



# Urban Planning Committee

**Agenda:** *Urban Planning Committee*

**Date:** *Monday, 8 August 2005*

**Time:** *6.00pm*

## **Outline Of Meeting Protocol & Procedure:**

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

## **Delegated Authority (“D” Items):**

- To require such investigations, reports or actions as considered necessary in respect of matters contained with the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below:

## **Recommendation only to the Full Council (“R” Items):**

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
  - Town Planning Objectives; and
  - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive changes.

## **Committee Membership:**

7 Councillors

## **Quorum:**

The quorum for a committee meeting is 4 Councillors.

# WOOLLAHRA MUNICIPAL COUNCIL

## Notice of Meeting

4 August 2005

To: The Mayor, Councillor Rundle, ex-officio  
Councillor David Shoebridge (Chair)  
John Comino  
Christopher Dawson  
Keri Huxley  
Julian Martin  
Isabelle Shapiro  
Fiona Sinclair King

Dear Councillors

### **Urban Planning Committee Meeting – 8 August 2005**

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Committee Room, 536 New South Head Road, Double Bay, on Monday 8 August 2005 at 6.00pm.**

Gary James  
General Manager

## Meeting Agenda

<b>Item</b>	<b>Subject</b>	<b>Pages</b>
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

### **Items to be Decided by this Committee using its Delegated Authority**

D1	Confirmation of Minutes of Meeting held on 25 July 2005	1
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### **Items to be Submitted to the Council for Decision with Recommendations from this Committee**

R1	Strategic Planning Projects – Paddington DCP & White City DCP/LEP – 827.G 04-07	2
R2	17, 19, 21 & 23 Jersey Road, Woollahra – 253.21	8

**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 25 July 2005**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 25 July 2005 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

**Recommendation:**

That the Minutes of the Urban Planning Committee Meeting of 25 July 2005 be taken as read and confirmed.

Les Windle  
Manager - Governance

**Item No:** R1 Recommendation to Council  
**Subject:** **Strategic Planning Projects – Paddington DCP & White City DCP/LEP**  
**Author:** Chris Bluett - Manager Strategic Planning  
**File No:** 827.G 04-07  
**Reason for Report:** To respond to a decision of the Council of 25 July 2005 arising from consideration of the Built Environment Principle Activity fourth quarter Management Plan review

**Recommendation:**

- A. That Council note the proposed arrangements, timeframes and milestones for completion of the Paddington DCP and White City DCP and LEP projects.
- B. That membership of the Strategic Planning Working Party be expanded to include the three Paddington Ward Councillors for the White City DCP and LEP project.

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**1. Background**

At its meeting on 25 July 2005 the Urban Planning Committee considered a report on the Built Environment Principal Activity fourth quarter Management Plan review for the 2004-2005 year. Under its delegations the Committee resolved:

- A. *That the status of projects for the Built Environment principal activity be noted.*
- B. *That a report be submitted to the next meeting of the Urban Planning Committee on the options, including timeframes and milestones, for the prompt completion of the Paddington DCP and White City DCP projects.*

This report responds to item B of the decision.

**2. Paddington DCP**

**2.1 Status**

Now in its sixth year since approval, the DCP has been a highly successful and durable policy document. It is an award winning document that has withstood considerable scrutiny and challenge within the Land and Environment Court. Much of its success lies in the detailed background research, which forms a sound basis for the policy controls.

Initially, it was intended to carry out only a general overview of the DCP to address matters that have arisen in the course of the plan's operation over several years. However, additional matters arose, some of which were requested by Councillors through notices of motion. In particular, issues about excavation, garage and studio structures, landscaping, lower level accommodation and dormer window design have been added to the original review list.

Substantial work has been undertaken on reviewing the Paddington DCP. This has included:

- Workshops with Council staff in Development Control and Technical Services to identify issues

- Workshops with architects and other professionals in the development industry
- Tabulation of issues
- Case study review of appeals in the Land and Environment Court and development applications
- Meetings with the Paddington DCP Working Party on 10 November, 15 December 2004, 25 January, 15 February, 6 April and 3 May 2005
- Research of excavation issues that included examination of development applications, examination of geotechnical and hydrology reports, preparation and testing of draft controls.
- Preparation and testing of draft controls for dormer windows and garage structures.
- Review and redrafting of parts 1, 2 and 3 of the DCP
- Partial redrafting of parts 4, 5 and 6 of the DCP.

