

Environmental Planning Committee



Agenda

Monday 1 April 2019

6.00pm

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee Members and/or Staff to present apologies and/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 (e.g. applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allocated 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).

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 planning matters including those initiated at State and Federal Government level.
- Urban design studies.
- Planning proposals and local environment plans.
- Development control plans and guidelines.
- Development contribution plans.
- Heritage conservation studies, assessments and controls.
- Commercial centres' studies.
- Residential studies and strategies.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Flood Management Strategies.
- Recreation Policies and Strategies.
- Sustainability Policies and Strategies.
- Transport Strategies.
- Tree Policies and Strategies.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters requiring supplementary votes to Budget.
- Matters not within the specified functions of the Committee.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority to be determined at Committee level ("D" Items):

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of the Minutes of its Meetings.
- Statutory reviews of Council's Delivery Program and Operational Plan.
- Any other matter falling within the responsibility of the Environmental Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

Environmental Planning Committee Membership: 7 Councillors

Quorum: The quorum for Committee meeting is 4 Councillors

Woollahra Municipal Council

Notice of Meeting

27 March 2019

To: His Worship the Mayor, Councillor Peter Cavanagh, ex-officio
Councillors Susan Wynne (Chair)
Mary-Lou Jarvis (Deputy Chair)
Luise Elsing
Nick Maxwell
Matthew Robertson
Mark Silcocks
Toni Zeltzer

Dear Councillors,

Environmental Planning Committee – 1 April 2019

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Environmental Planning Committee** meeting to be held in the **Thornton Room (Committee Room)**, 536 New South Head Road, Double Bay, on **Monday 1 April 2019 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

| Item | Subject | Page |
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| 1. | Leave of Absence and Apologies | |
| 2. | Late Correspondence | |
| 3. | Declarations of Interest | |

Items to be Decided by this Committee using its Delegated Authority

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| D1 | Confirmation of Minutes of Meeting held on 18 March 2019 - 19/43094 | 7 |
| D2 | Ecological Sustainability Taskforce Meeting - Minutes of Meeting Held 25 February 2019 - 19/42184..... | 9 |
| D3 | Double Bay Working Party meeting held on 19 March 2019 - 19/47630 | 15 |

Items to be Submitted to the Council for Decision with Recommendations from this Committee

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|----|--|-----|
| R1 | Planning Proposal - Heritage listing of the Four in Hand Hotel at 105 Sutherland Street, Paddington - 19/38887 | 25 |
| R2 | Public Exhibition of the Planning Proposal - Heritage Listing of Dunara Reserve, Point Piper (remnant of the residential garden of "Dunara") - 19/38979..... | 77 |
| R3 | Strategic Planning Department projects and staff resourcing - 19/46134..... | 243 |

Item No: D1 Delegated to Committee
Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 18 MARCH 2019**
Author: Sue O'Connor, Secretarial Support - Governance
File No: 19/43094
Reason for Report: The Minutes of the Environmental Planning Committee of 18 March 2019 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 Environmental Planning Committee Meeting of 18 March 2019 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **ECOLOGICAL SUSTAINABILITY TASKFORCE MEETING - MINUTES OF MEETING HELD 25 FEBRUARY 2019**
Author: Micaela Hopkins, Team Leader Environment & Sustainability
Approvers: Paul Fraser, Manager - Open Space & Trees
Tom O'Hanlon, Director - Technical Services
File No: 19/42184
Reason for Report: To circulate the minutes of the Ecological Sustainability Taskforce meeting held 25 February 2019

Recommendation:

THAT Council receive and note the minutes of the Ecological Sustainability Taskforce meeting held on 25 February 2019.

Background:

In 2009 Council established the Ecological Sustainability Taskforce (EST) to review and recommend Council strategy in relation to sustainability initiatives and policy. Membership of the EST consists of four Councillors, as appointed by the Mayor, and staff.

Proposal:

That Council receive and note the minutes of the Ecological Sustainability Taskforce meeting held on 25 February 2019. The minutes have been attached to this report as Annexure 1.

Annexures

1. Ecological Sustainability Taskforce Minutes 25 February 2019 [↓](#) 



Woollahra Municipal Council Ecological Sustainability Taskforce

Minutes

4.30 – 5.30pm Monday 25 November 2018

Council Chambers

Present: Cr Toni Zeltzer (Chair), Cr Megan McEwin, Cr Anthony Marano, Cr Mark Silcocks, Micaela Hopkins – Team Leader Environment & Sustainability, Michelle Rose – Environmental Education Officer.

Apologies: Tom O'Hanlon – Director Technical Services, Paul Fraser – Manager Open Space & Trees.

Meeting opened 4.30pm.

| Item No. | Subject | Discussion | Action |
|----------|---|---|---|
| 1 | Welcome | Micaela Hopkins gave apologies from Tom O’Hanlon and Paul Fraser. | |
| 2 | Schools Sculpture Prize Theme for 2019 – Michelle Rose | Michelle Rose opened a discussion regarding selection of a theme for the 2019 Schools Sculpture Prize. It was agreed that ‘Pollination’ would be the theme. Pollination and how it works is very topical, and it is a very different theme to the 2018 threatened species theme. The pollination theme gives the opportunity to increase student’s understanding of the important role of bees, birds, flying foxes and other animals in the pollination process. It was agreed to develop a promotional message that encourages a diversity of sculptures. Cr Zeltzer suggested a separate art project focussing on Christmas decorations, where local children are encouraged to create trees and decorations from recycled materials for installation at a Council space. Cr Zeltzer has seen some good examples of this in Italy. There could be an opportunity to undertake something of this nature at the Woollahra Library. | ‘Pollination’ to be promoted as the theme for 2019 Schools Sculpture Prize. |
| 3 | Single Use Plastics Update – Micaela Hopkins & Michelle Rose | Council’s Single Use Plastics Policy has been finalised and was adopted by MANEX at their December meeting. It is now stored on Council’s Policy Register. A copy of the Policy was provided to all. Michelle Rose has been working on initiatives to reduce single use plastics across a range of Council events: | |

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| | | <ol style="list-style-type: none"> 1. Internal events: purchase of event kits with reusable crockery for use by staff instead of using disposable plastic plates, cups and cutlery. 2. Major events: guidelines developed based on the experience of the Latina Festival. A database of eco-friendly event suppliers (eg caterers) has been developed. 3. Venue hire: a guideline for single use plastic free events has been developed to accompany venue hire documents. <p>There is a high level of community interest in reducing single use plastic. The library held a 'going plastic free' talk, which was very well attended. In January Council held a workshop about microplastics which was sold out</p> | |
| 4 | <p>Community Gardens in Woollahra: Proposal for Dunbar House</p> | <p>In late 2018 a notice of motion was adopted by Council to 'explore the creation of a cottage-style community garden in the paddock behind Dunbar House, Watsons Bay and explore other options in Watsons Bay'.</p> <p>The proposal is driven by a desire for a space for local community members to gather. Cr McEwin has obtained a list of interested local residents. Michelle Rose has visited the site and shared some photos of the area. The exact location and design of the proposed garden is not yet known. The site itself has some potential challenges, including proximity of neighbouring residential properties and heritage considerations. Cr McEwin will contact the group to obtain further information.</p> <p>It was noted that there is a process for applying to use a space as a</p> | <p>Michelle Rose & Cr McEwin to contact community garden representatives to obtain further information.</p> |

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| | | <p>community garden, and that Council's policy regarding this is available on our website: https://www.woollahra.nsw.gov.au/recreation/community_gardens</p> <p>Overall, the members of the Ecological Sustainability Taskforce were in support of the concept of a community garden in the Watsons Bay area.</p> | |
| 5 | General Business | <p>Summerama Activities Program 2019</p> <p>The Summerama Activities Program was held in January and was a great success. Events included snorkelling at Camp Cove with marine biologist Will Jones, a rockpool ramble at Nielsen Park, and bushland ramble at Parsley Bay. The events were fully subscribed.</p> <p>Solar Workshop</p> <p>Council held a workshop to educate residents about saving energy, including installation of solar panels. Over 60 people attended. A second workshop will be held at Woollahra Library at 6pm on 27 March. An invitation will be sent to all Taskforce members. Cr Zeltzer requested some information be distributed to residents regarding available rebates. Michelle Rose will include this in Council's Environmental E-Newsletter.</p> <p>Cooper Park – Update</p> <p>Micaela Hopkins showed some photographs of the completed Cooper Park wall stabilisation works, the new vegetation planted by bush regenerators on the gabion wall, and the current state of Cooper Park Pond. Council has</p> | <p>Michelle Rose to send Solar Workshop invitation to EST members.</p> <p>Michelle Rose to include solar rebate information in Council's e-news.</p> <p>Staff to contact Blue Mountains Council regarding their kitchen composting program.</p> |

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| | | <p>planned to undertake a catchment study to determine methods to improve the water quality entering the pond. In addition, Council has engaged a contractor to have another attempt at plugging the leak in the pond, using a different technique.</p> <p>Composting</p> <p>Cr Zeltzer requested information regarding Council's composting program. Council offers residents heavily subsidised worm farms and compost bins through the 'Compost Revolution Program': https://compostrevolution.com.au/. Cr Zeltzer suggested contacting Blue Mountains City Council to obtain information about their kitchen composting program and depots (using Bokashi Bins).</p> | |
| 6 | Next meeting | <p>Cr Zeltzer noted that the Taskforce was covering a range of diverse topics and that she would send some suggestions for inclusion on the next agenda. The next meeting will be scheduled in April. Members agreed that Monday from 5-6pm was a good time for the meeting to be held.</p> | <p>Micaela Hopkins to organise the next meeting.</p> |

Meeting closed 5.30pm.

Item No: D3 Delegated to Committee
Subject: **DOUBLE BAY WORKING PARTY MEETING HELD ON 19 MARCH 2019**
Author: Peter Kauter, Manager Placemaking
Approver: Allan Coker, Director - Planning & Development
File No: 19/47630
Reason for Report: To report on the activities of the Double Bay Working Party

Recommendation:

- A. THAT the draft minutes of the Double Bay Working Party meeting held on 19/3/19, as contained in Annexure 1 of this report, be received and noted.
- B. THAT a further report be prepared for the appropriate Committee on the replacement of lanterns in the Double Bay commercial centre.

Background:

Council at its meeting on 11/11/2013 resolved to establish a working party comprising selected Councillors and key stakeholders to oversee the preparation and implementation of the Double Bay Place Plan.

The Working Party held its inaugural meeting on 20/05/2014.

Under the Double Bay Working Party's (DBWP's) Terms of Reference its stated purpose is:

The purpose of the working party is to oversee the preparation and implementation of a strategic action plan for the Double Bay commercial centre. The strategic action plan is to set out further strategies and actions for the revitalisation of the Double Bay commercial centre and will include a process for further testing and implementing the planning strategies arising from the Delivering a Sustainable Future City Program. The Working Party shall not operate in a regulatory or authoritative capacity.

The above statement of purpose is consistent with Council's resolution of 11 November 2013 in relation to the establishment and purpose of the working party.

Under *Delegated Authority* the Terms of Reference provide:

The Working Party is an advisory committee only and has no delegated authority. The Working Party will report to the Urban Planning Committee as required.

Accordingly the minutes of the DBWP meeting held on 19/3/19 are being reported to the Environmental Planning Committee for its consideration. The minutes of the meeting are **Annexure 1** to this report.

Summary

The key points arising from the DBWP meeting held on 19/3/19 were:

- **Double Bay Place Plan review** – the draft Double Bay Place Plan was considered by the Environmental Planning Committee and has been recommended for adoption, with some changes. The recommendation will be considered at the next Council meeting to be held on 25/3/19.
- **Lighting strategy** – attendance by Tony Lambrechtsen, iGuzzini, who provided information and answered questions on a lantern option; the possibility of Leni Schwendinger being reengaged to assist with the lanterns
- **Double Bay Networking Group (DBNG)** – information provided by Ms Deirdre O’Loughlin on the activities of the DBNG

The next meeting will be on Tuesday 30/4/19.

Consideration:


One of the key points discussed at the meeting was replacement of the decorative lanterns throughout the Double Bay commercial centre, see above. Replacement of the lanterns is one of a number of projects under the Double Bay Public Domain Lighting Strategy (the Strategy) which was adopted by Council in June 2016. There are around 180 existing lanterns throughout the commercial centre and this is the most ambitious, biggest and most complex project under the Strategy. It is also the most important in terms of achieving the Strategy’s objectives for creating a distinctive after dark ambience in the public domain.

A number of other projects under the Strategy have been delivered under the initial capital works funding allocation, which has now been exhausted. Work has also been carried out on the design concept for the lanterns and there have been a number of related presentations to both the Working Party and Council.

Bringing this project to fruition will involve a commitment of resources to cover detailed design work, tender documentation/procurement, fabrication, installation, commissioning, etc. Arrangements also need to be made with Ausgrid to ensure installation meets its technical requirements.

It is therefore considered that a further report should be prepared for consideration by the appropriate Committee on the Double Bay lanterns project. The report would canvass resourcing in particular and other related factors so that an informed decision can be made.

Annexures

1. Draft Minutes of Double Bay Working Party Meeting held 19 March 2019 [↓](#) 



Double Bay Working Party



Minutes

Tuesday 19 March 2019

Woollahra Municipal Council
Double Bay Working Party Minutes

19 March 2019

Double Bay Working Party Minutes

Meeting held – Tuesday 19 March 2019
(No.2/2019)

Present: Councillors: Toni Zeltzer (Chair)
Mark Silcocks
Anthony Marano

Business: Deirdre O’Loughlin
Ralf Bruegger

Property owners: Eduard Litver and Byron Rose

Residents: Anthony Tregoning

Staff: Allan Coker - Director-Planning & Development (Woollahra Council)
Peter Kauter - Manager Place making (Woollahra Council)

Others: Alka Parti (With Eduard Litver)
Tony Lambrechtsen (iGuzzini)

Meeting opened: 6.00pm in the Thornton Room
Woollahra Municipal Council

Woollahra Municipal Council
Double Bay Working Party Minutes

19 March 2019

1. Apologies

Apologies were received and accepted from Cristina Talacko, Alex Oliver, Carol Freeman, Katherine O'Regan and Martina Lyons.

2. Confirmation of Minutes

Item No: 2.1
Subject: MINUTES OF THE MEETING OF THE DOUBLE BAY
WORKING PARTY HELD ON THE 12 FEBRUARY 2019
Resolved:

THAT the draft Minutes of the Double Bay Working Party held on the 12 February 2019 be confirmed.

3. Late Correspondence

Nil

4. Items for Discussion

Item No: 4.1
Subject: DOUBLE BAY PLACE PLAN REVIEW - UPDATE ON
PROGRESS

Following the last Working Party meeting the latest version of the draft Double Bay Place Plan (DBPP) was e-mailed to Working Party members on 13/2/19. Working Party members were asked for any final comments by 20/2/19. Two (2) comments were received but were not considered to warrant any changes to the draft DBPP.

A report on the draft DBPP was considered by the Environmental Planning Committee (EPC) last night recommending it be adopted, with some changes which were explained to Working Party Members.

The EPC's recommendation now goes to the Council meeting on 25/3/19 for adoption.

Action:

Noted..

The Working Party Members be thanked for all their work on preparing the draft DBPP over the past 8 months.

Woollahra Municipal Council
Double Bay Working Party Minutes

19 March 2019

Item No: 4.2

Subject: LIGHTING STRATEGY - LANTERNS

At the start of the meeting Tony Lambrechtsen from iGuzzini provided information on their lantern design. He brought along a prototype of the lantern and distributed a handout, 'UFO' which contained points related to the product.

The Working Party discussed:

- The carbon footprint – how to reduce energy needed to power the lanterns; mix of grid and solar and how this may work (e.g. rechargeable batteries, solar panel farm, supply energy back into the grid); how powering could be CO² neutral (TL recommends 240v rather than 12v)
- Brightness control adjustment to suit different effects – discussion on colour render index (CRI); could be achieved either by RF (visual aesthetic considerations) or 5 core wire; achieve a brightness range of 24 to 2,700 lux. There are cost implications.
- Lifespan of luminaire (e.g. at 25° 100K hours whereas 80K hours is equivalent to 20 years)
- Design detail, e.g. treatment of lenses, sandblasting, tinting, corrosion resistance, cleaning/maintenance; inclusion of art work/logo/images
- Colour options for die-cast aluminium – the prototype was grey whereas, e.g. bronze, may be more suitable (will add to cost – 20% premium)
-

[Following this Mr Lambrechtsen left the meeting before discussion resumed on procurement]

There was discussion on procurement and the need to go through a competitive tender process. However, before this an allocation needed to be made for funding – it was understood that no funds are presently allocated for the lantern's project. This would normally occur as part of annual budget preparation/adoption. Once information on documentation content had been gathered an indicative tender timeline could be 2 – 3 months. Production and delivery could take another 3 months.

Under our budget the lanterns project would be part of our capital works budget administered through our Technical Services division. The Director – Planning & Development undertook to discuss with the Director – Technical Services about consideration be given to the inclusion of funds for lanterns in the FY19/20 capital works budget.

The Working Party was advised that staff had recently been able to do a Skype meeting with Leni Schwendinger. She was enthusiastic about possibly being reengaged with this project. She suggested working with a small lantern team to resolve detailed design issues such as those raised earlier, e.g. colours, dimming control, lens treatment, etc.

Action:

The Director – Planning & Development discuss with the Director – Technical Services about consideration being to include in the FY 19/20 capital works budget an allocation for the lanterns, as an initial step.

That Tony Lambrechtsen be thanked for attending and participating in the Working Party meeting.

Woollahra Municipal Council
Double Bay Working Party Minutes

19 March 2019

Item No: 4.3

Subject: SYDNEY EAST BUSINESS CHAMBER

Sydney East Business Chamber representatives were apologies, therefore there were no matters discussed.

It was noted that Martina Lyons recently commenced with the Business Chamber as its Acting CEO.

5. General Business

Item No: 5.1

Subject: DOUBLE BAY NETWORKING GROUP (DBNG)

Deirdre O'Loghlin, the DBNG's Vice Chair/Public Relations, spoke about the activities of the DBNG. Ms O'Loghlin works with Stephanie Giannis, Chairman, on holding bi-monthly breakfast meetings at the InterContinental Hotel. A point of difference with other organisations representing business interests is its membership criteria. The criteria is business category exclusive which has created an effective business referral system.

High calibre speakers are targeted for breakfast meetings and recently included Robyn Hobbs OAM, NSW Small Business Commissioner. Glen Campbell, Chief Executive, Brandheart, will speak on developing successful corporate leaders on 24 April while Odile Faludi, a customer conversation specialist (can turn walls into doors), will speak at the breakfast on 27 June.

Ms O'Loghlin also spoke about a Thought Leaders Event on 21 August at Woollahra Library. The panel of speakers includes Cristina Talacko, Councillor Mary-Lou Jarvis – Deputy Mayor, Woollahra Council and Peter Vassilis MD Black & White Finance. It will be opened by Councillor Peter Cavanagh, Mayor Woollahra.

Ms O'Loghlin was grateful for support from the InterContinental Hotel and Woollahra Council which, provided funding through a Placemaking Grant in 2018.

The Working Party noted the DBNG has a strong membership and has been operating for 6 years.

Action

Noted & Ms O'Loghlin be thanked for her presentation.

Item No: 5.2

Subject: DATA ANALYSIS - REVIEW OF WI-FI DATA

Graphs of wi-fi activity based on Councils free wi-fi network was provided. It was acknowledged that the service provided has advised that the network needs upgrading and our IT people are working with them to get this sorted out. Also, the access point in Bay Street was not operating intermittently over the last few weeks. These issues associated with data gathering, together with current redevelopment activity, are likely to be impacting on the reliability of the data.

The graphs generally showed there was a decline in wi-fi activity at the surveyed access points. The long term trend showed a slower decline than the last 6 months activity.

Item No: 5.3

Subject: OTHER GENERAL BUSINESS

There was general discussion about circumstances influencing business activity in Double Bay. The following points of view were expressed by Working Party members:

- Kiaora Place is drawing shoppers from other parts of the commercial centre which are suffering a downturn in retail activity as a result
- Vacancies are not necessarily an indication of activity as rents have halved (e.g. Oxford Street)
- Free (1 hour) carparking is needed to compete with Kiaora Pl & Westfields
- Investment in upgrading the Cosmopolitan Centre would resolve problems with the way it is currently trading
- Land economic factors/tenure arrangements relating to some specific properties are discouraging business investment
- JRPP (Local Planning Panel) approach to rejecting redevelopment proposals in a declining market
- Increasing residential density will not necessarily equate to more business activity as new owners will not necessarily shop in Double Bay (e.g. Kiaora Place is successful and has no residential)
- Density needs to be reviewed and there is an intimate relationship between business activity and residential – commercial, on its own, is not an attractive investment (planning controls are presently being reviewed – report expected May '19)
- Questions were asked about:
 - Kiaora Place, solar panels and possible additional parking – the Chair advised that these things had been mentioned, along with a range of others, as part of the discussion around the impact of the temporary loss of parking with the redevelopment of the Cross Street carpark
 - Pedestrianisation of Knox Street – this was unanimously supported as a means of revitalising the 'north side' of Double Bay. It would need to occur as a thorough urban design project integrated with other projects

Action

Noted.

Working Party Councillors to consider NOM's on land tenure arrangements and to pedestrianise Knox Street.

Woollahra Municipal Council
Double Bay Working Party Minutes

19 March 2019

6. Next Meeting

The next meeting is scheduled to be held on 30 April 2019.

There being no further business the meeting concluded at 7.45pm.

Draft

Item No: R1 Recommendation to Council

Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF THE FOUR IN HAND HOTEL AT 105 SUTHERLAND STREET, PADDINGTON**

Author: Anne White, Team Leader - Strategic Planning

Approvers: Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development

File No: 19/38887

Reason for Report: To report the advice made to Council by the Woollahra Local Planning Panel.
To obtain Council's approval to proceed with the planning proposal to list the 'Four in Hand Hotel', including interiors, at 105 Sutherland Street, Paddington as a heritage item in Woollahra Local Environmental Plan 2014.

Recommendation:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 7 March 2019.
- B. THAT the planning proposal, as contained in *Annexure 3* of the report to the Environmental Planning Committee meeting on 1 April 2019 to list the 'Four in Hand Hotel', including interiors, as a heritage item in Woollahra Local Environmental Plan 2014, be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition.
- C. THAT Council request delegation from the Department of Planning and Environment in relation to the planning proposal under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

1. Background

On 21 May 2018 the Council adopted the following notice of motion:

THAT Council:

1. *Requests staff to undertake an assessment of heritage significance for the 'Four in Hand Hotel' (located at 105 Sutherland Street, Paddington) (the Property) and report to the Environmental Planning Committee on whether the Property has sufficient heritage significance to be listed as:*
 - (a) *a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP);*
and
 - (b) *an item on the State Heritage under the Heritage Act 1977;*
2. *Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):*
 - (a) *4.3.1 – 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage item's; and*

- (b) 4.3.1.1 – ‘Carry out a study of hotels in Paddington to determine and establish more specific conservation controls’ (the Paddington Pub Project);
 3. Further notes its resolution on 27 November 2017, giving ‘next priority’ to the Paddington Pub Project;
 4. Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);
 5. In preparing the Paddington Pub Project, gives consideration to:
 - a) including a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation Area to the same standard; and
 - b) exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use;
 6. Requests that the Mayor write to the Hon Gabrielle Upton, Minister for the Environment, Local Government and Heritage to:
 - a) raise community concerns over the loss of historic pubs in the Woollahra Municipality and elsewhere throughout the state of New South Wales; and
 - b) request the State Government to explore what legislative changes can be introduced to mirror the legislative reforms recently introduced by the UK Parliament concerning the protection of pubs.

In response to parts 1 and 4 of the Council’s decision the consultant firm Robert A. Moore Pty Ltd Architects and Conservation Consultants was engaged to carry out an assessment of heritage significance of the eleven hotels in Paddington, with a priority given to completing the assessment for the *Four in Hand Hotel* at 105 Sutherland Street Paddington.

The assessment of heritage significance for the Four in Hand Hotel, with input from the landowner, was reported to the Environmental Planning Committee on 4 February 2019 (see *Annexure 1*)¹, and on 11 February 2019 Council resolved the following:

- A. *THAT a planning proposal be prepared to list the Four In Hand Hotel at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- C. *THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.*

2. Planning proposal

A planning proposal was prepared in accordance with the Council’s decision of 11 February 2019. The objective of the planning proposal is to amend Woollahra LEP 2014, to list the *Four in Hand Hotel*, including its interiors, at 105 Sutherland Street, Paddington as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the item.

¹ The annexures to the EPC report of 4 February 2019 have been removed. The heritage assessment report, draft inventory form, landowner’s submission dated 21 December 2019 and response to the landowner’s submission by Robert A Moore are provided in the planning proposal attached as annexure 3 to this report.

3. Woollahra Local Planning Panel advice

On 7 March 2019, the *Woollahra Local Planning Panel* (LPP) considered a report on the planning proposal (see *Annexure 2*)² and provided the following advice to Council:

THAT the Woollahra Local Planning Panel advises Council that it:

- A. *Supports the planning proposal to list the 'Four in Hand Hotel' including interiors, at 105 Sutherland Street, Paddington, as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.*
- B. *Supports the planning proposal being forwarded to the Minister or the Greater Sydney Commission under section 3.34 of the Environmental Planning and Assessment Act 1979.*

Subsequent to the meeting of the Woollahra LPP of 7 March 2019, the planning proposal has been updated to refer to the Panel's advice. The updated planning proposal is provided in **Annexure 3**. Additional text referring to the Woollahra LPP is shown underlined.

4. Next Steps

Subject to the Council's decision, the planning proposal will be referred to the Department of Planning and Environment (the Department) for a gateway determination. This will allow the planning proposal to be placed on public exhibition.

4.1. Public exhibition

The public exhibition of the planning proposal will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act), the *Environmental Planning and Assessment Regulation 2000* and the gateway determination issued by the Department as delegate for the Minister. The gateway determination will specify the minimum duration of the public exhibition period. This period is usually a minimum of 28 days, which is consistent with Council's standard practice for the exhibition of a planning proposal.

Public notification of the exhibition will comprise:

- A 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 the land owner of the *Four in Hand Hotel*.
- A letter to land owners in the vicinity of the *Four in Hand Hotel*.
- Local community and business groups such as *The Paddington Society*.

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 and consultant reports.

² The annexures to the Woollahra LPP report have been removed. The heritage assessment report, draft inventory form, landowner's submission dated 21 December 2019 and response to the landowner's submission by Robert A Moore are provided in the planning proposal attached as annexure 3 to this report.

