair will request that where possible a spokesperson be nominated to represent the parties.
- After considering any submissions the Panel will debate the matter (if necessary) in closed session, and arrive at a resolution.
- Minutes of the Woollahra Local Planning Panel (Public Meeting) will be posted to Council's website once finalised.

Disclaimer:

By speaking at the Woollahra Local Planning Panel (WLPP) Meeting members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website. Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council meeting.

Any part of the meeting that is held in closed session will not be recorded.

People connecting to this meeting by conferencing technology are reminded that under the *Local Government Act 1993*, the recording of meetings by a member of the public using any electronic recording device including a mobile phone or video camera is not permitted. Any person found recording without the permission of Council may be expelled from the meeting.

The recording of each meeting will be retained on Council's website for a minimum period of 6 months. After that period has passed, recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

For further information please visit www.woollahra.nsw.gov.au

Woollahra Local Planning Panel Membership:

1 Chair, 2 Experts and 1 Community Representative

Quorum:

3 Panel members

Woollahra Municipal Council

Notice of Meeting

11 September 2024

To: Woollahra Local Planning Panel Members
Chair
Experts
Community Representative

Dear Panel Members,

Woollahra Local Planning Panel (Public Meeting) – 19 September 2024

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Woollahra Local Planning Panel (Public Meeting)** meeting to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Thursday 19 September 2024 at 1.00pm.**

Members of the public may:

- Register to address the meeting by **no later than 12 noon on the day before the meeting.** using the following Register to Speak Form
<https://www.woollahra.nsw.gov.au/files/assets/public/v/3/forms/registration-form-to-address-planning-panels.pdf>.
- Submit late correspondence for consideration by the Panel by emailing records@woollahra.nsw.gov.au by **no later than 12 noon on the day before the meeting.**
- Watch and listen to the meeting live via Council's website **from 1.00pm on the day of the meeting:**
https://www.woollahra.nsw.gov.au/council/meetings_and_committees/planning_panels/woollahra_local_planning_panel_wlpp/wlpp_agendas_audio_recordings_and_minutes

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Regards,

Craig Swift-McNair
General Manager

Woollahra Local Planning Panel (Public Meeting)

Agenda

Item	Subject	Page
1	Opening	
2	Acknowledgement of Country (Gadigal People and Birrabirragal People)	
3	Leave of Absence and Apologies	
4	Disclosures of Interest	

Items to be Decided by the Panel

D1	Planning Proposal - Amendment to the heritage listing for 83 Fitzwilliam Road, Vaucluse - 24/1549627 *See Recommendation Page 7
D2	DA226/2023/1 - 11A Burrabirra Avenue Vaucluse - 24/162651127 *See Recommendation Page 151

Item No:	D1
Subject:	PLANNING PROPOSAL - AMENDMENT TO THE HERITAGE LISTING FOR 83 FITZWILLIAM ROAD, VAUCLUSE
Authors:	Eleanor Banaag, Senior Strategic Heritage Officer Kristy Wellfare, Team Leader Heritage
Approver:	Anne White, Manager Strategic Planning & Place
File No:	24/154962
Purpose of the Report:	To seek the advice of the Woollahra Local Planning Panel in relation to a planning proposal to amend the local heritage listing for item I357 "Remains of Vacluse Point ferry wharf" at 83 Fitzwilliam Road, Vacluse to include the dwelling on the site.
Alignment to Delivery Program:	Strategy 4.2: Conserving our rich and diverse heritage.

Recommendation:

THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to include the dwelling at 83 Fitzwilliam Road, Vacluse (LOT: 100 DP: 1304245) on the existing listing for I357 "Remains of Vacluse Point ferry wharf", in Schedule 5 of the Woollahra Environmental Plan 2014.

Executive Summary:

The purpose of this report is to seek the advice of the Woollahra Local Planning Panel (Woollahra LPP) on listing the dwelling at 83 Fitzwilliam Road, Vacluse (LOT: 100 DP: 1304245) as part of an existing local heritage item (item I357, "Remains of Vacluse Point ferry wharf") in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014):

We recommend that the Woollahra LPP provides advice to Council to proceed with the planning proposal at **Attachment 1**.

Discussion:

Reason for report to the Woollahra Local Planning Panel

On 27 September 2018, the Minister for Planning issued a Local Planning Panel Direction – Planning Proposals:

1. A Council to whom this direction applies is required to refer all planning proposals to be prepared after 1 June 2018 to the local planning panel for advice, unless the council's general manager determines that the planning proposal relates to:
 - a) the correction of an obvious error in a local environmental plan
 - b) matters that are of a consequential, transitional, machinery or other minor nature, or
 - c) matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.
2. When a planning proposal is referred to the panel, it must be accompanied by an assessment report prepared by council staff setting out recommendations, including whether or not the planning proposal should proceed.
3. A proposal is to be referred to the local planning panel before it is forwarded to the Minister under section 3.34 of the Environmental Planning and Assessment Act 1979 (the Act).

In this case, the planning proposal is required to be referred to the Woollahra LPP because the General Manager has not made a determination in regard to items 1 (a), (b) or (c), above.

The subject site

The subject site is 83 Fitzwilliam Road, Vaucluse. It is legally identified as the following lots:

- Lots 1 and 2, DP 346850;
- Lots 1, 2 and 3, DP 430595;
- Lot 100, DP 1304245 – Note that this allotment contains the dwelling, and is a consolidation of Lot 1, DP 1109931 and Lot 1, DP 188299 registered 27 May 2024).

The dwelling on the site is colloquially known as “Point Seymour” and historically was constructed as a Victorian style terrace shop in 1916 until it was extended and modified into a dwelling in the interwar cruiseliner (P&O) style in the 1930s.

The subject site is located at the northern end of Vaucluse Point, at the tip of Fitzwilliam Road, which ends at a cul-de-sac at 83 Fitzwilliam Road. From the street, there is a long driveway behind a private entrance gate through the site, wrapping around the western side of the dwelling towards the landscaped waterfront garden area.

The dwelling on the site is a landmark in the local area due to its eye-catching stark white curved form located at the tip of Vaucluse Point. At this position, the dwelling is visible from many other vantage points in the harbour including the popular Parsley Bay, Watsons Bay and Green Point Reserve. The dwelling is a two-storey rendered brick structure with a distinctive trefoil curved façade containing deep verandahs that face the harbour. At the rear of the structure is a taller, vertical tower element containing the entry door and stairwell. The verticality of this element is accentuated with vertical geometric glass brick windows.

The surrounding area is characterised by large single dwellings from the early twentieth century to the present day, on substantial lots. Parsley Bay Reserve and Beach are located to the east of Fitzwilliam Road, with clear views to the site throughout Parsley Bay Reserve, from the beach, the public boat ramp and from the heritage-listed footbridge that traverses the Bay.

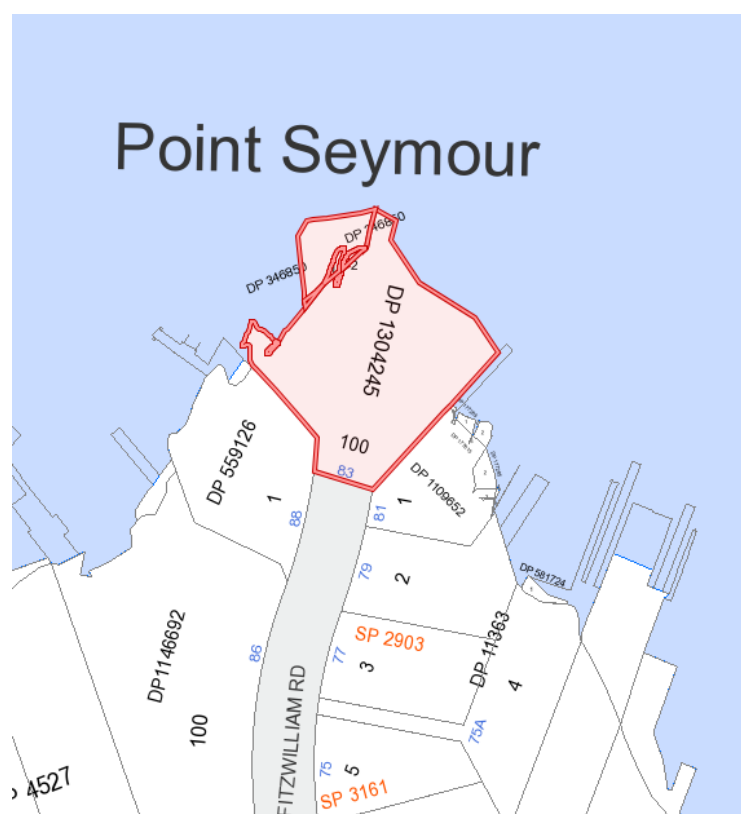


Figure 1: Current cadastral map, with 83 Fitzwilliam Road, Vaucluse (highlighted red). (Source: Woollahra MAPS, 2024)

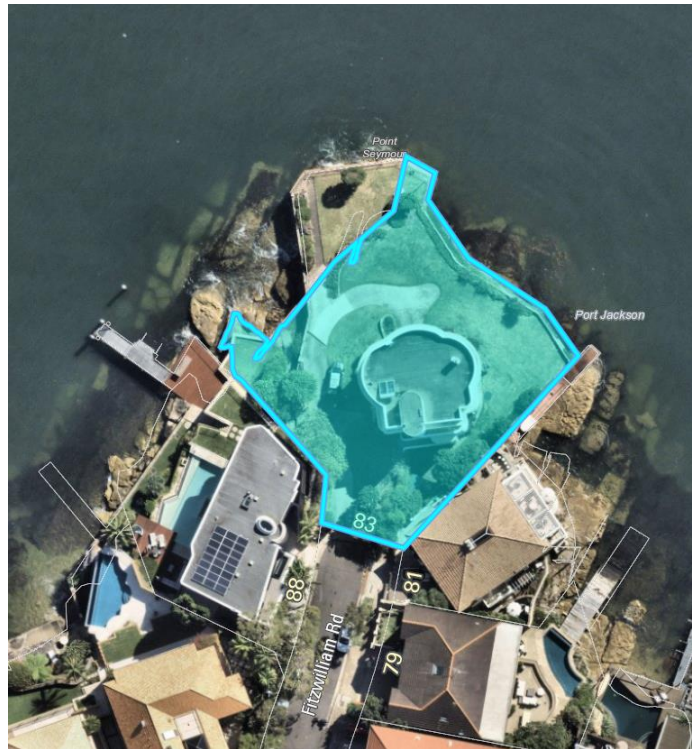


Figure 2: Aerial photo of 83 Fitzwilliam Road, Vacluse as at 7 April 2024. LOT: 100 DP: 1304245 (highlighted in blue) is the lot containing the dwelling (Source: Woollahra MAPS, 2024)

Existing heritage status

Lots comprising 83 Fitzwilliam Road are listed on the Woollahra LEP 2014 as Item I357, “Remains of Vacluse Point ferry wharf”. While the entirety of the site is mapped as a heritage item, it was interpreted by Council staff that the “item” as a distinct element of significance, is limited to the ferry wharf remnants and excluded the extant dwelling on the site. A heritage study undertaken on the dwelling by Lisa Trueman Heritage Advisor was received by Council in February 2024. The study identified the potential significance of the dwelling, and that the current heritage listing being limited to the wharf remains may not appropriately cover all elements of significance on the site.

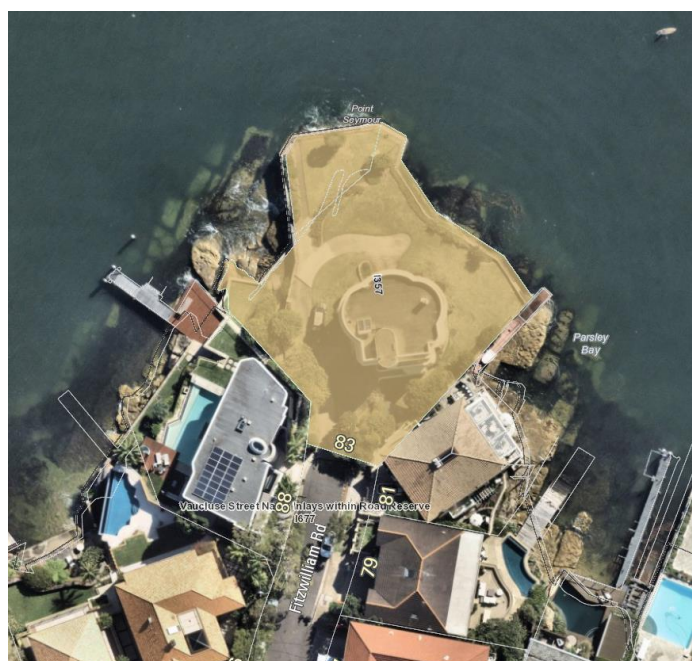


Figure 3: Aerial photo of 83 Fitzwilliam Road, Vacluse. LOT: 100 DP: 1304245 is highlighted in brown, indicating heritage listing and number, I357 (Source: Woollahra MAPS, 2024)

Interim Heritage Order (IHO)

On 10 June 2023, a Complying Development Certificate (CD 2024/64/1) (CDC) was issued for internal and external alterations to the dwelling at 83 Fitzwilliam Road, Vaucluse. The CDC was informed by a heritage report commissioned by the owner whose findings were that the dwelling had lost any association with the historic ferry wharf onsite, and despite having landmark qualities did not meet the criteria for individual heritage listing.

Council's heritage officers undertook a preliminary heritage assessment with regards to the building only. The staff assessment was prepared consistent with the NSW Department of Planning and Environment's guidelines, *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW Criteria (2023)*. It concluded that the dwelling at 83 Fitzwilliam Road was likely to have heritage significance and meet the threshold for local heritage listing. Council's heritage officers considered that the scope of work in the CDC posed a risk to the potential significance of the dwelling. For these reasons, Council used its delegation under Section 25 of the *Heritage Act 1977* to make an Interim Heritage Order (IHO) to protect the potential heritage item from harm and allow Council to undertake a formal heritage assessment for the dwelling.

In accordance with the Ministerial Order authorising local councils to make Interim Heritage Orders published in the NSW Gazette on 12 July 2013, an IHO can be made if, among other things, the following pre-conditions are in place:

“(1)(b) it has considered a preliminary heritage assessment of the item prepared by a person with appropriate heritage knowledge, skills and experience employed or retained by the Council and considers that:

- (i) The item is or is likely to be found, on further inquiry and investigation, to be of local heritage significance;*
- (ii) The item is being or is likely to be harmed;*
- (iii) The IHO is confined to the item determined to be under threat.”*

The Order also specifically states in Schedule 2 (2) that “A council must not make an IHO where: (a) the item is listed on: (i) an environmental planning instrument as an item of environmental heritage”. Council sought legal advice regarding whether the existing heritage listing on the site included the dwelling house the subject of the CDC and thus precluded Council from exercising the power to make an IHO on the site. The legal advice received from Council's solicitors indicated that Council was empowered to issue an IHO on the dwelling due to the listing not specifically including the dwelling house in its description.

The Director of Planning & Place authorised the making of an IHO (IHO No. 11) and this was published in the NSW Government Gazette, 28 June 2024. The IHO is currently the subject of Class 1 appeal proceedings in the Land and Environment Court.

Subject to the outcome of the Class 1 appeal, the IHO will remain in place for an initial period of six months which gives Council the opportunity to fully assess the heritage significance of the building and identify whether the building should be listed as a State and/or local heritage item. If within these six months Council resolves to proceed with the listing of the item, the order remains in place for an additional six months.

Assessment of Significance

In July 2024, Council staff engaged GML Heritage to undertake a further independent heritage assessment of the dwelling using the Heritage NSW significance assessment guidelines and criteria. Rebecca Hawcroft at GML Heritage is a well-known expert in the interwar and modern movement periods and has published widely on heritage and architectural history. She is the current deputy editor of *Historic Environment*, the academic journal of Australia ICOMOS.

As part of the heritage assessment, GML and Council's Senior Strategic Heritage Officer attended the site for an internal site inspection on 30 July 2024.

The property was assessed against the seven criteria in the guidelines (see **Table 1** below). Each criterion includes 'significance indicator' and 'significance threshold' 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.

Table 1: NSW Heritage assessment criteria summary

Criteria		
(a)	Historic 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)
(b)	Historical association	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)
(c)	Aesthetic/creative/technical achievement	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
(d)	Social, cultural and spiritual 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
(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)
(f)	Rare	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)
(g)	Representative	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> • 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.

GML provided Council with a heritage assessment in September 2024 (**Attachment 2**), which concluded that the dwelling at 83 Fitzwilliam Road Vacluse, also known as "Point Seymour", notwithstanding the work that had been approved as part of the CDC, meets the threshold of significance at local level under five of the seven criteria as outlined below:

- Criterion A (historic significance)
 - Demonstrates an important period in the history of Woollahra including the subdivision of the Vacluse Estate and the development of a ferry service.
 - Associated with important broader historical phases including the development of maritime transport within Sydney Harbour and the expansion of visitors to Parsley Bay and the local area.
- Criterion C (aesthetic significance) and Criterion D (social significance)
 - Recognised as a landmark – highly regarded and recognised as a key landmark in the physical environment due to its prominent siting, setting, landscaping and design; and
 - Important as a place of symbolic meaning and community identity.
- Criterion E (research potential) – the subject site has research potential in that it:
 - Is part of a group of significant sites associated with nineteenth and twentieth century water-based transport and recreation on Sydney Harbour and is able to yield information about this group as a whole.

- Criterion G (Representative)—The subject site is a good representative example of:
 - A former harbour ferry wharf that can be seen as a cultural landscape reflecting the late nineteenth and early twentieth century history of harbour based transport in the area and the wider network of similar former ferry wharf sites including tea rooms and associated facilities.
 - Functionalist architecture within the Woollahra LGA, of which few examples are heritage listed.

The Heritage Assessment Report recommends that the details for heritage item I357 as per the *Woollahra LEP 2014* Schedule 5 should be updated to include the dwelling, in order to reflect the significance of the site overall. As an administrative task, and subject to endorsement, Council staff will update the existing heritage inventory sheet for the local heritage item (I357) to include the information in the Heritage Assessment Report, including an assessment against all criteria.

Planning Proposal

Consistent with the recommendations of the Heritage Assessment report, a planning proposal has been prepared that details an amendment to the existing listing for item I357 “Remains of Vaucluse Point ferry wharf” at 83 Fitzwilliam Road, Vaucluse in the *Woollahra LEP 2014*.

The amendment will involve two changes to heritage item I357 on the *Woollahra LEP 2014 Schedule 5 Part 1*. It proposes to change the item name to “Vaucluse Point Ferry Wharf – remnants of wharf, and dwelling/former shop and landscape elements”. It also proposes to update the Property Description with the correct Lot and DPs following the consolidation of lots on 27 May 2024.

The *Woollahra LEP 2014* Heritage Map (HER_004) currently encompasses the dwelling within its mapped curtilage. Therefore, there are no proposed changes in the Planning Proposal on the Heritage Map.

The proposed amendments are shown below:

I357	Existing details	Proposed amendments
Item Name	“Remains of Vaucluse Point ferry wharf”	“Vaucluse Point Ferry Wharf – remnants of wharf, and dwelling/former shop and landscape elements”
Property description	Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; Lot 1, DP 188299; Lot 1, DP 1109931	Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; LOT 100, DP 1304245

The planning proposal has been prepared in accordance with section 3.33 of the *NSW Environment Planning and Assessment Act 1979* and the document prepared by the NSW Department of Planning and Environment titled *Local Environmental Plan Making* (December 2021).

The planning proposal (at **Attachment 1**) satisfies the requirements of section 3.33 of the Act as it includes:

- A statement of the objectives or intended outcome of the amendment to *Woollahra LEP 2014*.
- An explanation of the provisions that are to be included in the amendment to *Woollahra LEP 2014*.
- The justification for the objectives, outcomes and provisions and the process for their implementation.
- Details of the community consultation that is to be undertaken.

Objective of the planning proposal

The objective of the amendment to Woollahra LEP 2014 is to recognise the heritage significance of dwelling at 83 Fitzwilliam Road, Vaocluse, through including details of the dwelling, and corrected Lot and DP, on the existing listing for Item I357.

There would be no changes to the address, or significance level as the existing details continue to be relevant and accurate.

Heritage listing aims to provide the ongoing protection and recognition of the heritage significance of various elements across the whole site.

Relationship to strategic planning framework

The planning proposal has strategic and site specific merit. The planning proposal is consistent with the relevant objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the actions of the *Eastern City District Plan* (2018).

The planning proposal is consistent with the Council's Community Strategic Plan titled *Our Woollahra 2030: Our community, our place, our plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well-planned neighbourhood) under the theme Quality places and spaces:

- 4.3 Protect local heritage, including significant architecture and the natural environment.

The planning proposal is also consistent with the Woollahra Local Strategic Planning Statement (approved by Council on 24 February 2020). In particular, the planning proposal is consistent with Planning Priority 5 under the theme of Liveability:

- Planning Priority 5 Conserving our rich and diverse heritage.

The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State environmental planning policies and applicable section 9.1 directions.

Options:

As a consequence of this report, the Woollahra LPP may provide advice to Council to proceed with a planning proposal to amend the existing listing on the Woollahra LEP 2014, Schedule 5, Part 1, Item I357.

Alternatively, the Woollahra LPP may provide advice not to support the preparation of a planning proposal or recommend staff make amendments.

Community Engagement and / or Internal Consultation:

On Friday 28 June 2024, on the day of the gazettal of the IHO, Council staff delivered a letter to 83 Fitzwilliam Road, Vaocluse, addressed to the registered owner of the property, informing them that an IHO was published in the NSW Government Gazette, including a copy of the gazette notification. Subsequent to this, the same letter was handed to a representative of the owner at a site visit on Monday 1 July 2024.

