



17 March 2025

REFERRAL RESPONSE - HERITAGE

FILE NO: Development Applications: 557/2024/1

ADDRESS: 4 Manning Road DOUBLE BAY 2028

PROPOSAL: Demolition of existing structures and construction of a new 4 storey building for health services facility with basement car parking

FROM: Eleanor Banaag

TO: Ms S Soliman

1. DOCUMENTATION

The following documentation provided by the applicant has been examined for this referral response:

- Drawing set by Shellshear Young Architects, dated November 2024, as per the following drawing schedule:

DRAWING LIST		
DRAWING NO.	NAME	REVISION
942.00.00	COVER SHEET	REV-1
942.00.05	SITE ANALYSIS PLAN	REV-1
942.00.11	SITE DEMOLITION PLAN	REV-1
942.00.12	SITE & DEVELOPMENT TABLE	REV-1
942.10.10	LEVEL B2 BASEMENT PLAN	REV-1
942.10.11	LEVEL B1 BASEMENT PLAN	REV-1
942.10.12	GROUND FLOOR PLAN	REV-1
942.10.13	LEVEL 1 FLOOR PLAN	REV-1
942.10.14	LEVEL 2 FLOOR PLAN	REV-1
942.10.15	LEVEL 3 FLOOR PLAN	REV-1
942.10.16	ROOF PLAN	REV-1
942.10.30	LEVEL B2 SWEPT PATHS	REV-1
942.10.31	LEVEL B1 SWEPT PATHS	REV-1
942.10.32	GROUND FLOOR SWEPT PATHS	REV-1
942.20.00	ELEVATION PLAN - SHEET 1	REV-1
942.20.01	ELEVATION PLAN - SHEET 2	REV-1
942.20.02	ELEVATION PLAN - SHEET 3	REV-1
942.20.03	ELEVATION PLAN - SHEET 4	REV-1
942.30.00	SECTION PLANS - SHEET 1	REV-1
942.30.01	SECTION PLANS - SHEET 2	REV-1
942.40.00	SOLAR ACCESS PLAN – EXISTING	REV-1
942.40.01	SOLAR ACCESS PLAN – PROPOSED	REV-1
942.40.03	SOLAR ACCESS PLAN - NORTH ELEVATION – EXISTING	REV-1
942.40.04	SOLAR ACCESS PLAN - NORTH ELEVATION – PROPOSED	REV-1
942.40.05	SOLAR ACCESS PLAN - LEP ENVELOPE	REV-1
942.40.07	SOLAR ACCESS PLAN – LEP NORTH ELEVATION	REV-1
942.40.09	SOLAR ACCESS PLAN - LEP & PROPOSED NORTH ELEVATION	REV-1
942.50.00	EXTERNAL FINISHES SCHEDULE	REV-1

- Demolition Report by Urbis, dated 10 February 2025
- Statement of Environmental Effects by Paro Consulting dated December 2024
- Aboriginal Heritage Impact Assessment by Urbis, dated April 2024



2. DESCRIPTION OF PROPOSED WORKS

The applications seeks consent to carry out Demolition of existing structures and construction of a new 4 storey building for health services facility with basement car parking at the subject site.

Specifically, the works include:

- Demolition of the existing 1920s interwar terrace block of three dwellings.
- Construction of new commercial building comprising:
 - Two levels of basement parking,
 - Three-storey commercial building above ground with a contemporary design. No setback to Manning Road and Kiaora Lane.



3. SITE INSPECTION / RESEARCH

The following research was undertaken in the preparation of this assessment:

- The site was inspected on the 14 March 2025, of the exterior of the building and the general locality, from the public domain only.

Review of the following documents and photographic evidence:

- Council's property system, to establish dates of earlier building and development applications for the subject and surrounding properties.
- Council's photography files relevant to the immediate area
- Council's heritage inventory sheets
- Council's aerial photography and mapping database
- Google Maps – street view

4. STATUTORY AND POLICY CONTEXT



The following statutory and policy documents are relevant to the application:

- Woollahra LEP 2014
- Woollahra DCP 2015

5. SIGNIFICANCE OF SUBJECT PROPERTY

Statement of significance

The Demolition Report prepared for this development application provided a comprehensive historical outline of the surrounding context, and of the site specifically. The following outline is adapted from information in the Demolition Report. Any additional information or comments made by Council's heritage officer is highlighted in ***bold italics***. The historical background is provided here to assist in understanding the significance of the building so that this proposal can be assessed under Clause 5.10 (a) and (b) of the Woollahra LEP 2014.