4.2. Making the draft LEP under delegated authority

If Council resolves to proceed with the planning proposal, it will be forwarded to the Department for a gateway determination under section 3.34 of the Act.

To streamline the plan making process, the Minister can delegate some plan making powers to Council for routine matters. In this case, Council may request authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act.

Following public exhibition, if Council resolves to proceed with and finalise the planning proposal, staff will request that the Parliamentary Counsel (PC) prepare a draft LEP. Once the draft LEP has been prepared, PC will issue an opinion that it can be made.




Alternatively, if Council decides not to finalise the planning proposal, it should resolve to request that the Minister, not proceed with the planning proposal, under section 3.35(4) of the Act.

5. Conclusion

The listing of the *Four in Hand Hotel* as a heritage item is supported by an assessment of the heritage significance prepared by Robert A Moore Pty Ltd Architects and Conservation Consultants. On 7 March 2019, the WLPP provided advice to Council that it supports the planning proposal and its submission to the Minister.

The Council may now proceed with referring the planning proposal to the Department of Planning and Environment requesting a gateway determination to allow public exhibition.

Annexures

1. Report to Environmental Planning Committee 4 February 2019 [↓](#) 
2. Report to Woollahra Local Planning Panel 7 March 2019 [↓](#) 
3. Planning proposal - March 2019 [↓](#) 

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04 February 2019

Item No: R1 Recommendation to Council
Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF THE FOUR IN HAND HOTEL AT 105 SUTHERLAND STREET, PADDINGTON**
Author: Catherine Colville, Strategic Heritage Officer
Approvers: Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 19/11126
Reason for Report: To obtain Council's approval to prepare a planning proposal to list the 'Four In Hand Hotel' at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.

To obtain Council's approval for the planning proposal to be referred to the Woollahra Local Planning Panel for advice.

Recommendation:

- A. THAT a planning proposal be prepared to list the *Four In Hand Hotel* at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.

1. Background

On 21 May 2018 the Council adopted the following notice of motion:

THAT Council:

1. *Requests staff to undertake an assessment of heritage significance for the 'Four in Hand Hotel' (located at 105 Sutherland Street, Paddington) (the Property) and report to the Environmental Planning Committee on whether the Property has sufficient heritage significance to be listed as:
(a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP);
and
(b) an item on the State Heritage under the Heritage Act 1977;*
2. *Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):
(a) 4.3.1 – 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage item's; and
(b) 4.3.1.1 – 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);*
3. *Further notes its resolution on 27 November 2017, giving 'next priority' to the Paddington Pub Project;*
4. *Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);*

5. *In preparing the Paddington Pub Project, gives consideration to:*
 - a) *including a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation Area to the same standard; and*
 - b) *exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use;*

6. *Requests that the Mayor write to the Hon Gabrielle Upton, Minister for the Environment, Local Government and Heritage to:*
 - a) *raise community concerns over the loss of historic pubs in the Woollahra Municipality and elsewhere throughout the state of New South Wales; and*
 - b) *request the State Government to explore what legislative changes can be introduced to mirror the legislative reforms recently introduced by the UK Parliament concerning the protection of pubs.*

In response to parts 1 and 4 of the Council's decision the consultant firm Robert A. Moore Pty Ltd Architects and Conservation Consultants was engaged to carry out an assessment of heritage significance of the eleven hotels in Paddington, with a priority being given to completing the assessment for the *Four in Hand Hotel* at 105 Sutherland Street Paddington. Robert Moore, the director of the firm, is a highly qualified and experienced heritage consultant with extensive and specialised experience in the identification, assessment, management and interpretation of heritage assets.

The other hotels in the Paddington Pub Project are:

| # | Hotel name | Address | Listed status in Woollahra LEP 2014 |
|----|--|---|--|
| 1 | Bellevue Hotel | 157-159 Hargrave Street, Paddington | No |
| 2 | Grand National Hotel | 33 Elizabeth Street (161 Underwood Street), Paddington | No |
| 3 | Imperial Hotel | 252 Oxford Street, Paddington | No |
| 4 | London Tavern Hotel | 85 Underwood Street, Paddington | No |
| 5 | Lord Dudley Hotel | 236 Jersey Road, Paddington | Yes |
| 6 | Paddington Arms Hotel | 384 Oxford Street, Paddington | No |
| 7 | Paddington Inn Hotel | 338 Oxford Street, Paddington | No |
| 8 | Royal Hotel | 237 Glenmore Road, Paddington | Yes |
| 9 | Unicorn Hotel | 102-106 Oxford Street, Paddington | No |
| 10 | Village Inn Hotel (formerly Dirty Nelly's Hotel and the Rose and Crown Hotel) | 9-11 Glenmore Road, Paddington | Yes – listed as the Rose and Crown Hotel |

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Assessments for these pubs have been undertaken in draft form and are currently being finalised prior to being released to the land owners for their comment. Following this process, a report will be prepared for the Environmental Planning Committee.

The subject report deals specifically with the assessment for the *Four In Hand Hotel*.

2. The Site

The hotel is located at the intersection of Sutherland and Elizabeth Streets, Paddington. The building occupies all of the site bounded by Sutherland Street, Elizabeth Street, a small private lane and the neighbouring site at 107 Sutherland Street, Paddington. The site has a street address of 105 Sutherland Street, Paddington, and a land title described as Lot A in DP 330465.

The *Four In Hand Hotel* is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1878, it has been in continuous operation since its construction. Refer to Figure 1 and 2 below.



Figure 1: The Four In Hand Hotel viewed from Sutherland Street, looking towards the north eastern and north western elevations (Source: Robert A. Moore Pty Ltd Architects and Conservation Consultants, July 2018)

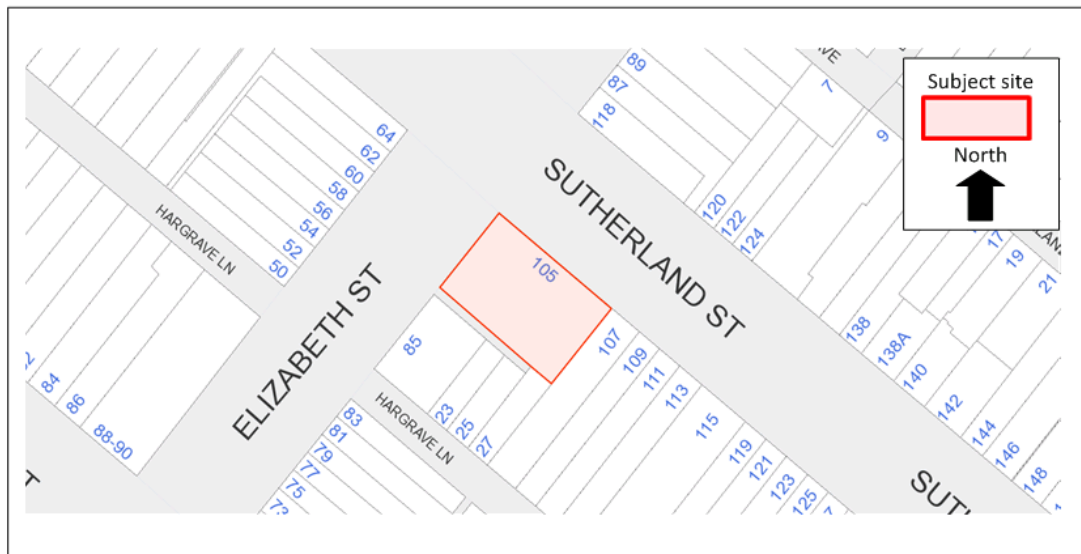


Figure 2: Cadastral map showing the Four In Hand Hotel site outlined in red

3. Assessment of heritage significance

The assessment of heritage significance was undertaken in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance:

Criterion (a)

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

Criterion (b)

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

Criterion (c)

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

Criterion (d)

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

Criterion (e)

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

Criterion (f)

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).

Criterion (g)

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

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- cultural or natural places, or
- cultural or natural environments.)

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. An item is considered to be of local or State heritage significance if it meets one or more of the criteria. However, an item that is of local heritage significance might not meet the threshold for listing on the State Heritage Register.

A copy of the assessment prepared by Robert A. Moore Pty Ltd, which includes the assessment against all criteria, is attached as **annexure 1**.

Table 1 below provides a summary of the assessment of the heritage significance of the *Four In Hand Hotel* against the seven criteria, at the local and State levels.

Table 1: NSW Heritage assessment criteria summary

| Criteria | | Meets criteria for heritage listing and grading of significance | |
|----------|--|---|-------|
| | | Local | State |
| (a) | 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) | 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) | 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) | 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) | 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) | 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) | 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 <ul style="list-style-type: none"> • cultural or natural places, or • cultural or natural environments.) | ✓ | ✗ |

The heritage assessment provides the following statement of significance:

The Four In Hand Hotel is of historic significance to Paddington and the Woollahra LGA as an early and successful example of Paddington's suburban hotels, having been continuously operational since its construction in 1878. It is a surviving example of the type of landmark corner commercial development that was incorporated into the building of terrace rows during Paddington's boom era of suburban development.

It is of social significance as a reference point for community identity, having served as a meeting place for the small Sydney Italian community in the 1880s and 1890s, and for political meetings and rallies for local candidates in Council, state and federal elections, as well as for the Federation debates of the 1890s through to 1900. More recently it has been a place of community activism and home for the intellectual sub-cultures of the mid-20th century, including artists, writers and the creative professions who imbued the suburb with a renewed vigour and influenced its re-emergence as a popular, desirable and fashionable area. Its long association with Tooth and Co is well documented archivally in local, state and national repositories.

The Four In Hand Hotel is of aesthetic significance as an example of an evolved Late Victorian period hotel still reflecting its original design, re-styled in a late 19th century fusion of Victorian utility and the emerging Aesthetic Movement and Edwardian Federation styles. While its interiors have been serially modified and updated, typically evolving over time as tastes and commercial imperatives changed, its exterior remains legible and relatively intact to its 1927 appearance.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban "village" of Paddington, the Four In Hand Hotel is still a vibrant element of its urban fabric and local streetscapes. The Four In Hand Hotel is now comparatively uncommon, it is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings still in operation which are a key element of the character of the Paddington Heritage Conservation Area, contributing to both its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Conservation Area, and as one of the group of hotels in Paddington, it may also have significance at a state level.

(November 2018, Robert A. Moore Pty Ltd, Draft Heritage Inventory Sheet p.1)

The assessment recommends the listing of the *Four In Hand Hotel* as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). It is noted that the *Four In Hand Hotel* may meet the criteria for listing at State level as part of a group listing, but does not meet the criteria for listing as an individual item at State level.

4. Consultation with the land owner

The *Four In Hand Hotel* recently changed ownership and Council staff have engaged in a lengthy consultation process with the new owner. A briefing note (**annexure 2**) was recently provided to councillors that outlined the chronology of the heritage assessment process and the consultation that had occurred to date with the new owner of the property. Following completion of the draft heritage inventory form, several meetings were held with the owners' consultants and, in accordance with Council's standard practices, copies of the assessment were sent to the land owner for comment. On 21 December 2018, Ms Ruth Daniell (heritage consultant) provided a submission to Council

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regarding the listing of the *Four In Hand Hotel* as a heritage item, on behalf of the land owner (**annexure 3**). Ms Daniell debates the assessment and has suggested that the level of significance of the property should not be determined until the Paddington hotels study is completed. At that point, she submits that the group of eleven hotels will all have been assessed using the accepted criteria and the necessary comparative significance will have occurred allowing the level of significance for the *Four in Hand Hotel* to be determined. Ms Daniell also submits that a conservation management plan is onerous and unnecessary.

On 22 January 2019, Robert Moore provided a response to Ms Daniell's the submission (**annexure 4**), disagreeing with the submission's assessment. We concur with the response provided by Mr Moore. As a result it is not considered appropriate to amend the heritage documentation provided by Robert A. Moore Pty Ltd in relation to the assessment of heritage listing of the *Four In Hand Hotel*. A planning proposal to list the *Four In Hand Hotel* as a heritage item in the Woollahra LEP 2014 should be prepared.

5. Woollahra Local Planning Panel advice

Section 2.19 of the *Environmental Planning and Assessment Act* (the Act) sets out the function of local planning panels. One of those functions is "to advise the council on any planning proposal that has been prepared or is to be prepared by the council under section 3.33 and that is referred to the panel by the council".

Additionally, the Local Planning Panel Direction – Planning Proposals which was issued by the Minister for Planning on 27 September 2018 identifies the types of planning proposals that are to be referred to a local planning panel for advice prior to a planning proposal being sent to the Department of Planning and Environment for a gateway determination.

Under the terms of the Direction, the planning proposal to list the Four in Hand Hotel as a local heritage item must be referred to the Woollahra Local Planning Panel for advice. This step will be undertaken at the next available meeting of the Woollahra LPP should the Council decide to prepare a planning proposal.

6. Next steps

If Council supports the recommendation of this report, the next steps in the process are:

- Prepare a planning proposal under section 3.33 of the Act to list the property as a heritage item in the Woollahra LEP 2014.
- Report the draft planning proposal to the Woollahra LPP for advice;
- Report the advice received from the Woollahra LPP to the Environmental Planning Committee.
- Further steps will depend on advice from the Woollahra LPP and the decision of the Council following the Environmental Planning Committee meeting.

7. Conclusion

The heritage significance of the *Four In Hand Hotel* has been assessed in accordance with the NSW heritage best practice guidelines. The assessment of heritage significance prepared by Robert A. Moore Pty Ltd Architects and Conservation Consultants identifies that the hotel meets the threshold for heritage listing at the local level in Woollahra LEP 2014 on historical, historical association, aesthetic, social and technical values. It is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings still in operation

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which are a key element of the character of the Paddington Heritage Conservation Area. The hotel does not meet the threshold for individual listing at State level on the State Heritage Register.

To facilitate a listing at the local level, a planning proposal should be prepared with the aim of amending Schedule 5 of Woollahra LEP 2014 by adding the *Four In Hand Hotel* to the list of heritage items. The planning proposal should be referred to the Woollahra Local Planning Panel for advice.

Annexures

1. Annexure 1 - Four In Hand Hotel - Heritage Significance Assessment and Draft Heritage Inventory Form
2. Annexure 2 - Four In Hand Hotel - Briefing Note
3. Annexure 3 - Four In Hand Hotel - Owners Submission
4. Annexure 4 - Four In Hand Hotel - Response to Owner's Submission by Robert A Moore Pty Ltd

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07 March 2019

Item No: D1
Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF THE FOUR IN HAND HOTEL AT 105 SUTHERLAND STREET, PADDINGTON**
Author: Anne White, Team Leader - Strategic Planning
Approver: Chris Bluett, Manager - Strategic Planning
File No: 19/27600
Reason for Report: To seek the advice of the Woollahra Local Planning Panel in relation to a planning proposal to list the 'Four in Hand Hotel', including interiors, at 105 Sutherland Street, Paddington as a local heritage item in Woollahra Local Environmental Plan 2014.

Recommendation:

THAT the Woollahra Local Planning Panel advises Council that it:

- A. Supports the planning proposal to list the 'Four in Hand Hotel' including interiors, at 105 Sutherland Street, Paddington, as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014*.
- B. Supports the planning proposal being forwarded to the Minister or the Greater Sydney Commission under section 3.34 of the *Environmental Planning and Assessment Act 1979*.

1. Reason for report to the Woollahra Local Planning Panel (Woollahra LPP)

This report seeks the advice of the Woollahra LPP on the listing of the *Four in Hand Hotel* at 105 Sutherland Street, Paddington, including interiors as a heritage item in the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).

On 27 September 2018, the Minister for Planning issued a *Local Planning Panel Direction – Planning Proposals* which states in part:

1. *A council to whom this direction applies is required to refer all planning proposals 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 local planning panel for advice in accordance with this direction it is to be accompanied by an assessment report prepared by the council staff setting out recommendations in relation to the planning proposal, including whether or not the planning proposal should be forwarded to the Minister or Greater Sydney Commission under section 3.34 of the Environmental Planning and Assessment Act 1979.*
3. *The local planning panel must have given its advice on the planning proposal before council considers whether or not to forward it to the Minister or Greater Sydney Commission under section 3.34 of the Environmental Planning and Assessment Act 1979.*

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In this case, the planning proposal is required to be referred to the local planning panel because the general manager has not made a determination in regard to items 1 (a), (b) or (c), above. A planning proposal has been prepared to list the *Four in Hand Hotel*, including its interiors, as a heritage item in the Woollahra LEP 2014 (see *Annexure 1*).

2. Background

On 21 May 2018 the Council adopted the following notice of motion:

THAT Council:

1. *Requests staff to undertake an assessment of heritage significance for the 'Four in Hand Hotel' (located at 105 Sutherland Street, Paddington) (the Property) and report to the Environmental Planning Committee on whether the Property has sufficient heritage significance to be listed as:
 - (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and
 - (b) an item on the State Heritage under the Heritage Act 1977;*
2. *Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):
 - (a) 4.3.1 – 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage item's; and
 - (b) 4.3.1.1 – 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);*
3. *Further notes its resolution on 27 November 2017, giving 'next priority' to the Paddington Pub Project;*
4. *Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);*
5. *In preparing the Paddington Pub Project, gives consideration to:
 - a) including a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation Area to the same standard; and
 - b) exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use;*
6. *Requests that the Mayor write to the Hon Gabrielle Upton, Minister for the Environment, Local Government and Heritage to:
 - a) raise community concerns over the loss of historic pubs in the Woollahra Municipality and elsewhere throughout the state of New South Wales; and
 - b) request the State Government to explore what legislative changes can be introduced to mirror the legislative reforms recently introduced by the UK Parliament concerning the protection of pubs.*

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In response to parts 1 and 4 of the Council's decision the consultant firm Robert A. Moore Pty Ltd Architects and Conservation Consultants was engaged to carry out an assessment of heritage significance of the eleven hotels in Paddington, with a priority being given to completing the assessment for the *Four in Hand Hotel* at 105 Sutherland Street Paddington. Robert Moore, the director of the firm, is a highly qualified and experienced heritage consultant with extensive and specialised experience in the identification, assessment, management and interpretation of heritage assets.

On 4 February 2019 a report on the Heritage Listing of the *Four in Hand Hotel* at 105 Sutherland Street, Paddington was presented to a meeting of the *Environmental Planning Committee* and on 11 February 2019, Council resolved the following:

- A. *THAT a planning proposal be prepared to list the Four In Hand Hotel at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- C. *THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.*

The assessment for the *Four in Hand Hotel* is part of a larger project involving the assessment of ten other hotels in Paddington. The other hotels in the project are:

| | Hotel name | Address | Listed status in Woollahra LEP 2014 |
|----|---|---|--|
| 1 | Bellevue Hotel | 157-159 Hargrave Street, Paddington | No |
| 2 | Grand National Hotel | 33 Elizabeth Street (161 Underwood Street), Paddington | No |
| 3 | Imperial Hotel | 252 Oxford Street, Paddington | No |
| 4 | London Tavern Hotel | 85 Underwood Street, Paddington | No |
| 5 | Lord Dudley Hotel | 236 Jersey Road, Paddington | Yes |
| 6 | Paddington Arms Hotel | 384 Oxford Street, Paddington | No |
| 7 | Paddington Inn Hotel | 338 Oxford Street, Paddington | No |
| 8 | Royal Hotel | 237 Glenmore Road, Paddington | Yes |
| 9 | Unicorn Hotel | 102-106 Oxford Street, Paddington | No |
| 10 | Village Inn Hotel (formerly Dirty Nelly's Hotel and the Rose and Crown Hotel) | 9-11 Glenmore Road, Paddington | Yes [listed as the Rose and Crown Hotel] |

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Assessments for these pubs have been undertaken in draft form and are currently being finalised prior to being released to the land owners for their comment. Following this process, a report will be prepared for the Environmental Planning Committee.

However, this report deals only with the planning proposal to list the *Four in Hand Hotel*, and interiors, at 105 Sutherland Street, Paddington as a heritage item in Woollahra Local Environmental Plan 2014. It is not necessary for the whole *Paddington Pubs Project* to be completed to inform the assessment of the *Four in Hand Hotel*.

3. The site

The hotel is located at the intersection of Sutherland and Elizabeth Streets, Paddington. The building occupies all of the site bounded by Sutherland Street, Elizabeth Street, a small private lane and the neighbouring site at 107 Sutherland Street, Paddington. The site has a street address of 105 Sutherland Street, Paddington, and a land title described as Lot A in DP 330465.

The *Four In Hand Hotel* is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1878, it has been in continuous operation since its construction. Refer to *Figure 1, 2 and 3* below.



Figure 1: The Four In Hand Hotel viewed from Sutherland Street, looking towards the north eastern and north western elevations
(Source: Robert A. Moore Pty Ltd Architects and Conservation Consultants, July 2018)

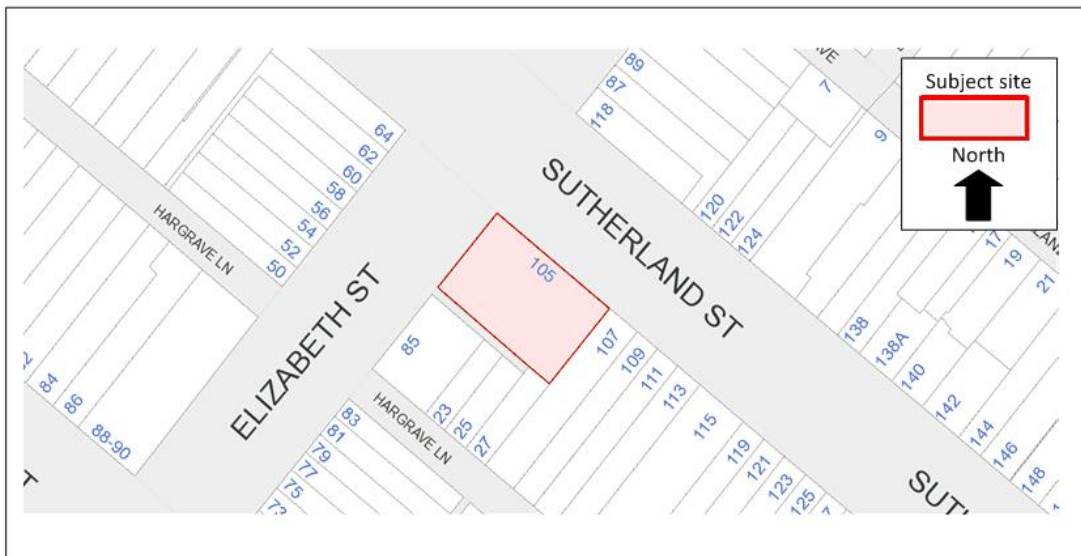


Figure 2: Cadastral map showing the Four In Hand Hotel site outlined in red



Figure 3: Aerial map showing the Four In Hand Hotel site outlined i

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4. Assessment of heritage significance site

The assessment of heritage significance was undertaken in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance:

Criterion (a)

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

Criterion (b)

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

Criterion (c)

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

Criterion (d)

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

Criterion (e)

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

Criterion (f)

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).

Criterion (g)

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.)

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. An item is considered to be of local or State heritage significance if it meets one or more of the criteria. However, an item that is of local heritage significance might not meet the threshold for listing on the State Heritage Register.

A copy of the heritage assessment/inventory sheet prepared by Robert A. Moore Pty Ltd, which includes the assessment against all criteria, is attached as **Annexure 2**.

Table 1 below provides a summary of the assessment of the heritage significance of the *Four In Hand Hotel* against the seven criteria, at the local and State levels.

Woollahra Municipal Council
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07 March 2019

Table 1: NSW Heritage assessment criteria summary

| Criteria | | Meets criteria for heritage listing and grading of significance | |
|----------|---|---|-------|
| | | Local | State |
| (a) | 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) | 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) | 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) | 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) | 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) | 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) | 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.) | ✓ | ✗ |

The heritage assessment provides the following statement of significance:

The Four In Hand Hotel is of historic significance to Paddington and the Woollahra LGA as an early and successful example of Paddington's suburban hotels, having been continuously operational since its construction in 1878. It is a surviving example of the type of landmark corner commercial development that was incorporated into the building of terrace rows during Paddington's boom era of suburban development.

It is of social significance as a reference point for community identity, having served as a meeting place for the small Sydney Italian community in the 1880s and 1890s, and for political meetings and rallies for local candidates in Council, state and federal elections, as well as for the Federation debates of the 1890s through to 1900. More recently it has been a place of community activism and home for the intellectual sub-cultures of the mid-20th century, including artists, writers and the creative professions who imbued the suburb with a renewed vigour and influenced its re-emergence as a popular, desirable and fashionable area. Its long association with Tooth and Co is well documented archivally in local, state and national repositories.

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The Four In Hand Hotel is of aesthetic significance as an example of an evolved Late Victorian period hotel still reflecting its original design, re-styled in a late 19th century fusion of Victorian utility and the emerging Aesthetic Movement and Edwardian Federation styles. While its interiors have been serially modified and updated, typically evolving over time as tastes and commercial imperatives changed, its exterior remains legible and relatively intact to its 1927 appearance.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban “village” of Paddington, the Four In Hand Hotel is still a vibrant element of its urban fabric and local streetscapes. The Four In Hand Hotel is now comparatively uncommon, it is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings still in operation which are a key element of the character of the Paddington Heritage Conservation Area, contributing to both its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Conservation Area, and as one of the group of hotels in Paddington, it may also have significance at a state level.

(November 2018, Robert A. Moore Pty Ltd, Draft Heritage Inventory Sheet p.1)

The assessment recommends the listing of the *Four In Hand Hotel* as a local heritage item in Schedule 5 of the Woollahra LEP 2014. It is noted that the *Four In Hand Hotel* may meet the criteria for listing at State level as part of a group listing, but does not meet the criteria for listing as an individual item at State level.

5. Consultation with the land owner

Council has involved the landowner and their consultants in the assessment of heritage significance and reporting stages. This has included:

- Notice of the Council’s initial decision made on 21 May 2018 to investigate the heritage significance of the hotel.
- Meeting with the owner to discuss the Council’s decision and the heritage assessment process.
- A site inspection of the hotel involving the Council’s heritage consultant, the landowner and the landowner’s consultants.
- Providing a draft version of the assessment of heritage significance to the landowner for comment. The owner’s heritage consultant provided a submission dated 21 December 2018 (see *Annexure 3*). The Council’s heritage consultant provided a response to the submission (see *Annexure 4*).
- Inviting the landowner to attend and make a presentation at the meeting of the Council’s Environmental Planning Committee meeting on 4 February 2019.

6. Planning proposal

A planning proposal has been prepared to list the *Four in Hand Hotel*, including its interiors, as a heritage item in the Woollahra LEP 2014 (see *Annexure 1¹*).

¹ The annexures to the Planning Proposal are separately attached to this report.