No other community engagement has been undertaken to date. Public exhibition of the planning proposal will be undertaken in due course and in accordance with the Gateway Determination conditions and the *NSW Environment Planning and Assessment Act 1979*.

Policy Implications:

Should Council resolve to progress a planning proposal (having considered the advice of the Woollahra LPP), and should the planning proposal progress to finalisation, there will be policy implications by making amendments to the existing heritage listing for the property to include the dwelling on the site.

Financial Implications:

As the assessment has been prepared by an independent external consultant, there are financial implications. However, these are considered appropriate considering the specialist nature of the heritage assessment required.



Resourcing Implications:

Should Council resolve to progress a planning proposal staff resources will be associated with progressing the matter including managing the public exhibition process and preparing a post exhibition report to a meeting of Council.

Conclusion:

This report seeks the advice of the Woollahra LPP on a planning proposal to make amendments to the existing listing for “Remains of Vacluse Point Ferry Wharf”, Item I357 on the Woollahra LEP 2014. The amendment would involve renaming the heritage item to “Vacluse Point Ferry Wharf – remnants of wharf, and dwelling/former shop and landscape elements”, and updating the property description with the correct Lot and DPs following the consolidation of lots containing the dwelling. Council staff recommend that the Woollahra LPP provides advice to Council to proceed with the planning proposal at **Attachment 1**.

Attachments

1. Planning Proposal - Local Heritage Listing - 83 Fitzwilliam Road, Vacluse - September 2024 [!\[\]\(0e1ff9e7d838def2bf6dbccc7af86e56_img.jpg\)](#) 
2. 'Point Seymour', 83 Fitzwilliam Road Vacluse, Draft Heritage Assessment Report - September 2024 [!\[\]\(8656d6a83af0f8e5d736c949169854e8_img.jpg\)](#) 



Local Heritage Listing: 83 Fitzwilliam Road, Vaucluse



Version Date:	September 2024
Division/Department:	Strategic Planning
Responsible Officer:	Eleanor Banaag – Senior Strategic Heritage Officer
HPE CM Record Number:	24/161620

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: 83 Fitzwilliam Road, Vaucluse. Source: Woollahra Council

TABLE OF CONTENTS

1. Introduction	5
1.1. Summary.....	5
1.2. Background	5
1.3. Heritage Assessment	6
1.4. Statement of Heritage Significance.....	10
1.5. Description of this planning proposal	11
2. Existing site and surrounding context.....	12
2.1. Site Description	12
3. Existing planning controls.....	20
3.1. Woollahra Local Environmental Plan 2014	20
3.2. Woollahra Development Control Plan 2015	21
4. Objectives of planning proposal	22
5. Explanation of provisions.....	22
6. Justification	23
6.1. Need for planning proposal.....	23
6.2. Relationship to strategic planning framework	23
6.3. Environmental, social and economic impact	25
6.4. State and Commonwealth interests	26
7. Mapping	27
8. Community consultation.....	28
8.1. Stakeholder pre-engagement	28
8.2. Public Exhibition	28
9. Project timeline.....	29
Schedules.....	30
Schedule 1 – Consistency with State Environmental Planning Policies (SEPPs)	30
Schedule 2 – Compliance with section 9.1 directions (Directions by the Minister) under the EP&A Act	32

Supporting documents (circulated separately)

- **Heritage Assessment: Point Seymour, 83 Fitzwilliam Road Vaucluse (September 2024)**

1. Introduction

1.1. Summary

This planning proposal seeks to amend the details of heritage item I357, at 83 Fitzwilliam Road Vacluse, listed on the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), Schedule 5, Part 1 (Environmental heritage) to include the dwelling on the site in the heritage listing.

The site at 83 Fitzwilliam Road Vacluse is currently affected by a local heritage listing, item I357, “Remains of the Vacluse Point Ferry Wharf”. Following a heritage assessment that identified that the dwelling on the site has heritage significance for its historical, aesthetic, social, research potential, and rarity values, Council proposes to amend the listing for the ferry wharf to explicitly include the existing dwelling on the site. The proposed amendment will involve a name change to the heritage item to “Vacluse Point Ferry Wharf” – remnants of wharf, dwelling/former shop, and landscape elements”.

1.2. Background

The heritage item on the site of 83 Fitzwilliam Road is of local significance and is described in the State Heritage Inventory as follows:

“A rectangular projection of the waterfront retained by a large stone seawall. As access is through private property, a detailed inspection was not possible. There are hedges and ornamental plants on the surface of the reclaimed land. Deviation from style.”

While the entirety of the site is mapped as a heritage item, it was interpreted that the heritage “item”, as a distinct element of significance, is limited to the ferry wharf remnants and excluded the extant dwelling on the site. Previous studies undertaken on the dwelling had identified the potential significance of the dwelling, and that the current heritage listing limited to the wharf remains may not have covered all elements of significance on the site, such as the dwelling.

On 10 June 2024, a Complying Development Certificate (CD 2024/64/1) (CDC) was issued for internal and external alterations to the dwelling at 83 Fitzwilliam Road, Vacluse. The CDC was informed by a heritage report commissioned by the owner whose findings were that the dwelling had lost any association with the historic ferry wharf onsite, and despite having landmark qualities, the dwelling did not meet the criteria for individual heritage listing.

Council’s heritage officers undertook a preliminary heritage assessment with regards to the building only. Our assessment used the NSW Department of Planning and Environment’s guidelines, *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW Criteria (2023)*. It concluded that the dwelling at 83 Fitzwilliam Road was likely to have heritage significance and meet the threshold for local heritage listing. Council’s heritage officers considered that the scope of demolition in the CDC posed a risk to the potential significance of the dwelling. For these reasons, Council used its delegation under Section 25 of the *Heritage Act 1977* to make an Interim Heritage Order (IHO) to protect the potential heritage item from harm and allow Council to undertake a formal heritage assessment for the dwelling.

The Director of Planning & Place authorised the making of the IHO. The IHO was issued under section 25 of the Heritage Act 1977 (IHO No. 11) and was published in the NSW Government Gazette of 28 June 2024.

The IHO will remain in place for an initial period of six months giving Council the opportunity to fully assess the heritage significance of the building and identify whether the building should be listed as a State and/or local heritage item. If, within these six months, Council resolves to proceed with the listing of the item, the order remains in place for an additional six months.

1.3. Heritage Assessment

GML Heritage were engaged to carry out an assessment of heritage significance of the dwelling at 83 Fitzwilliam Road, Vaucluse in July 2024.

The assessment of heritage significance was undertaken in accordance with Environment and Heritage Group, Department of Planning and Environment publications *Assessing heritage significance* (2023) and *Investigating heritage significance* (2021). There are seven criteria used in the process of assessing heritage significance (see Table 1):

Table 1: NSW Heritage assessment criteria summary

Criteria		
(a)	Historic 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)
(b)	Historical association	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)
(c)	Aesthetic/creative/technical achievement	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
(d)	Social, cultural and spiritual 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
(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)
(f)	Rare	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)
(g)	Representative	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none">• 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 guidelines for examples, indicators and thresholds 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 concluded that in addition to the remains of the former Parsley Bay Ferry Wharf being of local significance, the dwelling on the site is associated with the historical significance of the wharf and therefore the existing heritage listing should be amended to reflect all structures on the site, including the dwelling.

Accordingly, it is recommended that heritage item I357, currently listed on the *Woollahra LEP 2014 Schedule 5*, is amended on the schedule in name, and the property description is corrected to reflect the current Lots and DPs that legally identify the site.

1.3.1. Assessment of Significance – 83 Fitzwilliam Road, Vaucluse

Below is a summary of the assessment of significance, and the Statement of Significance for the site.

Assessment of Significance against the Criteria	
Historical significance Criterion (a)	<p>The subject property, as the site of the former Parsley Bay Wharf, is important in demonstrating the historical development of the local area. The ferry service was historically significant to the local area and was a key part of the early settlement and subdivision of the Vaucluse Estate. The subject property was used for over 30 years, by local residents, day-trippers visiting the local area and played a significant role as a civic and community facility.</p> <p>Remains of this historical function are evidenced at the site in the below water remains of the 1903 and 1915 wharves (demolished), extant reclaimed land, sandstone retaining walls and sea walls, the pathway to the jetty, the site layout and landscaping and the extant dwelling which converted and expanded the original 1916 building. The current structure, including the integration of the shop and refreshment rooms into the dwelling house, reflects these historical uses in its remaining layout and external appearance.</p> <p>Together, the site's structures/landscape elements can be seen to have historic significance as a cultural landscape that demonstrates an important phase in the history of the local area.</p> <p><i>No. 83 Fitzwilliam Road has cultural significance at the local level under this criterion.</i></p>

Assessment of Significance against the Criteria	
Historical association Criterion (b)	<p>Although members of the Bracey family maintained residence at Point Seymour for over 80 years and commissioned the alteration of the shop and residence into the current dwelling, they are not considered to have made an important or notable contribution to the Woollahra local government area. They are, however, significant figures within the context of Lithgow. This historical association and significance is better reflected in the current heritage listings of their houses designed by Spain, Cosh and Dods in Lithgow (I263 and I264, Lithgow LEP 2014).</p> <p>The subject site has historical associations with Oliver Harley, who designed the 1916 shop and residence building and George Thomas who converted it into the extant dwelling in 1939. Both Harley and Thomas are not considered as significant figures nor have they made significant contributions to the local area.</p> <p><i>No. 83 Fitzwilliam Road does not have cultural significance at the local level under this criterion.</i></p>
Aesthetic/creative/technical achievement Criterion (c)	<p>The site can be seen to have landmark presence and distinctive aesthetic characteristics. The Parsley Bay Wharf period resulted in a distinctive arrangement of elements, reclaimed land, sea walls, connecting paths and structure, located on the prominent peninsula site, that remain largely intact and able to be appreciated.</p> <p>The house, which expanded and remodelled the 1916 shop, also demonstrates aesthetic attributes in form and composition. Its distinctive Functionalist/ P&O style design demonstrates architectural innovation of this period including the strong architectural character of the external form, flat roof, use of glass bricks and curved dining room. The house at 83 Fitzwilliam Road can be seen to demonstrate characteristics of Functionalist/ P&O style architecture still rare at its time of construction.</p> <p>Its design, in responding to its location with use of nautical references, has been celebrated in popular culture with its inclusion in media articles and surveys of Art Deco architecture. The aesthetic characteristics of the site, a peninsula with sandstone walled foreshore, flat lawns and prominent three level Functionalist P&O style house on the harbour foreshore, can be seen to make an important streetscape contribution (from land and water) and to have distinctive aesthetic characteristics that are well recognised by the community.</p> <p><i>No. 83 Fitzwilliam Road has cultural significance at the local level under this criterion.</i></p>

Assessment of Significance against the Criteria	
Social, cultural and spiritual significance Criterion (d)	<p>The subject site is a local landmark (known colloquially as 'Wedding Cake House') within the Woollahra LGA. Its prominent siting and distinctive design and form is highly visible from the public domain, on both land and from the water, and contributes to the local area's character.</p> <p>The site retains the appearance of the period when it was a public ferry wharf and shop/refreshment room and is likely to be important in contributing to the local community's sense of identity because of its ability to demonstrate an important aspect of the area's local history.</p> <p>It is noted that a right of way has historically run through the property for public access to the wharves.</p> <p><i>No. 83 Fitzwilliam Road is likely to meet the threshold for heritage listing under this criterion</i></p>
Research potential Criterion (e)	<p>The archaeological significance of this site has not been assessed in this report. The significance relating to the remains of the ferry wharf is already established and reflected in the existing heritage listing and is likely to include areas of maritime archaeological significance.</p> <p>The site is part of a group of significant sites associated with nineteenth and twentieth century water-based transport and recreation on Sydney Harbour. The remnant elements from this period are considered important for their ability to yield information about this group as a whole. The site is also considered able to demonstrate a significant period in the development of Vaucluse and the Woollahra LGA more generally that would contribute to an understanding of the history of the place, in particular the settlement patterns, transport networks and past provision of local services.</p> <p><i>No. 83 Fitzwilliam Road has cultural significance under at the local level under this criterion</i></p>
Rarity Criterion (f)	<p>The site's period of use as the Parsley Bay Wharf is considered important as part of a wider network of other similar water-based transport across Sydney Harbour and is hence not rare.</p> <p>The 1939 house is identified in the comparative analysis as sharing qualities with other houses of this style in the period and is not considered rare.</p> <p><i>No. 83 Fitzwilliam Road does not have cultural significance at the local level under this criterion.</i></p>

Assessment of Significance against the Criteria	
Representativeness Criterion (g)	<p>The subject site is a good representative example of a former harbour ferry wharf and provides evidence of its former use and importance as part of the Sydney ferry network. It is also able to demonstrate these former uses in the range of structures and landscaping that remain on the site, including wharf remains, reclaimed land/sea walls, paths, and former shop and tearoom. The entire site can be seen as a cultural landscape reflecting the late nineteenth and early twentieth century history of harbour based transport in the area and as representative of a wider network of similar sites.</p> <p>The house at 83 Fitzwilliam Road, dating from 1916 with later extensive additions in 1939, is considered to be a good representative example of Functionalist architecture within the Woollahra LGA, of which few examples are heritage listed.</p> <p>No. 83 Fitzwilliam Road has cultural significance at the local level under this criterion.</p>

1.4. Statement of Heritage Significance

Below is the updated Statement of Significance for the subject site. The heritage assessment is separately attached to this planning proposal, see *Point Seymour 83 Fitzwilliam Road, Vacluse Heritage Assessment Report* (September 2024).

1.4.1. Statement of Significance – “Vacluse Point Ferry Wharf” – remnants of wharf, dwelling/former shop, and landscape elements.

The former Vacluse Point Ferry Wharf at 83 Fitzwilliam Road, Vacluse, also known as Point Seymour and the former Parsley Bay Wharf, has historic significance as a key component in the settlement of Vacluse and due to its use for over 30 years by local residents and day-trippers as a transport hub and community facility. Together the site’s layout, structures and landscaping can be seen as a cultural landscape that demonstrates an important phase in the history of the local area.

The site is of aesthetic significance for its landmark presence and distinctive arrangement of elements, reclaimed land, sea walls, connecting paths and structure, located on the prominent peninsula site, that remain largely intact and able to be appreciated. The 1939 house, which expanded and remodelled the 1916 shop, also demonstrates aesthetic attributes in form and composition. Its distinctive Functionalist/ P&O style design demonstrates architectural innovation of this period including the strong architectural character of the external form, flat roof, use of glass bricks and curved dining room.

The aesthetic characteristics of the site, a peninsula with sandstone walled foreshore, flat lawns and prominent three level Inter-war Functionalist P&O style house on the harbour foreshore, make an important streetscape contribution (from land and water) and have distinctive aesthetic characteristics that are well recognised by the community.

The site has representative significance as part of a group of significant sites associated with water-based transport and recreation on Sydney Harbour. The remnant elements from this

period are considered important for their ability to yield information about this group as a whole. The site is also considered able to demonstrate a significant period in the development of Vaucluse and the Woollahra LGA more generally that would contribute to an understanding of the history of the place, in particular the settlement patterns, transport networks and past provision of local services.

1.5. Description of this planning proposal

The objective of this planning proposal is to amend the existing local heritage listing on the Woollahra LEP 2014 for item I357, "Remains of Vaucluse Point ferry wharf", to "Vaucluse Point Ferry Wharf – remnants of wharf, dwelling/former shop, and landscape elements". Amending the heritage listing to include the dwelling will ensure recognition of its significance as part of the site overall, as well as provide statutory protection through ensuring that any future development proposals on the site, including the dwelling, will be 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 NSW Department of Planning and Environment supporting document, *Local Environmental Plan Making Guideline* (August 2023).

2. Existing site and surrounding context

83 Fitzwilliam Road, Vaucluse

The site at 83 Fitzwilliam Road, Vaucluse is legally identified by the following lots:

- Lots 1 and 2, DP: 346850
- Lots 1, 2 and 3, DP: 430595
- Lot: 100 DP: 1304245

The site is listed on the Woollahra LEP 2014 Schedule 5 as item I357 "Remains of Vaucluse Point ferry wharf". The property description according to the Schedule lists the following lots:

- Lots 1 and 2, DP: 346850
- Lots 1, 2 and 3, DP: 430595
- Lot 1, DP 1109931, and
- Lot 1, DP 188299

The latter two allotments were consolidated in May 2024 into Lot 100 DP 1304245.

2.1. Site Description

The site is located at the northern extent of Fitzwilliam Road, Vaucluse. The site is positioned at the tip of a peninsula of land between Vaucluse Bay to the west and Parsley Bay to the east. The prominent position of the site offers expansive views of Watsons Bay and the outer harbour, and in turn, the dwelling is highly visible from the water and various vantage points across Vaucluse and Watsons Bay. Known colloquially as the 'Wedding Cake House', the dwelling can be considered a local landmark.

The immediate context of the subject site, on Fitzwilliam Road, is characterised by large two storey detached dwellings on large allotments, interspersed with interwar residential flat buildings. On-street parking and a variety of plantings, including mature trees, sandstone and brick boundary walls, and garages line the street. At the intersection of Wentworth and Fitzwilliam roads is a locally listed Vaucluse War Memorial and Bus Shelter (I349).

The dwelling sits on an expanse of terraced lawns which include low flowerbeds with sandstone edging and concrete paths which has remained largely unchanged in character since the Parsley Bay Wharf period of the site development. Other features include a flagpole, sundial, and low shrubbery including camellia hedging and two mature frangipani trees. The driveway that extends from Fitzwilliam Road at the south and travels along the property's western boundary is in the location of the road to the Parsley Bay Wharf, clearly demarking this former use. The northern boundary of the property abuts the remains of the Parsley Bay ferry wharf and the sandstone wall forming the reclaimed foreshore. A small part of the property extends into the harbour.



Figure 1: Cadastral map of 83 Fitzwilliam Road Vaucluse with the allotment containing the dwelling in blue. (Source: Woollahra Council GIS Maps)

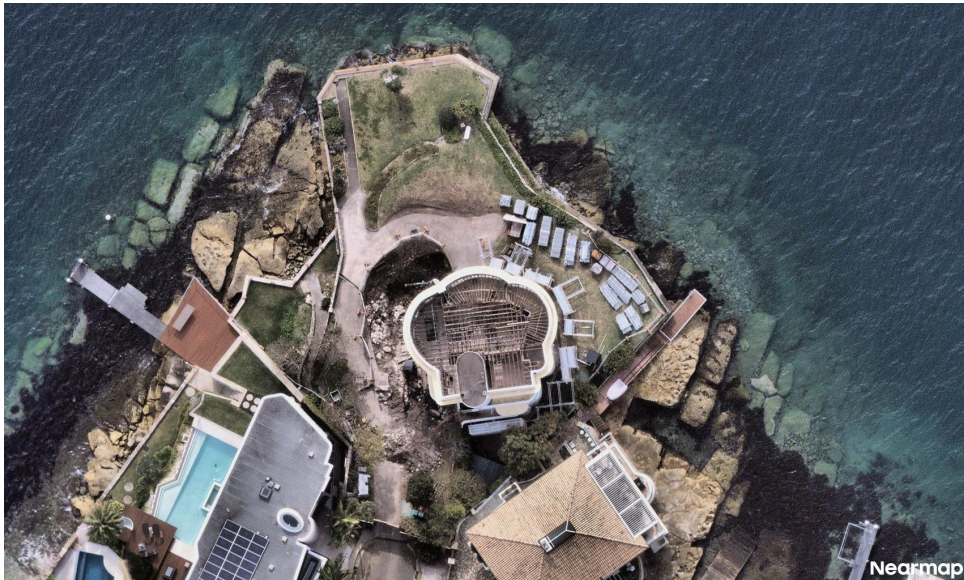


Figure 2 Aerial photograph of 83 Fitzwilliam Road Vaucluse. Image capture 22 July 2024. (Source: NearMap, September 2024)

The existing house is the subject of a Complying Development Certificate (CDC) (CD 2024/64/1) which approved alterations to the dwelling house on the site. Despite this the house itself is largely unaltered externally from when it was extended and converted from the shop/refreshment rooms to a dwelling in 1939. The original external form and features of the building remain, including parts of the 1916 two storey shop/refreshment rooms, with residence above, which were incorporated into the house. The curved lines of the former shop were extended into the distinctive curved form of the house, which incorporates elements of the Inter-war Functionalist/P&O style. The upper level windows and entrance to the former shop are identifiable at the southern part of the building. The parapet line has been extended around the curved façade of the house, which forms deep, recessed verandahs on two levels facing the harbour.

The dwelling is a solid, three storey building with the curved form and simple surface treatment of the Inter-war Functionalist style. It is primarily a brick structure (rendered and painted white) with sandstone coursework (also painted white) and internal steel supporting beams. On the western, northern and eastern elevations, each level has three large, curved bays with large openings with a curved eave running above. The western curved bay incorporates part of the earlier building including its fenestration pattern on the first floor. The curve forms a pattern which is replicated, enclosing the earlier building and creating expansive balconies.

The southern elevation contains a curved vertical expression, enclosing the main stairwell, with fixed windows of glass blocks and a band of decorative dentil moulding underneath the fascia. A small single room at the rooftop provides access to the flat roof, concealed behind a short parapet.

Access is provided on the western elevation (the main entrance is a timber double door with 12 lights) and at the southern elevation (via a partly covered elevated walkway to the former trades/maids entrance). Along the curved southwest corner and southern elevation of the building, on a number of levels, many openings are extant. These include glass block windows, timber framed sash windows, and timber doors with clear and frosted glazing. These windows and doors on the southern elevation relate to the rear kitchen, laundry and former maids rooms.

The building has little decorative treatment, its form is simple, composed of smooth rendered surfaces, painted white, curves and contrasting horizontal and vertical expressions, typical of the Functionalist/P&O style.