Unfortunately, interruptions to the project have regularly occurred due to competing priorities with other projects in the Environmental Planning and Heritage Conservation programs. The recent resignation of the Strategic Heritage Officer has resulted in a temporary halt to work.

## 2.2 Options

Options for completing the work are:

### *Engage a consultant*

A supplementary vote of funds would be necessary for this option to proceed since no allocation has been made in the 2005-2006 budget. Despite this, the option is not recommended for several reasons:

- Considerable time for consultant to become familiar with work to date.
- Advantages of continuity with project, particularly with contentious issues such as excavation, would be largely reduced.
- Given the nature of proposed changes considerable overseeing of consultant work would be required to ensure desired review outcomes are achieved.

### *Use in-house resources*

We consider the use of internal resources is the better option. This option has the benefit of using internal knowledge and maintains continuity. Overall it is a better use of time. However, it does rely on a reallocation of staff resources and an adjustment of project priorities.

## 2.3 Timeframe and milestones

At this time, two projects would need to be completed to certain stages before the Paddington DCP work could be reactivated. These projects are the new Development Contributions Plan and the Double Bay Targeted Tenancy preliminary report. Both projects will be submitted to committees in August and September. Subject to the decisions on those projects, it would be possible for work on the DCP to recommence in September. The following tasks will need to be undertaken:

- Complete redrafting of parts 4, 5 and 6, including new graphics for dormer windows, excavation and garage structures
- Ensure all issues have been adequately addressed
- Reformat document

We estimated that a draft DCP could be finalised by early October. The following steps would then occur:

- Present draft DCP to Working Party (this is optional if the Council considers that input from the public members of the Working Party can take place during the exhibition period) (mid October)
- Report to the Urban Planning Committee (24 October)
- Obtain decision of Council to exhibit draft DCP (14 November)
- Exhibit draft DCP for a minimum period of 28 days
- Report to the Urban Planning Committee with submissions (January 2006)
- Council approves DCP (February 2006)

From experience the period for exhibition, reporting and approval can take about three months, depending on the quantity and nature of submissions. Achievement of the above programme will be dependent on no other urgent projects or notices of motion intervening, particularly during the period from September to October. The production of the draft DCP will be undertaken by the Manager Strategic Planning.

### 3. White City LEP and DCP

The latest White City project arises from the following decision of the Council taken on 14 June 2005:

1. That, subject to the public benefit considerations in Part 2, Council prepare a draft LEP for the White City site to:
  - (a) rezone (the carpark site 81-83 New South Head Road) from Zone 6 – Open Space to a zone that allows mixed commercial and residential development with a floor space ratio, or maximum gross floor area, that at no point exceeds the predominant built density and height of existing development east of the site excluding the Bayside apartments.
  - (b) list the White City site, or elements of it, as a heritage item, and
  - (c) incorporates appropriate special provisions for the development of the White City site in accordance with the open space zoning of the valley floor and the existing and proposed business zoning on New South Head Road.
2. That Council only proceed with the submission of the draft LEP to the Minister, insofar as it applies to the rezoning of the carpark part of the site, if a public benefit acceptable to Council, is achieved. Public benefits are to include:
  - (a) appropriate public use and public access through and across the carpark and the balance of the White City site,
  - (b) a green entrance way to the Municipality,
  - (c) a positive relationship with the balance of the White City site,
  - (d) sufficient building spacing between the Bayside apartments and any building on the site to allow view lines to and from the valley floor,
  - (e) retaining view lines from Paddington over the concrete structure of the viaduct, and
  - (f) heritage interpretation of the site
3. That Council does not support development of the intensity recommended by Mr Peter Walsh, Chairman of the White City Public Hearing.
4. That a draft White City DCP be prepared for the whole site, including,

- (a) controls for the car park and service station sites on New South Head Road
  - (b) controls including, but not limited to, the matters set out in the resolution of 9 May 2005.
5. That a further report be submitted to the Committee on the hydrological aspects of the land.
  6. That the draft plans be developed with the input of the Strategic Planning Working Party.