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6.1. Planning proposal structure

The planning proposal has been prepared in accordance with section 3.33 of the Act and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

6.2. Objective

The objective of the planning proposal is to amend Woollahra LEP 2014, to list the *Four in Hand Hotel*, including its interiors, at 105 Sutherland Street, Paddington as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the item.

6.3. Explanation of provisions

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

- Insert a listing for the *Four in Hand Hotel*, including its interiors, in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP.
- Amend the Heritage Map (Sheet HER_003A) to identify a heritage item on the site of the *Four in Hand Hotel* at 105 Sutherland Street, Paddington.

6.4. Relationship to strategic planning framework

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), (refer to section 6.2 of the planning proposal).

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 consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State environmental planning policies (refer to **Schedule 1** of the planning proposal).

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

6.5. Community consultation

The public exhibition of the planning proposal will be undertaken in accordance with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the gateway determination issued by the Department of Planning and Environment. The gateway determination will specify the minimum duration of the public exhibition period. This period is usually a minimum of 28 days, which is consistent with Council's standard practice for the exhibition of a planning proposal.

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Public notification of the exhibition will comprise:

- A 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 the land owner of the *Four in Hand Hotel*.
- A letter to land owners in the vicinity of the *Four in Hand Hotel*.
- Local community and business groups such as *The Paddington Society*.

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 and consultant reports.

6.6. Making the draft LEP under delegated authority

If Council resolves to proceed with the planning proposal, it will be forwarded to the Department of Planning and Environment for a gateway determination under section 3.34 of the Act.

To streamline the plan making process, the Minister can delegate some plan making powers to Council for routine matters. In this case, Council may request authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act.

Following public exhibition, if Council resolves to proceed with and finalise the planning proposal, staff will request that the Parliamentary Counsel (PC) prepare a draft LEP. Once the draft LEP has been prepared, PC will issue an opinion that it can be made.

Alternatively, if Council decides not to finalise the planning proposal, it will resolve to request that the Minister, not proceed with the planning proposal, under section 3.35(4) of the Act.

7. Conclusion

The planning proposal at *Annexure 1* satisfies the requirements of section 3.33 of the Act because it:

1. Explains the intended effect of the proposed amendment to Woollahra LEP 2014.
2. Sets out the justification of making the proposed amendment. This is underpinned by the assessment of heritage significance for the building.
3. Identifies the community consultation that is to be undertaken.

Advice from the LPP will be provided in a report to Council before the planning proposal is submitted to the Department of Planning and Environment for a gateway determination. Council will also request authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act.

Annexures

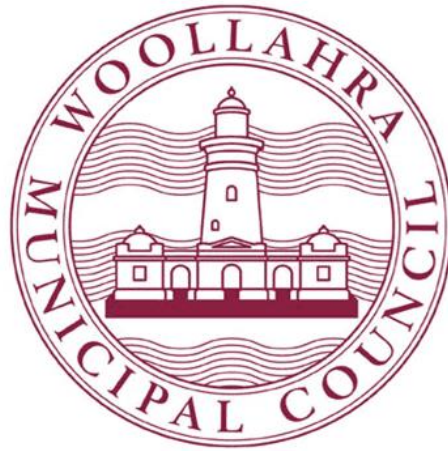
1. Planning proposal - Four in Hand Hotel (including Schedules 1 and 2) - February 2019
2. Heritage Assessment - Inventory Sheet - Four in Hand Hotel - Robert A Moore Pty Ltd

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3. Owners submission - Four in Hand Hotel
4. Response to owner's submission by Robert A Moore Pty Ltd

Annexure 1



PLANNING PROPOSAL

Local heritage listing

Four in Hand Hotel, 105 Sutherland Street,
Paddington

March 2019



Image: Unknown (sourced from the Noel Butlin Archives, ANU)

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Part 1 – Introduction

1.1 – Description of this planning proposal

This planning proposal is made in relation to the *Four in Hand Hotel* at 105 Sutherland Street, Paddington. The objective of the planning proposal is to amend *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), to list the *Four in Hand Hotel* as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the building and interiors.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

The requirements for a planning proposal are provided in sections 2 to 9 as follows:

- 2 Existing site and surrounding context
- 3 Existing planning controls
- 4 Objective of planning proposal
- 5 Explanation of provisions
- 6 Justification
- 7 Mapping
- 8 Community consultation
- 9 Project timeline

Supplementary material is provided in the appendices (**APPENDICES REMOVED**)

Appendix 1: Heritage Assessment/Inventory Sheet – Four in Hand Hotel - Robert A Moore Pty Ltd

Appendix 2: Owners submission – Four in Hand Hotel

Appendix 3: Response to Owners' submission by Robert A Moore Pty Ltd

1.2 – Background

On 21 May 2018 the Council adopted the following notice of motion:

THAT Council:

1. *Requests staff to undertake an assessment of heritage significance for the 'Four in Hand Hotel' (located at 105 Sutherland Street, Paddington) (the Property) and report to the Environmental Planning Committee on whether the Property has sufficient heritage significance to be listed as:
 - (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and
 - (b) an item on the State Heritage under the Heritage Act 1977;*
2. *Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):
 - (a) 4.3.1 – 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage item's; and
 - (b) 4.3.1.1 – 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);*
3. *Further notes its resolution on 27 November 2017, giving 'next priority' to the Paddington Pub Project;*
4. *Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);*
5. *In preparing the Paddington Pub Project, gives consideration to:
 - a) including a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation Area to the same standard; and
 - b) exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use;*
6. *Requests that the Mayor write to the Hon Gabrielle Upton, Minister for the Environment, Local Government and Heritage to:
 - a) raise community concerns over the loss of historic pubs in the Woollahra Municipality and elsewhere throughout the state of New South Wales; and
 - b) request the State Government to explore what legislative changes can be introduced to mirror the legislative reforms recently introduced by the UK Parliament concerning the protection of pubs.*

Further to the Council resolution from 21 May 2018, the other ten hotels in the Paddington Pub Project are:

| | Hotel name | Address | Listed status in Woollahra LEP 2014 |
|----|---|--|--|
| 1 | Bellevue Hotel | 157-159 Hargrave Street, Paddington | No |
| 2 | Grand National Hotel | 33 Elizabeth Street (161 Underwood Street), Paddington | No |
| 3 | Imperial Hotel | 252 Oxford Street, Paddington | No |
| 4 | London Tavern Hotel | 85 Underwood Street, Paddington | No |
| 5 | Lord Dudley Hotel | 236 Jersey Road, Paddington | Yes |
| 6 | Paddington Arms Hotel | 384 Oxford Street, Paddington | No |
| 7 | Paddington Inn Hotel | 338 Oxford Street, Paddington | No |
| 8 | Royal Hotel | 237 Glenmore Road, Paddington | Yes |
| 9 | Unicorn Hotel | 102-106 Oxford Street, Paddington | No |
| 10 | Village Inn Hotel (formerly Dirty Nelly's Hotel and the Rose and Crown Hotel) | 9-11 Glenmore Road, Paddington | Yes [listed as the Rose and Crown Hotel] |

However, this planning proposal only applies to the listing of the *Four in Hand Hotel*, and interiors, at 105 Sutherland Street, Paddington as a heritage item in Woollahra Local Environmental Plan 2014.

On 4 February 2019 a report on the Heritage Listing of the *Four in Hand Hotel* at 105 Sutherland Street, Paddington was presented to a meeting of the *Environmental Planning Committee* and on 11 February 2019, Council resolved the following:

- A. *THAT a planning proposal be prepared to list the Four In Hand Hotel at 105 Sutherland Street, Paddington, as a heritage item in the Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- C. *THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.*

On 7 March 2019, the *Woollahra Local Planning Panel* considered a report on the planning proposal and provided the following advice to Council:

THAT the Woollahra Local Planning Panel advises Council that it:

- A. Supports the planning proposal to list the 'Four in Hand Hotel' including interiors, at 105 Sutherland Street, Paddington, as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.*
- B. Supports the planning proposal being forwarded to the Minister or the Greater Sydney Commission under section 3.34 of the Environmental Planning and Assessment Act 1979.*

Assessment of heritage significance

In response to parts 1 and 4 of the Council's decision on 21 May 2018 the consultant firm Robert A. Moore Pty Ltd Architects and Conservation Consultants was engaged to carry out an assessment of heritage significance of the eleven hotels in Paddington, with a priority being given to completing the assessment for the *Four in Hand Hotel* at 105 Sutherland Street Paddington. Robert Moore, the director of the firm, is a highly qualified and experienced heritage consultant with extensive and specialised experience in the identification, assessment, management and interpretation of heritage assets.

The assessment of heritage significance was undertaken in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance:

Criterion (a)

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

Criterion (b)

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

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

Criterion (d)

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

Criterion (e)

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

Criterion (f)

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).

Criterion (g)

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.)

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. An item is considered to be of local or State heritage significance if it meets one or more of the criteria. However, an item that is of local heritage significance might not meet the threshold for listing on the State Heritage Register.

A copy of the assessment prepared by Robert A. Moore Pty Ltd, which includes the assessment against all criteria, is attached as **Appendix 1**.

Table 1 below provides a summary of the assessment of the heritage significance of the *Four In Hand Hotel* against the seven criteria, at the local and State levels.

Table 1: NSW Heritage assessment criteria summary

| Criteria | | Meets criteria for heritage listing and grading of significance | |
|----------|---|---|-------|
| | | Local | State |
| (a) | 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). | ✓ | x |
| (b) | 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). | ✓ | x |
| (c) | An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area). | ✓ | x |
| (d) | 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. | ✓ | x |
| (e) | 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). | ✓ | x |
| (f) | 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). | ✓ | x |
| (g) | 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 | ✓ | x |

| Criteria | Meets criteria for heritage listing and grading of significance | |
|---|---|-------|
| | Local | State |
| <ul style="list-style-type: none"> • cultural or natural environments, (or a class of the local area's • cultural or natural places, or • cultural or natural environments.) | | |

Statement of heritage significance

The Four In Hand Hotel is of historic significance to Paddington and the Woollahra LGA as an early and successful example of Paddington's suburban hotels, having been continuously operational since its construction in 1878. It is a surviving example of the type of landmark corner commercial development that was incorporated into the building of terrace rows during Paddington's boom era of suburban development.

It is of social significance as a reference point for community identity, having served as a meeting place for the small Sydney Italian community in the 1880s and 1890s, and for political meetings and rallies for local candidates in Council, state and federal elections, as well as for the Federation debates of the 1890s through to 1900. More recently it has been a place of community activism and home for the intellectual sub-cultures of the mid-20th century, including artists, writers and the creative professions who imbued the suburb with a renewed vigour and influenced its re-emergence as a popular, desirable and fashionable area. Its long association with Tooth and Co is well documented archivally in local, state and national repositories.

The Four In Hand Hotel is of aesthetic significance as an example of an evolved Late Victorian period hotel still reflecting its original design, re-styled in a late 19th century fusion of Victorian utility and the emerging Aesthetic Movement and Edwardian Federation styles. While its interiors have been serially modified and updated, typically evolving over time as tastes and commercial imperatives changed, its exterior remains legible and relatively intact to its 1927 appearance.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban "village" of Paddington, the Four In Hand Hotel is still a vibrant element of its urban fabric and local streetscapes. The Four In Hand Hotel is now comparatively uncommon, it is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings still in operation which are a key element of the character of the Paddington Heritage Conservation Area, contributing to both its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Conservation Area, and as one of the group of hotels in Paddington, it may also have significance at a state level.

(2018, Robert A. Moore Pty Ltd, Draft Heritage Inventory Sheet p.1)

The assessment recommends the listing of the *Four In Hand Hotel* as a local heritage item in Schedule 5 of the Woollahra LEP 2014.

The heritage assessment/inventory sheet provides the following recommendations:

1. *Appropriate Heritage Conservation Management Documents be prepared, so that continuing future use and adaptation support the Hotel's heritage significance;*

2. Council officers be available to liaise with owners prior to developing plans for change or development;
3. The *Four in Hand Hotel* including its interiors be listed as a heritage item in Woollahra LEP 2014;
4. Further investigation be undertaken to determine if the group of remaining hotels in Paddington should be listed as a group item on Woollahra LEP 2014 and on the State Heritage Register; and
5. The continued use of the building as a hotel should be supported by Local and State Governments, consistent with its long history of hotel trading and acknowledging the need for suitable periodic upgrading and adaptation to meet contemporary hotel requirements, managed through heritage listing and subject to environmental and heritage impact assessment processes.

The significant heritage attributes and elements of the Four in Hand Hotel, modified and adapted as outlined above and confirmed through preparation of an appropriate heritage management document (ideally a CMP) should be appropriately conserved, adapted and retained. Proposals for new work should reflect identified conservation policies and demonstrate that they are contributing to the conservation of the Hotel's significance and commercial viability. Council and the Hotel owners should liaise regarding any proposed changes and the management options set out in Clause 5.10 of the Woollahra LEP 2014 remain available.

Existing alterations and additions, which may be considered detrimental to the identified heritage significance of the hotel, should be evaluated for removal, allowing reconstruction to original or early detail or a more sympathetic treatment. All reconstruction and repair work to the significant fabric of the building should be carried out using traditional materials and techniques and in accordance with best contemporary conservation practice. For example, there should be no further enlargement or filling-in of window or external door openings, and no additions or alterations to the building should break through the current roofline or rise above the parapets – so as not to affect its external integrity, scale and character, and relationships with the streetscapes of which it is an important contributory element. Externally mounted plant and equipment should also be carefully considered to avoid detrimental impacts.

Other significance listings

The *Four in Hand Hotel* is in the Paddington Heritage Conservation Area, local item C8 in the Woollahra LEP 2014.

The *Four in Hand Hotel* is in the Paddington Urban Conservation Area identified by the National Trust of Australia (NSW) in 1974 and has been individually classified by the Trust in 2018.

Part 2 – The site and context

2.1 – The Four In Hand Hotel

The hotel is located at the intersection of Sutherland and Elizabeth Streets, Paddington. The building occupies all of the site bounded by Sutherland Street, Elizabeth Street, a small private lane and the neighbouring site at 107 Sutherland Street, Paddington. The site has a street address of 105 Sutherland Street, Paddington, and a land title described as Lot A in DP 330465.

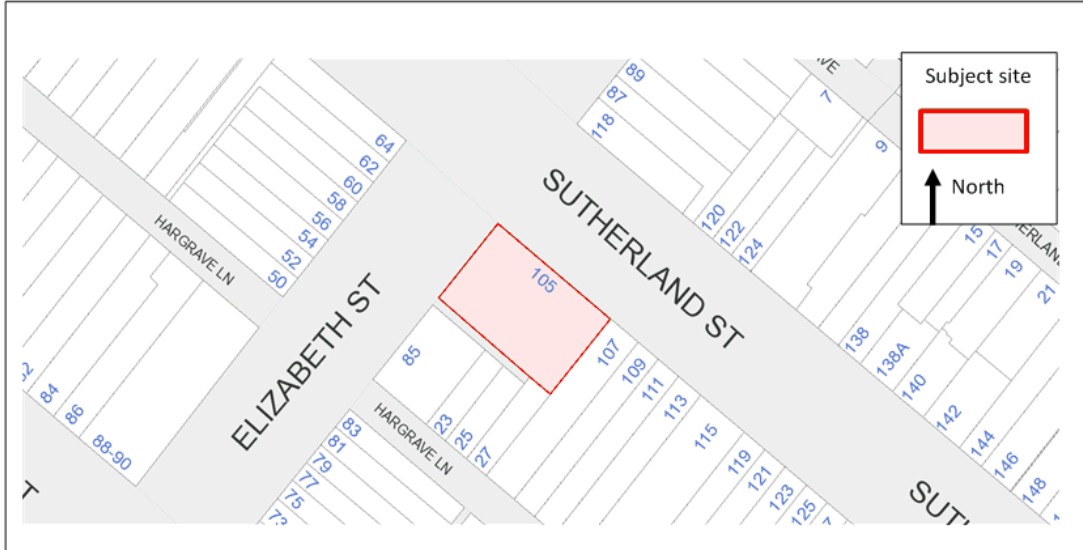
Surrounded by residential properties, the *Four In Hand Hotel* is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1878, it has been in continuous operation since its construction. Refer to **Figure 1, 2, 3 4 and 5** below for site and context images.



(Source: Robert A. Moore Pty Ltd Architects and Conservation Consultants)

Figure 1: The Four In Hand Hotel as viewed from Sutherland Street, looking towards the north eastern and north western elevations

Initially constructed in 1878, the *Four in Hand Hotel*, previously known as *Humberstone's Hotel* and the *Solferino Hotel*, is a two-storey, corner-sited Victorian period hotel building, which through campaigns of additions and alterations over 140 years, has continued in its original use until the present day. Built to address Sutherland and Elizabeth Streets, with its long side elevation to Sutherland Street, the hotel is of rendered brick construction with corrugated iron roofs concealed by the parapets to its street frontages.



(Source: Council's in-house mapping system)

Figure 2: Cadastral map showing the Four In Hand Hotel site outlined in red



(Source: Council's in-house mapping system)

Figure 3: Aerial map showing the Four In Hand Hotel site outlined in red



(Source: Google Street view – July 2017)

Figure 4: Image of the adjoining residential properties to the east along Sutherland Street



(Source: Google Street view – July 2017)

Figure 5: Image of the adjoining properties to the south along Elizabeth Street

2.2 – Existing context

The *Four in Hand Hotel* is located in the centre of the residential precinct of the Paddington Heritage Conservation Area.

The site is zoned R2 Low Density Residential under the Woollahra LEP 2014. *Chapter C1 Paddington heritage Conservation Area*, describes the objectives and controls for the Heritage Conservation Area including the conservation philosophy.

Section C1.3.9 identifies the significance of pubs in the Paddington Heritage Conservation Area

Most pubs in Paddington are substantial buildings ranging in height from two to four storeys. They date from the 1840s through to the 1940s and are prominent place markers, often located on corner sites.

The pubs have an imposing presence with distinctive parapet profiles, modulated façades, window and door openings and ornate architectural detailing. Building materials include stone, brick, stucco, timber, glazed tiles and terracotta. The pubs display a diverse range of architectural styles including Victorian, Federation and Inter-War buildings.

Some buildings exhibit original elevation detail and a few retain their original interior detail.

Pubs owe their survival to their ability to offer the latest in comfort, service and amenities, consistent with the demands of their customers. To meet these situations and to also comply with legislative requirements relating to matters such as trading hours and public amenity, alterations and additions to pubs occur from time to time. Despite the fact that pubs are prone to physical change, a number of Paddington pubs remain close to their original configuration, appearance and use.

Part 3 – Existing relevant planning controls

The existing relevant planning controls to this planning proposal are heritage planning controls. The *Four in Hand Hotel* is not currently listed as a State or local heritage item. The *Four in Hand Hotel* is located in the Paddington Heritage Conservation Area which is identified as local item C8 in Part 2 (Heritage conservation areas), Schedule 5 (Heritage items) in Woollahra LEP 2014.

Part 4 – Objective of planning proposal

The objective of the planning proposal is to amend Woollahra LEP 2014, to list the *Four in Hand Hotel*, including its interiors, at 105 Sutherland Street, Paddington as a local heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the item.

Part 5 – Explanation of provisions

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

- Insert a listing for *the Four in Hand Hotel*, including its interiors, in Part 1 Heritage Items of Schedule 5 Environmental Heritage. The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the amending LEP.
- Amend the Heritage Map (Sheet HER_003A) to identify a heritage item on the site of the *Four In Hand Hotel* at 105 Sutherland Street, Paddington.

Part 6 – Justification

The planning proposal has strategic merit. The key reasons to amend Woollahra LEP 2014 are that heritage listing of the *Four in Hand Hotel* will provide ongoing protection and recognition of the heritage significance of the item.

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 any strategic study or report?

Yes. The planning proposal is the result of the recommendations of the heritage assessment/ inventory sheet, prepared by Robert A Moore Pty Ltd. The report concluded that the *Four in Hand Hotel* meets the criteria for listing as a local heritage item. The report recommended that the *Four in Hand Hotel*, including its interiors, be listed as a heritage item in Woollahra LEP 2014.

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

Yes. The objective of the planning proposal is to amend the Woollahra LEP 2014, to list the *Four in Hand Hotel* at 105 Sutherland Street, Paddington as a heritage item. The best, and only, means of achieving this objective is through the planning proposal process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of the item. Options, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015*, or including heritage conservation conditions to a development consent for the *Four in Hand Hotel*, will not provide the same level of heritage protection and recognition.

6.2 – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional strategy 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 actions of the *Eastern City District Plan* (2018), as discussed below.

Greater Sydney Regional 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.

Heritage listing of the *Four in Hand Hotel House* will provide ongoing protection and recognition of the heritage significance of the item.

Eastern City District Plan

The planning proposal is generally consistent with the actions of the *Eastern City District Plan*, particularly actions 20, 54 and 63 by:

- Identifying, conserving and enhancing the environmental heritage of the local area through:
 - engaging with the community early to understand heritage values
 - enhancing the interpretation of heritage to foster distinctive local places
 - managing the cumulative impact of development on the heritage values and character of places
- Assisting Council in preparing plans for tourism and visitation by protecting heritage to enhance cultural tourism.
- Identifying and protecting scenic and cultural landscapes.

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *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 and residential amenity, including protection of significant architecture and the natural environment.*

5. 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 other applicable State environmental planning policies (refer to **Schedule 1**).

6. 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

7. 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.

8. 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 for the *Four in Hand Hotel* or in the vicinity of the site. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

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

Yes. The heritage assessment / inventory sheet measured the *Four in Hand Hotel* against the criteria for 'cultural significance' as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that the *Four in Hand Hotel* is of heritage significance at the local level. Table 1 below provides a summary of the assessment of the heritage significance of the *Four In Hand Hotel* against the seven criteria, at the local and State levels.

Table 1: NSW Heritage assessment criteria summary

| Criteria | | Meets criteria for heritage listing and grading of significance | |
|----------|---|---|-------|
| | | Local | State |
| (a) | 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). | ✓ | x |
| (b) | 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). | ✓ | x |

| Criteria | | Meets criteria for heritage listing and grading of significance | |
|----------|---|---|-------|
| | | Local | State |
| (c) | An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area). | ✓ | x |
| (d) | 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. | ✓ | x |
| (e) | 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). | ✓ | x |
| (f) | 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). | ✓ | x |
| (g) | 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.) | ✓ | x |

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 item.
- Heritage listing will not preclude future development of the *Four In Hand Hotel* which is undertaken in accordance with heritage requirements.
- It is not anticipated that the planning proposal will have any negative social and economic effects which need to be addressed as part of the proposal.

6.4 – State and Commonwealth interests

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

Yes. The planning proposal involves the local heritage listing of the *Four in Hand Hotel*. It does not involve amendments to the planning controls that will facilitate intensified development.

The *Four in Hand Hotel* has access to adequate public infrastructure such as water, sewer, electricity and telephone services. The site is in proximity to regular and frequent public transport services.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the site are suitable for the proposal and appropriate for the requirements of a local centre.

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

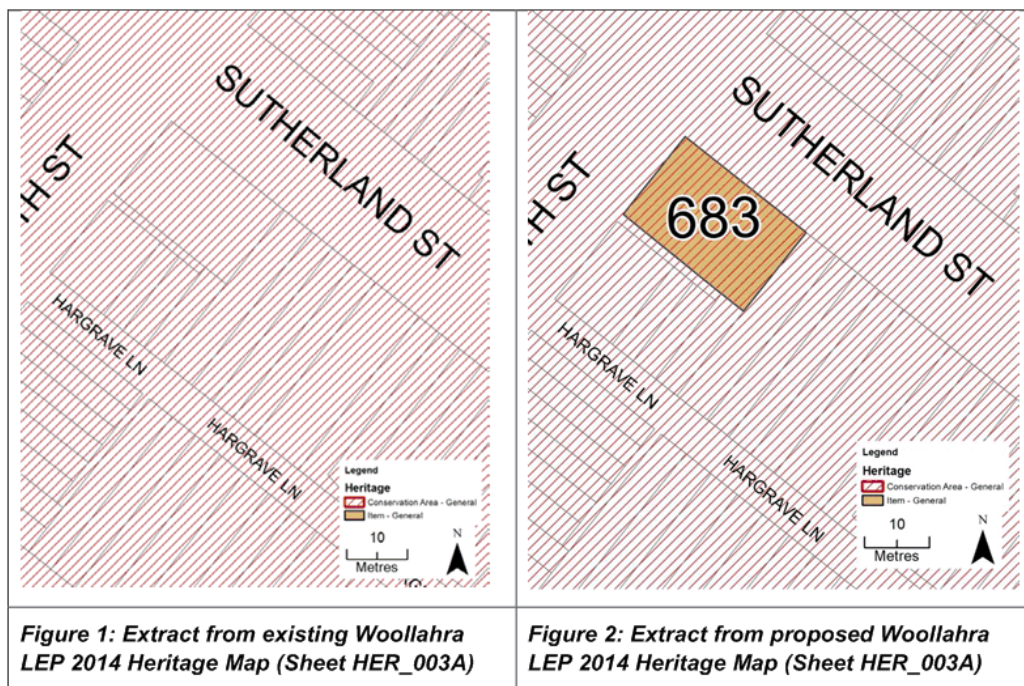
This section will be completed following consultation with public authorities identified in the gateway determination. Public authorities, including but not limited to, will be notified:

- Office of Environment and Heritage, Heritage Division.
- NSW Heritage Council.
- The National Trust of NSW

Part 7 – Mapping

The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Map (Sheet HER_003A) by applying an “Item – General” classification to *the Four in Hand Hotel*.

Extracts of the existing and proposed heritage maps are shown in Figure 1 and Figure 2.



Part 8 – Community consultation

8.1 – Consultation with landowner

Council has involved the landowner and their consultants in the assessment of heritage significance and reporting stages. This has included:

- Notice of the Council's initial decision made on 21 May 2018 to investigate the heritage significance of the hotel.
- Meeting with the owner to discuss the heritage assessment process.
- A site inspection of the hotel involving the Council's heritage consultant, the landowner and the landowner's consultants.
- Providing a draft version of the assessment of heritage significance to the landowner for comment. The owner's heritage consultant provided a submission dated 21 December 2018 (see **Appendix 2**). The Council's heritage consultant provided a response to the submission (see **Appendix 3**).
- Inviting the landowner to attend and make a presentation at the meeting of the Council's Environmental Planning Committee meeting on 4 February 2019.

8.2 – Public exhibition

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*.

The planning proposal will be exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- A 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 the land owner of the site.
- A letter to land owners in the vicinity of the site.
- Local community and business groups such as the Paddington Society. Bay.

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 and consultant reports.