Figure 3: 83 Fitzwilliam Rd as viewed from ferry to Watsons Bay. Its position on the point as well as the expansive landscape creating an unbuilt area around the building accent its landmark quality. (Source: GML, August 2024)



Figure 4: 83 Fitzwilliam Rd as viewed from ferry to Circular Quay. Its position on the point as well as the expansive landscape creating an unbuilt area around the building accent its landmark quality. The Parsley Bay Bridge (local heritage item I386) visible in rear left of the house (Source: GML, August 2024)



Figure 5. Main curved façade of 83 Fitzwilliam Road, looking southeast. (Source: GML, August 2024)



Figure 6: Rear elevation of the dwelling, looking north. This area of the façade contains elements from the earliest Victorian period terrace shopfront. (Source: GML, August 2024)



Figure 7: Southwest corner of dwelling. Section added on in 1939 alterations. (Source: GML, August 2024)



Figure 8: Seawall and landscape at the waters edge, looking towards Parsley Bay. (Source: GML, August 2024)

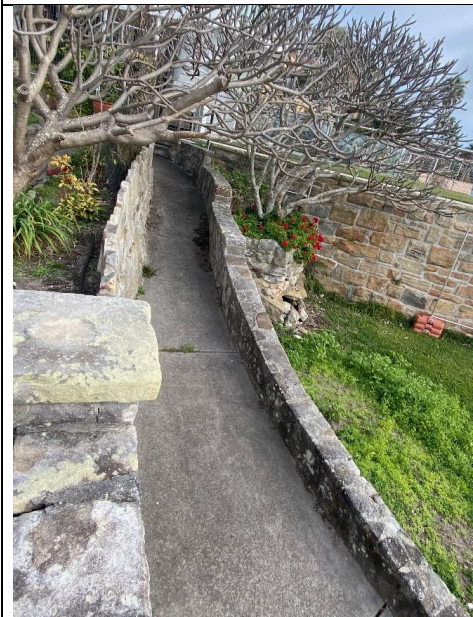


Figure 9: Concrete and sandstone landscaping through the terraced yard. (Source: GML, August 2024)

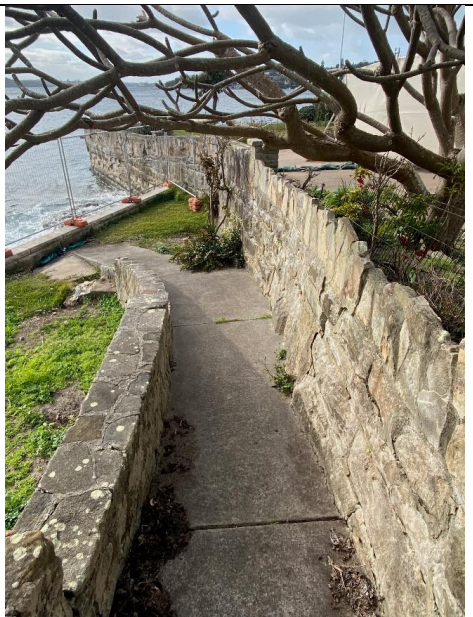


Figure 10: Concrete and sandstone landscaping through the terraced yard, leading to water, western side of the point. (Source: GML, August 2024).



Figure 11: Internal, ground floor 1930s verandah with internal walls removed. (Source: GML, August 2024)



Figure 12: Ground floor looking southeast towards Parsley Bay. Extent of internal walls evident through the ceiling removal. Outline reflected in the ceiling indicate internal walls of earlier terrace shop, now removed. (Source: GML, August 2024)

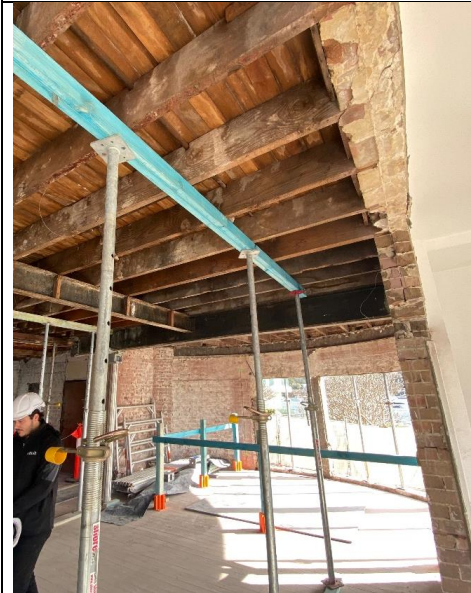


Figure 13. Original timber and steel floor structures and decking. (Source: GML, August 2024)



Figure 14. Glass brick window in stairwell, characteristic of geometric fashions in the interwar period.

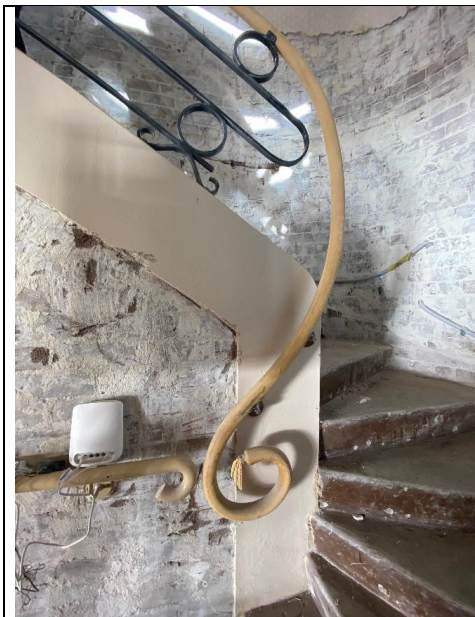


Figure 15. Stairwell within the 1930s adaptation.
(Source: GML, August 2024)



Figure 16. Decorative finishes to stairwell.
(Source: GML, August 2024)

3. Existing planning controls

3.1. Woollahra Local Environmental Plan 2014

Table 2 below identifies the zone and key principal development standards that currently apply to the subject site under Woollahra LEP 2014.

No changes are proposed to these under this planning proposal.

Table 2: Summary of current development standards

Site	Zone	Maximum building height (m)	Floor space ratio
83 Fitzwilliam Road, Vaucluse	R2 Low Density Residential	9.5	N/A

3.1.1. Zoning Objectives

The objectives of the R2 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.*
- *To ensure development conserves and enhances tree canopy cover.*

3.1.2. Heritage provisions

The site is identified under the Woollahra LEP 2014, Schedule 5 Part 1 Heritage Items, as a local heritage item, I357, "Remains of Vaucluse Point Ferry Wharf". It is also identified on the Woollahra LEP 2014, Heritage Map Sheet 8500_COM_HER_004 by the following lots:

- Lots 1 and 2, DP: 346850
- Lots 1, 2 and 3, DP: 430595
- Lot 1, DP 1109931, and
- Lot 1, DP 188299

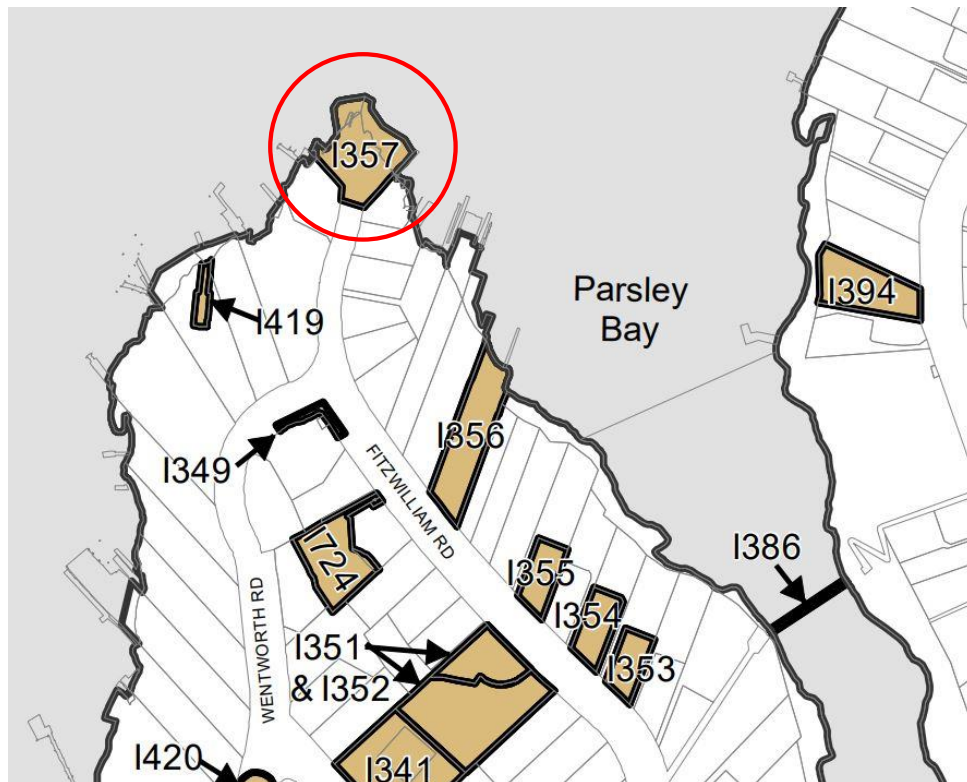


Figure 17. Excerpt of Woollahra LEP 2014, Heritage Map Sheet HER_004. Item I357 at 83 Fitzwilliam Road Vaucluse is circled in red. (Source: Woollahra LEP 2014, accessed September 2024).

The following local heritage items are in the vicinity of the site:

- Item I419 – “Eastern Channel Lighthouse—Front Lead”, Wentworth Road, Vaucluse (adjoining 80 and 82 Wentworth Road)
- Item I356 – “West Parsley Bay Obelisk”, 65 Fitzwilliam Road, Vaucluse
- Item I349 – “War memorial and bus stop shelter”, Fitzwilliam Road, junction with Wentworth Road, Vaucluse

3.1.3. Other LEP provisions

The site is identified under the Woollahra LEP 2014 as potentially containing Class 5 acid sulfate soils. The subject sites 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 site. Any development proposal on the site, or on an adjoining site, are required to address any relevant Woollahra DCP 2015 controls.

4. Objectives of planning proposal

The objective of the amendment to the Woollahra LEP 2014 is to recognise the heritage significance of the dwelling on 83 Fitzwilliam Road Vacluse, and provide it with statutory heritage protection.

The planning proposal will amend the details for item I357 currently in Schedule 5 of the Woollahra LEP 2014 to include the details below. The inclusion of the dwelling as part of the existing heritage item in the Schedule will mean any future development proposals on the dwelling, across the site, or on any land within the vicinity, will need to consider the provisions of Clause 5.10 (5) of Woollahra LEP 2014. This will provide a statutory requirement for development proposals to consider the effects of proposed development on the heritage significance of this item.

I357	Existing details	Proposed amendments
Item Name	<i>"Remains of Vacluse Point ferry wharf"</i>	<i>"Vacluse Point Ferry Wharf – remnants of wharf, dwelling/former shop, and landscape elements"</i>
Property description	Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; Lot 1, DP 188299; Lot 1, DP 1109931	Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; LOT 100, DP 1304245

As an administrative task, Council staff will update the existing heritage inventory sheet for the local heritage item (I357) to include the information in the Heritage Assessment Report, including an assessment against all criteria.

5. Explanation of provisions

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

- Amend the existing listing for "Remains of Vacluse Point Ferry Wharf", item I357 in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage).
 - Change the name of the item to "Vacluse Point Ferry Wharf – remnants of wharf, dwelling/former shop, and landscape elements".
 - Update the Lots and DPs under the property description to the following Lots and DPs reflecting the consolidation of two lots into one in May 2024.
 - Lots 1, 2 and 3, DP 430595;
 - Lots 1 and 2, DP 346850;
 - LOT 100, DP 1304245

The Heritage Map (8500_COM_HER_004) already identifies the whole of 83 Fitzwilliam Road as heritage item I357. As such, no changes to mapping are required.

6. Justification

The planning proposal has strategic merit. The heritage significance of the subject site, currently used as a private residential dwelling, was assessed through a heritage assessment undertaken by GML Heritage on behalf of Council staff (see separately circulated documents: *Point Seymour, 83 Fitzwilliam Road, Vaucluse, Heritage Assessment Report* (August 2024)).

The heritage listing will provide ongoing protection and recognition of the heritage significance of this site.

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 report prepared by GML Heritage on behalf of Woollahra Council, *Point Seymour, 83 Fitzwilliam Road, Vaucluse, Heritage Assessment Report* (August 2024). The report concluded that the dwelling on the subject site meets the criteria for listing as a local heritage item.

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 the subject site and provide it with statutory heritage protection. The best means of achieving this objective is through an amendment to Woollahra LEP 2014 to include the dwelling within the name and property description as part of an integral part of the significance of the local heritage, I357. This is achieved through the planning proposal process.

Other options, such as adding site-specific objectives and controls to 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 the subject site as a local heritage item 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 this site will provide ongoing protection and recognition of the heritage significance of this item.

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 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 the subject site will provide ongoing protection and recognition of the heritage significance of this item, 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 (SEPPs).

Regarding *SEPP (Exempt and Complying Development Codes) 2008*, where an item is locally heritage listed (or is a draft item) on the Woollahra LEP 2014 Schedule 5, there are implications in terms of the extent of works that can be considered as exempt and complying development.

Refer to **Schedule 1** for an outline of consistency with all SEPPs.

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 item 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 Study assessed the subject sites against the criteria for 'cultural significance' as defined in the *Australia ICOMOS Burra Charter*, as meaning the historic, aesthetic, scientific, social or spiritual value for past, present or future generations.

The assessment found that the site meets 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 the Woollahra LGA.

There will be potential economic implications relating to the need for heritage management documents (to accompany a development application) to assess and support future changes to buildings, including new uses, alterations and modifications. With regards to development

pathways, depending on the scale and impact of works, developments to local heritage items can be managed as:

- a development application process,
- a heritage works without consent application (under CI 5.10(3) of the Woollahra LEP 2014 for works with minor impacts or for maintenance only.

Furthermore, *SEPP (Exempt and Complying Development Codes) 2008* allows some work to local heritage items (with restrictions).

These additional heritage management and development approval processes will enable the needs of the landowner to be considered in conjunction with the conservation of the dwelling and the impact of the proposed changes on the heritage significance of the building.

Therefore, it is considered that the planning proposal will have a positive social and economic effects because:

- Heritage listing will provide ongoing protection and recognition of the social heritage significance of the site.
- Heritage listing will not preclude future development of the building which is undertaken in accordance with heritage requirements.
- The potential need for additional assessments and management documents to support development applications is necessary in order to provide the appropriate protection against impacts to significance.
- It is not anticipated that the planning proposal will have any negative social effect which need to be addressed as part of the proposal.

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 the subject site and does not involve amendments to the planning controls that will facilitate intensified development.

Currently, the subject site has 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 subject site is 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:

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

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

7. Mapping

There are no proposed changes to the Woollahra LEP 2014 Heritage Map (8500_COM_HER_004). Item I357 is already identified on the map and its form will remain unchanged despite the changes to the property description in the corresponding Woollahra LEP Schedule 5 Part 1.

	Item	Address	Lot/DP	LEP Heritage Map Sheet No.
1	<i>"Vaucluse Point Ferry Wharf – remnants of wharf, dwelling/former shop, and landscape elements"</i>	83 Fitzwilliam Road, Vaucluse	Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; LOT 100, DP 1304245	8500_COM_HER_004

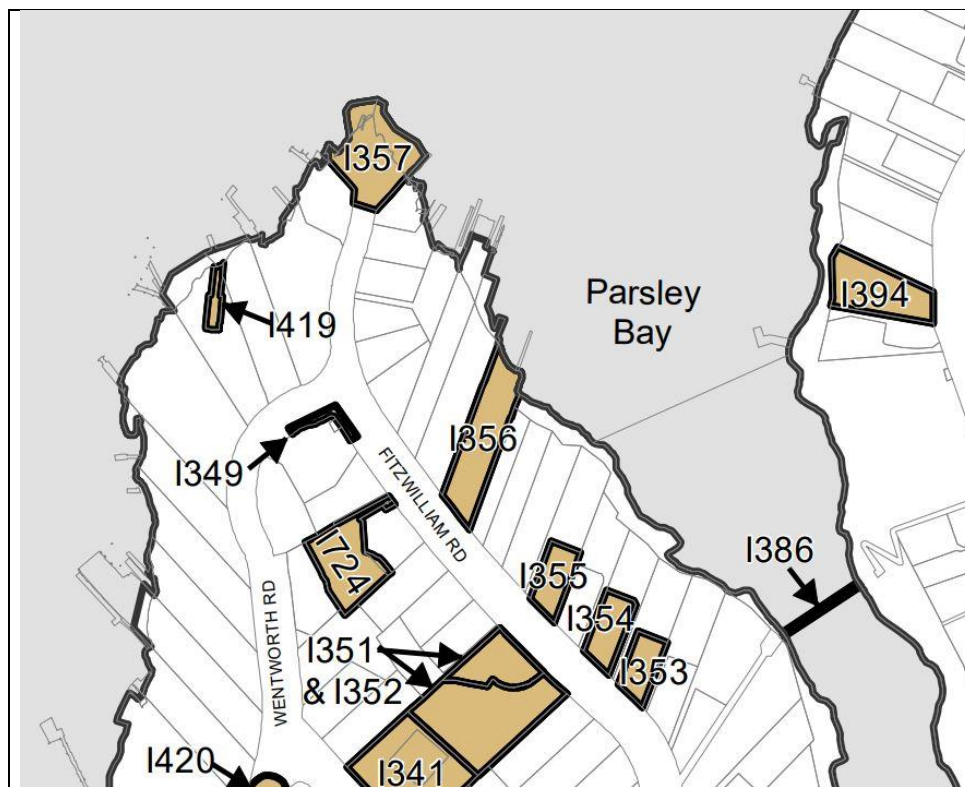


Figure 18 Existing Woollahra LEP 2014 Heritage Map (Sheet 8500_COM_HER_004). Item I357 on the Heritage Map would remain unchanged as a result of this Planning Proposal.

8. Community consultation

8.1. Stakeholder pre-engagement

The owners of the subject site were notified on the gazettal of the IHO on the building. During the preparation of the Heritage Assessment, the owners were consulted and collaborated with Council by facilitating site inspections to assist in its preparation.

The owners were made aware of the purpose of the IHO and the objectives of the Heritage Assessment in determining whether the dwelling has heritage significance and Council intends on applying local heritage status.

8.2. Public Exhibition

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 *Woollahra 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,
- a notice on Council's website
- a letter to land owners in the vicinity of the subject site

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 and the heritage significance assessment)
- 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
Woollahra Local Planning Meeting	19 September 2024
Council resolution to proceed	28 October 2024
Gateway determination	November 2024
Completion of technical assessment	Usually none required
Government agency consultation	November 2024 – January 2025
Public exhibition period	Same time as agency consultation
Submissions assessment	January 2025
Council assessment of planning proposal post exhibition	February 2025
Council decision to make the LEP amendment	February 2025
Council to liaise with Parliamentary Counsel to prepare LEP amendment	March 2025
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	April 2025
Notification of the approved LEP	April 2025

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. It is noted that where a property is locally heritage listed (or is a draft item) on the Woollahra LEP 2014 Schedule 5, there are implications in terms of the extent of works that can be considered as exempt and complying development.
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.

State environmental planning policy	Comment on consistency
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.
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 (Directions by the Minister)
under the EP&A Act**

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 this property will provide ongoing protection of the heritage significance of this item.
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 one property 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 – 1.20	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. The proposed Heritage listing of the property in the Woollahra LGA will provide ongoing protection and recognition of the heritage significance of this property.

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.
3.6	Strategic Conservation Planning	Not applicable. The planning proposal does not apply to land identified as avoided land or a strategic conservation area under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
4	Resilience and hazards	
4.1	Flooding	Not applicable. The planning proposal will not affect flood liable land.
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.

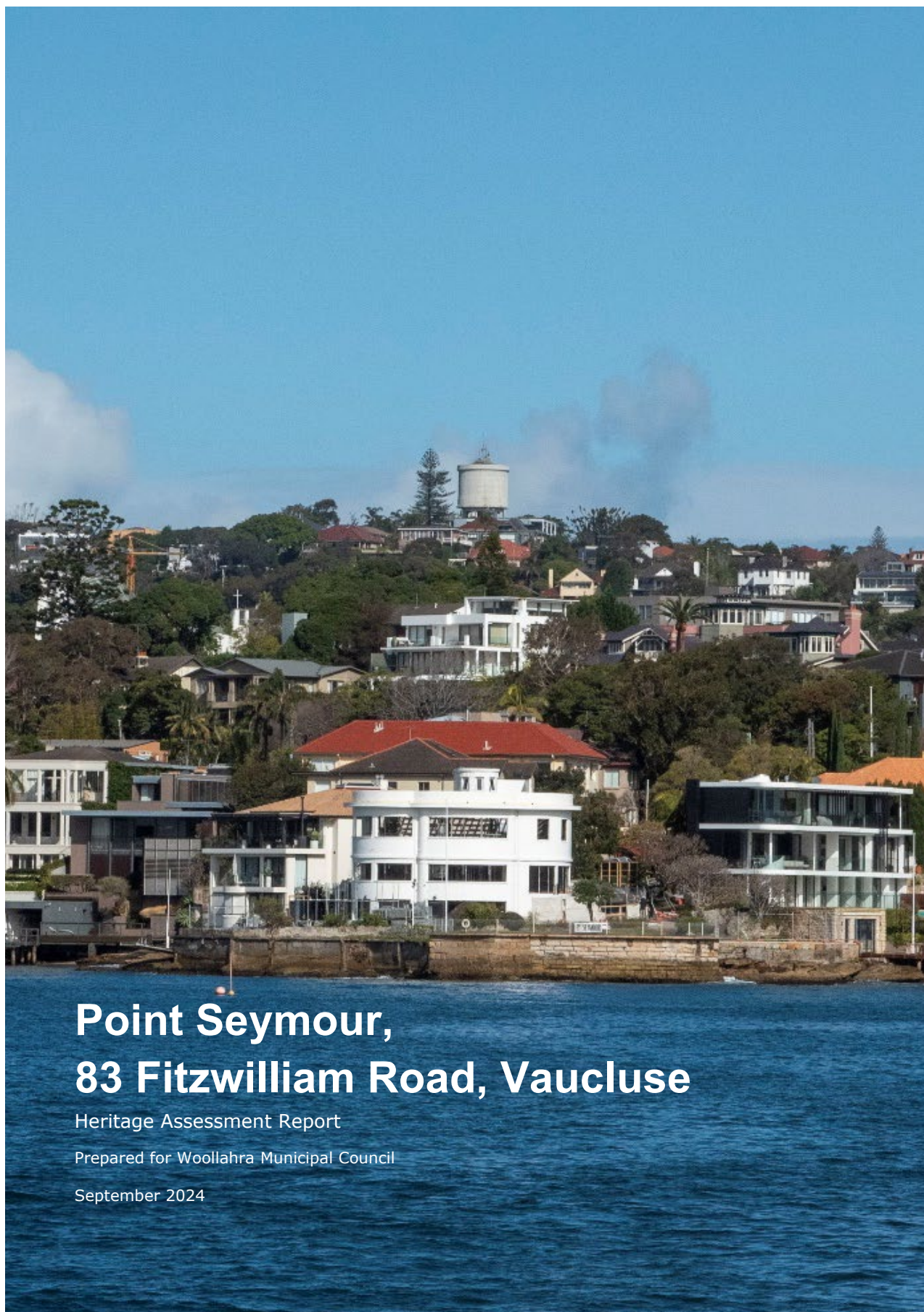
Planning Proposal – 83 Fitzwilliam Road, Vaucluse

24/161620

Version: September 2024

Page 34 of 35

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.