### **3.1 Status**

Considerable research and planning was carried out for the White City site during the master planning process associated with the Tennis NSW redevelopment proposal. The process resulted in the preparation and exhibition of a site-specific LEP and DCP followed by a public hearing. Whilst the Council did not proceed with the LEP and DCP, there is scope for much of the background research and many aspects of the draft DCP to be used in further planning for the site.

On Friday 29 July 2005 we met with Peter Breeze, Bursar for the Sydney Grammar School, and a consultant acting for the School. Sydney Grammar has recently purchased that part of the White City site south of the railway viaduct. Another party, not associated with Sydney Grammar, is purchasing the northern part of the site comprising the service station and open car park. We have no information about the intentions or timing of future development for the lands fronting New South Head Road.

Sydney Grammar's principal interests at this time lie in the land between the stormwater channel and the railway viaduct, and part of the site immediately abutted the school's eastern boundary at the Glenmore Road end. We understand the school intends to develop and use the open space area as a playing field. No structures or stands are proposed in that area. This use is permissible in the current Open Space Zone and would require development consent.

Sydney Grammar is the head of a consortium comprising the John Alexander Group, the White City Tennis Club and the Sydney Maccabi Tennis Club. It is intended that the land to the south of the stormwater canal would be used for tennis purposes by the three tennis groups. In the short term, the White City Tennis Club would remain on the site and share facilities with the Maccabi Tennis Club. The John Alexander Group has the option to purchase the portion of the site to the south of the stormwater canal, excluding the six tennis courts adjacent to Glenmore Road, which would be owned by the Maccabi Tennis Club. It is understood that the John Alexander Group is planning a new clubhouse and ancillary facilities as part of the venture.

At this stage we are not aware whether contract options are likely to be taken up. However, given the time required to prepare a draft LEP and DCP we consider that work on those documents for the White City site should proceed with haste.

### **3.2 Options**

#### *Engage a consultant*

A supplementary vote of funds would be necessary for this option to proceed since no allocation has been made in the 2005-2006 budget. Putting aside the financing issue, we consider that this option has the same disadvantages as those associated with the Paddington DCP. We therefore do not recommend engaging a consultant.

#### *In-house resources*

We have already redirected staff resources from the Neighbourhood Centres project and the Sustainability Plan to undertake the White City project. As a consequence there will be some delays with these two projects. However, use of in-house staff has the benefit of applying our existing knowledge and experience of the White City site in a timely and efficient manner. Council's Team Leader now has responsibility for the project.

We will also need to use one of our heritage officers to assist with the heritage listing and preparation of heritage conservation controls in the DCP. In the absence of our Strategic Heritage Officer, we will use one of the heritage officers who process DA matters. We estimate two weeks work will be required by the heritage officer (based on a three day part-time week). Consequently, there will be a small affect on processing times for DA referrals.

### **3.3 Timeframe and milestones**

The timeframe is dependent on several issues:

#### *Statutory processes for preparing a DCP and LEP.*

A minimum exhibition period of 28 days is required. In preparing the draft LEP consultation with relevant public authorities and other persons or organisations likely to be affected by the plan is required *prior to exhibition*.

#### *Staged DCP and LEP*

The Council's decision of 14 June 2005 to prepare and finalise an LEP envisages certain conditional outcomes. If those outcomes cannot be achieved, the rezoning component of the draft LEP would not proceed towards gazettal. Consequently, the DCP as it applied to the northern part of the site would either not be approved or would need to be altered before it is approved. In such a case the Council could defer part of the DCP for further consideration and approve the balance as it applied to the southern part of the site.

#### *Role of the Strategic Planning Working Party*

Part 6 of the Council's decision required input from the Strategic Planning Working Party. We proposed to prepare the draft plans and then convene a meeting of the Working Party prior to submitting a report to the Urban Planning Committee. We note that membership of the Working Party will need to be expanded to include the Paddington Ward Councillors. Recommendation B of this report addresses this matter.