Part 9 – Project timeline

If 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 |
|--|-----------------------|
| Local Planning Panel advice | March 2019 |
| Council resolution to proceed | March 2019 |
| Gateway determination | May 2019 |
| Completion of technical assessment | Usually none required |
| Government agency consultation | July 2019 |
| Public exhibition period | July 2019 |
| Submissions assessment | August 2019 |
| Council assessment of planning proposal post exhibition | September 2019 |
| Council decision to make the LEP amendment | October 2019 |
| Council to liaise with Parliamentary Counsel to prepare LEP amendment | November 2019 |
| Forward LEP to Department of Planning and Environment for notification | December 2019 |
| Notification of the approved LEP | February 2019 |

Schedules

Schedule 1 – Consistency with state environmental planning policies

| State environmental planning policy | Comment on consistency |
|--|---|
| SEPP No 1 – Development Standards | Not applicable |
| SEPP No 19 – Bushland in Urban Areas | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 21 – Caravan Parks | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 30 – Intensive Agriculture | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 33 – Hazardous and Offensive Development | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 36 – Manufactured Home Estates | Not applicable |
| SEPP No 44 – Koala Habitat Protection | Not applicable |
| SEPP No 47 – Moore Park Showground | Not applicable |
| SEPP No 50 – Canal Estate Development | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas | Not applicable |
| SEPP No 55 – Remediation of Land | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 62 – Sustainable Aquaculture | Not applicable |
| SEPP No 64 – Advertising and Signage | 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 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 No 70 – Affordable Housing (Revised Schemes) | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Affordable Rental Housing) 2009 | 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 (Coastal Management) 2018 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Exempt and Complying Development Codes) 2008 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Housing for Seniors or People with a Disability) 2004 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Infrastructure) | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Kosciuszko National Park - Alpine Resorts) 2007 | Not applicable |
| SEPP (Kurnell Peninsula) 1989 | Not applicable |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Miscellaneous Consent Provisions) 2007 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Penrith Lakes Scheme) 1989 | Not applicable |
| SEPP (Rural Lands) 2008 | Not applicable |

| State environmental planning policy | Comment on consistency |
|---|---|
| SEPP (State and Regional Development) 2011 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (State Significant Precincts) 2005 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Sydney Drinking Water Catchment) 2011 | Not applicable |
| SEPP (Sydney Region Growth Centres) 2006 | Not applicable |
| SEPP (Three Ports) 2013 | Not applicable |
| SEPP (Urban Renewal) 2010 | Not applicable |
| SEPP (Vegetation in Non-Rural Areas) 2017 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Western Sydney Employment Area) 2009 | Not applicable |
| SEPP (Western Sydney Parklands) 2009 | Not applicable |

| Sydney regional environmental plans – now deemed State environmental planning policies | Comment on consistency |
|---|-------------------------------|
| SREP No 8 (Central Coast Plateau Areas) | Not applicable |
| SREP No 9 - Extractive Industry (No 2 - 1995) | Not applicable |
| SREP No 16 – Walsh Bay | Not applicable |
| SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997) | Not applicable |
| SREP No 24 - Homebush Bay Area | Not applicable |
| SREP No 26 – City West | Not applicable |
| SREP No 30 - St Marys | Not applicable |
| SREP No 33 - Cooks Cove | Not applicable |

| Sydney regional environmental plans – now deemed State environmental planning policies | Comment on consistency |
|---|---|
| SREP (Sydney Harbour Catchment) 2005 | <p>Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p> <p>The planning proposal applies to land within the Sydney Harbour Catchment. Therefore the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. The planning proposal is consistent with the principles.</p> <p>The sites are not land in the Foreshores and Waterways Area, therefore the principles of clause 13 Foreshores and Waterways Area are not applicable to this planning proposal.</p> |

**Schedule 2 –
Compliance with section 9.1 directions**

| Compliance with section 9.1 directions | | |
|---|---|---|
| Direction | | Applicable/comment |
| 1 | Employment and resources | |
| 1 | Business and industrial zones | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction. |
| 1.2-1.5 | Directions 1.2-1.5 | Not applicable. These directions are not relevant to the Sydney metropolitan area. |
| 2 | Environment and heritage | |
| 2.1 | Environment protection zones | Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection. |
| 2.2 | Coastal protection | Not applicable. The planning proposal does not apply to land within the coastal zone. |
| 2.3 | Heritage conservation | Applicable. Consistent. Heritage listing of the <i>Four in Hand Hotel</i> will provide ongoing protection and recognition of the heritage significance of the item. |
| 2.4 | Recreation vehicle areas | Not applicable. The planning proposal will not allow land to be developed for a recreation vehicle area. |
| 2.5 | Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable. The planning proposal does not apply to land in the Far North Coast. |
| 3 | Housing, infrastructure and urban development | |
| 3.1 | Residential zones | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction. |
| 3.2 | Caravan parks and manufactured home estates | Not applicable. The planning proposal does not affect caravan parks and manufactured home estates. |
| 3.3 | Home occupations | Not applicable. The planning proposal does not affect home occupations in dwelling houses. |

| Compliance with section 9.1 directions | | |
|---|--------------------------------------|--|
| Direction | | Applicable/comment |
| 3.4 | Integrating land use and transport | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction. |
| 3.5 | Development near licensed aerodromes | Not applicable. The planning proposal does not apply to land near a licensed aerodrome. |
| 3.6 | Shooting ranges | Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range. |
| 4 | Hazard and risk | |
| 4.1 | Acid sulfate soils | Applicable. Consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal. |
| 4.2 | 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. |
| 4.3 | Flood prone land | Applicable. Consistent. Existing flood planning provisions will not be altered by the planning proposal. |
| 4.4 | Planning for bushfire protection | Not applicable. The planning proposal does not apply to land mapped as bushfire prone land. |
| 5 | Regional planning | |
| 5.1 - 5.9 | Strategies 5.1-5.9 | Not applicable. These strategies do not apply to the Woollahra LGA. |
| 5.10 | 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. Heritage listing of the <i>Four in Hand Hotel</i> will provide ongoing protection and recognition of the heritage significance of the item. Refer to Section 6.2 of this report and direction 7.1 of this table. |

| Compliance with section 9.1 directions | | |
|--|--|---|
| Direction | Applicable/comment | |
| 6 | Local plan making | |
| 6.1 | Approval and referral requirements | Not applicable. The proposal does not include provisions that require development applications to be referred externally and is not related to designated development. |
| 6.2 | Reserving land for public purposes | Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes. |
| 6.3 | Site specific provisions | Not applicable. The planning proposal does not allow a particular development to be carried out. |
| 7 | Metropolitan Planning | |
| 7.1 | Implementation of <i>A Metropolis of Three Cities</i> (March 2018) | Applicable. The planning proposal is consistent with the objectives of <i>A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced. Heritage listing of the <i>Four in Hand Hotel</i> will provide ongoing protection and recognition of the heritage significance of the item. Refer to section 6.2 of this report and direction 5.10 of this table. |
| 7.2 | Implementation of Greater Macarthur Land Release Investigation | Not applicable. |
| 7.3 | Parramatta Road Corridor Urban Transformation Strategy | Not applicable. |

Supplementary material (TO BE INCLUDED AT A LATER DATE)

Appendix 1: Heritage Assessment/Inventory Sheet – Four in Hand Hotel - Robert A Moore Pty Ltd

Appendix 2: Owners submission – Four in Hand Hotel

Appendix 3: Response to Owners' submission by Robert A Moore Pty Ltd

| | |
|---------------------------|--|
| Item No: | R2 Recommendation to Council |
| Subject: | PUBLIC EXHIBITION OF THE PLANNING PROPOSAL - HERITAGE LISTING OF DUNARA RESERVE, POINT PIPER (REMNANT OF THE RESIDENTIAL GARDEN OF "DUNARA") |
| Authors: | Jorge Alvarez, Senior Strategic Planner Anne White, Team Leader - Strategic Planning |
| Approvers: | Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development |
| File No: | 19/38979 |
| Reason for Report: | To report on the public exhibition of the planning proposal to list Dunara Reserve as a heritage item in Schedule 5 of Woollahra Local Environmental Plan 2014. To obtain Council's approval to proceed with the finalisation of the planning proposal. |

Recommendation:

- A. THAT Council proceed with the planning proposal for Dunara Reserve, Point Piper (remnant of the residential garden of "Dunara") to amend Woollahra Local Environmental Plan 2014 as exhibited, and proceed with the preparation of the draft LEP.
- B. THAT Council exercise its delegation authorised by the Director, Metropolitan (CBD) Planning Services, Department of Planning and Environment, on 15 September 2015, to carry out the functions of the Greater Sydney Commission under section 3.36 of the Environmental Planning and Assessment Act 1979.

1. Dunara Reserve

This report relates to a planning proposal to list Dunara Reserve (the site) as a heritage item in Schedule 5 of *Woollahra Local Environmental Plan 2014* (LEP). The planning proposal is included in **Annexure 1** (refer to section 2.1 of this report for a description of appendices). The site comprises Lot 11 in DP 27451, which is located between 1 Wentworth Street and 9 Dunara Gardens, Point Piper, as shown in **Figures 1** and **2** below.

The site is irregular in shape, has an area of approximately 402m² and slopes down approximately 4m from its west boundary on Wentworth Street to the southeast.

To the west, the site has a narrow access of approximately 2.7m to Wentworth Road, which provides limited pedestrian access. To the north, the site adjoins Dunara Gardens, the private road to the former "Dunara" estate. To the east, the site adjoins 9 Dunara Gardens and to the south, the site adjoins 1 Wentworth Street.

The site contains a range of exotic and native trees including a mature specimen of *Araucaria columnaris* (Cook's Pine), which is listed as local heritage item No. 277 in Schedule 5 of Woollahra LEP 2014 and is also listed as a significant tree on public land in Woollahra Council's Significant Tree Register.

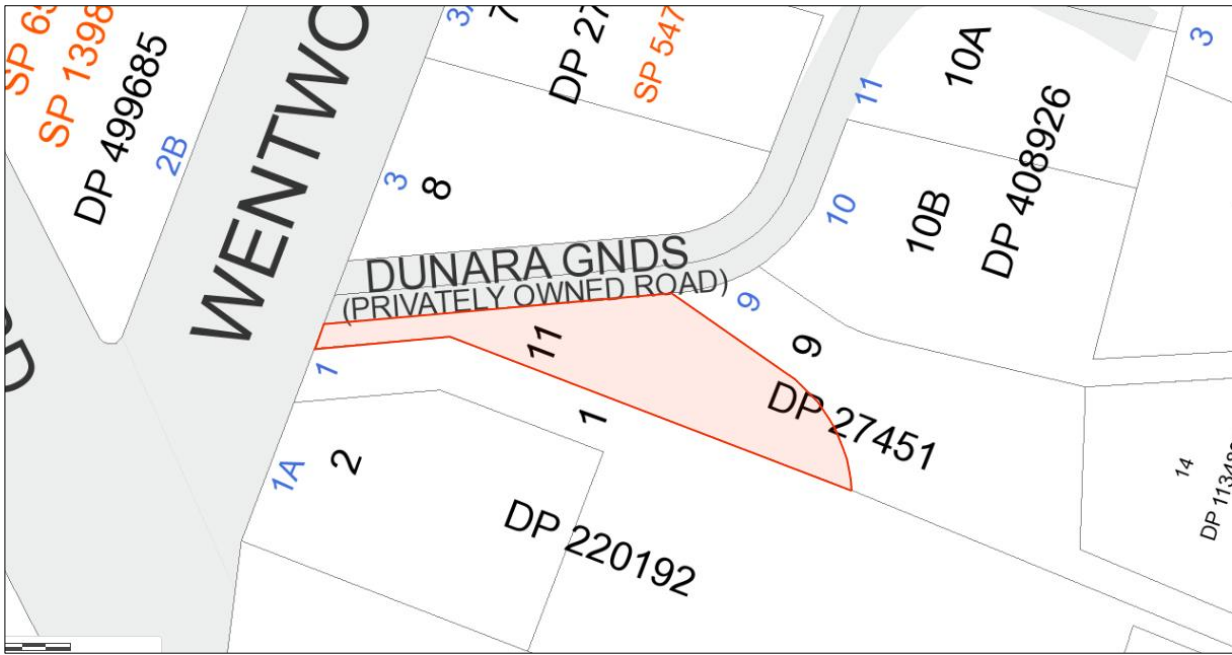


Figure 1: Cadastral map showing Dunara Reserve outlined in red



Figure 2: Aerial photograph showing Dunara Reserve outlined in red

2. Background

2.1. Planning proposal

This report relates to a planning proposal, dated September 2018, to list Dunara Reserve (remnant of the residential garden of “Dunara”) as a heritage item in Schedule 5 of Woollahra LEP 2014 (**Annexure 1**). The planning proposal includes the following appendices relating to heritage assessment and the planning proposal process:

1. Appendix 1: Environmental Planning Committee Report - Dunara Reserve, Point Piper - Assessment of Heritage Significance - 2 July 2018
2. Appendix 2: Council Minutes - Dunara Reserve, Point Piper - Assessment of Heritage Significance - 16 July 2018
3. Appendix 3: Heritage Significance Assessment – Betteridge Heritage, including draft inventory sheet (heritage data form) – 21 June 2018

2.2. Council resolution to prepare a planning proposal

The Heritage Significance Assessment by Betteridge Heritage was presented to the Environmental Planning Committee on 2 July 2018 (**Annexure 1 – Appendix 3 of planning proposal**). On 16 July 2018, Council resolved, in part:

- A. *THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal describes the item as follows: Dunara Reserve – remnant of the residential garden of “Dunara”.*
- C. *THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.*
- D. *THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the Environmental Planning and Assessment Act 1979.*

2.3. Woollahra Local Planning Panel advice

Council referred the planning proposal to the Woollahra Local Planning Panel (WLPP) for advice. On 13 September 2018, the WLPP provided the following advice, in part:

- A. *THAT the Woollahra Local Planning Panel advises Council that it supports the planning proposal to list Dunara Reserve, Point Piper as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.*

2.4. Council resolution to forward the planning proposal for a gateway determination

On 29 October 2018, Council resolved, in part:

- B. *THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee meeting on 15 October 2018, be forwarded to the Greater Sydney Commission with a request for a gateway determination to allow public exhibition.*
- C. *THAT Council request delegation from the Department of Planning and Environment in relation to the planning proposal, to carry out the functions of the Greater Sydney Commission under section 3.36 of the Environmental Planning and Assessment Act 1979.*

2.5. Gateway determination

On 6 November 2018 the planning proposal was sent to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition and a request for an authorisation for the Council to carry out the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979* (the Act). On 11 January 2019, the DPE issued a gateway determination to proceed with public exhibition of the planning proposal and granted Council delegation of the plan-making steps. The gateway determination is included as **Annexure 2** to this report.

3. Community consultation

The planning proposal and supporting material were placed on public exhibition for 31 days, from Wednesday 6 February 2019 – Friday 8 March 2019 (inclusive), consistent with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* (the Regulation) and conditions set out in the gateway determination.

The exhibition involved the following:

1. Five weekly notices in the *Wentworth Courier* providing details of the exhibition, on the following dates:
 - 6 February 2019
 - 13 February 2019
 - 20 February 2019
 - 27 February 2019
 - 6 March 2019
2. A public exhibition page for the planning proposal and supporting material on Council's website. The exhibition page was visited by 58 external customers during the exhibition period.
3. Display of exhibition material at the Customer Service counter of the Woollahra Council Chambers at Double Bay, available during normal business hours.
4. Notification letter or email to stakeholders including:
 - Adjoining and nearby property owners (refer to the notification and submissions map at **Figure 3**).

- Everyone who previously made a submission to the public exhibition or public hearing for the proposed changes to the land management controls of Dunara Reserve, Point Piper which occurred in 2017/2018.
- NSW Office of Environment and Heritage (OEH).

4. Submissions

Twelve submissions were received in response to the public exhibition, from:

- H Rolfe
- D Finkelstein
- G Farkas
- B Lowy
- J Kornmehl
- L Bergman
- P & V Papadakis
- P Ryba
- F Cassen
- N & S Theakstone
- G Pal
- R Johnston – Manager Statewide programs – Heritage Division of OEH

A redacted copy of all submissions is attached as **Annexure 3**.

Of these submissions:

- Eleven supported the planning proposal (four from adjoining and nearby property owners/residents as shown in **Figure 3**).
- One was from the OEH, which did not raise any objection to the planning proposal.

In summary, there were no objections and the planning proposal is supported by the community. Therefore, it is recommended that Council proceed with the planning proposal by making the LEP to list Dunara Reserve as a heritage item under Woollahra LEP 2014.

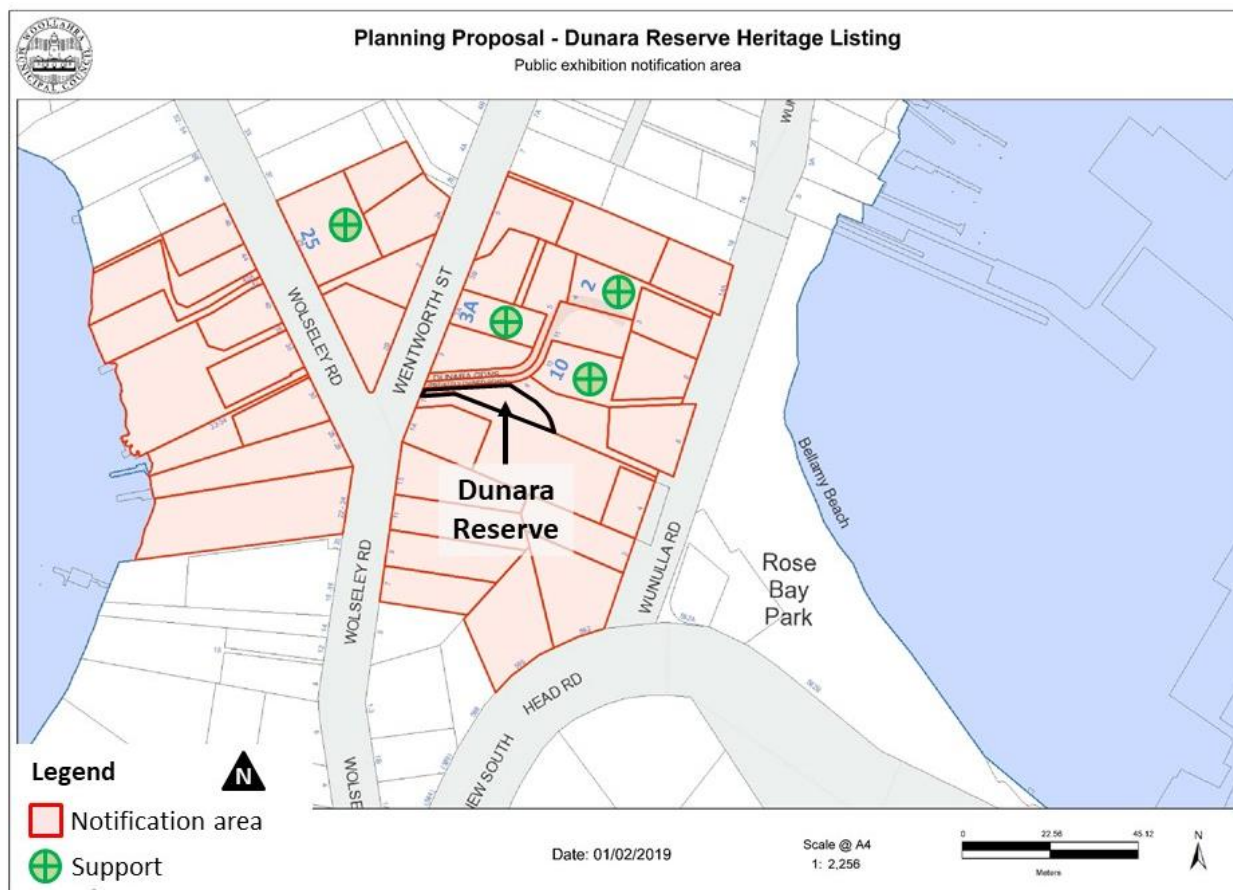


Figure 3: Notification and submissions map

5. Making the draft LEP under delegated authority

To streamline the plan making process, the Minister can delegate some plan making powers to Council for routine matters. In this case, Council has been provided with written authorisation to exercise the functions of the Minister to make a LEP under section 3.36 of the Act.

Should Council resolve to proceed with and finalise the planning proposal, staff will request that the Parliamentary Counsel (PC) prepare a draft LEP. Once the draft LEP has been prepared, PC will issue an opinion that it can be made.




Alternatively, if Council decides not to finalise the planning proposal, it should resolve to write to the Minister requesting him or his delegate not to proceed under section 3.35(4).

6. Conclusion

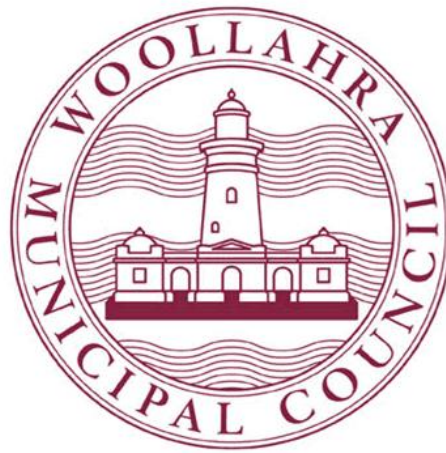
The heritage significance of Dunara Reserve has been established through a detailed assessment of heritage significance. The planning proposal will facilitate the listing of Dunara Reserve as a local heritage item thereby providing statutory recognition of the land's heritage significance. Preparation and exhibition of the planning proposal has been undertaken in the manner required by the relevant provisions of the Act and the Regulation.

The planning proposal is supported by the community. The Council can proceed to the next step by making the LEP to list Dunara Reserve (remnant of the residential garden of "Dunara") as a heritage item under Woollahra LEP 2014.

Annexures

1. Planning Proposal - Dunara Reserve, Point Piper - September 2018 [↓](#) 
2. Gateway determination - 11 January 2019 [↓](#) 
3. Submissions to public exhibition (redacted) [↓](#) 

Annexure 1



PLANNING PROPOSAL

Local heritage listing of Dunara Reserve, Point Piper
(land between 1 Wentworth Street & 9 Dunara Gardens)

Prepared September 2018



HPE: 18/114360

HPE: 18/114360

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Part 1 – Introduction

1.1 – Description of this planning proposal

This planning proposal is made in relation to Dunara Reserve, Point Piper. The objective of the planning proposal is to amend *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), to list Dunara Reserve, Point Piper as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the site, including a range of exotic and native trees.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (August 2016) and *A Guide to Preparing Local Environmental Plans* (August 2016).

The requirements for a planning proposal are provided in sections 2 to 9 as follows:

- 2 Existing site and surrounding context
- 3 Existing planning controls
- 4 Objective of planning proposal
- 5 Explanation of provisions
- 6 Justification
- 7 Mapping
- 8 Community consultation
- 9 Project timeline

Supplementary material is provided in the appendices:

Appendix 1 – Report to the Environmental Planning Committee of 2 July 2018

Appendix 2 – Council resolution of 16 July 2018

Appendix 3 – Heritage Significance Assessment, including draft inventory sheet (heritage data form) – 21 June 2018

1.2 – Background

The planning proposal applies to Lot 11 in DP 27451, known as Dunara Reserve (the site).

On 12 March 2018 Council adopted the following notice of motion:

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Dunara Reserve to the Urban Planning Committee to facilitate consideration of Dunara Reserve (and its elements) being:

1. *included in the Woollahra Local Environmental Plan as a heritage item; and*
2. *listed as a heritage item of state significance on the NSW State Heritage Register.*

In response to Council's decision, Betteridge Heritage was engaged to carry out an assessment of heritage significance for the site. The assessment was carried out in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001. It is important to note that heritage inventory sheets are currently alternatively also known as "heritage data forms".

The heritage consultant was required to:

1. Using the New South Wales Heritage Manual heritage assessment criteria, carry out a heritage assessment of the subject property to establish its heritage significance at a State and local level.
2. Make a recommendation as to whether the property should be listed as a local heritage item in Schedule 5 of Woollahra LEP 2014.
3. Make a recommendation as to whether the property should be listed as an item on the State Heritage Register under the *Heritage Act 1977*.
4. If the recommendation is for listing in Woollahra LEP 2014, prepare the relevant inventory sheet (heritage data form) for the property. This will include a summary statement of significance for the property.
5. If the recommendation is for listing on the State Heritage Register under the *Heritage Act 1977*, prepare the relevant inventory sheet (heritage data form) and Nomination for Listing of the State Heritage Register form for the property. This will include a summary statement of significance for the property.

Copies of the assessment report, dated 21 June 2018, and the accompanying draft inventory sheet (heritage data form) are attached in **Appendix 3**. The assessment report concludes the following:

Based on the assessment in the previous sections, I am of the opinion that Dunara Reserve is of local heritage significance for its historic, aesthetic and social values, warranting its consideration for inclusion as an item of environmental heritage on Schedule 5, Woollahra LEP 2014.

I am of the opinion that Dunara Reserve is not of significance at a State level that would warrant its nomination for inclusion on the State Heritage Register.

*Given the importance of the reserve as the location for several significant tree specimens including the LEP-listed specimen of *Araucaria columnaris*, I am of the opinion that conservation of the reserve's heritage values may be best achieved if the reserve is retained in public ownership.*

(June 2018, Betteridge Heritage, p.51)

A report on the assessment of heritage significance was presented to Council's Environmental Planning Committee on 2 July 2018 (see **Appendix 1**). On 16 July 2018, Council resolved (see **Appendix 2**):

- A. *THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal describes the item as follows: Dunara Reserve – remnant of the residential garden of "Dunara".*
- C. *THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.*

- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the Environmental Planning and Assessment Act 1979.
- E. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance, address biodiversity, succession and protecting canopy, and public access on a regular basis (noting that the adjacent owners with rights over the private road have indicated their cooperation to do that) to ensure the planning proposal to reclassify Dunara Reserve does not proceed.

Part 2 – Existing site and surrounding context

2.1 – The site

The planning proposal applies the site known as Dunara Reserve, comprising Lot 11 in DP 27451. The site is located between 1 Wentworth Street and 9 Dunara Gardens, Point Piper, as shown in Figure 1, Figure 2 and Figure 3 below. The site is irregular in shape, has an area of approximately 402m² and slopes down approximately 4m from its west boundary on Wentworth Street to the southeast.

The site contains a range of exotic and native trees including a mature specimen of *Araucaria columnaris* (Cook's Pine) which is local heritage item No. 277 on Schedule 5 in Woollahra LEP 2014 and is listed as a significant tree on public land in Woollahra Council's Significant Tree Register. Photographs of the site are included as Figures 4 to 7 below.