Point Seymour, 83 Fitzwilliam Road, Vaucluse

Heritage Assessment Report

Prepared for Woollahra Municipal Council

September 2024

Acknowledgement of Country

We respect and acknowledge the First Nations peoples of the lands and waterways on which we live and work, their rich cultural heritage and their deep connection to Country, and we acknowledge their Elders past and present. We are committed to truth-telling and to engaging with First Nations peoples to support the protection of their culture and heritage. We strongly advocate social and cultural justice and support the Uluru Statement from the Heart.

Cultural warning

Aboriginal and Torres Strait Islander readers are advised that this report may contain images or names of First Nations people who have passed away.





Report register

The following report register documents the development of this report, in accordance with GML’s Quality Management System.

Job No.	Issue No.	Notes/Description	Issue Date
24-0284	1	Draft Report	30 August 2024
24-0284	2	Final Report	10 September 2024

Quality management

The report has been reviewed and approved for issue in accordance with the GML quality management policy and procedures.

It aligns with best-practice heritage conservation and management, *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013* and heritage and environmental legislation and guidelines relevant to the subject place.

Indigenous cultural and intellectual property

We acknowledge and respect the inherent rights and interests of First Nations in Indigenous Cultural and Intellectual Property. We recognise that Aboriginal and Torres Strait Islander people have the right to be acknowledged and attributed for their contribution to knowledge but also respect their rights to confidentiality. We recognise our ongoing obligations to respect, protect and uphold the continuation of First Nations rights in the materials contributed as part of this project.

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Cover image

Point Seymour from ferry. (Source: © GML, 2024)

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Executive summary

Woollahra Municipal Council has commissioned GML Heritage Pty Ltd (GML) to prepare a heritage assessment (HA) of 83 Fitzwilliam Road, Vaucluse. A portion of the site is a listed item of local significance, 'Remains of Vaucluse Point ferry wharf', under Schedule 5 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014) (I357).

Council undertook its own preliminary heritage assessment which found that the significance of the site extended to the house and wider setting. Believing the property was under threat, Council issued an interim heritage order (IHO No. 11) 28 June 2024.

The current HA has been commissioned to determine whether the existing heritage listing adequately covers all components of the place, by assessing the dwelling, the grounds, views and its setting to determine if the site reaches the threshold of significance under the Heritage NSW guidelines for *Assessing Heritage Significance* (2023) and whether it is recommended to amend the existing listing information on the WLEP 2014.

GML's approach, methodology, assessment procedures, criteria and recommendations of the report are in accordance with the *Australia ICOMOS Charter for Places of Cultural Significance, 2013* (the Burra Charter) and with *Assessing Heritage Significance: Guidelines for Assessing Places and Objects against the Heritage Council of NSW Criteria* prepared by the NSW Department of Planning and Environment (now the Department of Planning, Housing and Infrastructure).

Following our review of background documents, site history and through our assessment GML has concluded that the subject site (including the dwelling) meets the threshold for significance under Criteria A (historic significance), C (aesthetic significance), D (social significance), E (research potential) and G (representative). GML recommends the heritage item's inventory information be updated to include the dwelling, landscaping, paths and sea walls to reflect the significance of the site overall.



Contents

Executive summary.....	ii
1 Introduction	1
1.1 Background	1
1.2 Identification of the site	2
1.3 Methodology.....	2
1.4 Terminology	2
1.5 Limitations	3
1.6 Authorship and acknowledgements	3
1.7 Endnotes	7
2 Statutory context.....	8
2.1 Introduction	8
2.2 Heritage Act 1977	8
2.2.1 NSW State Heritage Register.....	8
2.2.2 Interim heritage orders.....	8
2.3 Environmental Planning and Assessment Act 1979	9
2.3.1 Complying development certificates.....	9
2.3.2 Woollahra Local Environmental Plan 2014	9
2.4 Endnotes	10
3 Historical overview.....	11
3.1 Introduction	11
3.2 Historical development.....	11
3.2.1 Early history	11
3.2.2 Twentieth-century subdivision	11
3.2.3 Parsley Bay Wharf.....	13
3.2.4 Point Seymour	22
3.2.5 Historical timeline of development at 83 Fitzwilliam Road	31
3.3 Endnotes	32
4 Site analysis	33
4.1 Setting and views	33
4.2 The dwelling	36



5	Heritage context	44
5.1	Heritage listings.....	44
5.2	Heritage items in the vicinity	45
6	Assessment of significance	46
6.1	Integrity and condition	46
6.2	Comparative assessment	46
6.3	Assessment against standard criteria	58
6.3.1	Criterion A—historic significance.....	59
6.3.2	Criterion B—historical association.....	60
6.3.3	Criterion C—aesthetic/creative/technical achievement	61
6.3.4	Criterion D—social, cultural and spiritual significance.....	62
6.3.5	Criterion E—research potential	63
6.3.6	Criterion F—rarity	64
6.3.7	Criterion G—representativeness	65
6.4	Statement of significance	66
6.4.1	Current Statement of Significance	66
6.4.2	Revised Statement of Significance.....	67
6.5	Endnotes	67
7	Conclusions and recommendations	69



1 Introduction

1.1 Background

Woollahra Municipal Council has commissioned GML Heritage Pty Ltd (GML) to prepare a heritage assessment (HA) of the site at 83 Fitzwilliam Road, Vaucluse (subject site). The purpose of the assessment is to determine what components of the site reach the threshold of significance under the Heritage NSW guidelines for *Assessing Heritage Significance* (2023)¹ and whether it is recommended to amend the current listing under the *Woollahra Local Environmental Plan 2014* (WLEP 2014).

The existing heritage listing for the address (I357) 'Remains of Vaucluse Point ferry wharf' under the WLEP 2014 has the following Statement of Significance as provided on the NSW State Heritage Inventory:

Indicative of the changing patterns of transport and the urban development of the adjacent areas. Part of the nineteenth century transport network based on the harbour waterways.

Council is concerned that the current listing does not cover all the significant elements on the site, in particular the wider context of the jetty's and the 1939 dwelling (modified 1916 shop/refreshment room). An independent heritage assessment (Lisa Trueman Heritage Advisor, February 2024) brought to council's attention that the heritage listing description should be clarified to also include the dwelling. A heritage inventory sheet was prepared by Lisa Trueman to update the heritage information in support of inclusion in the listing.

Prior to any changes to the listing having occurred a Complying Development Certificate (CDC 2024/64/1) was issued on 10 June 2024 which involves the enlargement of the dwelling's external openings, demolition of some internal walls, replacement of stairs, refurbishment of kitchen and bathrooms, general layout modification and new joinery. It is understood that the CDC, with accompanying heritage assessment (Zoltan Kovacs Architect, July 2023) and complying development advice (Swaab, 2024) interpreted the dwelling as a separate component to the heritage listing and not significant.

Council undertook its own preliminary heritage assessment and, believing the dwelling house on the site was likely to be under threat, issued an interim heritage order (IHO No. 11) 28 June 2024.

Extensive internal alterations were undertaken by the owner in the intervening period including stripping of internal fabric and finishes and an area of external excavation.

The following HA has been commissioned to fully assess the site's significance and to determine if a revised heritage listing including the dwelling house is warranted.



1.2 Identification of the site

The subject site, also known as Point Seymour, is located at 83 Fitzwilliam Road, Vaucluse, within the Woollahra Local Government Area (LGA)—identified in Figures 1.1 and 1.2 below. The property is located across six allotments, as follows:

- Lots 1–3, Deposited Plan (DP) 430595;
- Lots 1–2, DP 346850; and
- Lot 100 of DP 1304245 (this allotment contains the dwelling).

1.3 Methodology

This HA report uses methodology and terminology consistent with the NSW Department of Planning and Environment guidelines, including the *Assessing Heritage Significance* guidelines,² and the guidelines of the Burra Charter.³

1.4 Terminology

The terminology used in this report is consistent with the NSW Heritage Manual, prepared by the Heritage Office (now Heritage NSW), and the Burra Charter.

- **Place** means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.
- **Cultural significance** means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.
- **Fabric** means all the physical material of the place including components, fixtures, contents, and objects.
- **Conservation** means all the processes of looking after a place so to retain its cultural significance.
- **Maintenance** means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.
- **Preservation** means maintaining the fabric of a place in its existing state and retarding deterioration.
- **Restoration** means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- **Reconstruction** means returning the place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.
- **Adaptation** means modifying a place to suit the existing use or a proposed use.



- **Use** means the functions of a place, as well as the activities and practices that may occur at the place.
- **Compatible use** means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.
- **Curtilage** is defined as the area of land surrounding an item that is required to retain its heritage significance. The nature and extent of the curtilage will vary and can include but is not limited to lot boundaries and visual catchments.
- **Setting** means the area around a place, which may include the visual catchment.
- **Related place** means a place that contributes to the cultural significance of another place.

1.5 Limitations

This HA was prepared in a condensed period in response to the Interim Heritage Order placed by council in July 2024. Only limited historical research has been undertaken in addition to the historical research contained in the previous heritage assessments by Zoltan Kovacs Architect (2023) and Lisa Trueman Heritage Advisor (2024).

The scope for this project did not extend to an assessment of social values nor an assessment of Aboriginal heritage values or archaeological potential.

1.6 Authorship and acknowledgements

This report has been prepared by Jack Lee, Heritage Consultant and Rebecca Hawcroft, Principal and Head of Heritage Places.

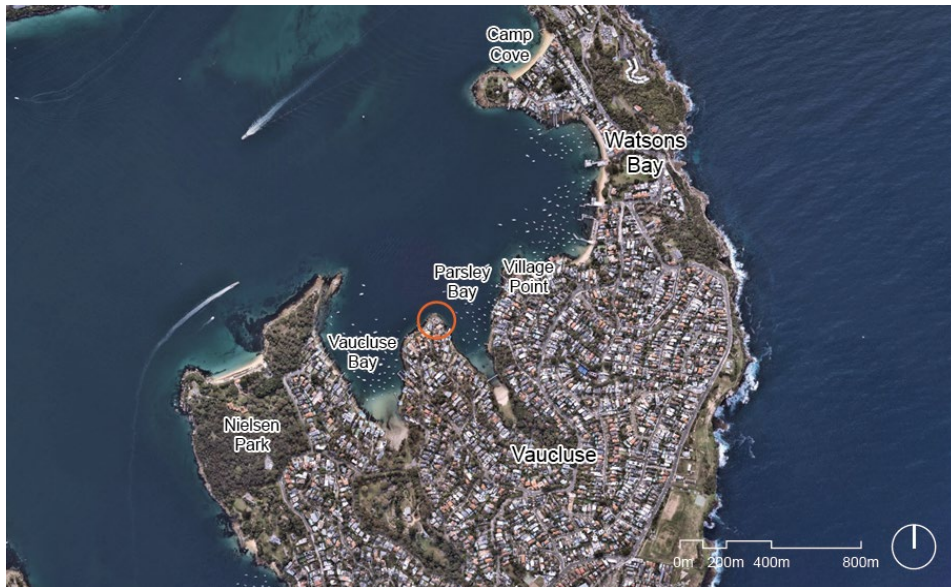


Figure 1.1 Aerial showing broad context and general location of the subject site (circled). (Source: Nearmap 2024 with GML overlay)

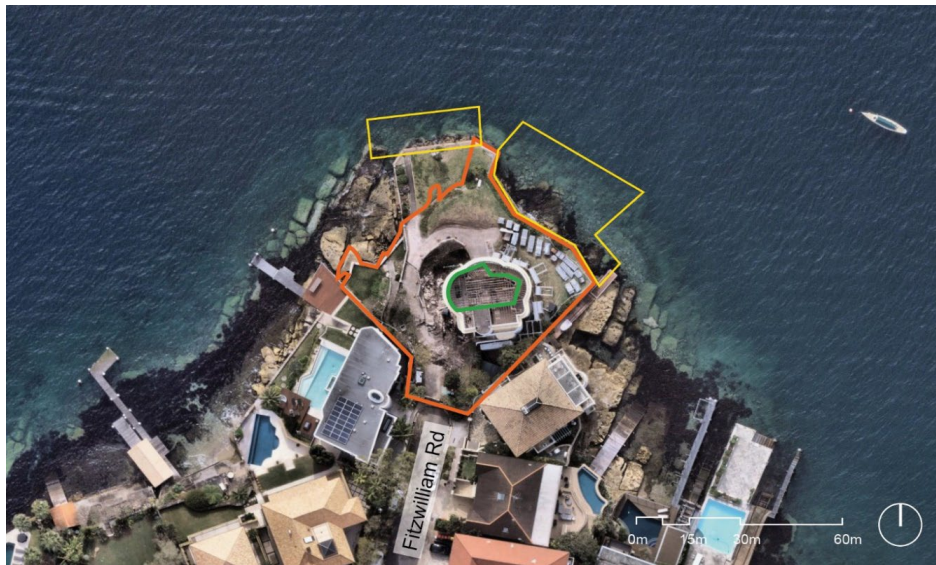


Figure 1.2 Aerial showing immediate context and boundary of the subject site (orange). Also shown is the footprint of the 1916 shop (green) and the approximate footprint of the two wharves (yellow). (Source: Nearmap 2024 with GML overlay)



Figure 1.3 Image of the site accompanying *Sydney Morning Herald* article “‘Wedding cake house’ in Vaucluse sold for \$40 million’ (30 April 2023). (Source: <https://www.smh.com.au/property/news/wedding-cake-house-in-vaucluse-sold-for-40-million-20230428-p5d3yu.html>).

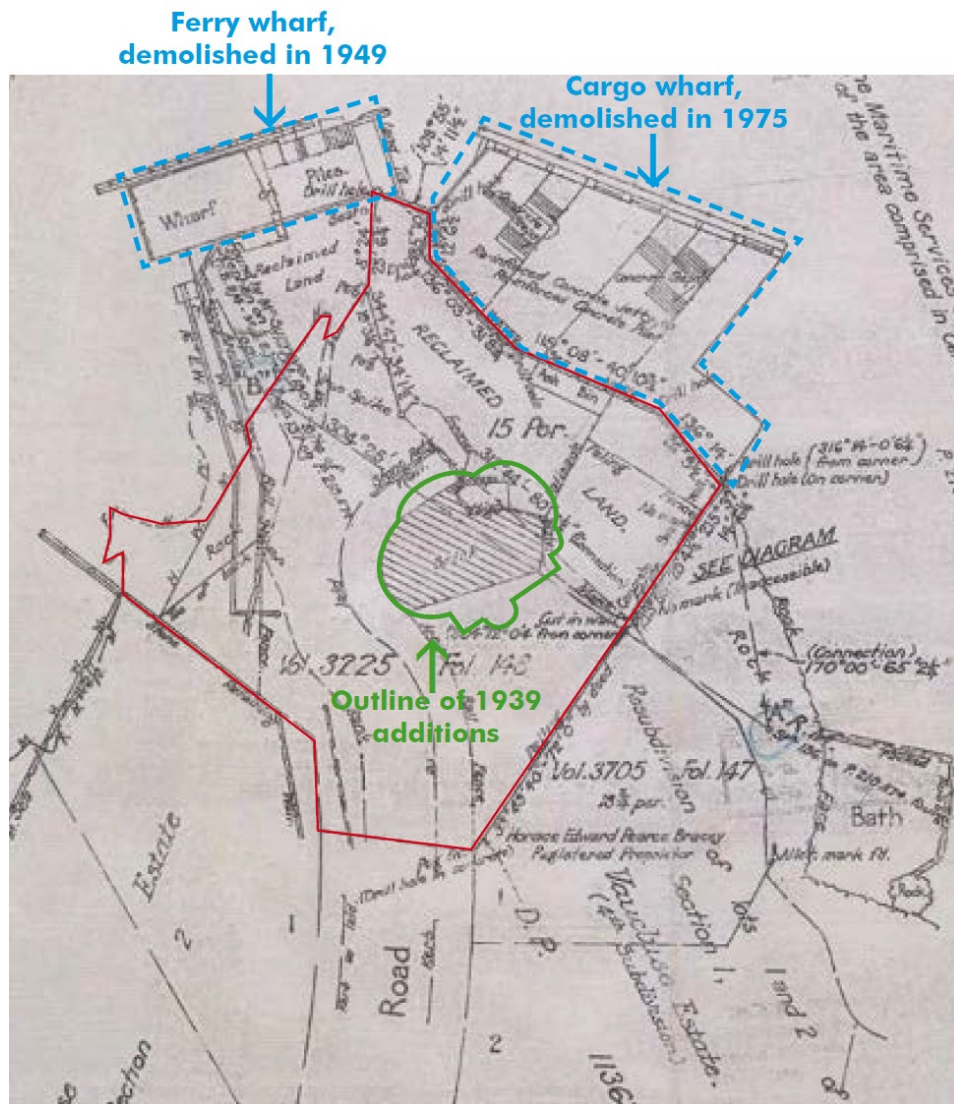


Figure 1.4 Extract from a 1938 survey showing the arrangement of the subject site (outlined in red) prior to the alterations to the shop. The wharves are outlined in blue, the existing shop is hatched, and the 1939 dwelling is outlined in green. (Source Zoltan Kovacs Architect (2023), p 16, sourced from NSW Land Registry Services)

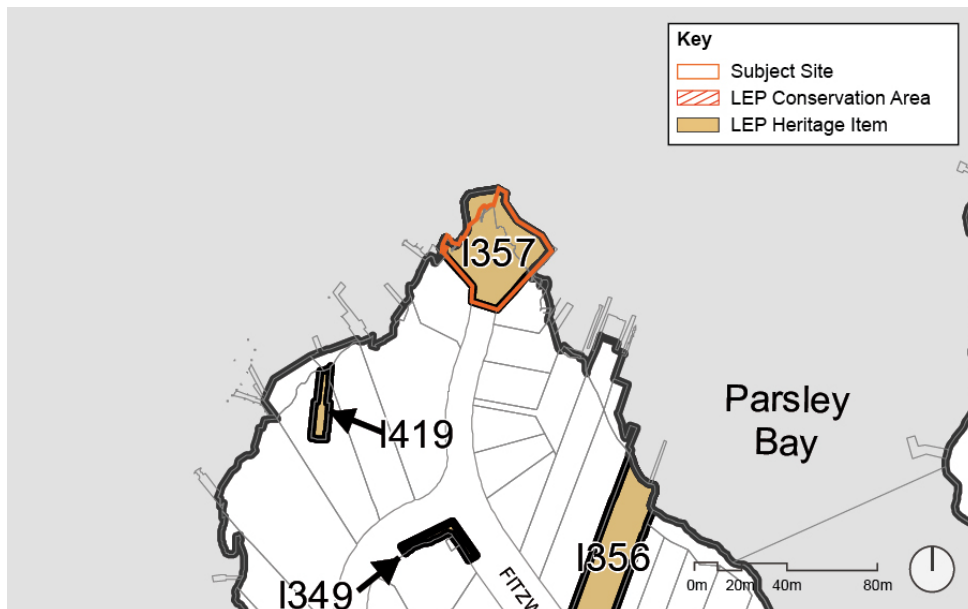


Figure 1.5 Detail of Woollahra LEP 2014 heritage map showing boundary of the subject site and nearby heritage items. (Source: Heritage Map HER_004, Woollahra LEP 2014 with GML overlay)

1.7 Endnotes

- ¹ Department of Planning and Environment 2023, *Assessing Heritage Significance: Guidelines for Assessing Places and Objects against the Heritage Council of NSW Criteria*, <https://www.environment.nsw.gov.au/research-and-publications/publications-search/assessing-heritage-significance>.
- ² Department of Planning and Environment 2023, *Assessing Heritage Significance: Guidelines for Assessing Places and Objects against the Heritage Council of NSW Criteria*, <https://www.environment.nsw.gov.au/research-and-publications/publications-search/assessing-heritage-significance>.
- ³ Australia ICOMOS Inc, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*, Australia ICOMOS Inc, Burwood, VIC, 2000.



2 Statutory context

2.1 Introduction

In New South Wales, items of heritage significance are afforded statutory protection under the following NSW Acts:

- *Heritage Act 1977* (Heritage Act)
- *Environmental Planning and Assessment Act 1979* (EPA Act).