The subject site is part of the original Point Piper Estate owned by the military officer Captain John Piper, which was first established with a 190-acre land grant in 1816 and expanded with further land grants of 1190 acres in Woollahra and 475 acres in Vaucluse. However, due to financial difficulties these estates were sold, with 1130 acres of the Point Piper Estate being conveyed to the partnership of Daniel Cooper and Solomon Levy in 1826, and a further 190 acres at Point Piper to Daniel Cooper in 1827. Daniel Cooper was then appointed trustee of the Point Piper Estate and was responsible for its management until 1869.

The earliest evidence of settlement on the subject site dates from the 1905 Sands Directory, with "Lochiel" at 2 Manning Road (which is eventually listed as 4 Manning Road from 1914) being occupied by Miss Anderson, and 4 Manning Road being occupied by Mrs K Leavy and Edward Atkins. However, it is inconclusive as to whether that the properties were the ones that are currently on the subject site. From 1909 it becomes evident in the Sands Directory that multiple tenants occupy the site of 4 Manning Road, until 1914 when the land gets reallocated and subdivided into the present allotments of 4-8 Manning Road.

It is likely that the present terrace house structures have been on the subject site since 1922, as seen in the subdivision maps for what was then known as Tennis Courts Estate (see Figures 35 and 36). ***Information in Council's historic building application records reveals that an R. Anderson did submit building applications in 1922 (BA119 and BA333) for three houses on Manning Road. This may be evidence relating to this site.***

22	333	ANDERSON, R.	SELF	House	?	19-22
"	245	TULLY & AIREY	SWEETMAN, C.	Conv.to flats	✓	14
"	239	HOARE, C.	SELF	Garage	✓	28
"	168	TAYLOR, H.	MORAN, M.	Adds.	?	Bellevue
"	159	McKINNON, B.	SELF	House	?	6
"	119	ANDERSON, R.	NEILSON, E.	2 Houses	?	21&22

Historical information provided by the Woollahra Council suggests that the building was used as a lodging house, with three development applications submitted for alterations and additions to the existing lodging house at 6 Manning Road in 1961, 1966 and 1968 respectively. The information provided by the council also indicates that the terrace houses begun to be adaptively reused as offices from 1979 onwards and has been used for this purpose since. This change of use coincides with the changes to the structure that can be seen from the historical aerials between 1970 and 1978, where there is evidence of the replacement of the roof to its current combined gable and



hexagonal form. Changes to the rear addition to the terraces can also be seen from the changed roof forms in 1986, 1996 and 2015.

The existing building on the site is a brick-rendered two-storey building, which has some semblance of being a federation/late Victorian terrace of three dwellings. However this impression to the Manning Street elevation is highly obscured due to modifications to this front façade such as the large window alterations at the ground floor, differing verandah finishes at the first floor, changes to the rear addition roof form and materiality. Additionally, the internal fabric appears to have also been subject to major alterations that have seen the consolidation of spaces, the removal of walls and obscuring or internal room arrangements that can inform us of how buildings and spaces were used in a certain period of history. A comparative analysis of terrace buildings typical across the federation and interwar period within Double Bay does demonstrate that the dwellings on the subject site are not exemplary samples of its type.

Assessment of significance

The Demolition Report has provided an assessment of significance, and subsequently a Statement of Significance, based on the Heritage NSW guidelines:

a) Historic significance <i>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).</i>	No conclusive evidence could be found on the exact period of construction. Furthermore, the subject site has been substantially modified both externally and internally, to the point where its original architectural style is indiscernible and does not assist with an approximate construction date beyond the beginning of the 20 th Century.
b) Historical association <i>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).</i>	The subject site is not associated with any events, people or organisations of significance; nor is it associated with any heritage items in the local area.
c) aesthetic/creative/technical achievement <i>An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area).</i>	While the construction date and detail of the original buildings have not been confirmed, the subject building has notably been substantially modified both externally and internally, to the point where its architectural integrity has been compromised. The subject building is not distinct, nor does it bear any mark of innovation in design.
d) Social, cultural, and spiritual <i>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.</i>	The subject site is not a landmark for the community, nor it is a locus for any distinctive social group or community service. The building is used as a commercial building. Prior to this, the building was residential.
e) Research potential <i>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).</i>	The subject site does not demonstrate any research potential for adding to the history of Double Bay. Please note that an archaeological assessment of the site was beyond the scope for this report.