To the west, the site has a narrow access of approximately 2.7m to Wentworth Road, which provides limited pedestrian access. To the north, the site adjoins Dunara Gardens, the private road to the former "Dunara" estate. To the east, the site adjoins 9 Dunara Gardens and to the south, the site adjoins 1 Wentworth Street.



Figure 1: Local area map

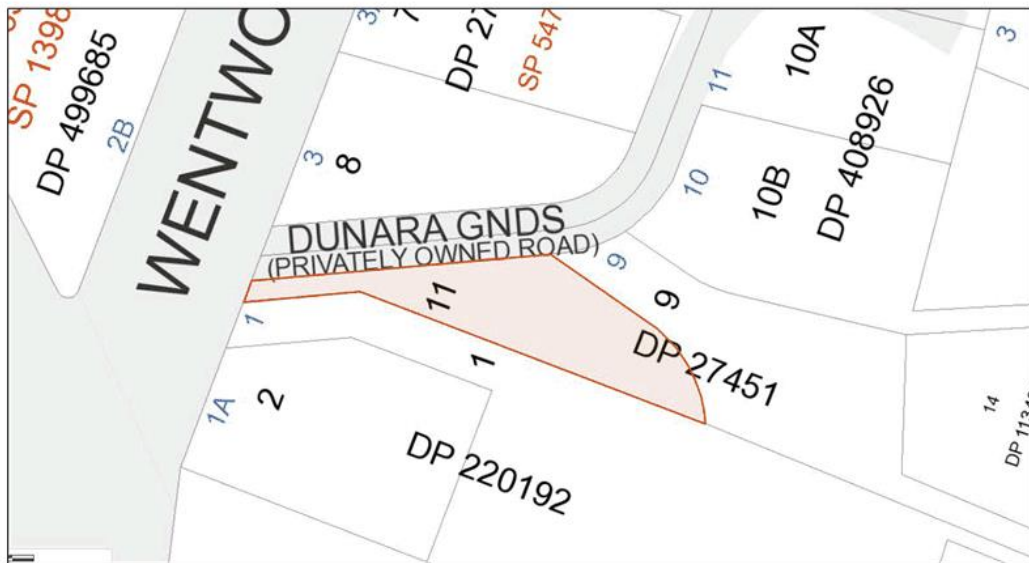


Figure 2: Site map



Figure 3: Site aerial



Figure 4: Existing vegetation on the site which is to the left of the roadway



Figure 5: Heritage listed mature Cook's Pine (left) and Moreton Bay Fig (middle) on the site



Figure 6: Site frontage to Wentworth Street



Figure 7: The topography of the land

2.2 – Existing context

Development around the site and on the eastern side of Wentworth Street comprises 2 to 3 storey dwelling houses. In the block bounded by Wolseley Road and Wentworth Street the scale of development varies and comprises a mix of 3 to 13 storey residential flat buildings (RFBs) and 2 to 3 storey dwelling houses. A 7 storey RFB is located opposite the site at 2B Wentworth Street.

Part 3 – Existing relevant planning controls

The existing relevant planning controls to this planning proposal are heritage planning controls. The site itself is not currently listed as a State or local heritage item or located within or in proximity to a heritage conservation area. However, the site contains a mature Cook's Pine which is local heritage item No 277 in Woollahra LEP 2014. The site is not currently listed as a State heritage item.

There are three other heritage items listed in Schedule 5 of Woollahra LEP 2014, in the vicinity of the site:

1. To the north of the site, the house and interiors at 10 Dunara Gardens, known as 'Dunara' (item No. 276). This item is also listed on the State Heritage Register (SHR).
2. Further to the north, the house, interiors and grounds at 4 Dunara Gardens (item No. 275).
3. Adjoining the site to the south, another specimen of *Araucaria columnaris* and a specimen of *Ficus macrophylla* (Moreton Bay Fig), located on the adjoining site at 1 Wentworth Street, are listed as local heritage item (No. 285).

An extract of the existing heritage maps showing the location of these items is shown below in Figure 8.

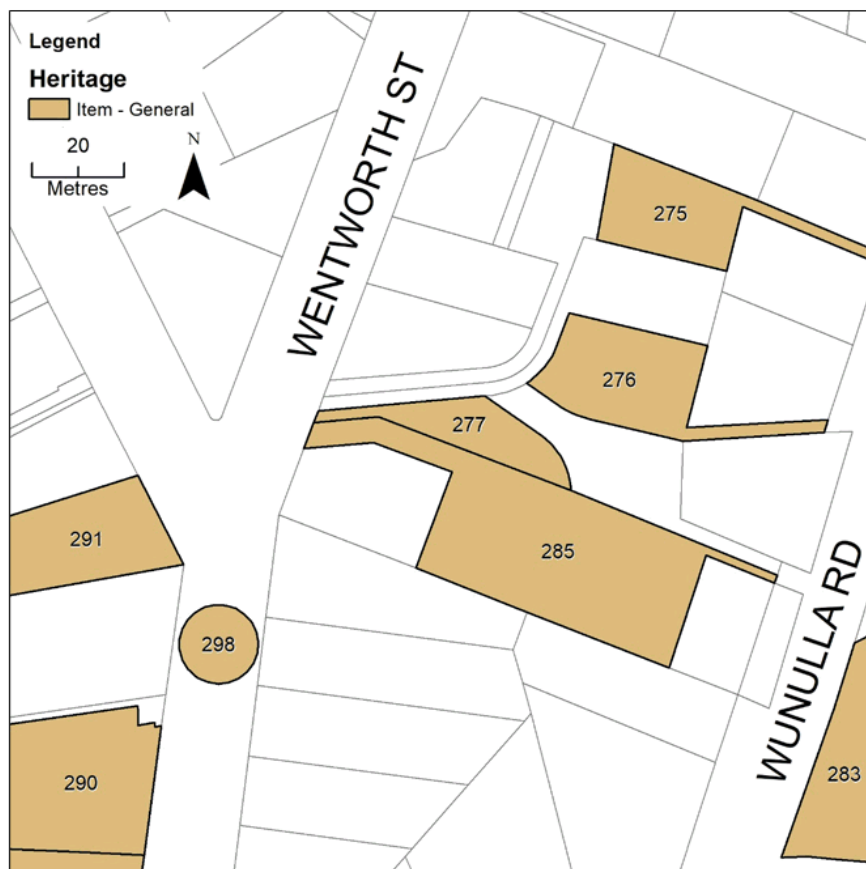


Figure 8: Extract from Woollahra LEP 2014 Heritage Map (Sheet HER_002)

Part 4 – Objectives of the planning proposal

The objective of the planning proposal is to amend Woollahra LEP 2014, to list Dunara Reserve, Point Piper as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the site, including a range of exotic and native trees.

Part 5 – Explanation of provisions

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

- Insert a listing for Dunara Reserve – remnant of the residential garden of “Dunara”, in Part 1 Heritage Items of Schedule 5 Environmental Heritage. The recommended item number for the listing is 681, the next available number in the sequence for heritage items in the Schedule. The exact wording of the amendment will be determined by Parliamentary Counsel prior to the making of the amending LEP.
- Amend the Heritage Map (Sheet HER_002) to identify an additional heritage item on the site of Dunara Reserve.

Part 6 – Justification

The planning proposal has strategic merit. The key reasons to amend Woollahra LEP 2014 are that heritage listing of Dunara Reserve, Point Piper will provide ongoing protection and recognition of the heritage significance of the 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 any strategic study or report?

Yes. Having considered a report by Betteridge Heritage, the planning proposal is the result of a decision of Council on 16 July 2018 to list Dunara Reserve, Point Piper as heritage item in Woollahra LEP 2014.

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

Yes. The objective of the planning proposal is to amend Woollahra LEP 2014, to list the Dunara Reserve, Point Piper as a local heritage item. The best, and only, means of achieving this objective is through the planning proposal process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of the site. Other means of controls, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015*, or including heritage conservation conditions to a development consent for the site, will not provide the same level of heritage protection and recognition.

6.2 – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional strategy 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 actions of the *Eastern City District Plan* (2018), as discussed below.

Greater Sydney Regional 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.

Heritage listing of Dunara Reserve will provide ongoing protection and recognition of the heritage significance of the site, including a range of exotic and native trees including a mature specimen of *Araucaria columnaris* (Cook's Pine) which is already local heritage item No. 277 in Woollahra LEP 2014.

Eastern City District Plan

The planning proposal is generally consistent with the actions of the *Eastern City District Plan*, particularly actions 20 and 54 by:

- Identifying, conserving and enhancing the environmental heritage of the local area through:
 - engaging with the community early to understand heritage values
 - enhancing the interpretation of heritage to foster distinctive local places
 - managing the cumulative impact of development on the heritage values and character of places
- Assisting Council in preparing plans for tourism and visitation by protecting heritage to enhance cultural tourism.

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *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 and residential amenity, including protection of significant architecture and the natural environment.

5. 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 other applicable State environmental planning policies (refer to **Schedule 1**).

6. 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

7. 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. The planning proposal is not likely to adversely impact threatened species, populations or ecological communities or their habits. The land is located within a developed urban area and contains a mix of exotic and native vegetation species. The site does not contain threatened species, populations or ecological communities.

8. 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 negative environmental effects associated with the planning proposal.

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

Yes. The assessment of heritage significance prepared by Betteridge Heritage concluded that:

Based on the assessment in the previous sections, I am of the opinion that Dunara Reserve is of local heritage significance for its historic, aesthetic and social values, warranting its consideration for inclusion as an item of environmental heritage on Schedule 5, Woollahra LEP 2014.

I am of the opinion that Dunara Reserve is not of significance at a State level that would warrant its nomination for inclusion on the State Heritage Register.

*Given the importance of the reserve as the location for several significant tree specimens including the LEP-listed specimen of *Araucaria columnaris*, I am of the opinion that conservation of the reserve's heritage values may be best achieved if the reserve is retained in public ownership.*

(June 2018, Betteridge Heritage, p.51)

The planning proposal will have a positive social effect. Heritage listing will provide ongoing protection and recognition of the social heritage significance of the site.

It is not anticipated that the planning proposal will have any negative social and economic effects which need to be addressed as part of the proposal.

6.4 – State and Commonwealth interests

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

Yes. The planning proposal involves the local heritage listing of Dunara Reserve, Point Piper. It does not involve amendments to the planning controls that will facilitate intensified development. However, the site has access to adequate public infrastructure such as water, sewer, electricity and telephone services. The site is in proximity to regular and frequent public transport services.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the site are suitable for the proposal and appropriate for the requirements of the site.

If required by the gateway determination, consultation will be undertaken with public utility companies, service providers and emergency services during the public exhibition.

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

This section will be completed following consultation with public authorities identified in the gateway determination. Public authorities, including but not limited to, will be notified:

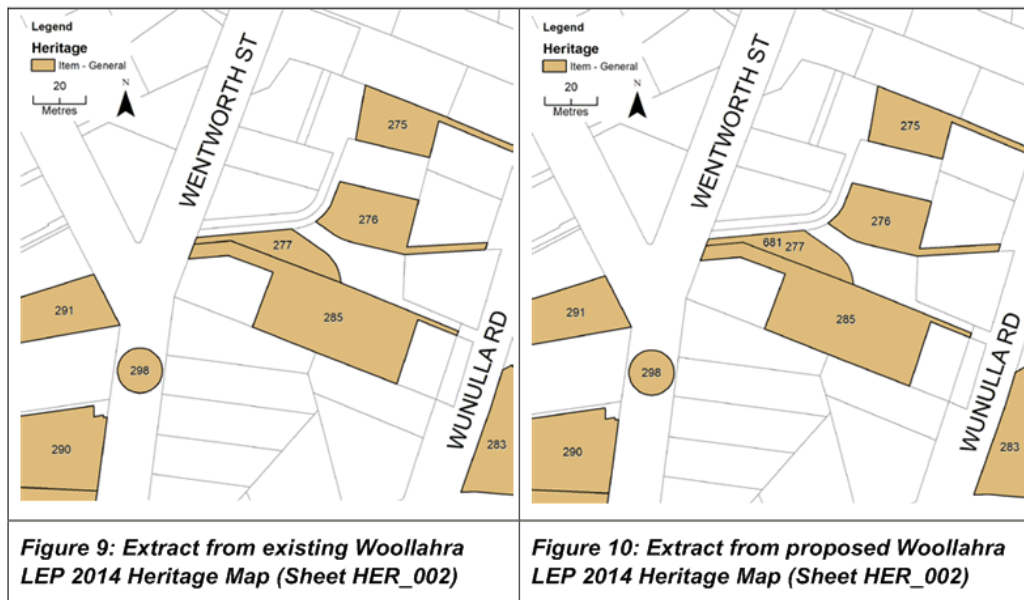
- Office of Environment and Heritage, Heritage Division.
- NSW Heritage Council.

Any other authorities identified by the Greater Sydney Commission and Department of Planning and Environment will be consulted during the public exhibition of the planning proposal.

Part 7 – Mapping

The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Map (Sheet HER_002) by applying an “Item – General” classification to the site.

An extract of the existing and proposed heritage maps are shown in Figure 9 and 10.



Part 8 – Community consultation

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*.

The planning proposal will be exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- A 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 site.
- Local community groups.

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 and consultant reports.

Part 9 – Project timeline

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

| Plan-making step | Estimated completion |
|--|---|
| Environmental Planning Committee recommends proceeding | 2 July 2018 |
| Council resolution to proceed | 16 July 2018 |
| Local Planning Panel provides advice | September 2018 |
| Council resolution to proceed | October 2018 |
| Gateway determination | December 2018 |
| Completion of technical assessment | None required |
| Government agency consultation | January 2019 (incl. end of year break) |
| Public exhibition period | Same time as agency consultation |
| Submissions assessment | February 2019 |
| Council assessment of planning proposal post exhibition | March 2019 |
| Council decision to make the LEP amendment | April 2019 |
| Council to liaise with Parliamentary Counsel to prepare LEP amendment | May 2019 |
| Forward LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification | June 2019 |
| Notification of the approved LEP | July 2019 |

Schedules

Schedule 1 – Consistency with State environmental planning policies

| State environmental planning policy | Comment on consistency |
|--|---|
| SEPP No 1 – Development Standards | Not applicable |
| SEPP No 19 – Bushland in Urban Areas | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 21 – Caravan Parks | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 30 – Intensive Agriculture | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 33 – Hazardous and Offensive Development | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 36 – Manufactured Home Estates | Not applicable |
| SEPP No 44 – Koala Habitat Protection | Not applicable |
| SEPP No 47 – Moore Park Showground | Not applicable |
| SEPP No 50 – Canal Estate Development | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas | Not applicable |
| SEPP No 55 – Remediation of Land | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP No 62 – Sustainable Aquaculture | Not applicable |
| SEPP No 64 – Advertising and Signage | 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. |

| State environmental planning policy | Comment on consistency |
|--|---|
| SEPP No 70 – Affordable Housing (Revised Schemes) | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Affordable Rental Housing) 2009 | 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 (Coastal Management) 2018 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Exempt and Complying Development Codes) 2008 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Housing for Seniors or People with a Disability) 2004 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Infrastructure) | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Kosciuszko National Park - Alpine Resorts) 2007 | Not applicable |
| SEPP (Kurnell Peninsula) 1989 | Not applicable |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Miscellaneous Consent Provisions) 2007 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Penrith Lakes Scheme) 1989 | Not applicable |
| SEPP (Rural Lands) 2008 | Not applicable |
| SEPP (State and Regional Development) 2011 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (State Significant Precincts) 2005 | 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 (Sydney Drinking Water Catchment) 2011 | Not applicable |
| SEPP (Sydney Region Growth Centres) 2006 | Not applicable |
| SEPP (Three Ports) 2013 | Not applicable |
| SEPP (Urban Renewal) 2010 | Not applicable |
| SEPP (Vegetation in Non-Rural Areas) 2017 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Western Sydney Employment Area) 2009 | Not applicable |
| SEPP (Western Sydney Parklands) 2009 | Not applicable |

| Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies | Comment on consistency |
|---|-------------------------------|
| SREP No 8 (Central Coast Plateau Areas) | Not applicable |
| SREP No 9 - Extractive Industry (No 2 - 1995) | Not applicable |
| SREP No 16 – Walsh Bay | Not applicable |
| SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997) | Not applicable |
| SREP No 24 - Homebush Bay Area | Not applicable |
| SREP No 26 – City West | Not applicable |
| SREP No 30 - St Marys | Not applicable |
| SREP No 33 - Cooks Cove | Not applicable |

| Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies | Comment on consistency |
|---|---|
| SREP (Sydney Harbour Catchment) 2005 | <p>Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p> <p>The planning proposal applies to land within the Sydney Harbour Catchment. Therefore the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. The planning proposal is consistent with the principles.</p> <p>The sites are not land in the Foreshores and Waterways Area, therefore the principles of clause 13 Foreshores and Waterways Area are not applicable to this planning proposal.</p> |

**Schedule 2 –
Compliance with section 9.1 directions**

| Dunara Reserve | | |
|-----------------------|---|---|
| Direction | | Applicable/comment |
| 1 | Employment and resources | |
| 1 | Business and industrial zones | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction. |
| 1.2-1.5 | Directions 1.2-1.5 | Not applicable. These directions are not relevant to the Sydney metropolitan area. |
| 2 | Environment and heritage | |
| 2.1 | Environment protection zones | Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection. |
| 2.2 | Coastal protection | Not applicable. The planning proposal does not apply to land within the coastal zone. |
| 2.3 | Heritage conservation | Applicable. Consistent. Heritage listing of Dunara Reserve will provide ongoing protection and recognition of the heritage significance of the site. |
| 2.4 | Recreation vehicle areas | Not applicable. The planning proposal will not allow land to be developed for a recreation vehicle area. |
| 2.5 | Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable. The planning proposal does not apply to land in the Far North Coast. |
| 3 | Housing, infrastructure and urban development | |
| 3.1 | Residential zones | Not applicable. The planning proposal does not apply to land within residential zones. |
| 3.2 | Caravan parks and manufactured home estates | Not applicable. The planning proposal does not affect caravan parks and manufactured home estates. |
| 3.3 | Home occupations | Not applicable. The planning proposal does not affect home occupations in dwelling houses. |

| Dunara Reserve | | |
|-----------------------|--------------------------------------|--|
| Direction | | Applicable/comment |
| 3.4 | Integrating land use and transport | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction. |
| 3.5 | Development near licensed aerodromes | Not applicable. The planning proposal does not apply to land near a licensed aerodrome. |
| 3.6 | Shooting ranges | Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range. |
| 4 | Hazard and risk | |
| 4.1 | Acid sulfate soils | Applicable. Consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal. |
| 4.2 | 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. |
| 4.3 | Flood prone land | Not applicable. The site is not located on a site identified as Flood Planning Area under the Woollahra LEP 2014. |
| 4.4 | Planning for bushfire protection | Not applicable. The planning proposal does not apply to land mapped as bushfire prone land. |
| 5 | Regional planning | |
| 5.1 - 5.9 | Strategies 5.1-5.9 | Not applicable. These strategies do not apply to the Woollahra LGA. |
| 5.10 | Implementation of Regional Plans | Not applicable. No regional (or district) plan applies to the Woollahra LGA. |

| Dunara Reserve | | |
|-----------------------|--|---|
| Direction | | Applicable/comment |
| 6 | Local plan making | |
| 6.1 | Approval and referral requirements | Applicable. Consistent. The proposal does not include provisions that require development applications to be referred externally and is not related to designated development. |
| 6.2 | Reserving land for public purposes | Applicable. Consistent. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes. |
| 6.3 | Site specific provisions | Not applicable. The planning proposal does not allow a particular development to be carried out. |
| 7 | Metropolitan Planning | |
| 7.1 | Implementation of <i>A Metropolis of Three Cities</i> (March 2018) | Applicable. Consistent. The planning proposal is consistent with the objectives of <i>A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced. Heritage listing of the Dunara Reserve will provide ongoing protection and recognition of the heritage significance of the site. |
| 7.2 | Implementation of Greater Macarthur Land Release Investigation | Not applicable. |
| 7.3 | Parramatta Road Corridor Urban Transformation Strategy | Not applicable. |

Supplementary material

Appendix 1 – Report to the Environmental Planning Committee of 2 July 2018

Appendix 2 – Council resolution of 16 July 2018

Appendix 3 – Heritage Significance Assessment – Betteridge Heritage, including draft inventory sheet (heritage data form) – 21 June 2018

Appendix 1

Woollahra Municipal Council
Environmental Planning Committee Agenda

2 July 2018

Item No: R2 Recommendation to Council
Subject: **DUNARA RESERVE POINT PIPER - ASSESSMENT OF HERITAGE SIGNIFICANCE**
Author: Chris Bluett, Manager - Strategic Planning
Approver: Allan Coker, Director - Planning & Development
File No: 18/94761
Reason for Report: To respond to the Council's resolution of 1 March 2018 to investigate the heritage listing of Dunara Reserve Point Piper.

Recommendation:

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows: Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

1. Background

On 12 March 2018 the Council adopted the following notice of motion:

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Dunara Reserve to Urban Planning Committee to facilitate consideration of Dunara Reserve (and its elements) being:

1. *included in the Woollahra Local Environmental Plan as a heritage item; and*
2. *listed as a heritage item of state significance on the NSW State Heritage Register.*

In response to the Council's decision the consultant firm Betteridge Heritage was engaged to carry out an assessment of heritage significance of the Reserve. Chris Betteridge, the director of the firm, is a highly qualified and experienced heritage consultant with extensive and specialised experience in the identification, assessment, management and interpretation of historic cultural landscapes.

In addition to the assessment of heritage significance, Dunara Reserve is the subject of a planning proposal which seeks to reclassify the Reserve from community land to operation land as defined in the *Local Government Act 1993*. The two projects have been carried out independently. There is a separate report on the reclassification process which will be presented to the Environmental Planning Committee on 2 July 2018. Notwithstanding that, the status of the Reserve as community land and the recommendation to prepare a planning proposal to reclassify the Reserve to operational land have been mentioned in the report carried out by the heritage consultant purely from the viewpoint of historical information. The consultant does not express an opinion or make a recommendation about whether the land should or should not be reclassified.

2. The site

Dunara Reserve is located at the intersection of Wentworth Road and Dunara Gardens in Point Piper as shown in Figures 1 to 3. Irregular in shape, the site area is approximately 402m² and falls approximately 4m to the southeast (Figure 4).

To the west, the site has a narrow frontage of approximately 2.7m to Wentworth Road, which provides limited pedestrian access. To the north, the site adjoins Dunara Gardens, the private road to the former “Dunara” estate. To the east, the site adjoins No.9 Dunara Gardens and to the south the site adjoins No. 1 Wentworth Street.

The site was created as a result of a subdivision of the Dunara Estate in 1956. Lot 11 in DP 27451 was designated as Public Garden and Recreation Space. The site is owned by Woollahra Council. The site contains a range of exotic and native trees including a mature Cook’s Pine which is local heritage item No. 277 in Woollahra LEP 2014. The subdivision contains two other local heritage items – the house and interiors at 10 Dunara Gardens known as “Dunara” (item No. 276) and the house, interiors and grounds at 4 Dunara Gardens (item No. 275). A Cook’s Pine and Moreton Bay Fig, located on the adjoining site at 1 Wentworth Street, are listed as a local heritage item (No. 285). No. 10 Dunara Gardens is also listed on the State Heritage Register.



Figure 1 Context map for site .



Figure 2 Cadastral map showing site outlined and coloured red



Figure 3 Aerial photograph showing the subject site outlined in red



Figure 4 Within the site – looking east

3. Assessment of heritage significance

The scope of work provided in the project brief to the consultant is:

1. Using the New South Wales Heritage Manual heritage assessment criteria carry out a heritage assessment of the subject property to establish its heritage significance at a State and local level. This will involve undertaking the eight step process detailed in the manual including undertaking detailed historic research on the property as may be required.
2. Make a recommendation as to whether the property should be listed as a local heritage item in Schedule 5 of Woollahra LEP 2014.
3. Make a recommendation as to whether the property should be listed as an item on the State Heritage Register under the *Heritage Act 1977*.
4. If the recommendation is for listing in Woollahra LEP 2014, prepare the relevant inventory sheet for the property. This will include a summary statement of significance for the property.
5. If the recommendation is for listing on the State Heritage Register under the *Heritage Act 1977*, prepare the relevant inventory sheet and Nomination for Listing of the State Heritage Register form for the property. This will include a summary statement of significance for the property.

The assessment of heritage significance was carried out in accordance with the publication titled *Assessing Heritage Significance*, NSW Heritage Office, 2001. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance.

Criterion (a)

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

Criterion (b)

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

Criterion (c)

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

Criterion (d)

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

Criterion (e)

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

Criterion (f)

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).

Criterion (g)

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.)

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. An item is considered to be of local or State heritage significance if it meets one or more of the criteria. However, an item that is of local heritage significance might not meet the threshold for listing on the State Heritage Register.

A copy of the assessment report prepared by Betteridge Heritage, which includes the assessment against all criteria, is attached as **annexure 1**.

A summary of the assessment against the criteria is provided below.

| Criteria | Local significance | State significance |
|---|---------------------------|---------------------------|
| (a) Historical significance | Yes | No |
| (b) Historical association significance | No | No |
| (c) Aesthetic significance | Yes | No |
| (d) Social significance | Yes | No |
| (e) Technical/Research significance | No | No |
| (f) Rarity | No | No |
| (g) Representativeness | No | No |

The consultant makes the following conclusions about heritage significance.

Based on the assessment in the previous sections, I am of the opinion that Dunara Reserve is of local heritage significance for its historic, aesthetic and social values, warranting its consideration for inclusion as an item of environmental heritage on Schedule 5, *Woollahra LEP 2014*.

I am of the opinion that Dunara Reserve is not of significance at a State level that would warrant its nomination for inclusion on the State Heritage Register.

Given the importance of the reserve as the location for several significant tree specimens including the LEP-listed specimen of *Araucaria columnaris* [Cook's Pine], I am of the opinion that conservation of the reserve's heritage values may be best achieved if the reserve is retained in public ownership. (p.51)

In discussing the extent of the listing the consultant provides the following points and recommendations.

The statutory curtilage for a heritage item is usually but not always the lot or lots on which the item stands and, for statutory purposes, is usually but not always restricted to land in the same ownership as the item. The boundaries for an adequate curtilage may be the historic lot boundaries or a smaller area resulting from previous subdivision(s). They may also include adjoining lands critical to retention of views and vistas, although these values may sometimes be more appropriately conserved through planning controls other than those used to protect the item and its immediate setting.

Definition of a curtilage for a historic place does not preclude development within its bounds but requires particular care in the consideration of the nature, extent and impact of such development. However, given the very small size of Dunara Reserve and the significant trees growing on it, development other than horticultural management, canopy replenishment and heritage interpretation is not recommended.