In summary, preparation of the draft LEP and DCP would involve the following steps:

- Present draft LEP and DCP to Working Party and make alterations as necessary (end August)
- Report to the Urban Planning Committee (5 September, if no significant alterations)
- Obtain decision of Council to exhibit draft LEP and DCP (19 September)
- Conduct consultation with relevant authorities, organisations and parties prior to exhibition (2 months)
- Exhibit draft LEP and DCP for a minimum period of 28 days (mid-November to mid December 2005)
- Report to the Urban Planning Committee with submissions (end January 2006 – subject to number and nature of submissions)
- Council approves DCP in whole or in part (February 2006)
- Submit draft LEP to the Department of Infrastructure, Planning and Natural Resources (DIPNR) for the Minister's approval and gazettal (subject to conditions in part 2 of decision of 14 June 2005 being achieved) (March 2006)

Submission of the draft LEP to DIPNR, albeit in an altered form, may still occur if part 2 of the decision of 14 June 2005 is not satisfied. The alteration would see deferral of the rezoning component, thereby allowing the heritage listing to proceed.

We emphasize that achievement of the above programme will be dependent on no other urgent projects or notices of motion intervening, particularly during the period from August to mid-November.

#### **4. Conclusion**

Completion of the Paddington DCP review and the White City DCP and LEP can be achieved by using in-house resources and by redirecting staff from current projects and services. There will be short term implications for the timing and delivery of those projects and services.

Timeframes set out in this report are dependent on resources being maintained and no intervention by other projects or actions. Furthermore, the timing and outcome of the White City DCP and LEP may change if aspects of the Council's decision of 14 June 2005 cannot be met.

Chris Bluett  
Manager Strategic Planning

Allan Coker  
Director Planning and Development

Margaret Zulaikha  
Team Leader Urban Design

**Item No:** R2 Recommendation to Council  
**Subject:** 17, 19, 21, 23 Jersey Road, Woollahra  
**Author:** Louise Thom, Heritage Officer  
**File No:** 253.21  
**Reason for Report:** Respond to Council decision of 14 June 2005 regarding the heritage significance of properties in Jersey Road.

**Recommendation:**

1. THAT a draft local environmental plan be prepared to amend Woollahra Local Environmental Plan 1995 in the following manner:
  - i. By including the following properties as heritage items in Schedule 3:

<i>Jersey Road,</i>	<i>Woollahra</i>	<i>19</i>	<i>'Selby', house, stables and grounds</i>
<i>Jersey Road,</i>	<i>Woollahra</i>	<i>21</i>	<i>'Orama', house</i>
  - ii. By including the following properties as a heritage item group in Schedule 3:

<i>Jersey Road,</i>	<i>Woollahra</i>	<i>17, 19, 21 23</i>	<i>Houses</i>
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2. THAT the report entitled Assessment of cultural heritage significance: 19 Jersey Road Woollahra by Kim Ketelbey of Design Plus Consultancy be used to inform the assessment of development applications for that property.
3. THAT the report entitled Assessment of cultural heritage significance: 21 Jersey Road Woollahra by Kim Ketelbey of Design Plus Consultancy be used to inform the assessment of development applications for that property.
4. THAT the report entitled Assessment of cultural heritage significance: Group of four houses 17, 19, 21, 23 Jersey Road Woollahra by Kim Ketelbey of Design Plus Consultancy be used to inform the assessment of development applications for those properties.
5. THAT the owners of those properties listed in 1 above be advised of Council's decision and informed of the opportunity to participate in the public consultation process associated with the exhibition of the draft LEP.
6. THAT the recommendations of this report proceed directly to the Council meeting on 8 August 2005 due to the need to commence the LEP process before the pending Land and Environment Court appeal regarding development at 21 Jersey Road, Woollahra.

**1.0 Background**

Council recently determined DA58/2005 for alterations and additions at 21 Jersey Road, Woollahra. In resolving to refuse the application, the Development Control Committee also decided to investigate whether the subject property and its neighbour at number 19 should be listed as heritage items. Part B of the decision made on 6 June 2005 was:

B. That as a matter of urgency an independent heritage consultant be appointed by Council Officers to conduct a heritage assessment on all 4 dwellings addressing the issue of the vistas, the heritage significance of all 4 buildings and whether or not all 4 should be listed as heritage items in the Woollahra LEP 1995.