2.2 Heritage Act 1977

The Heritage Act is a statutory tool designed to conserve the state's environmental heritage. It is used to regulate the impacts of development on the state's heritage assets. The Heritage Act describes a heritage item as 'a place, building, work, relic, moveable object or precinct'.

2.2.1 NSW State Heritage Register

The NSW State Heritage Register (SHR) was established under Section 22 of the Heritage Act. It is a register of identified heritage items determined to be of significance to the people of NSW. The SHR includes items and places such as buildings, works, archaeological relics, movable objects and precincts.

The subject site is not listed on the SHR. There are no items in the vicinity listed on the SHR.

2.2.2 Interim heritage orders

An IHO made under the Heritage Act safeguards a place or object of potential heritage significance for a temporary period of up to 12 months to fully assess a place or object's significance and determine if a heritage listing is warranted.

IHOs can be made by the Minister for Heritage on the advice of the Heritage Council of NSW, or by local councils under authorisation. They are generally only made if there is a threat of harm.¹

An IHO was issued (No. 11) on the property on 28 June 2024, expiring on 28 December 2024.



2.3 Environmental Planning and Assessment Act 1979

The EPA Act is administered by the NSW Department of Planning, Housing and Infrastructure and provides for environmental planning instruments to be made to guide the process of development and land use. The EPA Act also provides for the protection of local heritage items and conservation areas through listing on Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs) which provide local councils with the framework required to make planning decisions.

2.3.1 Complying development certificates

Under the EPA Act, applicants can carry out work under a complying development certificate (CDC) if the requirements of complying development are met. Complying development is a fast-track approval process for straightforward residential, commercial and industrial development. If the proposal meets specific development standards, it can be assessed and determined by a registered certifier without the need for a full development application.

Clause 1.17A of the EPA Act states that:

(1) To be complying development for the purposes of any environmental planning instrument, the development must not—

(d) be carried out on land that—

- (i) comprises an item that is listed on the State Heritage Register under the Heritage Act 1977 or on which such an item is located, or
- (ii) is subject to an interim heritage order under that Act or on which is located an item that is so subject, or
- (iii) is identified as an item of environmental heritage or a heritage item by an environmental planning instrument or on which is located an item that is so identified.

2.3.2 Woollahra Local Environmental Plan 2014

The Woollahra LEP is the principal environmental planning instrument applying to the land. Schedule 5 of the LEP identifies heritage items and heritage conservation areas.

The objectives of Clause 5.10 are as follows:

- (a) to conserve the environmental heritage of Woollahra,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,



(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The subject site is listed as a heritage item ('Remains of Vacluse Point ferry wharf', I357, under Schedule 5 of the Woollahra LEP) and is not located within a listed conservation area.

2.4 Endnotes

¹ Department of Climate Change, Energy, the Environment and Water,
<https://www2.environment.nsw.gov.au/topics/heritage/request-a-heritage-listing/interim-heritage-orders>.



3 Historical overview

3.1 Introduction

This section provides an overview of the historical background of the subject site. It is based on previous HAs prepared for the site by Zoltan Kovacs Architect (2023) and Lisa Trueman Heritage Advisor (2024) with additional primary research from the National Library of Australia (NLA), the State Library of NSW and the Woollahra Municipal Council and library archives.

3.2 Historical development

3.2.1 Early history

The traditional Aboriginal owners of much of the Woollahra LGA were the Cadigal clan, while the harbour area around Watsons Bay and South Head was inhabited by the Birrabirragal clan. Both the Cadigal and Birrabirragal clans belonged to the coastal Dharawal language group.¹ Evidence of their occupation is recorded in the landscape, vegetation, rock art and carvings and middens that are characteristic of the area and the ongoing connections that Aboriginal people have with the lands of the Woollahra LGA.

The subject site is located within 80 acres of land first granted to Thomas Laycock in 1793. This land changed ownership several times until it was sold to William Charles Wentworth in 1827. After Wentworth's death in 1872, his son, Fitzwilliam Wentworth, inherited it as part of the Vaucluse Estate.

3.2.2 Twentieth-century subdivision

In 1898 Fitzwilliam Wentworth lodged a primary application for the conversion of the estate to Torrens title. Parcels of land within the estate were advertised and progressively sold (see the 1904 advertisement for the fourth subdivision of water frontages in Vaucluse and Parsley Bay, Figure 3.1). This subdivision laid out the current street pattern including Fitzwilliam and Parsley Bay roads.

The subject site, occupying the peninsula, was withheld from sale in 1903 for the construction of a wharf 'as an inducement to potential buyers of allotments of the Vaucluse Estate'.²

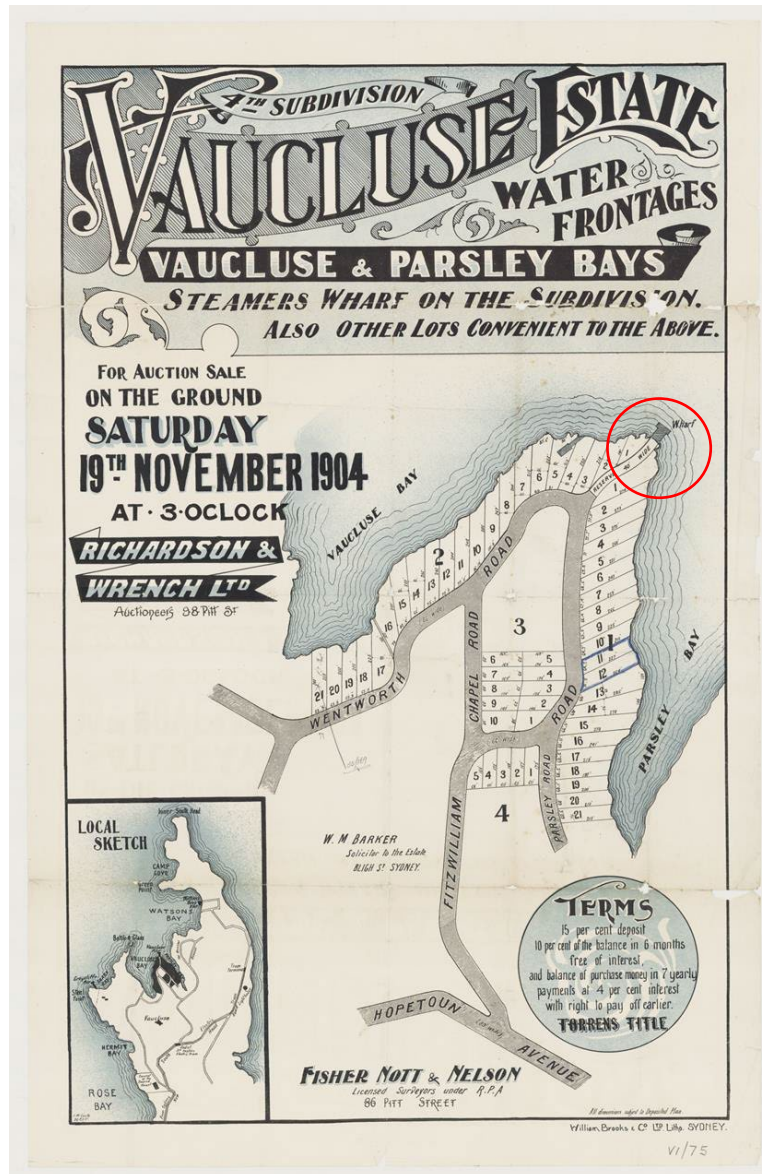


Figure 3.1 Vauclose Estate 4th Subdivision, November 1904, showing the subject site circled in red. (Source: State Library of NSW Z/SP/V1/75 with GML overlay)



3.2.3 Parsley Bay Wharf

In early 1904, services operated by the Watsons Bay and South Shore Steam Ferry Company were using the new wharf on the site. Later the same year the ferry company announced a 20-minute service from No 2 Jetty, Circular Quay, on Sundays and holidays to the new wharf at Parsley Bay.

Watsons Bay and Vaucluse residents lobbied the Vaucluse Council for several years for erection of a shelter shed on the Parsley Bay Wharf.

In 1908 the Watsons Bay and South Shore Steam Ferry Company added a timber shelter near the wharf, designed by architect Oliver Harley (the shelter was demolished c1943). A public recreation reserve at Parsley Bay was gazetted in December 1907 and transferred to Vaucluse Council control in 1916. In the intervening period the reserve was a popular destination for visitors who travelled here by ferry, landing at the Parsley Bay Wharf and walking the short distance to the park.

The ferry company undertook works to the wharf in 1915 increasing the facilities to accommodate additional ferry and goods traffic, but retained the monopoly over the ferry service and leasehold at Vaucluse. Although unverified, this may likely have been the construction of a second concrete wharf at the eastern side of the site (appearing on a land title map by 1921).

The popularity of the Watsons Bay service led the Watsons Bay and South Shore Ferry Company to commission architect Oliver Harley in 1916 to expand the on-site facilities to a brick shop and refreshment rooms, with a dwelling above, located at Parsley Bay Wharf. The building was completed by 1917.

Designs (seen in Figure 3.4) show the curved elevation following the existing path extending from Fitzwilliam Road to the wharf. The shop, refreshment room and residence were leased to a series of tenants. Some of the known tenants were Green and Studdert (1917), Fletcher's Refreshment Rooms, Mrs E Weaver (mixed business), Mrs E Clark (refreshments), Mrs L Woodward (refreshment rooms) and H Thompson. By 1932 it was known as the Parsley Bay Wharf Newsagency.

In the intervening period the Watsons Bay and South Shore Ferry Company was taken over by Sydney Ferries in 1920. The company purchased the steamers and wharf leases in June and added the Nielsen Park stop to the Watsons Bay run. Wharves were located at Parsley Bay (Fitzwilliam Road, Vaucluse), Central Wharf (Vaucluse), Nielsen Park and Watsons Bay.

In 1921 the subject site was transferred from the trustees of the Vaucluse Estate to the ferry company (then known as Sydney Ferries Ltd). A right of way was also established in a covenant in the property transfer which can be seen in Figure 3.6 and Figure 3.14.



The plan also shows all segments of the site (right of way, reclaimed land, two existing wharves in 1921, concrete kerbs and the outline of the 1916 shop and residence).

The Parsley Bay Wharf shop and tearooms was an important local community hub. It served for instance in 1919 as a polling place for a local referendum. The following year Jessie Milford was given permission from council to hold a stall at the entrance to the wharf.⁴ In 1922 residents could inspect a copy of the council's electoral roll at Fletcher's Refreshment Rooms in addition to the town hall and post office at Watsons Bay.

The wharf was for many years the main stopping off point for visitors to Vaucluse House. In 1921 'realising that several thousand persons are likely to go to Vaucluse on Saturday, the Sydney Ferries will run special steamers to Nielsen Park and to Parsley Bay Wharf'.⁵ *The Sun* reported on the large numbers of visitors to Vaucluse House on Sunday 23 September 1923, coming by car and ferry: 'Ferry after ferry, packed to the bulwarks, unloaded their cargoes of passengers at the Vaucluse wharf.'⁶

Sydney Ferries Ltd continued to operate services to Darling Point, Double Bay, Rose Bay, Nielsen Park, Parsley Bay, Central Wharf, Vaucluse and Watsons Bay, some calling at the Zoo wharf and Clifton Gardens on the north side of the harbour. Sydney Ferries Limited reached its peak around 1928 in terms of annual passenger numbers and ferry fleet.

With the increased competition from motor buses and cars, Sydney Ferries Ltd threatened to cease the Watsons Bay, Central Wharf and Parsley Bay Wharf service in late 1932 due to fewer season ticket returns and decreased passenger patronage. The council urged the company to give the service a further trial; in August 1933 the Stannard Bros ferries were conducting the service which was extended to include Watsons Bay Wharf and Nielsen Park.

About this time there were renewed calls to establish a new ferry wharf in Parsley Bay and a site on the eastern side of the bay was inspected by the Minister for Local Government, Mr Spooner. A jetty was built, superseding the Parsley Bay Ferry Wharf and cargo jetty.



Figure 3.2 Detail from 1916 Map of Sydney Harbour showing regular ferry routes connecting Vaucluse LGA to the city and North Shore by dotted red lines. Ferry wharves were located at Parsley Bay, Watsons Bay and Greycliffe (Shark Point). (Source: National Library of Australia)



Figure 3.3 Ferry from Watsons Bay and South Shore Ferry Company near Parsley Bay Wharf, pre-1908 as there is no shelter shed near wharf. (Source: SLNSW)

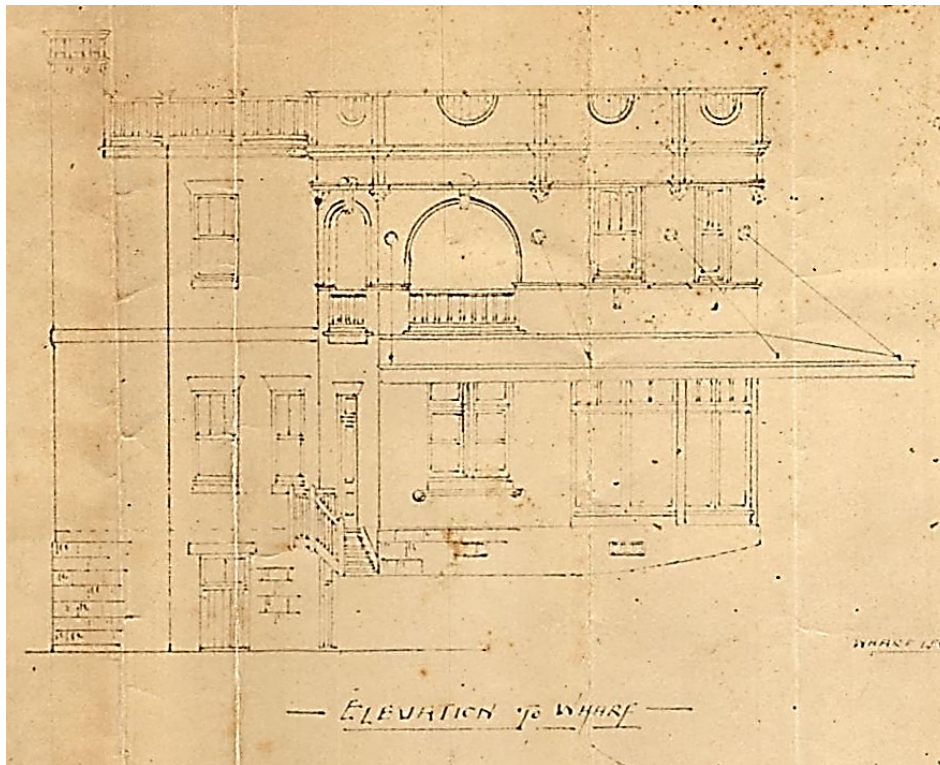


Figure 3.4 Detail of 1916 drawings of shop and residence by Oliver Harley, showing elevation to wharf of the shopfront and side entry to the refreshment room. (Source: Woollahra Municipal Council records, BA 48/16)

83 Fitzwilliam Road, Vaucluse—Heritage Assessment, September 2024

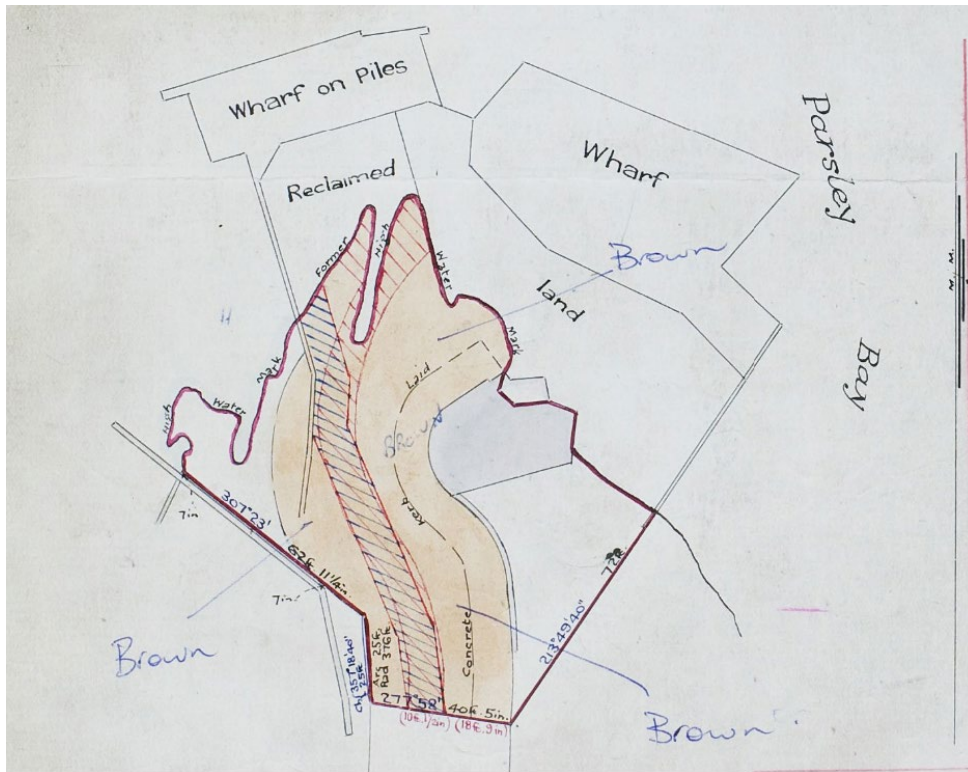


Figure 3.6 Survey of site boundary in 1921 showing the established right of way (hatched), wharves, reclaimed land and building footprint. (Source: NSW Land Registry Services, Vol. 3225 Fol. 148)

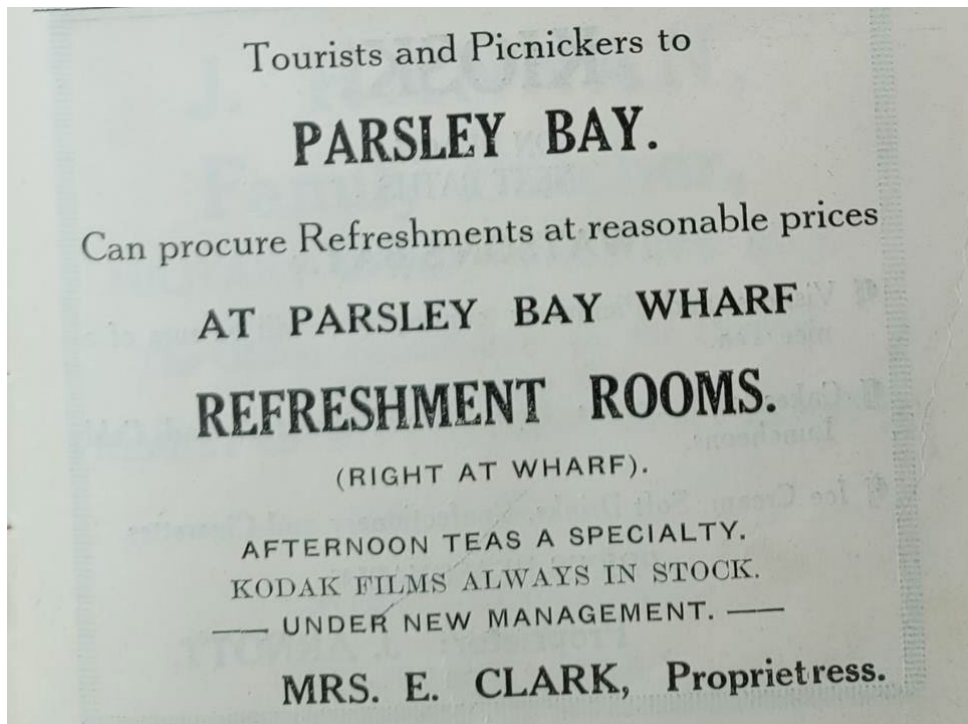


Figure 3.7 Advertisement for Mrs Clark's refreshment rooms at Parsley Bay Wharf, 1923. (Source: SLNSW, Official timetables of services of Sydney Ferries Ltd, compiled and published by Watsford & Watsford, p 17)



Figure 3.8 Detail from view of Parsley Bay showing swimmers within a shark-proof fence, c1930. The Parsley Bay Wharf shop and dwelling plus waiting room are seen and a steam ship is docked. (Source: SLNSW, a1470)

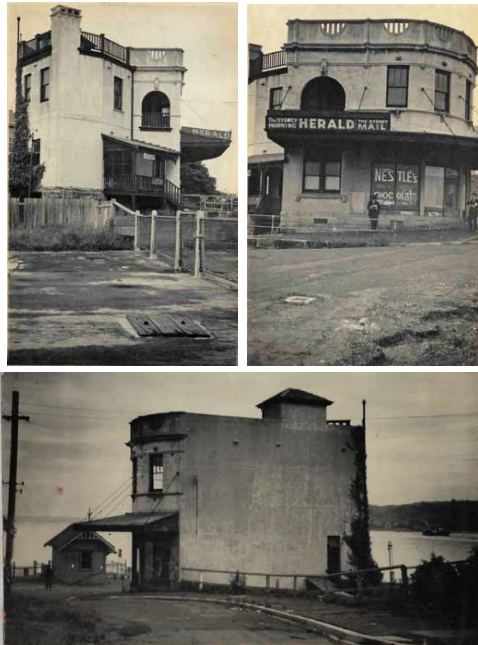


Figure 3.9 Montage of photographs showing various elevations of the shop and residence, including the timber waiting room, c1916–1938. (Source: Zoltan Kovacs Architect (2023) pp 7–8, courtesy of W Bracey)





Figure 3.10 Aerial photograph of the site (circled) showing the 1916 shop, timber wharf and waiting room, concrete wharf and surrounding development, c1930. (Source: Zoltan p 8, courtesy of W Bracey with GML overlay)



Figure 3.11 Extract of aerial view of Vaucluse and Parsley Bay, c1935 by EW Searle, with the subject site circled. (Source: National Library of Australia, PIC Drawer PM 4318 #PIC/P838/1390 with GML overlay)

3.2.4 Point Seymour

By the early 1930s use of the wharf had declined as other wharves serviced the area and car usage increased. The ferry company closed the wharf in 1937, coinciding with the expansion of Central Wharf (now named Parsley Bay Wharf) to the north, which provided direct access to Parsley Bay Beach. The subject site was sold to Horace Edward Pearce (HEP) Bracey of Lithgow in December 1938.