It is recommended that the heritage curtilage for Dunara Reserve should be the entire site described as Lot 11, DP 27451, Wentworth Street, Point Piper. (p.50)

In addition to the recommendation to list the entire Reserve as a local heritage item, the consultant makes several recommendations about its management.

That:

1. Dunara Reserve be managed to conserve and enhance its heritage significance through a proactive program of arboricultural and horticultural maintenance.
2. Consideration be given to interpreting the heritage significance of Dunara Reserve in culturally sensitive ways which may include material on Council's website and inclusion on a downloadable app for a walking tour of heritage sites in the Woollahra local government area.
3. A Canopy Replenishment Strategy for the Reserve be prepared to provide for the staged replacement of the significant trees on the site, the timing of such replacement to be guided by arboricultural assessment of the vigour, condition and useful life expectancy of the trees. (p.51)

A draft heritage inventory sheet for the Reserve has been prepared (**annexure 2**). The statement of significance is provided below.

Dunara Reserve has historical significance at a local level but not at a State level derived from its association with a significant historical phase in the development of the cultural landscape of Point Piper and the former Dunara Estate. It retains physical fabric in the form of a significant specimen of *Araucaria columnaris* (Cook's Pine) which is a remnant of the historic plantings of 'Dunara' and which is a local landmark. It also contains two specimens of *Phoenix canariensis* (Canary Island Date Palm) likely to have been part of the ornamental plantings in the 'Dunara' garden. (Criterion A).

While it is highly likely that the specimen of Cook's Pine on the reserve was planted by or for the Mackellar family, there is insufficient evidence at this stage for a direct association between any member of the Mackellar family or subsequent occupants with the particular part of the garden retained in Dunara Reserve and the reserve is not considered to have historical associational significance at a local or State level. (Criterion B)

The cultural landscape of Dunara Reserve is aesthetically distinctive and the specimen of *A. columnaris* has exceptional landmark qualities, with visual prominence at local, district and harbour scales. The reserve is considered to have aesthetic value at a local but not at a State level. (Criterion C).

Social value is hard to quantify without detailed surveys of those who have been associated with a place, but it is likely that living individuals within the Woollahra Council area will have strong opinions about the place – some positive, some negative. *Araucaria columnaris* is a species identified in the Woollahra Heritage Study as an important element in the cultural landscape of the local government area and therefore contributes to the community's sense of place. The specimen of *Araucaria columnaris* growing in Dunara Reserve has been recognised as a significant tree since the Woollahra Significant Tree Register was established in 1991, is listed as an item in Woollahra LEP 2014 and recognised as an important specimen in the authoritative publication *Horticultural flora of South-eastern Australia*.

The reserve is considered to have social value at a local but not at a State level. (Criterion D). The reserve is not considered to have technical / research values, rarity or representativeness at a local or State level. (Criteria E, F and G). (pp.1-2)

4. Next steps

If Council supports the recommendation of this report, the next steps in the process are:

- Prepare a planning proposal under section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) to list the property as a heritage item in the Woollahra LEP 2014.
- Submit the planning proposal to the Greater Sydney Commission (GSC) requesting a gateway determination under section 3.34 of the Act. Include a request for the delegation of the plan-making steps under section 3.36 of the Act.
- Receive a gateway determination from the GSC or its delegate.
- Carry out public consultation in accordance with the gateway determination. This will include notification letters to adjoining properties and notification published on a weekly basis in the *Wentworth Courier*.

- Report the findings of the public exhibition to a meeting of the *Environmental Planning Committee*. All people who make a submission will be notified of the meeting and will have an opportunity to address the committee.
- Subject to Council's decision on whether to proceed, request the Parliamentary Counsel to prepare a draft LEP to amend the Woollahra LEP 2014.
- Council makes (approves) the LEP, subject to obtaining delegations from the Minister, otherwise the Minister makes the LEP.
- Publication of the LEP on the NSW Legislation website. The LEP becomes effective on that date.

5. Conclusion

The heritage significance of Dunara Reserve, Point Piper, has been assessed in accordance with the NSW heritage best practice guidelines.

The assessment of heritage significance prepared by Betteridge Heritage identifies that the Reserve meets the threshold for heritage listing at the local level in Woollahra LEP 2014 on historical, aesthetic and social values. The Reserve does not meet the threshold for listing at State level on the State Heritage Register.

To facilitate a listing at the local level, a planning proposal should be prepared with the aim of amending Schedule 5 of Woollahra LEP 2014 by adding the Reserve to the list of heritage items.

We note the consultant also concludes that:

- the conservation of the Reserve's heritage values may be best achieved if the Reserve is retained in public ownership, and
- development other than horticultural management, canopy replenishment and heritage interpretation is not recommended.

These two conclusions may be considered by the Council in its deliberations on the reclassification of the Reserve from community land to operational. However, the findings of the assessment of heritage significance carried out for the Reserve and the recommendation to list the Reserve as a local heritage item are not contingent on the land's classification.

Annexures

1. Dunara Reserve Heritage Significance Assessment - Consultant's Final Report 21 June 2018

Appendix 2

Woollahra Municipal Council
Ordinary Council Meeting Minutes

16 July 2018

Item No: R2 Recommendation to Council
Subject: **DUNARA RESERVE POINT PIPER - ASSESSMENT OF HERITAGE SIGNIFICANCE**
Author: Chris Bluett, Manager - Strategic Planning
Approver: Allan Coker, Director - Planning & Development
File No: 18/94761
Reason for Report: To respond to the Council's resolution of 1 March 2018 to investigate the heritage listing of Dunara Reserve Point Piper.

Motion moved by Councillor Jarvis
Seconded by Councillor Zeltzer

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows:
Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance, address biodiversity, succession and protecting canopy, and public access on a regular basis (noting that the adjacent owners with rights over the private road have indicated their cooperation to do that) to ensure the planning proposal to reclassify Dunara Reserve does not proceed.

Amendment moved by Councillor Robertson
Seconded by Councillor Elsing

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows:
Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council staff prepare a plan of management for Dunara Reserve, Point Piper, which includes:
 - i. References to and details within the Council's Biodiversity Conservation and strategy;
 - ii. Maintenance of the reserve as part of a wildlife corridor;

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Woollahra Municipal Council
Ordinary Council Meeting Minutes

16 July 2018

- iii. Conserving and enhancing the heritage significance of the reserve, including the use of interpretation signage; and
 - iv. A canopy replacement strategy.
- F. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance and public access.

The Amendment was put and lost.

Note: A Division was called by Councillor Price.

For the Amendment

Councillor Elsing
Councillor Marano
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks

Against the Amendment

Councillor Cavanagh
Councillor Jarvis
Councillor Maxwell
Councillor Shapiro
Councillor Shields
Councillor Wynne
Councillor Zeltzer

6/7

The Motion was put and carried.

(Jarvis/Elsing)

134/18 Resolved:

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows:
Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance, address biodiversity, succession and protecting canopy, and public access on a regular basis (noting that the adjacent owners with rights over the private road have indicated their cooperation to do that) to ensure the planning proposal to reclassify Dunara Reserve does not proceed.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

16 July 2018

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

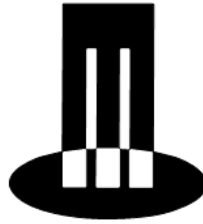
Against the Motion

Councillor Cavanagh
Councillor Elsing
Councillor Jarvis
Councillor Marano
Councillor Maxwell
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Nil

13/0

Appendix 3



Heritage Significance Assessment, Dunara Reserve, Wentworth Street, Point Piper



Prepared by
Chris Betteridge, Betteridge Consulting Pty Ltd
t/a Betteridge Heritage
for
Woollahra Council

Final, 21 June 2018

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SPECIALISTS IN THE IDENTIFICATION, ASSESSMENT, MANAGEMENT AND INTERPRETATION OF CULTURAL HERITAGE



Report Register

The table below documents the development and issue of drafts and the final document titled Heritage Significance Assessment, Wentworth Street, Point Piper, prepared by Chris Betteridge, Betteridge Consulting Pty Ltd t/a Betteridge Heritage in accordance with the company's Quality Assurance Policy.

| Issue No. | Description | Issue Date |
|-----------|--|--------------|
| 1 | Heritage Significance Assessment, Wentworth Street, Point Piper, 1 st draft | 31 May 2018 |
| 2 | Heritage Significance Assessment, Wentworth Street, Point Piper, 2 nd draft | 15 June 2018 |
| 3 | Heritage Significance Assessment, Wentworth Street, Point Piper, Final | 21 June 2018 |

Quality Assurance

Betteridge Consulting Pty Ltd t/a Betteridge Heritage operates under the company's Quality Assurance Policy, dated October 2017. This document has been reviewed and approved for issue in accordance with the Betteridge Heritage Quality Assurance Policy and procedures.

| | | | |
|-----------------|---|-----------------------------|---|
| Project Manager | Chris Betteridge | Project Director & Reviewer | Margaret Betteridge |
| Issue No. | Final | Issue No. | Final |
| Signature |  | Signature |  |
| Position | Director | Position: | Director |
| Date | 21 June 2018 | Date: | 21 June 2018 |

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Executive summary

Dunara Reserve, Wentworth Street, Point Piper, is a small remnant of the historic property 'Dunara' which was built by eminent doctor and sociologist Sir Charles Mackellar circa 1882 and was the birthplace of his daughter Dorothea Mackellar, the famous Australian poet. The reserve results from a 1956 subdivision of the 'Dunara' estate into 11 lots. Designated as Public Garden and Recreation Space, the reserve is owned by Woollahra Council.

The site contains a range of exotic and native trees including a mature specimen of *Araucaria columnaris* (Cook's Pine) which is local heritage item No 277 on Schedule 5 in *Woollahra Local Environmental Plan 2014* and is listed as a significant tree on public land in Woollahra Council's Significant Tree Register. The subdivision contains two other local heritage items – the house and interiors at 10 Dunara Gardens known as 'Dunara' (item No 276) and the house, interiors and grounds at 4 Dunara Gardens (item No 275). Another specimen of *Araucaria columnaris* and a specimen of *Ficus macrophylla* (Moreton Bay Fig), located on the adjoining site at 1 Wentworth Street, are listed as local heritage item (No 285). 'Dunara' is also listed on the State Heritage Register (SHR).

On 12 March 2018 Woollahra Council adopted a notice of motion in the following terms:

"THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Dunara Reserve to the Urban Planning Committee to facilitate consideration of Dunara Reserve (and its elements) being:

- 1. included in the Woollahra Local Environmental Plan as a heritage item; and*
- 2. listed as a heritage item of state significance on the NSW State Heritage Register."*

Woollahra Council commissioned Chris Betteridge, Director, Betteridge Heritage to prepare an assessment of the heritage significance of Dunara Reserve, with the following brief:

1. Assess significance in compliance with the above resolution and in accordance with the 8-step assessment process in the *NSW Heritage Manual* and determine whether it is of local or State significance;
2. Prepare a State Heritage Inventory (SHI) form for the subject site if it is assessed to be of local significance; and,
3. Prepare a nomination for listing on the State Heritage Register (SHR) if the site is assessed to be of State significance.

Comprehensive analysis of documentary and physical evidence relating to 'Dunara' and Dunara Reserve, involving library and web-based research and site investigations has enabled an assessment of significance against the Heritage Council criteria which concludes that Dunara Reserve is of local heritage significance warranting its consideration for inclusion on Schedule 5 of *Woollahra LEP 2014*. However, the assessment concludes that the Reserve is not of State significance and therefore its nomination for SHR listing is not recommended.

A draft SHI form for Dunara Reserve, management recommendations and appendices are included.

1.0 Introduction

1.1 Background

Dunara Reserve, Wentworth Street, Point Piper, is a small remnant of the historic property 'Dunara' resulting from a 1956 subdivision of the estate into 11 lots. Designated as Public Garden and Recreation Space, the reserve is owned by Woollahra Council.

The site contains a range of exotic and native trees including a mature specimen of *Araucaria columnaris* (Cook's Pine) which is local heritage item No 277 on Schedule 5 in *Woollahra Local Environmental Plan 2014* and is listed as a significant tree on public land in Woollahra Council's Significant Tree Register. The subdivision contains two other local heritage items – the house and interiors at 10 Dunara Gardens known as 'Dunara' (item No 276) and the house, interiors and grounds at 4 Dunara Gardens (item No 275). Another specimen of *Araucaria columnaris* and a specimen of *Ficus macrophylla* (Moreton Bay Fig), located on the adjoining site at 1 Wentworth Street, are listed as local heritage item (No 285).

No 10 Dunara Gardens is also listed on the State Heritage Register (SHR).

On 12 March 2018 Woollahra Council adopted a notice of motion in the following terms:

"THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Dunara Reserve to the Urban Planning Committee to facilitate consideration of Dunara Reserve (and its elements) being:

1. *included in the Woollahra Local Environmental Plan as a heritage item; and*
2. *listed as a heritage item of state significance on the NSW State Heritage Register."*

Following a select tender process, Woollahra Council commissioned Chris Betteridge, Betteridge Consulting Pty Ltd t/a Betteridge Heritage to prepare an assessment of the heritage significance of Dunara Reserve with the following brief:

1. Assess significance in compliance with the above resolution and in accordance with the 8-step assessment process in the *NSW Heritage Manual* and determine whether it is of local or State significance;
2. Prepare a State Heritage Inventory (SHI) form for the subject site if it is assessed to be of local significance; and,
3. Prepare a nomination for listing on the State Heritage Register (SHR) if the site is assessed to be of State significance.

1.2 Identification of the study site

Dunara Reserve is identified as Lot 11, DP 27451, Wentworth Street, Point Piper in the Woollahra local government area. The district context is shown in Figure 1 below and the local context in Figure 2.



Figure 1 The location of Dunara Reserve (coloured red) in the context of Point Piper. (Source: Woollahra Council)



Figure 2 The cadastral boundary of Dunara Reserve (edged red) in relation to adjoining residential development and road pattern. (Source: Woollahra Council)

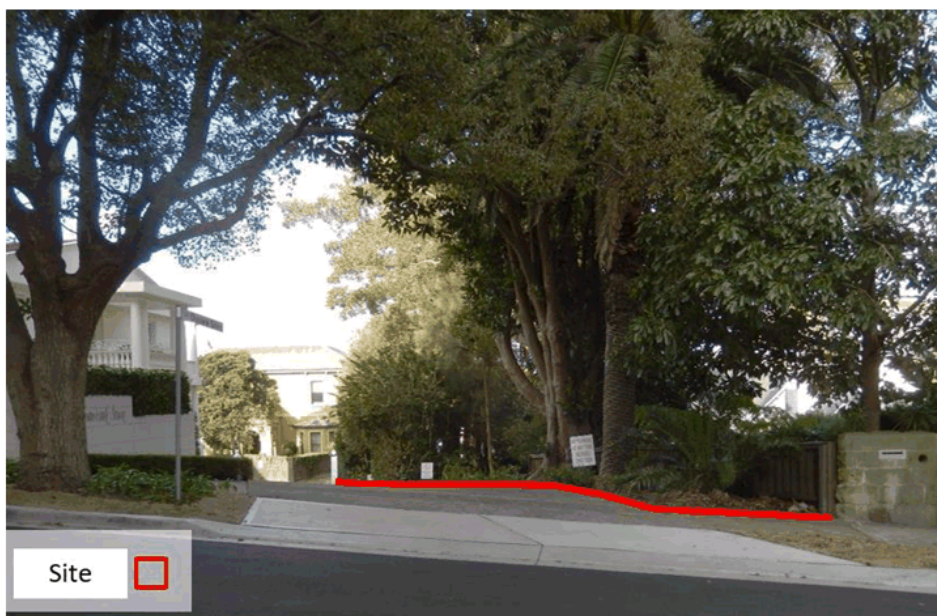


Figure 3 Dunara Reserve viewed from the carriageway of Wentworth street, looking east towards the house 'Dunara'. The Reserve is very narrow at its western end but splays out further down the slope. Pedestrian access from the street is difficult without intruding into Dunara Gardens, the road created in the 1956 subdivision which provides vehicular access to the majority of the 11 lots created from the former Dunara estate. The house 'Dunara' is visible at left of centre. (Source: Woollahra Council)

1.3 Identification and experience of the author

This heritage assessment has been prepared by Chris Betteridge BSc (Sydney), MSc (Museum Studies) (Leicester), AMA (London), MICOMOS, Director, Betteridge Consulting Pty Ltd t/a Betteridge Heritage, heritage consultants. Chris is a trained botanist with postgraduate qualifications in museum studies and extensive experience in heritage conservation. His background includes ten years as environmental and landscape specialist with the NSW planning agencies, advising the Heritage Council of NSW, and four years as Assistant Director (Community Relations) at the Royal Botanic Gardens Sydney. For the past 27 years he has been director of a consultancy specialising in the identification, assessment, management and interpretation of historic cultural landscapes.

1.4 Acknowledgments

The author would like to thank the following individuals for their kind assistance in the preparation of this heritage assessment:

Margaret Betteridge, Director, Betteridge Heritage;
Chris Bluett, Manager Strategic Planning, Woollahra Municipal Council;
Jane Britten, Local Studies Librarian, Woollahra Council;
Cathy Colville, Strategic Heritage Officer, Planning and Development Division, Woollahra Council;
Kira Green, Administrative Officer, Planning and Development Division, Woollahra Council;
Barbara Swebeck, Local Studies Librarian, Woollahra Council;
Anne White, Acting Manager Strategic Planning, Planning and Development Division, Woollahra Council;

1.5 Methodology

This assessment was prepared in accordance with the 8-step process in the *NSW Heritage Manual*, as listed below.

- 1 Summarise what is known about the item.
- 2 Describe the previous and current uses of the item, its associations with individuals or groups and its meaning for those people.
- 3 Assess significance using the NSW heritage assessment criteria.
- 4 Check whether a sound analysis of the item's heritage significance can be made.
- 5 Determine the item's level of significance i.e. local or state.
- 6 Prepare a succinct statement of heritage significance.
- 7 Obtain feedback from relevant information providers and other stakeholders.
- 8 Write up all the information gathered.

1.6 Limitations

The preparation of this assessment was based on research of the available documentary material and above-surface physical fabric within the time and budget and the availability of site survey information. Examination of Dorothea Mackellar's papers at the Mitchell Library requires permission from her estate through Curtis Brown publishers and was not possible within the timeframe for submission of the draft heritage assessment. These papers appear to contain some of Dorothea Mackellar's manuscripts, but the published extracts of her diaries were researched, and no mention of the area now known as Dunara Reserve was found.

No physical disturbance or intervention was carried out on any part of the site, except for limited sampling of vegetation for identification purposes. Comparative analysis was limited to properties of similar type and significance currently listed on heritage registers or otherwise known to the author.

1.7 Disclaimer and copyright

This document may only be used for the purpose for which it was commissioned and in accordance with the contract between Betteridge Consulting Pty Ltd t/a Betteridge Heritage (the consultant) and Woollahra Council (the client). The scope of services was defined in consultation with the client, by time and budgetary constraints agreed between the consultant and client, and the availability of reports and other data on the site. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up-to-date information. Betteridge Heritage or their sub-consultants accept no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any third party. Information provided is not intended to be a substitute for site specific assessment or legal advice in relation to any matter. Copyright and intellectual property rights in this report are vested jointly in Woollahra Council and the author, with each party having unrestricted rights to use the project materials in perpetuity. The consultant will be acknowledged as the author of the report. Unauthorised use of this report in any form is prohibited.

2.0 Analysis of documentary evidence

This section provides a narrative history and thematic analysis of the historical records relating to the Dunara Estate and the subject site, drawn from Woollahra Council and other sources.

2.1 Evolution of the cultural landscape

2.1.1 Some definitions

"A cultural landscape is fashioned from a natural landscape by a culture group. Culture is the agent; the natural area is the medium. The cultural landscape the result."

- Carl Sauer¹

"Landscape is never simply a natural space, a feature of the natural environment. Every landscape is the place where we establish our own human organization of space and time".

- John B. Jackson²

Cultural landscapes by their name imply human intervention but they may also include substantial natural elements. "They can present a cumulative record of human activity and land use in the landscape, and as such can offer insights into the values, ideals and philosophies of the communities forming them, and of their relationship to the place. Cultural landscapes have a strong role in providing the distinguishing character of a locale, a character that might have varying degrees of aesthetic quality, but, regardless, is considered important in establishing the communities' sense of place."³

In recent years the Heritage Council of New South Wales has identified the depletion of cultural landscapes as a major issue threatening the cultural values of our cities and requested that the NSW Heritage Office (now Heritage Division, Office of Environment and Heritage) address this issue. There has been ongoing criticism in the media and in the wider community over the encroachment of urban development on some of Sydney's important Colonial and Victorian homesteads and their landscape settings. In response to this threat, the Heritage Council provided funding to the National Trust of Australia (New South Wales) for a study of 'Colonial Landscapes of the Cumberland Plain and Camden.'⁴

In 2003 a charette of cultural landscape professionals hosted by the NSW Heritage Office debated the issues, identified constraints and opportunities and made recommendations for developing sustainable measures to facilitate the protection of important cultural landscapes in the State. In the Campbelltown City local government area, the public outcry over the loss of setting for significant properties such as Glen Alpine and Blair Athol led Council to commission a consultant study of that area's cultural landscapes.

A 2010 publication by the NSW Department of Environment, Climate Change and Water (DECCW) provides guidelines for managing cultural landscapes. It defines the

¹ Sauer 1963, p.343

² Jackson 1984, p.156

³ Pearson, Michael and Sullivan, Sharon (1995), *Looking After Heritage Places*, Melbourne University Press.

⁴ Britton, Geoffrey and Morris, Colleen (2000), 'Colonial Landscapes of the Cumberland Plain and Camden', unpublished draft report.

cultural landscape concept as emphasising "the landscape-scale of history and the connectivity between people, places and heritage items. It recognises the present landscape is the product of long-term and complex relationships between people and the environment. On any given area of land, it is likely that some historical activity will have taken place. Evidence of that activity may be detectable in the vegetation or in landscape modifications as well as in archaeological evidence, historical documents or people's stories. Some pasts have 'touched the landscape only lightly', while some places of historical activity are marked by imposing built structures or are commemorated for their association with important events or people.

For the purposes of the DECCW guide, cultural landscapes are defined as:

"... those areas which clearly represent or reflect the patterns of settlement or use of the landscape over a long time, as well as the evolution of cultural values, norms and attitudes toward the land."

The elements of a cultural landscape are illustrated below;

| |
|------------------------------------|
| Landscape = Nature + People |
| Landscape = The Past + The Present |
| Landscape = Places + Values |

Figure 4 The Elements of a Cultural Landscape. (Source: Diagram after Guilfoyle 2006:2, based on Phillips 2002:5)

The DECCW Guidelines emphasise that cultural heritage management has, until recently, conceptualised heritage mainly as isolated sites or objects. For example, a hut, woolshed, fence, ground tank, bridge, scarred tree, grave, orchard or piece of machinery. A site-based approach is thus an 'easy' concept for land managers and heritage practitioners as it supports separating the natural and cultural for management purposes. However, this site-based approach has the unfortunate effect of reinforcing the notion of culture and nature as spatially separate and thus able to be managed independently. In a national park or nature reserve context, cultural heritage sites are seen as isolated points or pathways that are set in a natural landscape. The work of nature conservation can go on around these sites. The authors of the guidelines argue that the natural environment is part of these sites. Similarly, in an environment that has been highly modified by industrial activity in the past, the natural values may have been almost obliterated but can be recovered through well-planned rehabilitation measures. A cultural landscape approach offers an opportunity to integrate natural and cultural heritage conservation by seeing culture and nature as interconnected dimensions of the same space.

2.1.2 The landscape of Point Piper prior to European settlement

Apart from the belt of low-lying land extending from Rose Bay to the sandhills of Bondi, the Woollahra local government area is predominantly an area of sandstone slopes and gullies. On the more sheltered harbourside hillsides such as that on which 'Dunara' is located, tall woodland and forest would have existed prior to European settlement, with tree species such as *Angophora costata* (Smooth-barked

Apple), *Eucalyptus resinifera* (Red Mahogany), *E. tereticornis* (Forest Red Gum), *E. botryoides* (Banggalay) and *E. haemastoma* (Scribbly Gum).⁵

2.1.3 Aboriginal occupation of the Point Piper area

The traditional Aboriginal owners of much of the Woollahra district were the Cadigal clan, while the harbour area around Watsons Bay and South Head was inhabited by the Birrabirragal clan. Both these clans belonged to the coastal Dharug language group and the Eora nation. The devastating impact of European settlement after 1788, felt particularly in the effects of introduced diseases such as smallpox, resulted in the eventual disappearance of the local Aboriginal population. While there is limited information on the lives of the Cadigal and Birrabirragal at Woollahra, some of their heritage is preserved in the form of rock art, shell middens and the Sydney Aboriginal language.⁶

Larmer⁷ reported the Aboriginal name for Point Piper as 'Willárrá'. Earlier, Wentworth (1801-1825) had listed 'Bungarong' against Point Piper. However, 'Pannerong', probably a variation in writing 'Bungarung', was recorded more than 100 years earlier in Vocabulary⁸ and Collins⁹ as the name for Rose Bay. Point Piper is part of the western headland of Rose Bay, which may be the reason for Wentworth's association.

The name 'Willárrá', if a written variant of 'Woo-lā-rā', may have referred to a larger area than just Point Piper¹⁰, as the latter (Woo-lā-rā) was recorded as the name for 'The Look-out'¹¹ which was at Outer South Head¹², known today as Dunbar Head.¹³

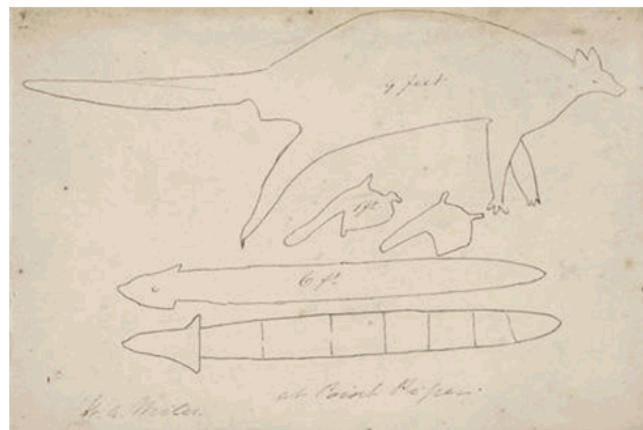


Figure 5 Drawings of Aboriginal carvings at Point Piper, 1845 by W. A. Miles (1798-1851). Ink and wash. From Miscellaneous papers relating to Aborigines, c. 1839-1871. Ref: A 610, pp. 199, 201, 207, 209

⁵ Benson & Howell 1990, p.99

⁶ 'A brief history of Woollahra' accessed at https://www.woollahra.nsw.gov.au/library/local_history/a_brief_history_of_woollahra

⁷ Larmer 1832: 35, 1832 [1898: 228]

⁸ King 1790

⁹ Collins 1798 [1975], pp. 489-490

¹⁰ Watson 1918: p.374

¹¹ Southwell 1788 [1893], p. 699

¹² Bradley 1786-1792 [1969]: Chart 6

¹³ <http://press-files.anu.edu.au/downloads/press/p17331/html/ch01.xhtml?referer=81&page=9>

In July 1845, the travelling artist George French Angas (1822-1886) and Sydney Police Inspector W. Augustus Miles (1798-1851), an amateur anthropologist, persuaded King Bungaree's widow, Cora Gooseberry, who was camped by the creek at Camp Cove, to show them Aboriginal engravings at North Head. In return she received flour and tobacco. Miles copied the designs at South and Middle Heads, while Angas's drawings were reproduced in his *Savage Life and Scenes*, London, 1847. At Point Piper, the two artists copied dozens of engravings of male figures, shields, whales, fish and kangaroos, now destroyed.¹⁴

The relatively sheltered, east-facing slopes of Point Piper where 'Dunara' is now located, would have provided good vantage points over Rose Bay and the proximity to the Harbour would have afforded Aboriginal people easy access to food sources in the bay and along the shoreline. The kangaroos in the Aboriginal carvings also suggest the area provided food in the form of terrestrial fauna.