The properties referred to in this resolution were 17, 19, 21 and 23 Jersey Road, Woollahra, four large detached houses located at the south eastern end of Jersey Road that were constructed in the mid-nineteenth century. Number 17 is a Victorian Gothic style house known as "Westbourne" and is listed as a heritage item in Woollahra Local Environmental Plan 1995 (Woollahra LEP 1995). Number 23 is a two storey brick mid-Victorian house known as "Runnymede" and is also listed in Woollahra LEP 1995. The two houses numbered 19 and 21 between Runnymede and Westbourne are also large detached houses, but are currently not listed in Woollahra LEP 1995.

The applicant for the above development application has since lodged an appeal against Council's decision to refuse the application. The matter is set down to be heard in the Land and Environment Court on the 18 August 2005.

### **1.1 Engagement of independent heritage consultant**

An independent heritage consultant, Kim Ketelbey of Design Plus Consultancy was recently engaged to undertake the heritage assessment of the two properties "Orama" number 21 Jersey Road, Woollahra and "Selby" number 19 Jersey Road, Woollahra and the relationships between the group of four houses including numbers 17 and 23 Jersey Road Woollahra.

As the development application for 21 Jersey Road has now proceeded to the Land and Environment Court, the heritage assessment was fast tracked to achieve an outcome prior to the court hearing.

### **1.2 Consultants brief**

The work undertaken by the consultant was required to strictly adhere to the NSW Heritage Office guidelines for the preparation of statements of significance and the Australia ICOMOS Burra Charter (1999 Revision).

The consultant was engaged specifically to undertake the work with the following objectives:

- i) to establish the heritage significance of 19 and 21 Jersey Road Woollahra;
- ii) to establish the significance of the group of houses 17, 19, 21 and 23 Jersey Road Woollahra and define the essential elements that contribute to the significant relationships between the properties;
- iii) to recommend whether the properties at 19 and 21 Jersey Road Woollahra should be listed in Woollahra LEP 1995 as heritage items;
- iv) to recommend whether the Woollahra LEP 1995 should be amended to include the four properties as a heritage item group; and
- v) to provide sufficient information about the significance of those potential heritage items that are considered to be worthy of listing as items in Woollahra LEP 1995.

### **1.3 Assessing heritage significance**

Under the Local Government Heritage Guidelines from the NSW Heritage Office heritage significance is defined as follows.

The heritage significance of an item includes all the values that make it special to past, present and future generations. These may be its historical origins and subsequent development, its association with particular people or events, its visual or townscape qualities, its construction or other technical qualities, a religious or symbolic role and archaeological research potential. The values may not only be evident in the fabric or physical material of the place, building, work, relic, moveable object or precinct, but also in the relationship with its surroundings, and in associated documents that can be researched to gain knowledge of the item and its

significance. The values do not have to be mutually exclusive and usually a place will have multiple values. The values of an item will depend on its integrity, comparative standing, and community perceptions. (page 4. cl. 2.3)

#### **1.4 Staging of assessment**

The Local Government Heritage Guidelines recommend the following steps in preparing heritage significance assessment;

- |              |                                     |
|--------------|-------------------------------------|
| Step one -   | Documentary research                |
| Step two -   | Investigate physical fabric         |
| Step three - | Assess heritage significance        |
| Step four -  | Prepare a statement of significance |
| Step five -  | Manage heritage significance        |

The consultant has been instructed to follow this process and to use the first four steps in preparation of the heritage assessment, with step five being the responsibility of Council once the outcomes of step four are known.

#### **1.5 Information provided to the consultant**

Stage 1 - Review of existing reports and undertake further research. The following material was provided to the consultant.

- Woollahra LEP 1995, as amended.
- Hughes Trueman Ludlow, Woollahra Heritage Study for the Municipality of Woollahra, 1984.
- Thematic History of Woollahra and Paddington by Rosemary Broomham
- Schedule of all known BAs and DAs for each property to be investigated.
- Reduced copies of original [or earliest available] building application plans for each building and, where appropriate, the DA plans.
- Heritage item inventory sheets for existing items.
- Heritage Impact Assessment for 21 Jersey Road, Woollahra by Graham Brooks & Associates
- Two letters from Clive Lucas of Clive Lucas Stapleton and Partners
- Letter from Diccon Loxton of 17 Jersey Road.
- CDRom of images taken by Council Officers of interior and exterior of 21 Jersey Road.

Stage 2 – Undertake site inspection and make records.