<p>f) Rare</p> <p><i>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).</i></p>	<p>While the subject site was formerly three separate terraces, the composite architecture of the subject site is now eclectic in nature. Previous works have included the consolidation of what was believed to be separate dwellings. Consolidation has included openings within the interior, changes to the façade and notably the replacement of the original roof form with one consolidated roof form by 1955.</p> <p>There are many more intact examples of terrace housing within the Woollahra LGA.</p>
<p>g) Representative</p> <p><i>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).</i></p>	<p>As the subject building has been substantially modified in both fabric and usage over the years, it ceases to be representative of any significant style or way of life.</p>
<p>Statement of Significance:</p> <p><i>4-8 Manning Road Double Bay has undergone extensive change and alterations and no evidence of significant uses, or associations or social connections to the community have been identified in the historic research. In addition, no evidence of any historic associations between the subject site and the vicinity heritage items have been found. The subject site also does not strongly contribute to the setting or context of the vicinity heritage items due to the significant modifications that have taken place and physical separation of the items.</i></p>	

Conclusion:

Council staff have reviewed the Demolition Report prepared for this DA and find that its research, observations, analysis, and conclusions are acceptable and adopted by Council. Council staff concur that the dwelling at 4-8 Manning Road Woollahra does not meet any of the heritage significance criteria at a local level to warrant consideration as a local heritage item.

The above assessment of significance is considered adequate and has been used for the purposes of this heritage referral response.

Significance as per the Woollahra LEP 2014

The subject site is not a listed heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014 'Woollahra LEP 2014' and is not within a heritage conservation area.

Significance of items in the vicinity

The following listed heritage item is located in proximity of the site

- '1205 Weeping Lilli Pilli, all Bangalow Palms, Washingtonia Palm, Queens Palms, Cabbage Palms' at 5 Manning Road DOUBLE BAY NSW 2028

There will be no impact on the heritage significance of the nearby heritage item.

Significance as per the Woollahra DCP 2015

The subject site is not within a Heritage Conservation Area.



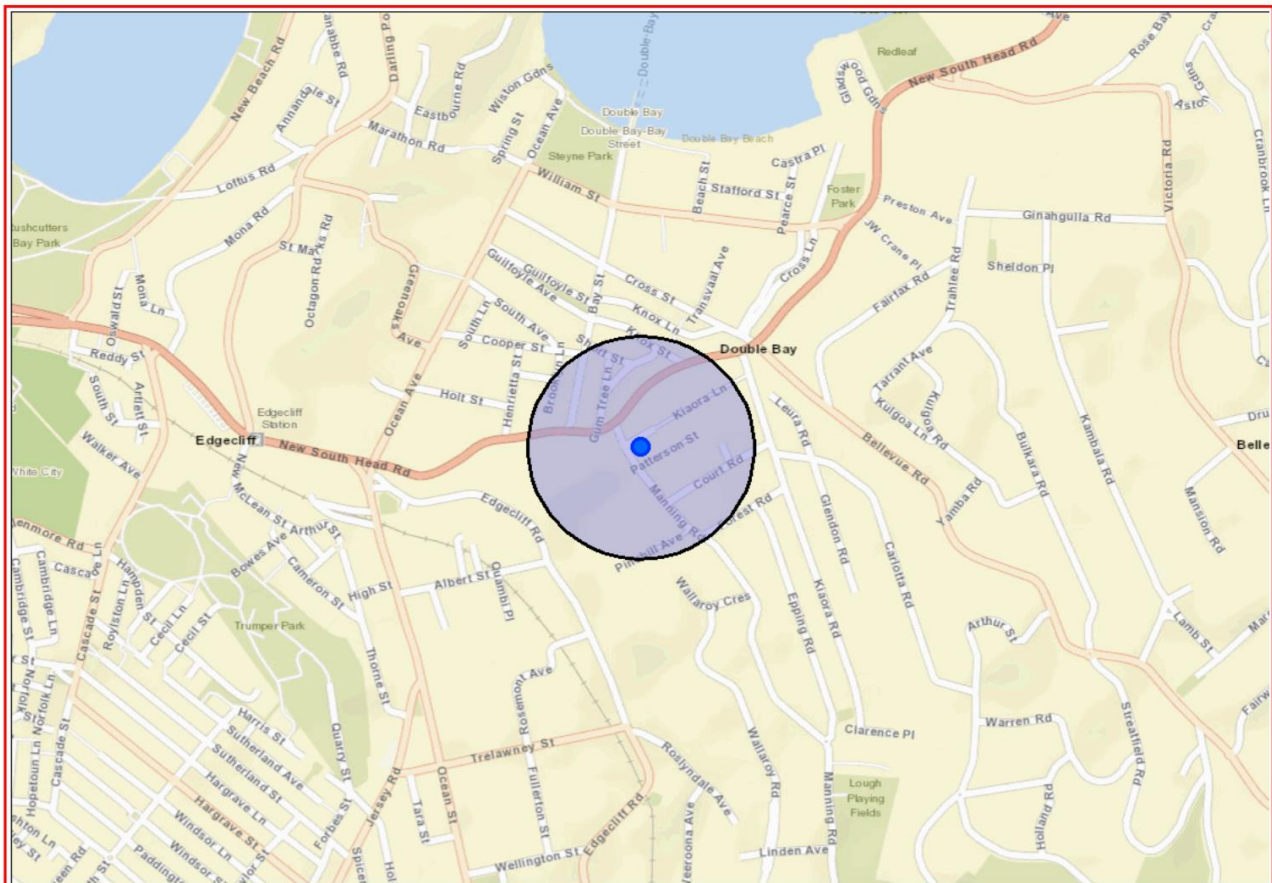
The subject site is within the Double Bay Centre business centre, as per Chapter D5 of the Woollahra DCP 2015, and within the Kiaora Lane street character.