In June 1939 HEP Bracey lodged a building application for alterations and additions to the shop and residence. The plans (seen in Figure 3.12) were designed by Bracey's school friend, the architect George C Thomas. The design incorporated the existing shop and residence building into the new expanded house, notably using the curved shopfront as the western curved bay of the new dwelling, in a Functionalist design drawing from nautical forms, colloquially known as P&O style. This curved bay was the catalyst for two other curved bays in the dwelling, enclosing the earlier building, to provide a more open address to the north and east. The dwelling was completed in February 1940 and named, along with the site, Point Seymour (officially gazetted by the Geographical Names Board in 1978).

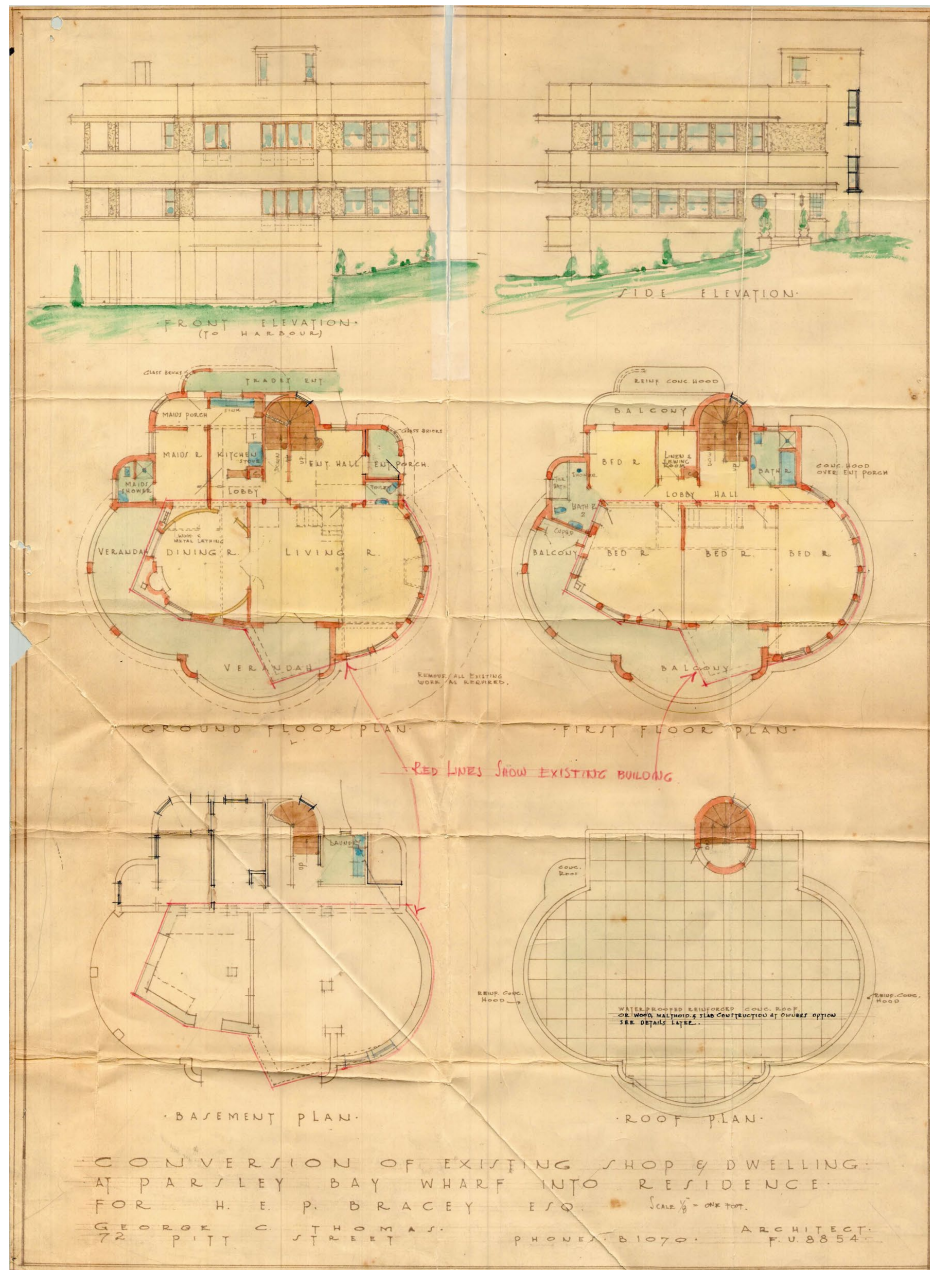


Figure 3.12 1939 drawings by George C Thomas for the 'conversion of existing shop and dwelling at Parsley Bay Wharf into Residence for H.E.P. Bracey Esq.'. (Source: Woollahra Municipal Council, BA 58/39)



Figure 3.13 A series of photographs showing the construction of the dwelling during 1939–1940.
(Source: Zoltan Kovacs Architect (2023) p 9)

Removal of wharves

In June 1942 residual land, which was owned by the Maritime Services Board (MSB) and not part of the original 1938 transaction to HEP Bracey, was conveyed to Bracey. The following month, the lots were consolidated. Both the wharves were not included in the sale and remained the property of the MSB. The earlier wharf on piles was removed in 1949 and the concrete wharf at the eastern side of the site was removed by the MSB in 1975.

The Bracey family

The Bracey family are a historically significant family in the Lithgow area, running a general store from 1886. Horace Edward Seymour (HES) Bracey, father of HEP Bracey, was 'deeply involved in the retail, civic, political and cultural life of the town and served as Mayor of Lithgow in 1895-6, 1903, 1906 and 1910. HES Bracey commissioned prominent Sydney architects Spain, Cosh and Dods to design the Bracey family home, "Wenvoe", completed in 1914. The house ... remains in the family's ownership and is



listed as a heritage item on the Lithgow LEP'.³ HES Bracey's youngest son, Eric, also commissioned Spain, Cosh and Dods to design his own residence in c1920. This property is also a local heritage item (I263) on the Lithgow LEP. HEP Bracey was involved in the civic life of Lithgow and, with his brother Eric, eventually took over management of the family business, Bracey's Ltd, from 1903. By 1935 HEP Bracey had retired from the company and moved to Elizabeth Bay. He died in 1943.

HEP Bracey's brother, Eric, inherited the property at 83 Fitzwilliam Road and transferred it into a family trust, Zig Zag Investments Pty Ltd, in 1956. Eric and his wife are recorded as residing at the property by 1958, living there until their deaths in 1968 and 1973, respectively. Eric undertook alterations to the dwelling in 1948 (see Figure 3.16). These works appear to have consisted of minor alterations, enclosing portions of portions of the veranda with glazing and adding a kitchen at each level so the floors could function as separate flats.

Eric's son, John Eric Bracey, took over management of Bracey's Ltd in the 1950s and inherited Point Seymour, residing there with his wife and children. During John's ownership the dwelling had solar heating and hot water service installed and a renovation of the kitchen, which included new windows with timber frames (to match). In 1979 the dwelling, including the newly renovated kitchen, was featured in the *Australian Women's Weekly* (24 October 1979, pp 114–115).

The Bracey family resided at the property from 1940 and, passing it down through the family, continued to do so until its eventual sale in 2023.



Figure 3.14 HEP Bracey (middle) with friends, c1940. (Source: Zoltan, p 9, Courtesy of W Bracey)

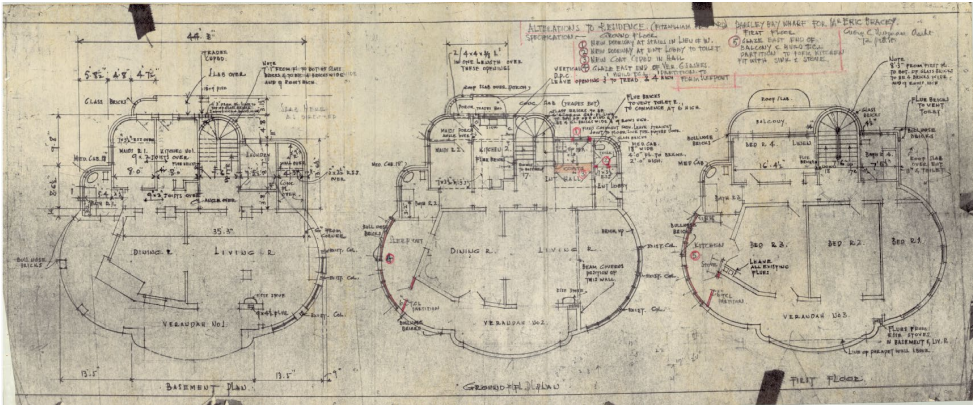


Figure 3.15 Extract of 1948 plans for alterations to the dwelling. (Source: Woollahra Municipal Council BA 31/48)

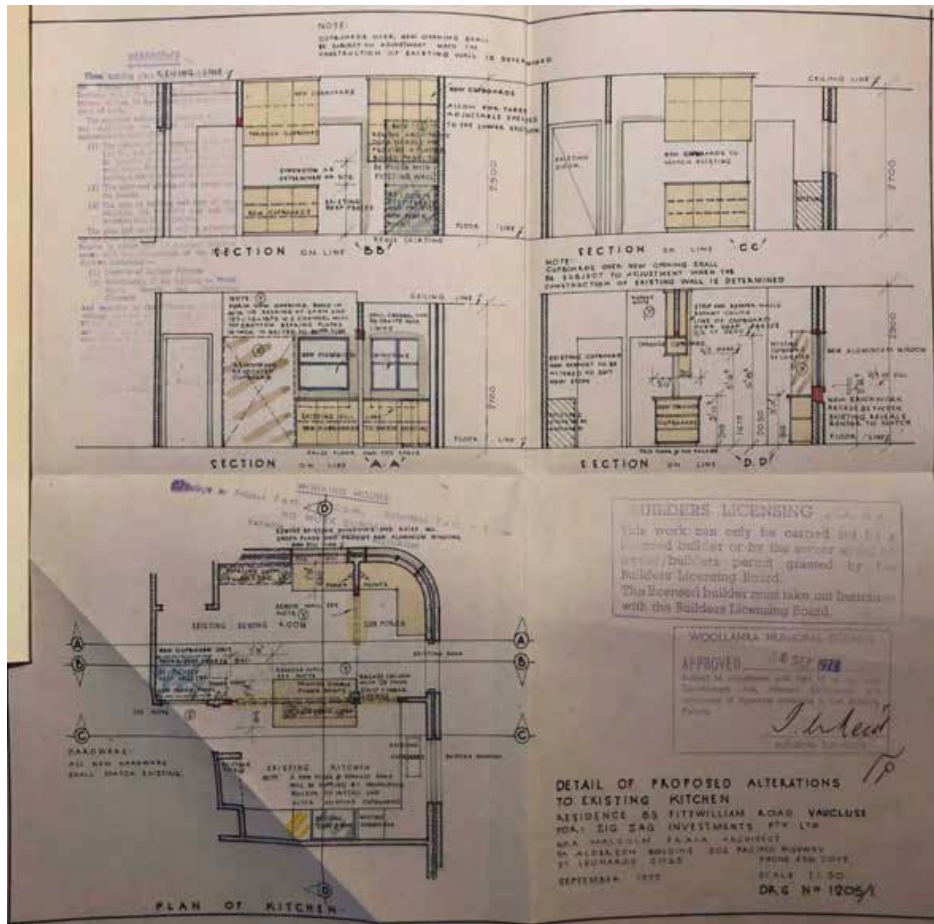


Figure 3.16 1977 alterations to the dwelling for a new kitchen. (Source: Zoltan Kovacs Architect (2023) p 15, Woollahra Municipal Council, BA 67/77)

Reception and community esteem

In 1979 the property featured in a double page article in Australian Women's Weekly titled "'Wedding Cake' house on Sydney Harbour" and included several colour photographs of the views, exterior and interior. The article describes the dwelling as 'a landmark' and noted its historical use; "on weekends families came to the tearooms for an afternoon in the country by the sea".⁴

The dwelling, given its prominent siting and white rendered layered curves, resembled a wedding cake and became known as this colloquially. Many subsequent newspaper articles reference the dwelling as the 'Wedding Cake House'.

The house is featured in the 2019 publication *Art Deco Sydney*, as Point Seymour. This survey of Art Deco architecture in its many forms features houses from across Sydney.⁵

The sale of the property in 2023 drew media attention. An internet search of the term 'Wedding Cake House Vaucluse' draws numerous results related to the sale of the property indicating its landmark status, with selling agent Michael Pallier quoted as saying 'People know this property well, because as you travel through the harbour it's a home that has always stood out'.⁶



Figure 3.17 Double page article in the *Women's Weekly* in 1979, describing the dwelling as 'Wedding Cake' House'. (Source: *The Australian Women's Weekly*, 24 October 1979, pp 114–115)



Figure 3.18 Point Seymour, 83 Fitzwilliam Road, viewed from the water, 1994. (Source: Woollahra Library, pf005072i)



Figure 3.19 Point Seymour features in Peter Sheridan's book *Sydney Art Deco* (2019). (Source: Peter Sheridan, *Art Deco Sydney*, p 102).



Historical aerals



Figure 3.20 1943 aerial showing the subject site (centre) with extant wharves and a large boat docked. (Source: Nearmap 2024)

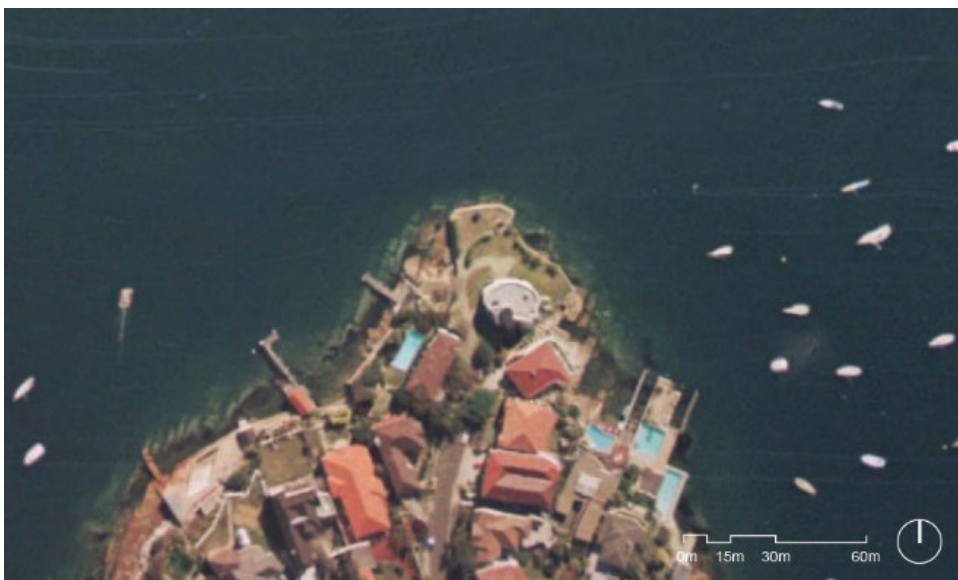


Figure 3.21 1982 aerial showing the subject site (centre) with wharves demolished. (Source: Nearmap 2024)



Figure 3.22 2010 aerial showing the subject site (centre). (Source: Nearmap 2024)

3.2.5 Historical timeline of development at 83 Fitzwilliam Road

Table 3.1 Historical overview.

Date	Event
1903	Ferry wharf established. This included reclaimed land, sandstone sea wall and wharf on timber piles.
1904	First ferry services using the wharf.
1908	Timber waiting shed constructed, designed by Oliver Harley. (Shed demolished c1940s.)
1915	Works undertaken by the Watsons Bay and South Shore Steam Ferry Company adding concrete jetty for freight at the eastern side of the site.
1916	Shop, refreshment rooms and residence constructed, designed by Oliver Harley.
1921	Subject site transferred to the ferry company (then known as Sydney Ferries Ltd).
1920s	Fletchers Refreshment Rooms utilised as community facility, polling booth and other activities.



Date	Event
1937	Parsley Bay Wharf closed. New wharf expanded on northern side of Parsley Bay.
1938	Site was sold to Horace Edward Pearce (HEP) Bracey.
1940	Conversion of the 1916 shop and residence into a new, larger dwelling.
1942	Residual land not included in 1938 transfer is conveyed to Bracey. The lots were consolidated the same year.
1948	Internal alterations to dwelling.
1949	First wharf on timber piles removed.
1975	Second concrete freight wharf removed.
1977	Internal alterations to dwelling (new kitchen).
1978	Point Seymour officially gazetted by the Geographical Names Board.
1979	Dwelling featured in a <i>Women's Weekly</i> article, "'Wedding Cake' House'.
2019	'Point Seymour' included in <i>Sydney Art Deco</i> book by Peter Sheridan.
2023	Property sold for first time since 1938, ending 85 year ownership by the Bracey family.

3.3 Endnotes

- ¹ A Brief History of Woollahra, Woollahra Municipal Council, <https://www.woollahra.nsw.gov.au/Library/Local-history/History-of-woollahra-lga/A-brief-history-of-woollahra>.
- ² Lisa Trueman Heritage Advisor, Point Seymour, 83 Fitzwilliam Road, Vaucluse, Heritage Assessment, p 13.
- ³ Lisa Trueman Heritage Advisor, p 39.
- ⁴ Eileen Alderton, *The Australian Women's Weekly*, 24 October 1979, p 114.
- ⁵ Peter Sheridan, *Art Deco Sydney*, 2019, p 102.
- ⁶ <https://www.realestate.com.au/news/vaucluse-waterfront-pt-seymour-listed-with-50m-price-guide/>



4 Site analysis

The following site description and analysis is based on GML's site visit (30 July 2024).

4.1 Setting and views

The site is located at the northern extent of Fitzwilliam Road, Vaucluse (Figure 1.2). The site is positioned at the tip of a peninsula of land between Vaucluse Bay to the west and Parsley Bay to the east. The prominent position of the site offers expansive views of Watsons Bay and the outer harbour, and in turn the dwelling is highly visible from the water and various vantage points across Vaucluse and Watsons Bay. Known colloquially as Wedding Cake House, the dwelling can be considered a local landmark. The prominence of the site is identified in Figures 4.1–4.5 taken from the Circular Quay to Watsons Bay ferry route and public domain spaces at Watsons Bay and Parsley Bay.

The immediate context of the subject site, on Fitzwilliam Road, is characterised by large two storey detached dwellings on large allotments, interspersed with interwar residential flat buildings. On-street parking and a variety of plantings, including mature trees, sandstone and brick boundary walls, and garages line the street. At the intersection of Wentworth and Fitzwilliam roads is a locally listed Vaucluse War Memorial and Bus Shelter (I349).

The dwelling sits on an expanse of terraced lawns which include low flower beds with sandstone edging and concrete paths which has remained largely unchanged in character since the Parsley Bay Wharf period of the site development. Other features include a flagpole, sundial, and low shrubbery including camellia hedging and two mature frangipani trees. The driveway that extends from Fitzwilliam Road at the south and travels along the property's western boundary is in the location of the road to the Parsley Bay Wharf, clearly demarking this former use. The northern boundary of the property abuts the remains of the Parsley Bay ferry wharf and the sandstone wall forming the reclaimed foreshore. A small part of the property extends into the harbour.



Figure 4.1 View south from the water (Circular Quay to Watsons Bay ferry route) showing the dwelling (centre) in its immediate Vaucluse surrounds. (Source: GML, July 2024)



Figure 4.2 View southeast from the water (Circular Quay to Watsons Bay ferry route) showing the dwelling (centre) and Parsley Bay and bridge to the left. (Source: GML, July 2024)



Figure 4.3 View southwest from the water (Watsons Bay to Circular Quay ferry route) showing the dwelling (centre) and surrounds. (Source: GML, July 2024)



Figure 4.4 View northeast from Parsley Bay showing the dwelling (circled) and surrounds. (Source: Zoltan Kovacs Architect, July 2023 with GML overlay)



Figure 4.5 View northeast from Parsley Bay Reserve showing the dwelling (circled) and surrounds.
(Source: Zoltan Kovacs Architect, July 2023 with GML overlay)

4.2 The dwelling

The existing house is largely unaltered externally from when it was extended and converted from the shop/refreshment rooms to a dwelling in 1939. The original external form and features of the building remain, including parts of the 1916 two storey shop/refreshment rooms, with residence above, which were incorporated into the house. The curved lines of the former shop were extended into the distinctive curved form of the house, which incorporates elements of the Inter-war Functionalist/P&O style. The upper level windows and entrance to the former shop are identifiable at the southern part of the building. The parapet line has been extended around the curved façade of the house, which forms deep, recessed verandahs on two levels facing the harbour.

Real estate photographs from 2023 indicate that the house was also highly intact internally. The original configuration of rooms, with the primary rooms and bedrooms facing the harbour with access to the verandahs, and original timber windows, doors and joinery and exposed timber beams. The kitchen and an ensuite appeared to date from the 1979 renovations.



The subject site, including interiors, was inspected by GML on 30 July 2024 after CDC works had commenced on the property. Scaffolding and fencing had been erected and the interiors including some walls and windows, flooring and roof had been demolished. Extensive excavation around the footings of the building on the western side had also been undertaken.