Site inspections were arranged for each property except number 21 Jersey Road. Due to the pending court appeal access to this property was not made available. However, Council Officers had made thorough inspection of the property and taken numerous photographs on an earlier occasion. These photographs were made available to the consultant. The consultant visited the site of each of the other properties and conducted both internal and external investigations of the buildings and their settings.

Stage 3 – Assessment of heritage significance

The consultant was asked to provide a full assessment of the cultural heritage significance of both 19 and 21 Jersey Road and an assessment of the cultural heritage significance of the group of houses 17, 19, 21 and 23 Jersey Road using the NSW Heritage Office criteria and the principles of the Australia ICOMOS Burra Charter.

In addition the consultant was asked to briefly address the definition of the term “Villa” and the relevance of its application in the discussion of the significance of the subject properties. This was in response to the implications the term may have for future development of these properties. For example, if a Villa was a house set in its gardens and detached from all boundaries and this was an important aspect of the building’s significance, then this would have implications for the setback of new additions.

#### Stage 4 – Recommendations

The final stage of the consultants work was to make recommendations on whether the properties at 19 and 21 Jersey Road should be listed as heritage items in Woollahra LEP 1995. A further recommendation then would be made as to whether the overall group of houses from 17 to 23 Jersey Road should be listed as a heritage item group in Woollahra LEP 1995.

### **2.0 Outcomes of the consultant’s report**

“Selby House” at 19 Jersey Road was recommended for listing by the consultant Ms Ketelbey as a heritage item in Woollahra LEP 1995 for the reasons outlined in the statement of significance below. The listing should include the property boundary, the stables, the form, fabric and spatial layout of the residence, its potential to reveal archaeology, its setting and association with the adjoining houses at 17, 21 and 23 Jersey Road.

The house “Orama” at 21 Jersey Road was recommended for listing by Ms Ketelbey as a heritage item in Woollahra LEP 1995 for the reasons outlined in the statement of significance below. The listing should include the property boundary, the residence, its potential to reveal archaeology, its setting and association with the adjoining houses at 17, 21 and 23 Jersey Road.

The group of houses at 17, 21, 19, 23 Jersey Road were recommended by Ms Ketelbey for listing as a heritage item group in Woollahra Local Environmental Plan 1995 for the reasons outlined in the statement of significance below. The listing should include the property boundaries, the stables, outbuildings, fences, form, fabric and spatial layout of the residences, their setting and association with the other houses and the streetscape and potential archaeology.

### **2.1 “Selby House”, 19 Jersey Road, Woollahra**

“Selby House” at 19 Jersey Road Woollahra is a Victorian Regency style house was built between 1863 and 1869. This fine house is set within generous grounds with stable at the rear. The house and stable retain their original form. The rear of the house has been modified with a single storey addition and new bathroom and kitchen fitouts. The house, however, retains a high degree of original detail and layout. The stable has been completely refurbished internally and new windows, roof and gable end installed.

#### Statement of significance

The site known as *Selby House* at 19 Jersey Road Woollahra is a fine and relatively intact example of a mid-Nineteenth Century villa which reflects the development of the area following the subdivision of the Point Piper Estate and sale of the Wallis and Scott Subdivision in 1854. Wallis and Scott purchased 25 acres in Upper Paddington from Daniel Cooper I just prior to Cooper’s death. It was perhaps one of the last land sales of the Point Piper Estate from this period, the majority occurring in the late nineteenth and early twentieth century and distinctly different from the larger acreages that were allocated in central Woollahra and offered for sale.

Although the land was set out by surveyor Thomas Mitchell as town allotments, *Selby House* was built on a holding of 3 allotments, to which another allotment was later added. This and the properties known as Nos.17, 21 and 23 are unusual within the area of Wallis and Scott's Subdivision, being the only substantial villas built over several allotments with stables and servants quarters. These villas had access to district views and fresh water which was scarce in the region until the later part of the century.

The property is associated with the Reverend John West, social advocate and first official editor of the Sydney Morning Herald newspaper from 1851 until his death in 1873. West, who rigorously campaigned for the abolition of transportation of convicts and the unification of the colonies of Australia, owned this property although never lived there.