6. ASSESSMENT OF HERITAGE IMPACT - Compliance with the relevant legislative framework and planning controls

National Parks and Wildlife Act 1974

The site is in an area of Potential Aboriginal Heritage Sensitivity. Therefore, an Aboriginal Heritage Impact Assessment was required as part of the DA to ascertain whether potential Aboriginal cultural heritage will be impacted by the proposal.

A basic search conducted on AHIMS (Aboriginal Heritage Information Management System) on 18 March 2025 from the Office of Environment & Heritage NSW (OEH) website has revealed that there are 0 recorded Aboriginal sites recorded within a 200m buffer in or near the above location and 0 Aboriginal sites within a 0m buffer in or near the above location.



The site does contain landscape features that indicate the potential existence of Aboriginal objects as defined in Section 2, Step 2 p.12 of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW ('Due Diligence Code') published by the Department of Environment, Climate Change and Water and dated 13 September 2010. As a result of background research, it is evident that the site is located on a sand dune system, which is a landscape feature indicative of likely past Aboriginal land use. It should be noted that even though the soil profile within the subject area may have been historically reworked and developed there could be potential for archaeological items to be retained.



The subject site is considered to be on 'disturbed land' as per the definition outlined in the Due Diligence Code, p. 18. The historical activities associated with the construction of the existing residential building would have caused moderate disturbance through the removal of the upper natural soil profile in the subject area. This is demonstrated by the presence of a basement in the existing commercial building accessed via the rear carpark which is approximately 2-3 m below the surface level of Manning Road.

A visual inspection of the subject area was undertaken by Urbis Senior Consultant and Steven Ella (La Perouse Local Aboriginal Land Council) on 16 April 2024. The visual inspection was undertaken in sunny conditions. Ground Surface Visibility (GSV) was zero across the subject area due to the presence of buildings, paths and surfaces. The visual inspection instead provided a chance to confirm the level of historical disturbance and an opportunity to listen to feedback about the subject area from the LALC. There were no Aboriginal objects identified within the subject area during the visual inspection.

The visual inspection confirmed the desktop analysis that the subject area had undergone a moderate level of historical ground disturbance due to the presence of the existing development. The western portion of the subject site contains the current two-storey building used for commercial purposes. The entrance of the building is accessed from Manning Road while the car park is accessed from the rear of the subject area via Kioara Lane. The ground surface along Manning Road was noticeably higher than the surface of the carpark which was approximately 2-3 m lower. While the visual inspection identified that the ground surface has been disturbed it is unknown whether the intact sands identified at depth of 0.6-9 m in the car park (Morrow Geotechnics, 2021) remains intact below the current standing structure.

The AHIA provided the following recommendations:

- **Recommendation 1 – Record Keeping**
 - This AHIA report should be kept as evidence of the Aboriginal Objects Due Diligence process having been applied to the subject area.
- **Recommendation 2 – No Further Investigation**
 - The development may proceed with caution, subject to Recommendation 3 and the following archaeological chance finds and human remains procedures being implemented and followed.
- **Recommendation 3 – Aboriginal Heritage Induction**
 - An Aboriginal heritage induction should be provided, prior to the commencement of excavation works, by a representative of the La Perouse LALC (or a suitably qualified Aboriginal heritage consultant if the La Perouse LALC is not available).
- **Recommendation 4 – Unexpected Archaeological Finds Procedure**
 - The procedure outlined in Section 4.1 must be included in the construction management plan and followed as appropriate.
- **Recommendation 5 – Human Remains Procedure**
 - The procedure outlined in Section 4.2 must be included in the construction management plan and followed as appropriate.
- **Recommendation 6 – Submission of Report**
 - A copy of the final report should be submitted to Woollahra Council, the Heritage NSW Aboriginal Heritage Information Management System and La Perouse Local Aboriginal Land Council.
- **Recommendation 7 – Update of Sensitivity Mapping**
 - Woollahra Council should be contacted and advised to update the Aboriginal Heritage Sensitivity mapping for the subject area in accordance with the results of this assessment and following the monitoring of the excavation program.