The dwelling is a solid, three storey building with the curved form and simple surface treatment of the Inter-war Functionalist style. It is primarily a brick structure (rendered and painted white) with sandstone coursework (also painted white) and internal steel supporting beams. On the western, northern and eastern elevations, each level has three large, curved bays with large openings with a curved eave running above. The western curved bay incorporates part of the earlier building including its fenestration pattern on the first floor. The curve forms a pattern which is replicated, enclosing the earlier building and creating expansive balconies.

The southern elevation contains a curved vertical expression, enclosing the main stairwell, with fixed windows of glass blocks and a band of decorative dentil moulding underneath the fascia. A small single room at the rooftop provides access to the flat roof, concealed behind a short parapet.

Access is provided on the western elevation (the main entrance is a timber double door with 12 lights) and at the southern elevation (via a partly covered elevated walkway to the former trades/maids entrance). Along the curved southwest corner and southern elevation of the building, on a number of levels, many openings are extant. These include glass block windows, timber framed sash windows, and timber doors with clear and frosted glazing. These windows and doors on the southern elevation relate to the rear kitchen, laundry and former maids rooms.

Overall, the building has various opening sizes and window types (many windows had been removed prior to GML's inspection). The building has little decorative treatment, its form is simple, composed of smooth rendered surfaces, painted white, curves and contrasting horizontal and vertical expressions, typical of the Functionalist/P&O style.

The interior spaces GML inspected were the basement level, upper two floors and roof landing area. As the interiors were largely stripped out (internal walls, windows, flooring—including balcony tiles and some floorboards—finishes, partitions and fitouts, ceilings, etc.) the sense of the interior spaces was not able to be deciphered. Internal details remaining were limited to a curved metal stair balustrade covered in velvet with a decorative tassel. The concrete staircase was largely intact, and the brickwork (including the original 1916 building sections) were exposed and visible. Exposed rafters on the top floor revealed evidence of a previous fire.



4.2.1 Site photographs



Figure 4.6 83 Fitzwilliam Road, view from the street prior to site hoarding obscuring views. (Source: Lisa Trueman HA report, February 2024)



Figure 4.7 83 Fitzwilliam Road, view from the street prior to site hoarding obscuring views. (Source: Lisa Trueman HA report, February 2024)



Figure 4.8 The principal northern elevation and eastern and western bays. (Source: GML, July 2024)



Figure 4.9 Southern and western elevations showing the location of the front door and the curved façade of the former shop element. (Source: GML, July 2024)



Figure 4.10 Ground floor southern elevation showing existing original windows and doors. (Source: GML, July 2024)



Figure 4.11 Southern elevation curved bay enclosing stairway, partly concealed with scaffolding. (Source: GML, July 2024)



Figure 4.12 View of the southern elevation, showing curved stairwell with glass block windows (second entrance and footbridge obscured by scaffolding). (Source: GML, July 2024)



Figure 4.13 View of southwest corner, showing main entrance (stairs removed from excavation) and glass block windows on first floor curved elevations. (Source: GML, July 2024)



Figure 4.14 View south showing dwelling, sea wall and landscaping. (Source: GML, July 2024)



Figure 4.15 View east showing sandstone retaining walls, stairs and path. (Source: GML, July 2024)



Figure 4.16 View of the remains of the eastern wharf, site boundary, landscaping and the eastern bay of the dwelling. (Source: GML, July 2024)



Figure 4.17 Eastern elevation of dwelling showing 1916 sandstone basement wall (painted white) and form of 1939 addition above. (Source: GML, July 2024)



Figure 4.18 Excavation in front of the northwest elevation, revealing sandstone foundations. (Source: GML, July 2024)



Figure 4.19 Interior view of eastern bay at basement level. (Source: GML, July 2024)



Figure 4.20 Severed beam in basement. (Source: GML, July 2024)



Figure 4.21 Rear of basement showing original door and window. (Source: GML, July 2024)

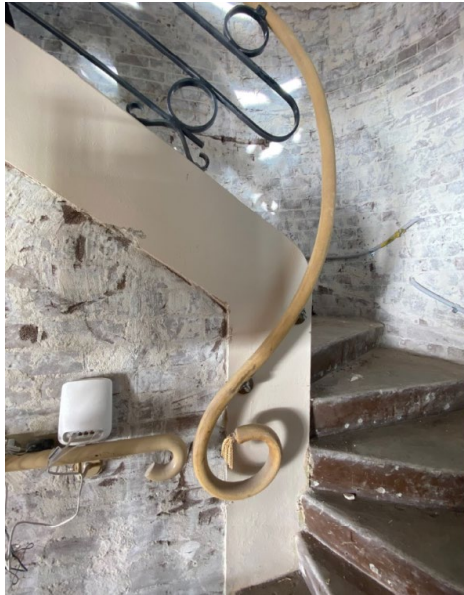


Figure 4.22 Brick stairwell and concrete stairs with steel handrail, curved motif, velvet covering and tassel. (Source: GML, July 2024)



Figure 4.23 Glass block window in internal stairwell, also remnant wallpaper. (Source: GML, July 2024)



Figure 4.24 First floor showing ceilings, walls, windows, some flooring and finishes removed. (Source: GML, July 2024)



Figure 4.25 Section of wall partly removed, with temporary supports. (Source: GML, July 2024)



Figure 4.26 Ceiling rafters with areas of burnt rafters exposed. (Source: GML, July 2024)



Figure 4.27 View east of stripped out top floor. (Source: GML, July 2024)



Figure 4.28 View west of top floor showing 1916 curved wall and fenestration pattern. (Source: GML, July 2024)



Figure 4.29 Basement level opening to the east. (Source: GML, July 2024)



5 Heritage context

5.1 Heritage listings

The subject site is a listed item of local significance under Schedule 5 of the WLEP 2014 as follows:

Item name	Address	Property description	Significance	Item ID	Listing
'Remains of Vaucluse Point ferry wharf'	83 Fitzwilliam Road, Vaucluse	Lot 1, DP 1109931; Lots 1, 2 and 3, DP 430595; Lots 1 and 2, DP 346850; Lot 1, DP 188299	Local	I357	WLEP 2014

The subject site is not located within a heritage conservation area.

The Statement of Significance is provided on the NSW State Heritage Inventory for the item as:

Indicative of the changing patterns of transport and the urban development of the adjacent areas. Part of the nineteenth century transport network based on the harbour waterways.

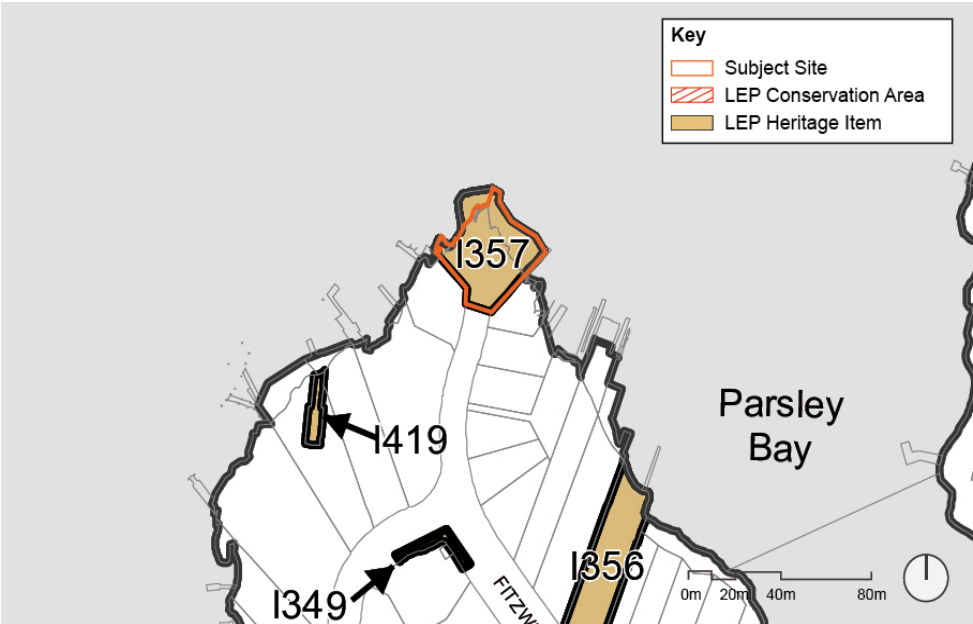


Figure 5.1 Heritage map showing boundary of the subject site and nearby heritage items. (Source: Heritage Map HER_004, Woollahra LEP 2014 with GML overlay)

5.2 Heritage items in the vicinity

The subject site is located in the vicinity of multiple heritage items of local significance. Information for the following heritage items identified in the vicinity of the subject site are taken from Schedule 5 of the WLEP 2014. These are also identified in Figure 5.1.

Item name	Address	Property description	Significance	Item ID	Listing
'War memorial and bus stop shelter'	Fitzwilliam Road, junction with Wentworth Road	Road reserve	Local	I349	WLEP 2014
'West Parsley Bay Obelisk'	65 Fitzwilliam Road	Lot 5, Section 1, DP 4527	Local	I356	WLEP 2014
'Eastern Channel Lighthouse—Front Lead'	Wentworth Road (adjoining 80 and 82 Wentworth Road)		Local	I419	WLEP 2014



6 Assessment of significance

An assessment of heritage significance is conducted to establish why a place is important. *The Burra Charter* defines cultural significance as 'aesthetic, historic, scientific, social or spiritual value for the past, present or future generations'.¹

Significance is embodied in the physical fabric of the place, its setting and relationship to other items, the recorded associations with the place, and the response the place evokes in the community or in individuals to whom it is important. The evaluation includes consideration of the original and subsequent layering of fabric, uses, associations and meanings of the place, as well as its relationship to both the immediate and wider setting.

Note: the following assessment of significance relates to the dwelling on the subject site, the grounds, views and its setting. The significance relating to the remains of the ferry wharf is already established and reflected in the existing heritage listing (I357 WLEP).

6.1 Integrity and condition

When inspected by GML on 30 July 2024, the dwelling was largely intact externally, however the majority of the window frames on the principal elevations and the roof had been removed. The original fenestration pattern of the 1916 shop and residence remained and was able to be appreciated (see Figure 4.28). Internally, the structure of the 1916 shop also remains evident. While much of the interior has been removed, the layout, scale and character of the 1939 design is able to be appreciated. For example the location of earlier walls is clearly evident in the remaining floor finishes. Intact fabric includes the majority of the flooring (floorboards), stairs and handrail and some partition walls and the majority of the fabric on the southern side of the dwelling, including room structures, panels of glass bricks, windows and doors.

Excavations at the base of the building's northwest elevation had been undertaken including the removal of a portion of the concrete path. The remaining garden and landscaped areas were intact.

6.2 Comparative assessment

83 Fitzwilliam Road, or Point Seymour, has a unique history as the former Parsley Bay Wharf with shop and refreshment rooms, later sold into private ownership and converted to a house in the Inter-war Functionalist style characteristic of the 1930s. Its location on a prominent peninsula of Sydney Harbour, making it a well-known feature of the Vaucluse foreshore, also makes it unusual. In order to evaluate the significance of the



site the following section compares the site with other dwellings of a similar Functionalist/P&O architectural style and age within the Woollahra LGA, other former or current ferry stops within the area and comparable former public harbour facilities, such as shops and tearooms of a similar scale. This section aims to establish to what extent the site has historical importance and is a rare or representative example of its type.

Inter-war Functionalist houses in the Woollahra LGA

This comparative assessment has been undertaken based on dwellings of a similar Inter-war Functionalist architectural style and age within the Woollahra LGA. The examples have been sourced using the NSW State Heritage Inventory database and include the following:

- Prevost House, 65 Kambala Road, Bellevue Hill;
- Nisbet House, 99 Yarranabbe Road, Darling Point; and
- 55 Drumalbyn Road, Bellevue Hill.

Prevost House, 65 Kambala Road, Bellevue Hill



Prevost House. (Source: DOCOMOMO Australia, 2014)





Rear of Prevost House. (Source: Domain.com.au, 2006)

Date of construction 1936	Architect Prevost & Ancher
Listing WLEP 2014 (I39)	Significance local

Statement of Significance (DOCOMOMO)

A house of considerable architectural significance as one of the finest Functionalist style houses in Australia. An early work of the prominent architect Sydney Ancher, which is a sophisticated interpretation of nautical and other overseas influences. The flat roof, which is symbolic of the modern movement, is one of the earliest in Australia. The house marks a turning point in the history of twentieth-century architecture in Australia.²



Prevost House, 65 Kambala Road, Bellevue Hill	
Intactness The property was sold in 2006, with limited photographs available online. There were no DA applications lodged with council since this sale. The exterior of the dwelling appears to be largely intact. The degree of the intactness of the interiors remains unclear.	
Nisbet House, 99 Yarranabbe Road, Darling Point	
	
Exterior of Nisbet House. (Source: Realestate.com.au)	Interior of Nisbet House. (Source: Realestate.com.au)
Date of construction 1937	Architect John Athelstan Victor Nisbet
Listing WLEP 2014 (I194)	Significance local
Statement of Significance <i>The house at 99 Yarranabbe Road has high local historic and aesthetic significance as a demonstrated, although not documented, copy of international architect Wells Coates' 'Sunspan' house, exhibited in England, and which is rare in Sydney. The house has local historical significance as a representative example of the emergence of Inter War housing development at the northern end of Darling Point. The house has some local historical significance as a demonstrative example of the emergence and direct influence of the International modern architectural movement within Sydney in the late 1930s, through the publishing of works in professional journals.</i> <i>The house has some local historical significance for its association with architect John A. V. Nisbet, a local architect of some significance, for whom the house was constructed. The house has high local aesthetic significance as a well executed representative example of an Inter War Functionalist style residence in Darling Point, which retains a high degree of integrity in its external massing and architectural detail, and internal planning. The property has some local historical significance as a representative example of the layers of subdivision, typical of much of Darling Point. The house has streetscape value on Yarranabbe Road, for its prominent site location</i>	



Nisbet House, 99 Yarranabbe Road, Darling Point

and strong architectural character, which is typical of its Functionalist style, and which affords it sculptural like qualities. The siting and orientation of the house to capture the harbour view, and the terracing of the land in front of the house, including the stone steps, have local aesthetic significance, as a direct result of the sloping nature and orientation of the site, and for their contribution to the sculptural qualities of the house.³

Intactness
The house has been extensively modified and updated internally and externally with a rooftop addition added, internal layout and level changes in 2009. This is reflected in documentation from multiple DAs held by Woollahra Municipal Council and publicly available photographs on real estate websites.

55 Drumalbyn Road, Bellevue Hill



Exterior of 55 Drumalbyn Road. (Source: Robertson & Hindmarsh Pty Ltd, March 2022)

Interior of 55 Drumalbyn Road. (Source: Robertson & Hindmarsh Pty Ltd, March 2022)

Date of construction 1937	Architect Percy Gordon Craig
Listing WLEP 2014 (I723)	Significance local

Statement of Significance
55 Drumalbyn Road, Bellevue Hill is of at least Local historical significance as an early New South Wales example of Modernist residential architecture that demonstrates the distinctive features of the style such as horizontal emphasis, open plan living areas and useable roof terrace, reflecting the first wave of Modernism to be employed in Australia; as such it is a rare remaining example of the style and one of the first examples to be erected in Sydney generally and in the Eastern suburbs. The house takes advantage of its elevated sloping site through terracing of the gardens, facing the principal rooms to the view and sun and linking the roof terrace to the sandstone ledge in the rear garden. It is also of at least Local historical significance in reflecting the lifestyle of the upper Middle Class in the interwar period with a garage for their car and



55 Drumalbyn Road, Bellevue Hill

accommodation for the live-in maids, which was indicative of the wealth of the residents and also is a reflection of a lifestyle (live-in maids) that is, defunct except for the rarest instances of the super-wealthy.

55 Drumalbyn Road, Bellevue Hill is of at least Local significance for its association with the long-time owners, the world-famous, and internationally-recognised, Cole Family of magicians, escapologists and illusionists and for its association with the body of work of the prolific interwar architect P. Gordon Craig and his younger partner who worked on the design of the house, John M. Brindley.⁴

Intactness

From publicly available photographs, the interiors and exteriors are highly intact, reflected in the heritage listing of the item as 'House including interiors, garage, outbuilding and gardens including retaining walls'.

It is noted that an application to demolish the building and construct an aged care facility was refused by council. This led to a recent Land and Environment Court hearing (Proceedings No. 2021_358556), RNB PROPERTY GROUP PTY LTD v WOOLLAHRA MUNICIPAL COUNCIL which overturned council's refusal.

Conclusion:

The dwelling at 83 Fitzwilliam Road, its external form predominantly from 1939, demonstrates similar characteristics with the locally heritage significant examples above, including demonstrating overseas influences in architecture particularly Functionalism styles and drawing on nautical design references. This can be seen in the strong architectural character of the external form of the house, use of glass bricks and flat roof.

In particular the house shares characteristics with Prevost House (1936-37), a celebrated early example of modernist architecture in Sydney. Notably the use of glass bricks, flat roof and circular dining area (thought to be drawn from Mies Van der Rohe's Tugendhat House (1930), Brno, Czech Republic).⁵ 83 Fitzwilliam Road, dating from just 3 years after Prevost House, can be seen to demonstrate many similar elements of innovation, still rare at its time of construction.

Like the examples above, the house at 83 Fitzwilliam Road can be seen as a well-executed representative example of an Inter-War Functionalism style residence, which retains a high degree of integrity in its external massing.

As with a number of examples above, the property has streetscape value on Fitzwilliam Road and from the harbour, for its prominent site location and strong architectural character. The siting and orientation of the house to capture the harbour view, and the minimal terracing in front of the house, can also be seen to have local aesthetic significance. It is also noted that a number of the examples above have been modified internally or with additions, yet retain their distinctive aesthetic characteristics.



While the house at 83 Fitzwilliam Road dates from 1916 with later extensive additions in 1939, it is acknowledged its external appearance is largely that of the 1939 works. As a result the house is considered to be a good representative example of Inter-war Functionalist architecture within the Woollahra LGA, of which few examples are heritage listed.

Remnant sites related to harbour transport networks



The former ferry wharf areas of the site are currently listed as an item of local significance. The current Statement of Significance for the subject site is as follows (I357, WLEP 2014):

Indicative of the changing patterns of transport and the urban development of the adjacent areas. Part of the nineteenth century transport network based on the harbour waterways.

It is felt that the site as a whole is able to demonstrate these transport patterns and the importance of the harbour for the nineteenth century development of the Woollahra LGA. It is noted that this site was part of a network of ferry services throughout Sydney Harbour. Other sites listed on the State Heritage Inventory with a similar historical development pattern include the following:

- 'Tea Gardens - kiosk, interiors and grounds', Watsons Bay;
- 'Remains of Bath House and site of jetty', Darling Point;
- 'Watsons Bay Ferry Pier', Watsons Bay;
- 'Double Bay Public Wharf Site', Double Bay;
- 'Site of Figtree Tea Rooms and Aquatic Tea Rooms', Hunters Hill;
- 'Site of Figtree Wharf and Boatshed', Hunters Hill;
- 'Parsley Bay Ferry Wharf', Vaucluse; and
- 'Nielson Wharf remains (former)', Vaucluse.



'Tea Gardens - kiosk, interiors and grounds', Watsons Bay	
	
Recent photograph of the 1920s Watsons Bay Tea Gardens Kiosk, undated. (Source: NSW State Heritage Inventory)	Watsons Bay Tea Rooms, c1943–1944. (Source: Woollahra Municipal Council Library, pf005721)
Date of construction c1926	Architect John Herbert Hurst
Listing WLEP 2024 (I442)	Significance Local
Statement of Significance <p><i>The Tea Gardens Kiosk at 8 Marine Parade Watsons Bay demonstrates historic significance as a local landmark building constructed as dressing sheds around 1926 associated with the Watsons Bay ocean pool located opposite on the other side of Marine Parade.</i></p> <p><i>The building demonstrates historical associative significance as a built example of the work of the architect John Herbert Hurst. Whilst the building has undergone some minor modifications, the design intent of the architect can still be clearly interpreted. Its ability to describe the type of development that was a response to the Tourism and Leisure opportunities afforded by the physical landscape of Watsons Bay.⁶</i></p>	
Intactness/integrity <p>The State Heritage Inventory for the item describes the building as being in good condition. Contemporary publicly available photographs confirm this.</p>	



'Remains of Bath House and site of jetty', Darling Point	
	
Remains of bath house. (Source: NSW State Heritage Inventory, 2021)	Remains of bath house. (Source: NSW State Heritage Inventory, 2021)
Date of construction 1840–1890	Architect Unknown
Listing WLEP 2014 (I113)	Significance Local
Statement of Significance	
<p><i>The remains of bath house and site of jetty maintain historic significance as remnants of public transport within Sydney Harbour and of recreational activities undertaken by Sydney's 'elite' class during the mid to late nineteenth century. The remains are of aesthetic significance as substantial sandstone remnants expressing a long period of use, aesthetically consistent within the surrounding character of Darling Point. The remains are of social significance for local residents and history groups within the local area who can observe an example of Europeans early introduction to seaside recreation.</i></p> <p><i>The remains of bath house and site of jetty are of research potential, rarity and representativeness significance as one of a few intact set of remains contributing to our understanding of early local attempts to interact with the seashore.⁷</i></p>	
Intactness/integrity	
Archaeological remains. Unknown.	