The property is a fine and relatively intact example of a mid-nineteenth century villa, on its original allotment. Designed in the Victorian Regency style, it retains its near original form, stable, front fence and a substantial amount of detail, although modified. Its layout and associations provide an understanding of mid-nineteenth century domestic practices. It contributes to the predominantly Victorian period streetscape of Jersey Road and the overall character of West Woollahra. Although the house and stable have been modified this does not distract from its significance as a rare example of villa development in this part of West Woollahra. (Ketelbey)

## 2.2 "Orama" 21 Jersey Road, Woollahra

"Orama" at 21 Jersey Road, Woollahra is a two storey c.1866 stuccoed Victorian style villa. Originally known as "Dalston Villa" by the first owner John William Drewitt. The property changed hands many times and was owned by notable persons James Burns of Burns Philp & Co a local entrepreneur; Inez Isabelle Bensausan one of the first students at Ascam School and a suffragette, a successful actress and playwright; and Alexander Wilson General Manager of Lysaght Brothers and Company. The house later became known as "Irrawang" and finally in 1917 it was given its current name "Orama".

The house has undergone numerous alterations since it was originally built. The original layout of rooms appears to be largely intact, as is the form of the main part of the house. The outbuildings are no longer evident and a contemporary garage has been constructed in the south eastern corner.

### Statement of significance.

The property known as *Orama* at 21 Jersey Road Woollahra is an unusual and c.1866 villa which reflects the development of the area following the subdivision of the Point Piper Estate and sale of the Wallis and Scott Subdivision in 1854. Wallis and Scott purchased 25 acres in Upper Paddington from Daniel Cooper I just prior to Cooper's death. It was perhaps one of the last land sales of this period, the majority occurring in the late nineteenth and early twentieth century and distinctly different from the larger acreages that were allocated in central Woollahra and offered for sale.

Although the land was set out by surveyor Thomas Mitchell as town allotments, *Orama* was built on a holding of 3 allotments. This and the properties known as Nos.17, 19 and 23 are unusual within the area of Wallis and Scott's subdivision, being the only substantial villas built over several allotments. These villas had access to district views and fresh water which was scarce in the region until the later part of the century. The property is a relatively rare example of this type of development in this era in Woollahra.

The property is associated with a number of prominent citizens including Sir James Burns, the Bensausan family and Alexander Wilson. Sir James Burns was co-founder of shipping and trading company Burns Philp and Company Limited and purchased the property in 1880. Burns leased the property to affluent businessman Samuel Bensausan and his family for several years from 1885. Bensausan's daughter Inez Bensusan (sic) was one of the first students of Ascham School and was a well known suffragette, actress and playwright. The property was briefly owned and occupied by Alexander Wilson, general manager of Lysaght Brothers and Company.

The house at 21 Jersey Road Woollahra is an unusual example of a mid-Victorian period residence. Its design displays the block plan, symmetry and simplicity of a Regency building but with some Italianate features. The interior of the house would appear to retain some of its original layout and detail. The layout provides an understanding of mid-Nineteenth Century domestic practices. The property has the potential to provide a further understanding of its history and uses. The property known as *Orama*, together with the three adjoining properties, is a rare example of villa development in this area of Woollahra. Although the house has been modified this does not distract from its significance and the contribution it makes, with the other houses, to the streetscape of Jersey Road and significance and character of West Woollahra.(Ketelbey)

### **2.3 Heritage item group 17, 19, 21, 23 Jersey Road Woollahra**

The four houses in Jersey Road West Woollahra were constructed in the mid-nineteenth century. They were built as villas for the prosperous man about town. (See below for a discussion of the meaning of the term villa.) Each house had associated buildings within its allotment to service the house. Of these the stables to 17, 19 and 23 still remain, though altered from original. Each house occupies its original allotment. The houses were built in a period prior to the intense level of development that occurred in the latter half of the nineteenth century. The size of the buildings and their configuration reflect this difference.

#### Statement of significance.

Intact nineteenth century villas of this scale and significance are not rare in Woollahra Municipality generally but this group of houses is unique due to its location, relative intactness, grouping and historical associations. Built in the upper reaches of the Cooper Estate, within the Wallis and Scott subdivision, close to Oxford Street, they are unique in an area characterised by more dense development on smaller allotments. The majority of villas of this scale in the Municipality were built on the larger allotments allocated in central Woollahra. It is not known why these houses were built here; whether for views, water, location or cheap freehold land is not known. While these are not the only examples of their kind as individual houses, they are a unique group of four mid-nineteenth century villas on generous allotments with remnant outbuildings displaying a range of period architectural styles and domestic layouts. Three of the houses within the group are associated with persons of historic interest including the Reverend John West, Sir James Burns, Samuel Bensausan and Inez Bensusan (sic) and the Earl of Jersey.