2.1.4 Early European settlement of Point Piper

Point Piper is named for Captain John Piper, a naval officer who became one of the richest men in Sydney as official collector of customs and harbour dues. On a parcel of 76 hectares granted to him by Governor Lachlan Macquarie in 1820, Piper built a mansion 'Henrietta Villa' at Point Piper, the house named after the second name of Macquarie's wife, Elizabeth. The house quickly became the most prestigious social venue in town and Piper entertained so extravagantly that he earned the title 'prince of Australia'. However, Piper's flamboyant and extravagant lifestyle exceeded even his resources and he was soon deeply in debt. In 1827 it became apparent that he had embezzled £13,000 from the customs revenues which, together with other debts, amounted to millions in modern values. Governor Darling, who arrived in the colony in 1825, dismissed Piper for neglect of his duties. Deprived of his lucrative post, Piper was soon in serious financial trouble. The mortified Piper made a curiously grand suicide attempt, having himself rowed out into the harbour and, to the strains of his naval band, jumping overboard. He was rescued by his boatmen and survived to retire to a more modest rural life. He died a poor man in Bathurst in 1851 at the age of 78.¹⁵

2.1.5 Point Piper Estate

In the 1820s, business partners Daniel Cooper (1785-1853) and Solomon Levey began acquiring the Bellevue Hill, Rose Bay, Point Piper and Woollahra parts of the substantial Point Piper Estate comprising 1130 acres that had been amassed by Captain John Piper since 1816. Their title to the land was confirmed in 1830 and it became the sole property of Daniel Cooper in 1847. The Vaucluse part of Piper's estate outside the Point was bought by William Charles Wentworth. On Cooper's death in 1853, his nephew, also Daniel Cooper (later Sir Daniel Cooper), born in Lancashire in 1821, was appointed trustee of the Point Piper Estate. In 1856 Cooper began a great mansion called 'Woollahra House' on Point Piper, on the site of Piper's 'Henrietta Villa'. In the same year Cooper became first Speaker of the new Legislative Assembly. He resigned from the Speakership in 1860 and returned to England a year later, became the Agent-General for NSW, was made the First Baronet of Woollahra in 1863, and died in 1902.

'Woollahra House' was not completed until 1883 by Cooper's son, William, who had purchased the grant from his brother for £10,000¹⁶. The younger William had "picked up his father's ambition to have the finest garden in Sydney around Woollahra

¹⁴ <http://www2.sl.nsw.gov.au/archive/events/exhibitions/2006/eora/images/s16.htm>

¹⁵ Kennedy & Kennedy 1982, p.149

¹⁶ https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0003/16275/Woollahra_House.pdf

House".¹⁷ The first subdivision on the Point took place around 1880, and although the estate was progressively subdivided after William's departure for England in 1888, it retained impressive grounds laid out with specimen trees and flower beds in expansive lawns, in a Gardenesque rather than Italianate style.¹⁸ 'Woollahra House' was suggested as a replacement for Government House (then occupied by the new Governor-General) around 1901 but the offer was not taken up by the government and the estate was progressively sold off and the house was demolished in 1929.¹⁹

2.1.6 The Mackellar family and their tenants at 'Dunara'

Scotsman John Mackellar married Euphemia Jackson and the couple emigrated with their family to Australia from Dundee, Scotland in 1839. Their three sons were Keith, Charles and Frederick. Frederick (died 1863), physician and his wife Isabella, née Robertson, widow of William McGarvie had one son, Charles Kinnaid Mackellar (1844-1926) who was born in Sydney and educated at Sydney Grammar School and the University of Glasgow medical school, graduating in 1871. He returned to Australia and practised in Sydney, becoming a noted physician and sociologist.²⁰

In 1877 Charles Mackellar married Marion Isobel Buckland (1854-1933) and the couple had four children: Keith; Eric; Isobel Marion Dorothea (1885-1968) and Malcolm. After the birth of their first two sons, the family's residence in Macquarie Street, Sydney became too small and they chose a site of five acres (2 hectares) at Point Piper to build a gentleman's residence.

'Dunara' was built in 1882-83, the name of the house apparently being Aboriginal for 'gunyah on the slope of a hill'.²¹ At the time the house was built, 'Wentworth Street was still a bush track, and does not appear as a road until 1894'.²² As little as was practical of the native growth was cleared for the house, servants' quarters, coach house, necessary outbuilding and gardens.²³ There were wrought iron gates and fences [presumably to the Wentworth Street frontage], a driveway lined with *Cinnamomum camphora* (Camphor Laurel) and a fishpond with fountain.²⁴

An 1887 photograph shows the bushland surrounding 'Dunara' (downhill to its east, south and to the north), with the house on a cleared rise above Rose Bay.²⁵ Dorothea Mackellar was born at 'Dunara' on 1 July 1885 and spent her youth there on and off until 1908. Her two older brothers were delighted with their baby sister. "It was almost as good as having huge expanses of garden and bush with the beach at the bottom; almost as good as having the horses on the property instead of being kept at a livery stable in the city; almost as good as being able to keep a dog or two."²⁶

'Dunara' appears to have been occupied consistently by the Mackellar family from c.1885 to c.1900. After the turn of the century, the Mackellars travelled widely and during some of their absences in other houses or abroad, the house was apparently leased to several other families. In 1901, 'Dunara' was occupied by Monsieur and

¹⁷ Morris 2008, p.88

¹⁸ Ibid.

¹⁹ Spindler, nd.

²⁰ Australian Dictionary of Biography/Dorothea Mackellar obituary, Sydney Morning Herald

²¹ Anderson 2008, pp.14-15

²² Griffiths 1970, p.68

²³ Howley 1989, p.21

²⁴ Ibid.

²⁵ Sydney Morning Herald 1978

²⁶ Howley 1989, p.23

Madame Brasier de Thuy²⁷, a couple who are mentioned in Nesta Griffith's history as 'delightful' and 'well-loved wherever they went'. The alphabetical listing in *Sands* gives M. Brasier de Thuy's full title as Principle Agent for *Australasia Compagnie des Messageries Maritimes*, Queen's Corner, 57 Pitt Street, Sydney. The French couple were preparing to move out of 'Dunara' in late March of 1901 to take up residence at 'Arlington' in Edgecliff Road, which they had leased from a Mr Machardy.²⁸

Mackellar is again listed in *Sands* as the occupant of 'Dunara' from 1902 to 1904. The family was still reeling from the death of their oldest son and Sir Charles' heir, Keith, who was a second lieutenant in the Australian Volunteer Horse Squadron and was killed in action in South Africa on 11 July 1890, right at the end of the Boer War hostilities.

The 1905 issue of *Sands* directory shows C Carlisle Taylor in residence at 'Dunara'. Mr Taylor was evidently the General Manager of the Equitable Life Assurance Society of United States, which operated from the Equitable Building, George Street, Sydney. He appears to have stayed at 'Dunara' for only one year.²⁹

The issues of *Sands* for 1906, 1907 and 1908 show the Hon. Charles Mackellar again at 'Dunara' while those for 1909, 1910 and 1911 list George Henry Greene, a fellow MLC, in residence. In her biography of Dorothea Mackellar³⁰, Hawley implies that 'Dunara' was still under a lease to other parties in 1908 and the Mackellars stayed for a while at the Hotel Australia and later went to Buckland Chambers, 183 Liverpool Street, Sydney, where the two top floors were residential and used by members of the family a sort of townhouse when needed.³¹

Information on Greene in the *Australian Dictionary of Biography* would suggest that he was not permanently resident at 'Dunara', since during the period for which he is listed at Point Piper he was apparently engaged in building "an ornate Edwardian mansion 'landra'", his property near Grenfell in southwestern NSW.³² The Hon. G H Greene MLC and Mrs Greene do seem to have used their time at 'Dunara' and the facilities the property offered to advantage in snaring eligible naval officers for two of their daughters. On a Thursday evening in 1909, the Greens entertained several guests at "a charming dance" at 'Dunara'.³³

"The Chinese lanterns looked beautiful in the grounds, and a carpeted pathway led from the ball-room to the supper-room."

In October 1909 their younger daughter, Gladys Gwendoline Greene was engaged to Flag Lieutenant F C Fisher, right-hand-man to Admiral Sir Richard Poore, Commander-in-Chief of the Royal Navy's Australia Station.³⁴ The elder daughter was already married to another naval officer. Unfortunately, George Greene died on 22 December 1911 and was buried at 'landra'.

²⁷ *Sands* Directory 1901

²⁸ *Australian Town & Country Journal* 23 March 1901, p.45, accessed on Trove at nla.news-article71464994.pdf

²⁹ Letter from Jane Britten, Local History Librarian, Woollahra Council to Mrs Farkas, 23 September 1992

³⁰ *Ibid.*, p.63

³¹ *Ibid.*

³² Letter from Jane Britten, Local History Librarian, Woollahra Council to Mrs Farkas, 23 September 1992

³³ *Figaro* 29 September 1910, p.5, accessed on Trove at nla.news-article84445292.pdf

³⁴ *Punch* 28 October 1909, p.38 accessed at nla.news-article176029229.3.pdf; https://en.wikipedia.org/wiki/Sir_Richard_Poore,_4th_Baronet



Figure 6 The Mackellar family outside the summer house at 'Dunara' circa late 1890s. Keith and Eric standing; L to R: Malcolm, Mrs Mackellar, Dr Mackellar, Dorothea (seated). (Source: Mitchell Library)

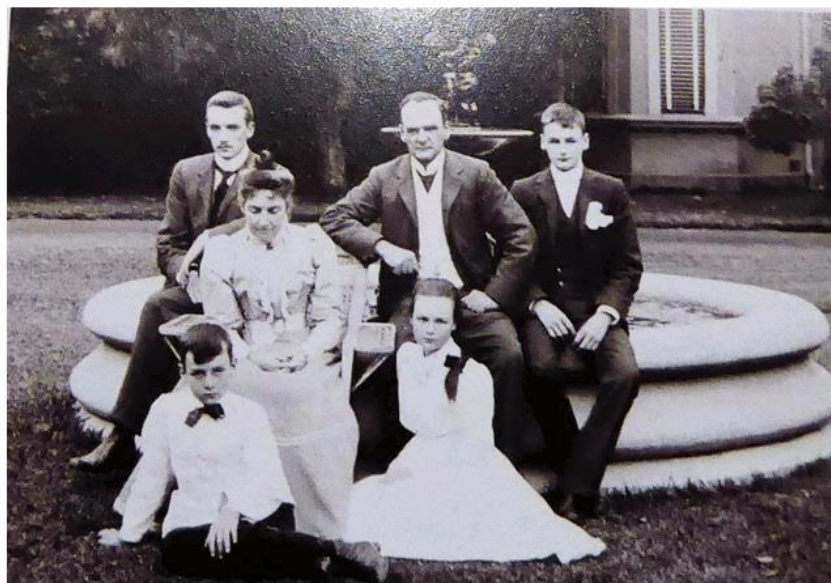


Figure 7 The Mackellar family circa mid- to late 1890s by the fountain and fishpond in the carriage loop at 'Dunara', showing the dense plantings to the southwest of the house, including a specimen of *Araucaria* sp. at far left. Dorothea Mackellar is seated on the grass in front of her father. (Source: Mitchell Library)

Sands for 1912 indicates 'Dunara' was occupied by Mr and Mrs C B Pharazyn who, in October that year hosted a dinner party at the Hotel Australia in honour of Mr and

Mrs G W Johnston of Wellington, New Zealand.³⁵ In mid-1914 'Dunara' was taken by Mrs Johnstone, a well-known identity in horse-racing circles from Hyman, New Zealand. She was visited at 'Dunara' in June that year by her mother Mrs Baldwin.³⁶



Photo: Falk Studios, 164 Pitt-street.

Mrs. C. B. Pharazyn,

Wife of Mr. C. B. Pharazyn, of Dunara, Point Piper,
Sydney.

Figure 8 Photograph of Mrs C B Pharazyn, wife of Mr C B Pharazyn of 'Dunara', Point Piper, Sydney. (Source: *Sydney Mail* 25 June 1913, p.20 accessed on Trove at <http://nla.gov.au/nla.news-article158475508>)

³⁵ *The Sun* 6 October 1912, p.21, accessed on Trove at [nla.news-article228834193.3.pdf](http://nla.gov.au/nla.news-article228834193.3.pdf)

³⁶ *Sunday Times* (Sydney) 21 June 1914, p.7 accessed on Trove at [nla.news-article120365093.3.pdf](http://nla.gov.au/nla.news-article120365093.3.pdf)

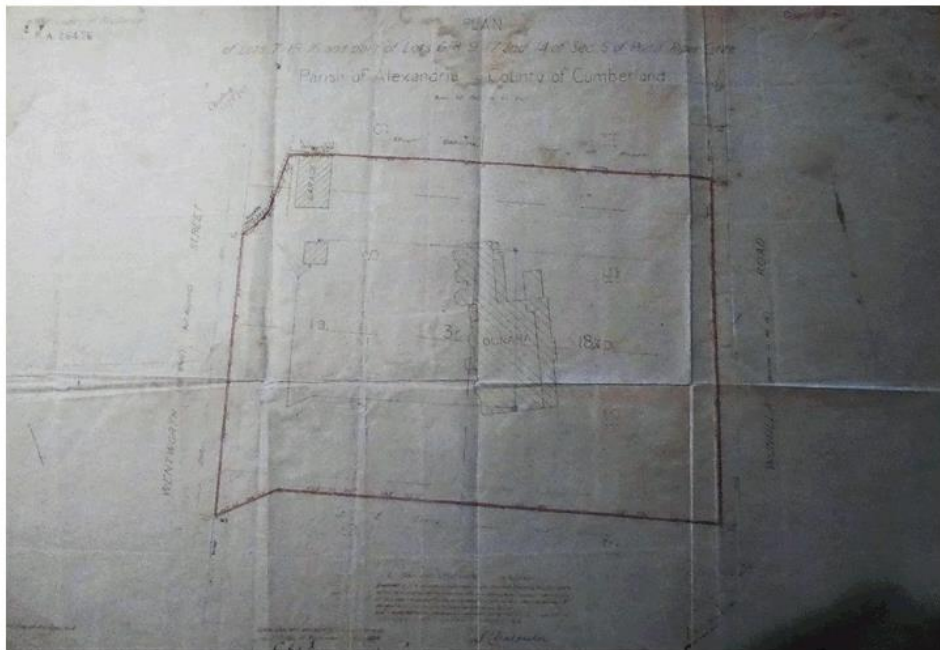


Figure 9 A faded plan of Lots 7, 15, 16 and part of Lots 6, 8, 9, 17 and 14 of Section 5 of Point Piper Estate, drawn 19 November 1924 and charted 13 May 1925, showing the house 'Dunara' and two outbuildings, including the garage in the northwestern corner. (Source: Municipality of Woollahra PA 26476, filed at Woollahra Library under Suburbs: Point Piper 4)



Figure 10 Enlargement of part of a 1930 aerial photograph, showing the Dunara Estate, within the black oval. The boundary plantings in the garden were already very dense by that date. (Source: Map 3418 Sydney 20 January 1930 print 501)

In the second half of 1915, Dorothea seems to have been at 'Dunara' again. An entry in her published diaries at that time headed 'Wednesday September 19', contains the following;

"On Tuesday night a terrific South-east gale began. It raged all Wednesday and did about £20,000 worth of damage in the eastern suburbs alone. I couldn't sleep for the howling of the wind and the pistol shots of my canvas [blind], but it was a nice cosy exhilarating contradictory night – when one didn't think of those at sea. Trees were torn down in all directions. It was the worst gale for very many years, and I wrote to Pat and did flowers (battered they were, and I was battered getting them). And Dorothy came in the afternoon. It was nice to have her".³⁷

Another entry, dated "Dunara Wednesday – Saturday December 8-11", reads:

"There was a cool change on Tuesday night and consequently one arrived sick and shivering, but it was nice to be home.....Saturday was a beautiful summer day, warm and cool blue and gold – green with the coral trees flaming everywhere so splendidly that it was like a thousand trumpets. As I walked down Wolseley Road I had a strange swinging feeling – and then suddenly I realised what it was – that if there were no War (What an if!) I'd be happy. Not for years have I had that."³⁸

Sir Charles Mackellar was reported to be ill at 'Dunara' in February 1916.³⁹ Lady Mackellar and Dorothea Mackellar of 'Dunara', Point Piper made donations to a Sydney fund to buy a battleplane for the war effort in August 1916.⁴⁰

Dorothea's poem 'In a southern garden', published circa 1918, may have been inspired by her times at 'Dunara' and the references to Camphor Laurel and the water 'at the garden's lowest fringe' tend to support this theory.

*When the tall bamboos are clicking to the restless little breeze,
And bats begin their jerky skimming flight,
And the creamy scented blossoms of the dark pittosporum trees,
Grow sweeter with the coming of the night.*

*And the harbour in the distance lies beneath a purple pall,
And nearer, at the garden's lowest fringe,
Loud the water soughs and gurgles 'mid the rocks below the wall,
Dark-heaving, with a dim uncanny tinge*

*Of a green as pale as beryls, like the strange faint-coloured flame
That burns around the Women of the Sea:
And the strip of sky to westward which the camphor laurels frame,*

³⁷ Brunson 1990, pp.175-76

³⁸ Ibid., p.184

³⁹ Mirror of Australia, 26 February 1916, p.4 (20, accessed on Trove at <http://nla.gov.au/nla.news-article104644309>)

⁴⁰ Sun (Sydney) 20 August 1916, p.20, accessed on Trove at <http://nla.gov.au/nla.news-article223378789>

Has turned to ash-of-rose and ivory—

*And a chorus rises valiantly from where the crickets hide,
Close-shaded by the balsams drooping down—
It is evening in a garden by the kindly water-side,
A garden near the lights of Sydney town!*

The Mackellar family was back at 'Dunara' during the later war years 1917-18⁴¹ but in September 1918 they were preparing to leave Point Piper to take up residence at Warrawee.⁴² Sir Charles Mackellar had suffered a bout of pleurisy in 1916 and after World War I it was obvious something had to be done to get him away from the city and negotiations were begun through the family's lawyers regarding the sale of 'Dunara'.

2.1.7 The Kater family buy 'Dunara'

Circa September 1919 'Dunara' was sold to medical practitioner, merino sheep breeder and politician, Dr (later Sir) Norman Kater and his wife Jean Kater (née Mackenzie) after they had sold their property 'Nyrang' near Molong.⁴³ They also had a property 'Eenaweena' at Warren, presumably part of his family's Mumblebone stud. In 1924 Dr Kater inherited Mount Broughton near Moss Vale, where he spent most weekends. In November 1929, the Katers held a reception at 'Dunara' for the wedding of their daughter Mary to Douglas Tooth.⁴⁴.. The garden was being prepared as a bower for the reception.⁴⁵

2.1.8 The Depression years

In June 1930 it was reported that a son had been born to Mr and Mrs Ranald Munro of 'Dunara', Point Piper.⁴⁶ In December 1932, Australia was still in the grip of the Great Depression and the Sydney real estate market remained inactive. However, estate agents Raine and Horne Ltd had 'Dunara' listed for sale by auction on 15 December that year, with the property described thus:

"Point Piper, 'Dunara', 3 Wentworth-street, residence of about 17 rooms, with tennis court, garage and chauffeur's quarters."⁴⁷

⁴¹ Information provided to Mr Robin Brampton by Libby Watters, Woollahra Local History Centre in November 2010

⁴² *Sunday Times* (Sydney) 8 September 1918, p.14, accessed on Trove at nla.news-article123129016

⁴³ <http://adb.anu.edu.au/biography/kater-sir-norman-william-6896>

⁴⁴ *Telegraph* (Brisbane) 16 November 1929, p.14, accessed on Trove at nla.news-article180088210.3.pdf

⁴⁵ *The Daily Telegraph* 7 November 1929 p. 22, accessed on Trove at <http://nla.gov.au/nla.news-article246819509>

⁴⁶ *Sydney Morning Herald*, 13 June 1930, p. 10, accessed on Trove at <http://nla.gov.au/nla.news-article16704541>

⁴⁷ *Sydney Morning Herald* 3 December 1932, p.11, accessed on Trove at nla.news-article28030115

The best bid was £6,500 and negotiations were proceeding for the sale of the property at a figure in advance of this.⁴⁸

The SHR listing has the property sold to a Mr Michaelis in 1931 but perhaps it was 1932 or 1933. The SHR listing also records alterations carried out by architect G Keesing in 1933. These may be the alterations and additions carried out by builders R Wall & Son for Michaelis and Ors at 3 Wentworth Street.⁴⁹

George Michaelis was in residence in 1935 when he wrote to Council of an 'objectionable smell' suffered at the house arising from the harbour below. The death of Mr George I Michaelis at his residence 'Dunara', Wentworth Street, Point Piper on 30 July 1936 was reported in the *Sydney Morning Herald*.⁵⁰

2.1.9 'Dunara' during World War II

From February 1943 Dunara was occupied by the Women's Australian Auxiliary Air Force (WAAAF).⁵¹

Spending their first weekend at Dunara, lovely old Point Piper home, CO Waafs are acquainted with their new barracks and its' charming grounds. Lawns overlooking the Harbor will make a perfect setting for 6 am physical exercises. After examining the tennis court, the girls are eagerly awaiting arrival of the net. Seven airy dormitories and a mosquito-proof balcony provide the sleeping accommodation, and mess-room and recreation hall open on to a wide terrace. Wireless and gramophone will be installed for the "moving-in" party to be held shortly, but the girls are also -hopeful that some kind benefactor will bestow a piano. Ex-dress designer Corporal J. Zahara is .in charge of the household at Dunara.

A photograph accompanying the above article showed ACW's Belly Margetts and Zoie Case with Cpl. J. Zahara admiring the waterlilies in the fishpond at 'Dunara' but the image could not be copied from Trove.

To mark the second anniversary of the formation of the WAAAFs, Honorary Commandant Lady Gowrie sent messages of greetings and congratulations, a church service followed by a dinner was held at 'Dunara'⁵² and a Mothers' Day party was held at 'Dunara' on Sunday 14 March 1943.⁵³ On 14 March 1945, RAAF airmen attended a dinner dance at 'Dunara' to help WAAAFs celebrate the fourth anniversary of their organisation.⁵⁴

⁴⁸ *Sydney Morning Herald*, 17 December 1932, p. 10, accessed on Trove at <http://nla.gov.au/nla.news-article16938715>

⁴⁹ Application 1933/20

⁵⁰ *Sydney Morning Herald* 31 July 1936, accessed on Trove at <http://nla.gov.au/nla.news-article17256510>

⁵¹ *Sun*, 14 February 1943, p. 8, accessed on Trove at <http://nla.gov.au/nla.news-article17840841>

⁵² *Sydney Morning Herald*, 18 March 1943, p. 3, accessed on Trove at

⁵³ *Sydney Morning Herald*, 15 March 1943, p. 3, accessed on Trove at <http://nla.gov.au/nla.news-article17840486>

⁵⁴ *Sydney Morning Herald*, 16 March 1945, p. 6, accessed on Trove at <http://nla.gov.au/nla.news-article17935438>

In March 1946, the continued occupation by the RAAF of several stately homes in Point Piper, including 'Kilmory', 'Craig-y-mor', 'Dunara', 'Mount Luano', 'Linlithgow', 'Hughendon' and 'Redleaf' was causing concern, labelled as a scandalous waste of money when accommodation in more suitable military camps was available. 'Dunara' was described as having "an ornamental fountain playing in the centre of a lawn around which sweep car drives to the stately entrance" and providing "restful quarters and messes for members of the WAAAF".⁵⁵ A headline in the *Sydney Sun* described the occupied houses at Point Piper as an "RAAF Shangri La".⁵⁶ The paper's reporter stated:

"While thousands of families' lives have been disrupted by the housing shortage, RAAF personnel work in a Shangri-La atmosphere in seven large Point Piper homes. These homes, with 140 rooms, would provide between 30 and 40 flats if they were subdivided.

He used the telephone in each of the seven houses without challenge and claimed most of the houses had three bathrooms and bedrooms two to three times larger than the bedrooms in most houses. The same article claimed that Woollahra Municipal Council had "outspokenly favored [sic] the sub-division of large houses into flats."⁵⁷ Forty women's organisations asked the Army and air Ministers to make these mansions available as hostels for women.⁵⁸

The following month, 'Dunara' was reported in the press as possibly becoming a guest house.⁵⁹ By June 1946, the RAAF had decided to move out of these mansions.⁶⁰

"Personnel of ' R.A.A.F. Headquarters, Eastern Area, and other Sydney units. expect to be in their new quarters at Bradfield Park by July 1. At present Eastern Area occupies several mansions at Point Piper: Linlithgow, Kilmory, Craig-y-moor. Hughenden. Redleaf. Dunara, and Mount Lonana. The R.A.A.F. will maintain guards at the homes until they are vacated."