'Watsons Bay Ferry Pier', Watsons Bay	
	
Watsons Bay Ferry Pier. (Source: NSW State Heritage Inventory, 2008)	Watsons Bay Ferry Pier. (Source: NSW State Heritage Inventory, 2008)
Date of construction 1978 (reconstructed)	Architect Unknown
Listing S170 (Transport)	Significance Unknown
Statement of Significance <p><i>Watsons Bay Ferry Pier has been a local transport facility since the 1880s and, as one of several ferry wharves along the southern shore of the Harbour, forms part of the historic infrastructure around which the eastern suburbs have developed. Ferry and tram operations have had a significant effect on the nature of development in surrounding areas, with twentieth century residential development in the eastern suburbs variously following the ferry or tram transport routes. The wharf has strong associations with the local fishing industry and has played a major role in the particular character of Watsons Bay.</i></p> <p><i>The significance of the wharf is contained in its location, its relationship to associated transport routes and any physical evidence that demonstrates its long history of use.⁸</i></p>	
Intactness/integrity <p>Described as good on the NSW State Heritage Inventory.</p>	



'Site of Figtree Tea Rooms and Aquatic Tea Rooms', Hunters Hill



AQUATIC TEA ROOMS - FIG-TREE WHARF.

Aquatic Tea Rooms at Figtree Wharf, 1925.
(Source: City of Sydney Archives, A-00077242)



Remnant brick paving associated with the tearooms. (Source: NSW State Heritage Inventory, 2004)

Date of construction 1900

Architect Unknown

Listings

- S170 (Transport), 4301035
- Hunters Hill LEP 2012 (I460)
- Hunters Hill LEP 2012 (Hunters Hill Conservation Area – The Peninsula, C1)

Significance Local

Statement of Significance

A vacant, grassed area between Joubert Street and Burns Bay Road, Hunters Hill. The site has some archaeological features evident on the surface. A bitumen access road traverses the northern end of the site from Joubert Street to underneath the approach of the current Figtree Bridge. Another bitumen footpath traverses the site diagonally from Joubert Street approximately 50m from the terminus of Joubert Street. Bricks may indicate remnants of the Esporia Tea Rooms that were built on the site after the original tea rooms were demolished. The site is vegetated with poplars, native figs and other species of tree.¹⁰

Intactness

Archaeological site. The inventory sheet states:

Original condition assessment: 'A high archaeological potential, the integrity of which is indeterminate at this stage.' (Last updated: 8/03/2005.)

2007–08 condition update: 'Fair.'

Location of former Figtree Wharf and Boatshed, facing east. (Source: NSW State Heritage Inventory, 2004)

Architect Unknown

Significance Local

- S170 (Transport), 4301036
- Hunters Hill LEP 2012 (I459)
- Hunters Hill LEP 2012 (Hunters Hill Conservation Area – The Peninsula, C1)

The site of the former Figtree Wharf and Boatshed is of Local significance to the LGA of Hunters Hill for its role in the development of the region as an early recreational destination, then a transportation route connecting the outer suburbs to Sydney. Evidence of the boatshed and other structures may survive, providing archaeological information on construction techniques and uses of the building associated with the ferry services and later the first Fig Tree Bridge. The land was originally granted to the emancipist businesswoman Mary Reiby, then passed into the ownership of Didier Joubert, who along with his brother Jules, played a significant role in the development of the enduring character of Hunters Hill.¹¹

Unknown.

The above heritage items express a recognised history of maritime transport patterns and the importance of the harbour for suburban development and recreational and leisure uses. The examples include a range of structures, both extant and former, including wharves, waiting rooms, tearooms, bath houses and boat houses which record this historically important harbour ferry network. Each site was part of a network of



water based transport services throughout Sydney Harbour which provided transport to residents, day-trippers, recreational use of the harbour and for the movement of goods and livestock.

The sites are generally noted local landmarks and have been assessed to have local historical, social and research significance, as well as rare and representative qualities. Importantly, the sites in the above comparative analysis are generally groups of structures, or are associated with nearby infrastructure, including a wharf, reclaimed land/sea wall, a building such as a waiting shed, boat house, tearoom/refreshment room/kiosk, booking office. Historically, the suite of buildings and structures such as tearooms were an important part of the harbour network, interconnected with the ferry service and network.

Some of the sites have been demolished, heavily modified or entirely reconstructed, yet all retain their heritage significance and are identified on various heritage registers. Most of the examples above are noted for their rarity as examples of harbour or beachfront wharves or similar utilising ferry services—part of water transport network closely linked to suburban development and tourism.

83 Fitzwilliam Street shares the history of many of these examples including its relationship to suburban development and tourism via its connection to the ferry network in Sydney Harbour. It is also able to demonstrate these former uses in the range of structures and landscaping that remain on the site, including wharf remains, reclaimed land/sea walls, paths, and former shop and tearoom. The entire site can be seen as a cultural landscape reflecting the late nineteenth and early twentieth century history of harbour based transport in the area and as representative of a wider network of similar sites.

6.3 Assessment against standard criteria

This section sets out an assessment of the heritage significance of the subject site in accordance with the standard criteria as outlined in the *Assessing Heritage Significance* guidelines.¹² The evaluation includes consideration of the original and subsequent layering of fabric, uses, associations and meanings of the place, as well as its relationship to both the immediate and wider setting.

The *Assessing Heritage Significance* guidelines provide the framework for the assessment and the Statement of Significance in this report. These guidelines incorporate the five types of cultural heritage values identified in the Burra Charter into a specially structured framework, which is the format required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out in the table below. An item is



significant in terms of a criterion if the kinds of attributes listed in the significance indicators to describe it. The significance indicators are a guide only and should be used to help review and qualify conclusions reached about the item’s significance. The assessment needs to relate the item’s values to its relevant geographical and social context, usually identified as either local or state contexts. Items may have both local and state significance for similar or different values/criteria.

6.3.1 Criterion A—historic 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).

The subject property, as the site of the former Parsley Bay Wharf, is important in demonstrating the historical development of the local area. The ferry service was historically significant to the local area and was a key part of the early settlement and subdivision of the Vaucluse Estate. The subject property was used for over 30 years, by local residents, day-trippers visiting the local area and played a significant role as a civic and community facility.

Remains of this historical function are evidenced at the site in the below water remains of the 1903 and 1915 wharves (demolished), extant reclaimed land, sandstone retaining walls and sea walls, the pathway to the jetty, the site layout and landscaping and the extant dwelling which converted and expanded the original 1916 building. The current structure, including the integration of the shop and refreshment rooms into the dwelling house, reflects these historical uses in its remaining layout and external appearance.

Together, the site’s structures/landscape elements can be seen to have historic significance as a cultural landscape that demonstrates an important phase in the history of the local area.

The subject site has cultural significance at a local level under this criterion.

The subject site does not have cultural significance at a state level under this criterion.

Table 6.1 Criterion A—historic significance.

Significance indicator	Local significance threshold
Association with an event, or series of events, of historical, cultural or natural significance	The site is associated with the subdivision and settlement of Vaucluse and has local significance for these associations.
Demonstration of important periods or phases in history	The subject property was the site of the former Parsley Bay Wharf which operated from 1903 to 1937. It is able to demonstrate the importance of water transport in the settlement of the suburb of



Significance indicator	Local significance threshold
	Vaucluse and the ongoing importance of water-based transport during the early twentieth century. Remains of this historical function demonstrates an important period in the history of the local area.
Association with important cultural phases or movements	The subject site demonstrates a key aspect of the subdivision pattern of the area, with the provision of a ferry service on Fitzwilliam Road, and is part of a network of ferry services within the eastern suburbs that provided transport for residents and access to popular recreation facilities during the early twentieth century.
Demonstration of important historical, natural or cultural processes or activities	The site demonstrates the importance of harbour transport for the eastern suburbs in the early twentieth century and the ferry service as a community and tourism facility.
Symbolism and influence of place for its association with an important historical, natural or cultural event, period, phase or movement	The site does not meet the threshold for this criterion.

6.3.2 Criterion B—historical association

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).

Although members of the Bracey family maintained residence at Point Seymour for over 80 years and commissioned the alteration of the shop and residence into the current dwelling, they are not considered to have made an important or notable contribution to the Woollahra local government area. They are, however, significant figures within the context of Lithgow. This historical association and significance is better reflected in the current heritage listings of their houses designed by Spain, Cosh and Dods in Lithgow (I263 and I264, Lithgow LEP 2014).

The subject site has historical associations with Oliver Harley, who designed the 1916 shop and residence building and Geroqe Thomas who converted it into the extant dwelling in 1939. Both Harley and Thomas are not considered as significant figures nor have they made significant contributions to the local area.

The subject site does not have cultural significance at a local or state level under this criterion.



Table 6.2 Criterion B—historical association.

Significance indicator	Local significance threshold
A key phase(s) in the establishment or subsequent development at the place or object was undertaken by, or directly influenced by, the important person(s) or organisation	The site does not meet the threshold for this criterion.
An event or series of events of historical importance occurring at the place or object were undertaken by, or directly influenced by, the important person(s) or organisation	The site does not meet the threshold for this criterion.
One or more achievements for which the person(s) or organisation are considered important are directly linked to the place or object	The site does not meet the threshold for this criterion.

6.3.3 Criterion C—aesthetic/creative/technical achievement

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

The site can be seen to have landmark presence and distinctive aesthetic characteristics. The Parsley Bay Wharf period resulted in a distinctive arrangement of elements, reclaimed land, sea walls, connecting paths and structure, located on the prominent peninsula site, that remain largely intact and able to be appreciated.

The house, which expanded and remodelled the 1916 shop, also demonstrates aesthetic attributes in form and composition. Its distinctive Functionalist/ P&O style design demonstrates architectural innovation of this period including the strong architectural character of the external form, flat roof, use of glass bricks and curved dining room. The house at 83 Fitzwilliam Road can be seen to demonstrate characteristics of Functionalist/ P&O style architecture still rare at its time of construction.

Its design, in responding to its location with use of nautical references, has been celebrated in popular culture with its inclusion in media articles and surveys of Art Deco architecture. The aesthetic characteristics of the site, a peninsula with sandstone walled foreshore, flat lawns and prominent three level Functionalist P&O style house on the harbour foreshore, can be seen to make an important streetscape contribution (from land and water) and to have distinctive aesthetic characteristics that are well recognised by the community.

The subject site has cultural significance at a local level under this criterion.

The subject site does not have cultural significance at a state level under this criterion.



Table 6.3 Criterion C—aesthetic/creative/technical achievement.

Significance indicator	Local significance threshold
Recognition as a landmark or distinctive aesthetic natural environment	The site has local landmark qualities given its distinctive design and prominent siting at the tip of Point Seymour. The Inter-war Functionalist house, its external appearance referencing nautical design, and its peninsula context, makes a prominent statement that is distinctive in its setting.
Recognition of artistic or design excellence	The design of the house and landscape are considered representative of Inter-war Functionalist style houses of the 1930s and to demonstrate architectural innovation in this period. It's aesthetic characteristics have been widely acknowledged in the media.
Represents a breakthrough or innovation in design, fabrication or construction technique, including design/technological responses to changing social conditions	The site does not meet the threshold for this criterion.
Distinctiveness as a design solution, treatment or use of technology	The house displays early use of architectural elements such as a flat roof that demonstrate architectural innovation.
Adapts technology in a creative manner or extends the limits of available technology	The site does not meet the threshold for this criterion.

6.3.4 Criterion D—social, cultural and spiritual 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.

The subject site is a local landmark (known colloquially as 'Wedding Cake House') within the Woollahra LGA. Its prominent siting and distinctive design and form is highly visible from the public domain, on both land and from the water, and contributes to the local area's character.

The site retains the appearance of the period when it was a public ferry wharf and shop/refreshment room and is likely to be important in contributing to the local community's sense of identity because of its ability to demonstrate an important aspect of the area's local history.

It is noted that a right of way has historically run through the property for public access to the wharves.

The subject site has cultural significance at a local level under this criterion.



The subject site does not have cultural significance at a state level under this criterion.

Table 6.4 Criterion D—social, cultural and spiritual significance.

Significance indicator	Local significance threshold
Highly regarded by a community as a key landmark (built feature, landscape or streetscape) within the physical environment	As a result of the history of public use of the site, and its visual prominence, the site is likely to be highly regarded as a key landmark by the community. Its prominent siting and distinctive design and form are highly recognisable and contributes to the local area's character.
Important to the community as a landmark within social and political history	The site does not meet the threshold for this criterion.
Important as a place of symbolic meaning and community identity	The site does not meet the threshold for this criterion.
Important as a place of public socialisation	The site does not meet the threshold for this criterion.
Important as a place of community service (including health, education, worship, pastoral care, communications, emergency services, museums)	The site has significance because of its history of providing a community service, transport and other amenities; however, as this use is no longer ongoing the site does not meet the threshold for this criterion.
Important in linking the past affectionately to the present	The site is able to demonstrate important aspects of the past to the present community; however, it is not thought to meet the threshold for this criterion.

6.3.5 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).

The archaeological significance of this site has not been assessed in this report. The significance relating to the remains of the ferry wharf is already established and reflected in the existing heritage listing and is likely to include areas of maritime archaeological significance.

The site is part of a group of significant sites associated with nineteenth and twentieth century water-based transport and recreation on Sydney Harbour. The remnant elements from this period are considered important for their ability to yield information about this group as a whole. The site is also considered able to demonstrate a significant period in the development of Vaucluse and the Woollahra LGA more generally that would contribute to an understanding of the history of the place, in particular the settlement patterns, transport networks and past provision of local services.



The subject site has cultural significance at a local level under this criterion.

The subject site does not have cultural significance at a state level under this criterion.

Table 6.5 Criterion E—research potential.

Significance indicator	Local significance threshold
Comparative analysis	The comparative analysis undertaken in this report indicates the site is likely to have important connections with other ferry wharves and refreshment facilities from the early twentieth century located in the Woollahra LGA and on Sydney Harbour more generally.
Potential to improve knowledge of a little-recorded aspect of an area’s past or to fill gaps in our existing knowledge of the past	The site has the potential to inform the local community about past patterns of development, transport and the provision of local services.
Potential to inform/confirm unproven historical concepts or research questions relevant to our past	The site retains elements, relics and remains that illustrate a significant pattern in local history.
Potential to provide information about single or multiple periods of occupation or use	The site does not meet the threshold for this criterion.
Potential to yield site-specific information that would contribute to an understanding of significance against other criteria	The site, retaining many elements from the Parsley Bay Wharf period of use, is considered to have potential to yield site-specific information that would contribute to an understanding of the historical development of the local area.

6.3.6 Criterion F—rarity

An item possesses uncommon, rare, or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area).

The site’s period of use as the Parsley Bay Wharf is considered important as part of a wider network of other similar water-based transport across Sydne Harbour and is hence not rare.

The 1939 house is identified in the comparative analysis as sharing qualities with other houses of this style in the period and is not considered rare.

The subject site does not have cultural significance at a local or state level under this criterion.



Table 6.6 Criterion F—rarity.

Significance indicator	Local significance threshold
Rare surviving evidence of an event, phase, period, process, function, movement, custom or way of life in an area’s history that continues to be practised or is no longer practised	The site does not meet the threshold for this criterion.
Evidence of a rare historical activity that was considered distinctive, uncommon or unusual at the time it occurred	The site does not meet the threshold for this criterion.
Distinctiveness in demonstrating an unusual historical, natural, architectural, archaeological, scientific, social or technical attribute(s) that is of special interest	The site does not meet the threshold for this criterion.
Demonstrates an unusual composition of historical, natural, architectural, archaeological, scientific, social or technical attributes that are of greater importance or interest as a composition/collection	The site does not meet the threshold for this criterion.

6.3.7 Criterion G—representativeness

An item is important in demonstrating the principal characteristics of a class 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).

The subject site is a good representative example of a former harbour ferry wharf and provides evidence of its former use and importance as part of the Sydney ferry network. It is also able to demonstrate these former uses in the range of structures and landscaping that remain on the site, including wharf remains, reclaimed land/sea walls, paths, and former shop and tearoom, later adapted as a house. The entire site can be seen as a cultural landscape reflecting the late nineteenth and early twentieth century history of harbour based transport in the area and as representative of a wider network of similar sites.

The house at 83 Fitzwilliam Road, dating from 1916 with later extensive additions in 1939, is considered to be a good representative example of Functionalist architecture within the Woollahra LGA, of which few examples are heritage listed.

The subject site has cultural significance at a local level under this criterion.

The subject site does not have cultural significance at a state level under this criterion.



Table 6.7 Criterion G—representativeness.

Significance indicator	Local significance threshold
A class of places or objects that demonstrate an aesthetic composition, design, architectural style, applied finish or decoration of historical importance	The site's remaining site components are able to demonstrate the characteristics of the Parsley Bay Wharf aesthetic composition of similar wharfs that were part of the wider harbour transport network.
Representative of a class of places that demonstrate a construction method, engineering design, technology, or use of materials, of historical importance	The house demonstrates representative qualities of Inter-war Functionalist houses within the Woollahra local government area.
Representative of a class of places that demonstrate an historical land use, environment, function, or process, of historical importance	The site is important for demonstrating the history of water-based transport within the Vacluse area.
Representative of a class of places that demonstrates an ideology, custom or way of life of historical importance	The site does not meet the threshold for this criterion.

Summary

Table 6.8 Assessment of significance summary.

Significance indicator	State significance threshold	Local significance threshold
(a) Historic significance	Does not meet threshold	Meets threshold
(b) Historic association	Does not meet threshold	Does not meet threshold
(c) Aesthetic/creative/technical achievement	Does not meet threshold	Meets threshold
(d) Social, cultural and spiritual significance	Does not meet threshold	Meets threshold
(e) Research potential	Does not meet threshold	Meets threshold
(f) Rarity	Does not meet threshold	Does not meet threshold
(g) Representativeness	Does not meet threshold	Meets threshold

6.4 Statement of significance

6.4.1 Current Statement of Significance

It is noted that the subject site is currently a listed item of local significance. The current Statement of Significance for the subject site is as follows (I357, WLEP 2014):



Indicative of the changing patterns of transport and the urban development of the adjacent areas. Part of the nineteenth century transport network based on the harbour waterways.

6.4.2 Revised Statement of Significance

The following proposed statement incorporates the existing Statement of Significance with other significant elements of the subject site:

83 Fitzwilliam Road, also known as Point Seymour (former Parsley Bay Wharf), has historic significance as a key component in the settlement of Vaucluse and due to its use for over 30 years by local residents and day-trippers as a transport hub and community facility. Together the site's layout, structures and landscaping can be seen as a cultural landscape that demonstrates an important phase in the history of the local area.

The site is of aesthetic significance for its landmark presence and distinctive arrangement of elements, reclaimed land, sea walls, connecting paths and structure, located on the prominent peninsula site, that remain largely intact and able to be appreciated. The 1939 house, which expanded and remodelled the 1916 shop, also demonstrates aesthetic attributes in form and composition. Its distinctive Functionalist/ P&O style design demonstrates architectural innovation of this period including the strong architectural character of the external form, flat roof, use of glass bricks and curved dining room.

The aesthetic characteristics of the site, a peninsula with sandstone walled foreshore, flat lawns and prominent three level Inter-war Functionalist P&O style house on the harbour foreshore, make an important streetscape contribution (from land and water) and have distinctive aesthetic characteristics that are well recognised by the community.

The site has representative significance as part of a group of significant sites associated with water-based transport and recreation on Sydney Harbour. The remnant elements from this period are considered important for their ability to yield information about this group as a whole. The site is also considered able to demonstrate a significant period in the development of Vaucluse and the Woollahra LGA more generally that would contribute to an understanding of the history of the place, in particular the settlement patterns, transport networks and past provision of local services.

6.5 Endnotes

¹ Australia ICOMOS Inc, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013, Australia ICOMOS Inc, Burwood, VIC, 2000.



- ² DOCOMOMO Australia, <https://docomomoaustralia.com.au/prevost-house-1937-nsw/>.
- ³ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2711070>.
- ⁴ Robertson & Hindmarsh Pty Ltd, '55 Drumalbyn Road: Bellevue Hill, Assessment of Heritage Significance', prepared for Woollahra Municipal Council, March 2022.
- ⁵ Australia Modern, Lewi and Goad, 2019, Prevost House, p58
- ⁶ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2712252>.
- ⁷ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2712232>
- ⁸ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=4920098>
- ⁹ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=4920092>
- ¹⁰ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=4301035>
- ¹¹ NSW State Heritage Inventory, <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=4301036>
- ¹² NSW State Heritage Inventory, Department of Planning and Environment, 2023, *Assessing Heritage Significance: Guidelines for Assessing Places and Objects against the Heritage Council of NSW Criteria*, <https://www.environment.nsw.gov.au/research-and-publications/publications-search/assessing-heritage-significance>.



7 Conclusions and recommendations

This report has assessed the heritage significance of 83 Fitzwilliam Road, Vaucluse, (also known as Point Seymour) based on research, investigation of the subject site and its context and a comparative analysis against similar locally listed items. It includes a detailed assessment of the site against the SHR standard evaluation criteria to determine the significance of the place to the Woollahra LGA.

The report concludes that the site meets the threshold of significance at local level for the following reasons:

- Criterion A (historic significance)—Demonstrates an important period in the history of Woollahra including the subdivision of the Vaucluse Estate and the development of a ferry service.
- Criterion A (historic significance)—Associated with important broader historical phases including the development of maritime transport within Sydney Harbour and the expansion of visitors to Parsley Bay and the local area.
- Criterion C (aesthetic significance) and Criterion D (social significance) —Recognised as a landmark:
 - highly regarded and recognised as a key landmark in the physical environment due to its prominent siting, setting, landscaping and design; and
 - important as a place of symbolic meaning and community identity.
- Criterion E (research potential) – the subject site has research potential in that it:
 - is part of a group of significant sites associated with nineteenth and twentieth century water-based transport and recreation on Sydney Harbour and is able to yield information about this group as a whole.
- Criterion G (Representative)—The subject site is a good representative example of:
 - a former harbour ferry wharf that can be seen as a cultural landscape reflecting the late nineteenth and early twentieth century history of harbour based transport in the area and
 - the wider network of similar former ferry wharf sites including tea rooms and associated facilities.
 - Functionalist architecture within the Woollahra LGA, of which few examples are heritage listed.

GML recommends the heritage item's inventory information be updated to include the dwelling, landscaping, paths and sea walls to reflect the significance of the site overall.