Although they are now modified to varying degrees and no longer retain their district views, this does not diminish their significance or the contribution they make to the character of the area and our understanding of mid-nineteenth century Woollahra. The properties have potential to reveal aspects of this earlier period. (Ketelbey)

### **3.0 Definition of the term Villa**

The term “Villa” was used in the colony of New South Wales extensively in the nineteenth century. The reference to Villa in the mid-nineteenth century refers to a spacious house isolated in its grounds to preserve its privacy and generally having fine views over the landscape. The suburban villa was suited to “the prosperous or retired man of business who could afford to dissociate himself from the sources of his wealth and enjoy its rewards in a spacious environment of domesticity.” (Ketelbey)

Pattern books for suburban villas were popular in the nineteenth century. The later villas were designed with more specialised rooms and the service quarters moved closer to or attached to the dwelling.

In summary “the villa in the first 100 years of the colony was an isolated form, set within a garden-like domain, with distant views and external offices for stables and domestic economy, reflecting the affluence and social status of the owner”. (Ketelbey) This description is applicable to the four houses in Jersey Road that are the subject of this report.

### **4.0 Options**

The main options available to Council are:

- a) Prepare a draft LEP that will amend Woollahra LEP 1995 by:
  - Listing 19 and 21 Jersey Road, Woollahra as individual heritage items
  - Listing the houses at 17, 19, 21, 23 Jersey Road, Woollahra as a heritage item group.
- b) Note the information provided in the reports prepared by Ms Ketelbey and take it as advice when applying the Woollahra Heritage Conservation Area Development Control Plan.
- c) Discontinue the process entirely.

Based on the research and the assessments that have been carried out, it is recommended that option a) is pursued. This option will include consultation with property owners and the broader public.

### **5.0 Draft LEP process**

If the Council agrees with the recommendation to list the potential heritage items and heritage item group it may continue the process by deciding to prepare a draft LEP. The preparation of a draft LEP follows a statutory process set down in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. The draft LEP will contain amendments to Woollahra LEP 1995 to include properties in the schedule of heritage items.

The draft LEP and supporting documentation will be placed on public exhibition for a minimum of 28 days and submissions will be invited. Notice of the exhibition will be sent to all affected property owners, including the owner of the property and adjoining owners. Advertisements of the exhibition will be placed in the Council’s column in the Wentworth Courier.

Following the exhibition, a report containing an assessment of all submissions will be prepared for consideration by Council’s Urban Planning Committee. At that time, further presentations by interested parties and property owners may be made to the Committee.

### **6.0 Identification of income and expenditure**

All costs associated with the consultant’s work have been met through funds within the 2004/2005 budget.

Should Council decide to proceed with the recommendations of this report, the advertising and notification costs associated with the exhibition of the draft LEP will be met under allocations from the 2005-2006 budget.

### **7.0 Conclusion**

The houses at 17, 19, 21, 23 Jersey Road Woollahra are culturally significant to the Woollahra area. They are individually culturally significant as well as being significant as a group with special relationships to each other. It is considered that they merit statutory protection through Woollahra LEP 1995. If the Council resolves to prepare a draft LEP the plan will be placed on exhibition for a period of at least 28 days. This will enable property owners and other interested parties to make a written submission. Following the exhibition, consideration of all submissions will be carried out. Further presentations to the Urban Planning Committee may be made when a report on the submissions is considered.

Louise Thom  
Heritage Officer

Chris Bluett  
Manager Strategic Planning

### **Annexures:**

1. Assessment of Cultural Heritage Significance: 19 Jersey Road Woollahra by Kim Ketelbey Design Plus Consultancy.
2. Assessment of Cultural Heritage Significance: 21 Jersey Road Woollahra by Kim Ketelbey Design Plus Consultancy.
3. Assessment of Cultural Heritage Significance: Group of houses 17, 19, 21, 23 Jersey Road Woollahra by Kim Ketelbey Design Plus Consultancy.