The AHIA has appended evidence that the report was provided to the La Perouse LALC for review and comment, and a letter from the LPLALC confirming their concurrence with the recommendations.

Appropriate conditions are provided to manage Aboriginal heritage, including unexpected finds, are provided.

Woollahra LEP 2014

Clause 1.2 Aims of Plan

Subclause 1.2. (2) (f) – to conserve and enhance built and natural environmental heritage

Clause 5.10 Heritage Conservation

The proposal has been considered having regard to the provisions of Clause 5.10 of the Woollahra LEP. The following commentary is provided:

- **Clause 5.10(1)(a):** The proposed development conserves the heritage of Woollahra as it would not give rise to unacceptable impact on the heritage significance of the item and its setting, including views to and within the item.
- **Clause 5.10(1)(b):** The proposal does conserve the heritage significance of the heritage item and would give rise to unacceptable adverse impact upon the heritage significance of the item, its setting and the broader visual catchment.
- **Clause 5.10(2) and (3):** Consent is required for the proposed works
- **Clause 5.10(4):** This referral constitutes an assessment under this clause. The effect of the proposal on the heritage significance of the item has been considered and the proposal is found to be acceptable on heritage grounds.
- **Clause 5.10(5):** A heritage management document was submitted with the development application and was found to be acceptable.
- **Clause 5.10(6):** A Conservation Management Plan was not required for the site.
- **Clause 5.10(7) and (8):** The site is not identified as an archaeological site or a place of significance.
- **Clause 5.10(8):** The site is not identified as an archaeological site or a place of Aboriginal heritage significance. An Aboriginal Heritage Impact Assessment was prepared with consideration to this proposal. The La Perouse LALC was notified of the DA and no response was received within 28 days, however the LPLALC were involved in the preparation of the AHIA and provided feedback on the research and findings of the AHIA.
- **Clause 5.10(9):** Demolition of a nominated State heritage item is not proposed.
- **Clause 5.10(10):** Conservation incentives are/are not being sought as part of this application.

Woollahra DCP 2015

Part D – Business Centres – D5 Double Bay Centre

Clause B5.1.3 Objectives

Objectives O4, O8, O10

- The proposal involves the demolition of an interwar period terrace building with a prominent corner position, and replacement with a new contemporary commercial building which has a greater height to the existing. Other elements of the proposal that are a departure from the existing building is its lack of setback to the boundary and removing the front garden element that distinguishes the former residential history of the site. The recognisable contemporary commercial nature of the proposed development will remove the former



residential form and character of this site. This character does contribute to a wider streetscape of historical building development along Manning Road.

- The highly modified condition of the existing building greatly reduces the building's ability to contribute to this interwar character of the area, which is better represented through the interwar residential apartment buildings on the opposite side of Manning Street, and the low rise freestanding interwar dwellings on the southern end of Manning Road (which are part of the Manning Road Precinct of the DCP, where it is more critical for their contributory character to be retained).
- The subject site is within the Double Bay Centre, where it recognises that new development must be able accommodate the commercial and civic functions of the Centre.
- The development of a commercial building on this site is not contrary to the objectives of the Double Bay Centre, particularly as the existing building is operating as a commercial premises currently.
- Based on the merits of the current building contributing to the historic character of Double Bay, the proposed development is considered as having an acceptable impact on the Double Bay Centre with respect to heritage conservation.

Part D – Business Centres – B3 General Development Controls

Clause D5.4.13

Desired Future Character

- A new commercial building on this site meets the desired future character objectives of this clause.

7. CONCLUSION

The proposal has been considered having regard to the applicable legislation and policy documents and, on balance, is considered to be acceptable.

8. RECOMMENDATION

1. No objections are raised to the proposal, subject to the conditions as recommended, as it complies with the relevant statutory and policy documents and would have an acceptable heritage impact.

Consent, subject to conditions.

Standard Conditions

9B Skeletal Remains

10B Aboriginal Objects – Unexpected Findings

11B Aboriginal Heritage – Induction

12B Aboriginal Heritage Due Diligence Responsibilities

Eleanor Banaag
Heritage Officer

18 March 2025
Completion Date