⁵⁵ *Sun*, 10 March 1946, p. 7, accessed on Trove at <http://nla.gov.au/nla.news-article228799656>

⁵⁶ *Sun*, 14 March 1946, p. 3, accessed on Trove at <http://nla.gov.au/nla.news-article228791327>

⁵⁷ *Ibid.*

⁵⁸ *Sun*, 17 March 1946, p. 5, accessed on Trove at <http://nla.gov.au/nla.news-article228797929>

⁵⁹ *Northern Star* (Lismore), 6 April 1946, p. 5, accessed on Trove at <http://nla.gov.au/nla.news-article99111214>

⁶⁰ *Sydney Morning Herald*, 12 June 1946, p. 4, accessed on Trove at <http://nla.gov.au/nla.news-article17987345>

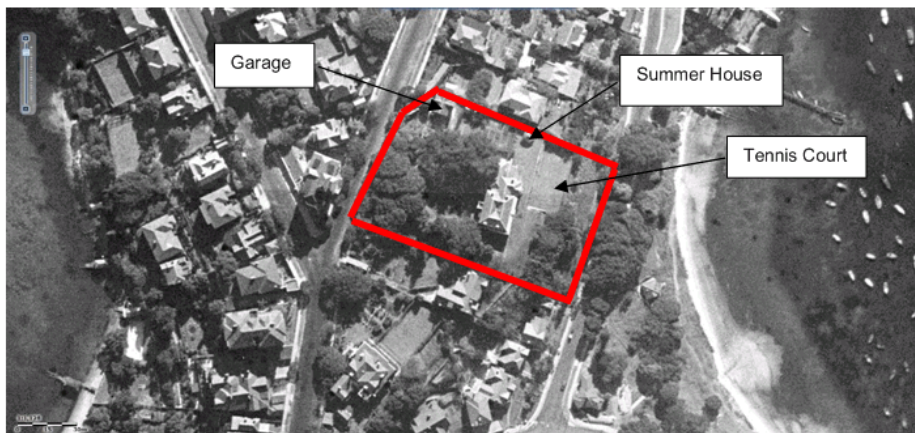


Figure 11 Vertical aerial photo of part of Point Piper in 1943, showing approximate boundaries of Dunara Estate at that time, edged red, with features arrowed black. Plantings along the southern and western boundaries and in the centre of the estate were dense at this date. The tennis court and adjoining area east of the house and the steep slope leading down to Wunulla Road allowed extensive views over Rose Bay. (Source: <https://maps.six.nsw.gov.au/>)

2.1.10 'Dunara' after World War II

In November 1948 it was reported that the Sydney Young Men's Hebrew Association (YMHA) had recently taken possession of 'Dunara'.⁶¹

"At the moment the building has only been leased, and its selling is still subject to the consideration of the Treasury.' Tentative plans for the property include its immediate use for 'Y' and communal functions: This building is mainly intended to become a centre for 'Y' youth. Ultimately a full-scale youth and communal centre, which will cater for the most modern requirements, will be established. The building was taken over as a guest house and will still be run as such for bona fide travellers. No structural alterations will be made until the housing shortage has been alleviated. It is planned to build tennis basketball and handball courts, a swimming pool, and bowling green. A hobby section will also be included. It is intended, to establish the best Jewish reference library in the southern hemi sphere. This will be done immediately; Social functions, such as weddings, bar mitzvahs, etc., will be catered for shortly, and many other developments are envisaged."

The Young Men's Hebrew Association purchased 'Dunara' from the Michaelis family in 1949⁶² and proposed to subdivide the property. In January 1950 the NSW Board of Jewish Education announced that religious education classes would resume at several venues including the Rose Bay Centre at 'Dunara', Point Piper.⁶³ In May 1956, Woollahra Council reported in the Council minutes that tentative plans had been submitted for a 'proposed subdivision of the property 'Dunara', 3 Wentworth

⁶¹ *Hebrew Standard of Australasia*, 25 November 1948, p. 3, accessed on Trove at <http://nla.gov.au/nla.news-article131102960>

⁶² 1949 Woollahra Municipal Council Rate Book

⁶³ *Hebrew Standard of Australasia*, 19 January 1950, p. 5, accessed on Trove at <http://nla.gov.au/nla.news-article131105917>

Street, Point Piper (S/4012). The applicant was to be advised that 'favourable consideration will be given to the proposal subject to the proposed public garden and recreation space to be dedicated to Council being increased to a minimum of 4,000 square feet with a suggestion that such space be provided from Lot 9 of the proposed subdivision'.⁶⁴



Figure 12 Plan of the 1956 subdivision of the Dunara Estate, showing the house on a much-reduced curtilage as Lot 10 and Dunara Reserve as Lot 11. (Source: Woollahra Council Library)

Council then approved the application in July 1956 with the engineer reporting "The survey plans agree substantially with the tentative plans previously submitted. Public garden and recreation space has been increased to 4,219 square feet, and whilst the

⁶⁴ WMC minutes 11 June 1956, pp.355-6

right-of-way will be private property, some drainage work should be constructed to convey water from driveway to Wunulla Road".⁶⁵

The 1955 valuation lists of the NSW Department of the Valuer General record that the 'Dunara' property had been transferred to Claude Edward Fortescue and on 19 November 1956 Emil E J Ford & Co, advised Council that they acted for C E Fortescue in the subdivision of the Du-Nara [sic] Gardens Estate.⁶⁶ Mr Fortescue was described as a wholesale butcher of 'Kiallacourt', Plumer Road, Rose Bay.⁶⁷

The valuations further record the transfers of the various allotments of the Dunara Estate in 1956 and 1957. The transfer of 15 ½ perches from the Dunara estate to Woollahra Council is recorded with the transfer number T2/57.⁶⁸ The 1957 lists record that Woollahra Council was the owner of 15 ½ perches with 8'10" front – described as 'public garden and recreation space'.⁶⁹

The 1987 Heritage Branch report recommending a PCO over 'Dunara' states that 'Dunara' was purchased by a Mr Plowman in 1957 and that sympathetic modifications to the house were made by Prof. Leslie Wilkinson that year. Council's records of building applications for Wentworth Street in 1957 show alterations being carried out to Lot 10B by Prof. Wilkinson for C E Fortescue but the lot number is crossed out and a penciled notation says "see No. 8 Wunulla Road"⁷⁰. 'Dunara' is not mentioned in Falkiner's book on the works of Wilkinson.⁷¹



Figure 13 Panorama from New South Head Road above Vaucluse looking west across Shark Island to the Sydney Harbour Bridge in 1968. The Cook's Pine trees prominent in this photo demonstrate the visual prominence and aesthetic significance of this species in the Woollahra cultural landscape. (Source: Mourot 1969, p.128; Photographer John Early, Michael Elton or Barry Ward)

⁶⁵ Ibid., 9 July 1956, p.412

⁶⁶ WMC Minutes 26 November 1956, pp.691-2

⁶⁷ V G Valuation list of 1955

⁶⁸ Letter from Libby Watters to Mr Robert Brampton, November 2010

⁶⁹ Ibid.

⁷⁰ Application 1957/152

⁷¹ Falkiner et al. 1982



Figure 14 The portico on the western front of 'Dunara' in 1968. The foliage at right may be from a specimen of *Eucalyptus saligna* (Sydney Blue Gum) reported to have been growing in the garden but dead by 2006. (Photo courtesy of H Ciddor, in Hawley 1989)



Figure 15 The eastern elevation of Dunara circa 1970s, showing plantings introduced since 1943, when aerial photography showed this area devoid of vegetation. (Source: Russell 1980, p.76; photo attributed to Municipality of Woollahra).

On 21 March 1978 'Dunara' was placed on the Register of the National Estate (RNE), a Commonwealth list of significant places.⁷² The RNE has been replaced by

⁷² SHR listing

the National Heritage List and is no longer maintained. In 1978 'Dunara' was up for sale and was sold by auction on 7 June 1979.⁷³

In 1986 'Dunara' was Classified by the National Trust of Australia (New South Wales).

On 10 July 1987 a Permanent Conservation Order (PCO) was placed on 'Dunara', the curtilage being Lot 10B, DP 408926, as shown on the Heritage Plan HC 1417 at Figure 16. The PCO was subject to a schedule of Exemptions under Section 57(2) of the Heritage Act to allow for routine building maintenance and horticultural management.

In the Woollahra Significant Tree Survey of trees growing on private property carried out for Council by consultants Landarc Landscape Architects in 1991, a specimen of *Ficus macrophylla* (Moreton Bay Fig) and a specimen of *Araucaria columnaris* (Cook's Pine), both growing in the garden of 1 Wentworth Street, Point Piper, close to the boundary with Dunara Reserve were identified as significant single trees for their historical value and visual dominance at harbour, district and local scales.

In the same survey, of trees on public land, a single specimen of *Araucaria columnaris* (Cook's Pine) in Dunara Reserve was identified as a significant single tree for its historical value and visual dominance at harbour, district and local scales. The multi-stemmed development in the top part of the crown was also identified as an interesting feature of this tree.

The Statement of Significance for this tree in Dunara Reserve is set out below.

"The Cook Pine is of similar age, form and size to a neighbouring Pine of the same species located in 1 Wentworth Road [sic]. Both Pines are likely associated with the historically significant c.1882 "Dunara" estate. A dominant vertical element in its own right, the Pine on this property, moreover is of significance as part of a major historic grouping of Araucarias associated with the original estates in this precinct. This major grouping comprises the neighbouring Pine mentioned here as well as the Norfolk Island Pine in the street verge, in front of 1 Wolseley Road and the Cook Pine in Rose Bay Park, adjacent to the Rose Bay Police Station (formerly the gatehouse to Captain Piper's "Henrietta Villa", Furthermore, the Araucarias in Cranbrook School are a visual extension of this dominant theme. (Refer to Listings).

*These trees together form spectacular vertical accents and are an integral component of the early cultural planting of this area. Furthermore, the Cook Pines, with their distinctive curved trunks, dramatic scale, narrow branching pattern and very tall column-like appearance, are consistently rarer than the Norfolk Island Pines in the Municipality and are often more visually significant. Two large Canary Island Date Palms (*Phoenix canariensis*) are also of note in this reserve."*

⁷³ Russell 1980, p.76

In 1992 the owners of 'Dunara' were the Farkas family.⁷⁴

'Dunara' was listed as an item of environmental heritage in *Woollahra LEP 1995* on 10 March 1995 and on 2 April 1999 was placed on the State Heritage Register.

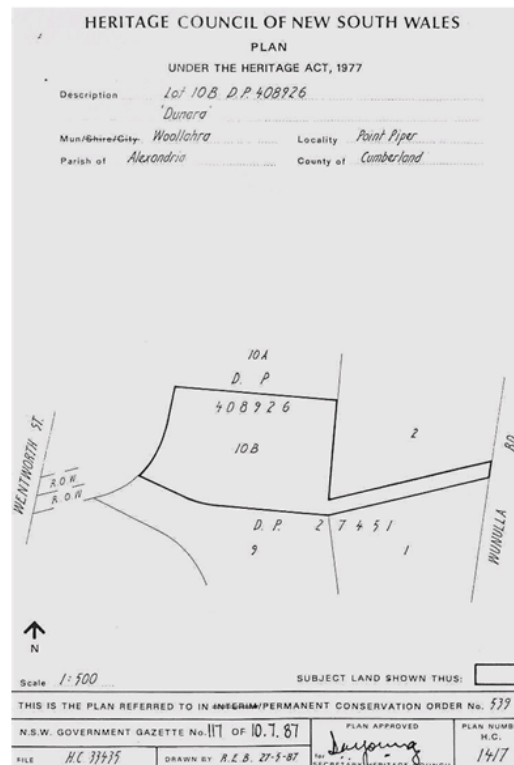


Figure 16 Heritage Plan 1417 showing the PCO curtilage for 'Dunara', which includes a narrow access way to Wunulla Road. (Source: SHR listing)

The SHR listing indicates that interior alterations were made to 'Dunara' c.1990 and that the front and rear gardens were re-landscaped with box (*Buxus* sp.) hedging, Gardenia sp. and grassed areas. A brick wall was constructed to the southern side (right of way access to two lots downhill and east of 'Dunara').

In 2006, the then owner advised the Heritage Branch that the front of 'Dunara' had a recent brush fence along it. In the southwestern corner of 'Dunara' was a dead Sydney Blue Gum (*Eucalyptus saligna*). Another large tree, a Queensland Black Bean (*Castanospermum australe*) in Dunara's garden had also died and had been removed.

In 2007, two air conditioning units and associated conduits had been installed on the southern wall of 'Dunara' without prior approval [of the Heritage Council].⁷⁵

⁷⁴ Letter from Council to Mrs Farkas dated 23 September 1992 in response to her enquiry regarding the history of the property.

⁷⁵ SHR listing for 'Dunara'

At a meeting on 24 August 2015 Woollahra Council resolved:

- A. THAT Council prepare a planning proposal to amend Schedule 4: Classification and reclassification of public land in *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to reclassify the land known as Dunara gardens from 'community land' to 'operational land' with the intention of disposing of the land.
- B. THAT a further report be brought to Council on the findings of the public consultation including the public hearing and submissions.

On 12 March 2018 Woollahra Council adopted a notice of motion in the following terms:

"THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Dunara Reserve to the Urban Planning Committee to facilitate consideration of Dunara Reserve (and its elements) being:

1. *included in the Woollahra Local Environmental Plan as a heritage item; and*
2. *listed as a heritage item of state significance on the NSW State Heritage Register."*

2.3 Historical themes & ability to demonstrate

The NSW State Heritage Inventory identifies 36 historical themes, which signify historical processes, but do not describe physical evidence or items in a study area. These State Themes are very general, and many heritage items will relate to more than one theme. They do, however, help us to understand the historical context of individual items. The main State Themes relevant to Dunara Reserve are Environment – Cultural Landscape; Land Tenure; Creative Endeavour; and Persons.

Set out below is a table of Australian and NSW historical themes, with the potential ability of 'Dunara Reserve' to demonstrate these themes indicated.

| Australian theme | NSW State theme | Ability to demonstrate |
|---|----------------------------------|--|
| Developing local, regional and national economies | Environment – Cultural Landscape | The site is an example of a small Council-owned reserve remaining from subdivision of a historic Point Piper estate, the house 'Dunara' being the oldest remaining on Point Piper. |
| Building settlements, towns and cities | Land Tenure | The site and associated subdivision plans and other archival material demonstrate changes in land tenure and land use in a part of the Woollahra local government area from the early land grants of the colonial period to the present day. |

| Australian theme | NSW State theme | Ability to demonstrate |
|--------------------------------------|--------------------|---|
| Developing Australia's cultural life | Creative Endeavour | The site itself and the plantings demonstrate changing styles and aesthetic values over a period of more than 100 years. The specimen of Cook's Pine on the reserve is a fine example of the ornamental tree planting on the historic estates of the Woollahra local government area which make a major contribution to the area's cultural landscape. |
| Marking the phases of life | Persons | Dunara Reserve is a remnant of the significant late Victorian property 'Dunara' which was built by prominent Sydney medical man Sir Charles Mackellar and was the birthplace of his daughter, the famous Australian poet Dorothea Mackellar. The specimen of Cook's Pine is highly likely to have been part of the Mackellar period planting and a significant element of the garden which was so important to the family and other tenants and owners of the property. |

3.0 Analysis of physical evidence

This section of the heritage assessment describes and analyses Dunara Reserve as a place in the environmental context of the Woollahra local government area. Physical evidence considered includes the cultural landscape as a whole, its hard and soft landscape elements and associated archives.

3.1 *The environmental context & site description*

3.1.1 The site and its boundaries

Dunara Reserve is irregular in shape with an area of approximately 402 m² and a fall from Wentworth Street of approximately 4 metres to the southeast. To the west, the site has a narrow access of approximately 2.7 m to Wentworth Street, which provides limited pedestrian access. To the north the site adjoins Dunara Gardens, the private road to the former 'Dunara' estate. To the east the site adjoins No.9 Dunara Gardens and to the south the site adjoins No. 1 Wentworth Street.

The site was created as a result of a subdivision of the Dunara Estate in 1956. Lot 11 in DP 27451 was designated as Public Garden and Recreation Space. The site is owned by Woollahra Council.

The southern boundary with 1 Wentworth Street is bounded partly by a capped timber paling fence and partly by a stone-capped masonry wall and the northern boundary is the concrete driveway of Dunara Gardens. There are several 'No Parking at any time beyond this sign' signs in the Reserve beside the driveway and two swings attached to the African Olive tree.

3.1.2 Ornamental plantings

The site contains a range of exotic and native trees and shrubs including a mature specimen of *Araucaria columnaris* (Cook's Pine) which is local heritage item No 277 in Woollahra LEP 2014. The site also contains two specimens of *Phoenix canariensis* (Canary Island Date Palm) which may date from the post-Mackellar period. Other specimens in the reserve are likely to be self-sown or recent plantings and include specimens of *Olea europaea* subsp. *cuspidata* (African Olive), *Ficus* sp., *Cinnamomum camphora* (Camphor Laurel), several palms, *Strelitzia nicolai* (Bird-of-Paradise Tree), a casuarina and *Hibiscus rosa-sinensis* cultivars. There is a dense layer of leaf litter and accumulated dead palm fronds, particularly on the steep slope adjoining the boundary with 1 Wentworth Street.

3.1.3 Archival material

Archival material relating to 'Dunara' is located in Woollahra Council files, in papers relating to the lives and works of Sir Charles Mackellar and his daughter, the poet Dorothea Mackellar at the Mitchell Library and in published works listed in the Bibliography at the end of this report.

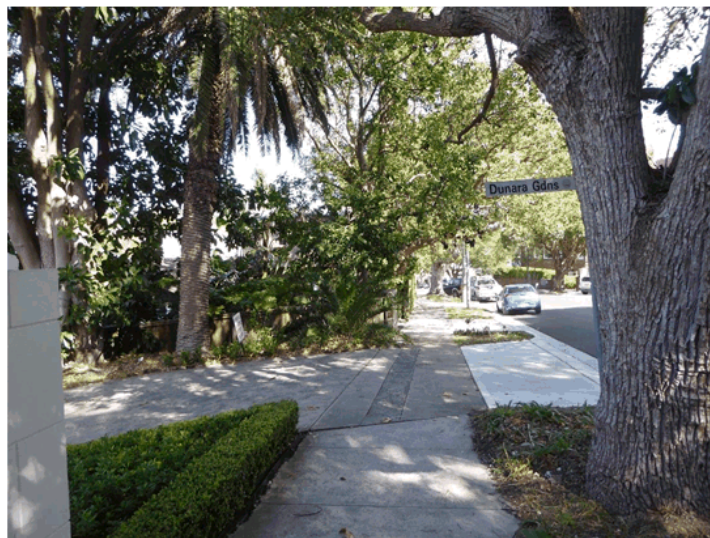


Figure 17 View south along the footpath of Wentworth Street at the entrance to Dunara Gardens, showing specimens of *Phoenix canariensis* (Canary Island Date Palm) and *Ficus* sp. on Dunara Reserve. (Photo: Chris Betteridge, 19 April 2018)



Figure 18 View east along the entrance drive of Dunara Gardens, with 3 Dunara Gardens at left, 'Dunara' (10 Dunara Gardens) at centre and Dunara Reserve at right. (Photo: Chris Betteridge, 19 April 2018)



Figure 19 View within Dunara Gardens, with part of the garden of No.3 at left, no.4 Dunara Gardens at centre and part of the western elevation of 'Dunara' at right. (Photo: Chris Betteridge, 19 April 2018)



Figure 20 View east into Dunara Reserve, with glimpses of 9 Dunara Gardens (left of centre) and 1 Wentworth Street at right. (Photo: Chris Betteridge, 19 April 2018)

3.2 Adjoining development and landscape character

After 'Dunara' was subdivided in 1956 into 11 lots, new residences were built on each of the lots, with the house 'Dunara' remaining on a residual lot with small remnant garden areas on its western and eastern sides and narrow setbacks on the northern and southern sides. Development within Dunara Gardens is of various scales and architectural styles and includes an LEP listed Modernist residence at No.4 Dunara Gardens. Wentworth Street has paved footpaths and nature strips with various street tree plantings including a specimen of Camphor Laurel near the entry to Dunara Gardens.



Figure 21 View across Wentworth Street from the entrance to Dunara Gardens, showing the apartment building at 2B Wentworth Street. The street tree at right is a specimen of *Cinnamomum camphora* (Camphor Laurel). (Photo: Chris Betteridge, 19 April 2018)

3.3 Views analysis & visual absorption capacity

3.3.1 Views to Dunara Reserve

There are unrestricted views east along the Dunara Gardens driveway into the Reserve from the footpath of Wentworth Street although the whole Reserve cannot be observed from this viewing point due to the vegetation growing on the site.

There are views from the footpath of Wentworth Street north of the entry drive into Dunara Gardens, revealing parts of the upper northern and western elevations of 'Dunara' and the specimens of Cook's Pine. There are also views revealing parts of 'Dunara' and the Cook's Pine from the footpath and carriageway of Wyuna Road.



Figure 22 View southeast from the footpath of Wentworth Street between 3A and 3B Dunara Gardens, showing parts of the upper elevations of 'Dunara'. The Cook's Pine with co-dominant trunks to its upper canopy is the listed specimen on Dunara Reserve while the other Cook's Pine is the listed specimen on 1 Wentworth Street. (Photo: Chris Betteridge, 19 April 2018)

There are distant views towards Dunara Reserve from points along the Rose Bay foreshore and the heritage listed Cook's Pine trees are a prominent emergent element in the tree canopy of the cultural landscape.



Figure 23 Telephoto view south from the footpath of Wyuna Road towards the Cook's Pine in Dunara Reserve. The flat-roofed house in the right foreground is 22 Wyuna Road, with the red tiled roof house at 20 Wyuna Road. (Photo: Chris Betteridge, 19 April 2018)



Figure 24 Telephoto view northwest from the northern footpath of New South Head Road, Rose Bay, with marina building and Regatta restaurant in the foreground. The Cook's Pine trees in Dunara Reserve and 1 Wentworth Street are very prominent elements in the landscape. The roof and part of the first-floor verandah of 'Dunara' can be seen to the right of centre. (Photo: Chris Betteridge, 19 April 2018)



Figure 25 View west from the footpath on the road into Rose Bay Wharf, west of Lyne Park, towards Dunara Reserve. The multi-stemmed Cook's Pine in Dunara Reserve and other Araucarias in the area are very prominent elements in the landscape. (Photo: Chris Betteridge, 19 April 2018)

3.3.2 Views out of Dunara Reserve

There are restricted views out of Dunara Reserve to adjoining properties in the Dunara Gardens subdivision and nearby properties in Wentworth Street

3.3.3 Views & vistas within Dunara Reserve

Views and vista within the Reserve are restricted by the relatively dense plant growth within the area.

3.3.4 Visual absorption capacity

Visual absorption capacity is an estimation of the ability of a particular area of landscape to absorb development without creating a significant change in visual character or a reduction in scenic quality of the area. The capacity of an area to absorb development visually is primarily dependent on landform, vegetation and the location and nature of existing development. Generally, flat or gently undulating open forest or woodland has a higher capacity to visually absorb development than open heathland or swamp or heavily undulating topography with cleared ridges and slopes.

A major factor influencing visual absorption capacity is the level of visual contrast between the proposed development and the existing elements of the landscape in which it is to be located. If, for example, a visually prominent development already exists, then the capacity of that area to visually absorb an additional development of similar scale and form is higher than a similar section of land that has no similar development but has a natural undeveloped visual character.

It is considered that Dunara Reserve is too small and too sloping to accommodate structures without compromising its heritage values. Any construction within the

Reserve would be likely to have negative impacts on the significant trees growing in and adjacent to the Reserve.

The significant trees growing on Dunara Reserve will require replacement in due course to maintain the landscape character of the site and their contribution to the cultural landscape of the Woollahra local government area. The visual absorption capacity of the site is such that this can be achieved without adverse heritage impacts but may require removal of non-significant plants from the Reserve.

3.4 Physical condition

Assessment of the vigour, condition and public safety risk of the trees growing on the Reserve would require inspection by a qualified arborist with experience in assessing heritage trees. At the time of this author's inspection of the site, the plantings appeared to be in generally good condition, given that Sydney had been experiencing a prolonged dry spell. There was a considerable amount of accumulated leaf litter on the site, including dead palm fronds shed by the specimens of *Phoenix canariensis* (Canary Islands Date Palm) and other palms on the site.

4.0 Comparative Analysis

4.1 Rationale for comparison

Comparison of a place with other places of similar age, use and form can assist in establishing relative heritage significance. This analysis has been limited to other comparable reserves listed on LEP schedules in NSW or otherwise known to the author. Such comparison is useful in helping to assess the rarity or representativeness of a place, but it must be noted that the other sites with which Dunara Reserve is compared may not have been assessed according to the same criteria or studied to the same extent.

4.2 Examples of historic estate remnants

Many historic estates in Sydney's Eastern Suburbs have been subdivided and re-subdivided since they were first established. 'Dunara' retains little of its original land, apart from the reduced curtilage around the house and Dunara Reserve. Also, the house is now orientated to the east, overlooking Rose Bay, where it retains Sydney Harbour views, whereas originally the western elevation was the front of the house, addressing the entrance drive and garden. Its once extensive garden is now largely occupied by dwellings erected since the subdivision of the estate in 1956.

There are remnants of many historic estates in Sydney's Eastern Suburbs, including the following:

- McKell Park at Darling Point, which includes the heritage listed archaeological remains of Canonbury cottage;
- Remnants of Sir John Hay's garden in the grounds of 'Overthorpe' and adjoining properties, New South Head Road and Manning Road, Double Bay;
- Grotto associated with Alexander Macleay's Elizabeth Bay House;
- Gateposts associated with many historic buildings demolished for apartment developments e.g. in Thornton Street, Darling Point and Alison Road, Randwick.

Several other properties in Woollahra local government area, in addition to Dunara Gardens, also contain specimens of *Araucaria columnaris* (Cook's Pine) assessed as significant trees and listed in Council's 1991 Register of Significant Trees for their historic significance and visual dominance at local, district and harbour scales. Those listed in the Register and known to be extant are at the following properties:

- Chiltern, 23 Eastbourne Road, Darling Point – single specimen, 27 metres tall, 80+ years old;
- 1 Wentworth Street, Point Piper – single specimen, 31 metres tall, 100+ years old;
- 17 Ginahgulla Road, Bellevue Hill (part of Scots College and formerly Ginahgulla) – single specimen, 20 metres tall, 80+ years old;
- 'Elaine', 550 New South Head Road, Double Bay – single specimen, 32 metres tall, 100+ years old;

Those listed in the Register but for which their current status is unknown are at the following properties:

- 353 Edgecliff Road, Double Bay – single specimen, 30 metres tall, 110+ years old;
- 'The Manor', 20A Vacluse Road, Vacluse – component of informal group, 29 metres tall, 110+ years old;
- 22E Vacluse Road, Vacluse – row planting, 31-33 metres tall, 110+ years old;
- Street tree, Bennett Avenue, Darling Point – single specimen, 30 metres tall, 80+ years old;
- 71 Wallaroy Road, Woollahra – 32 metres tall, 100+ years old;
- Rose Bay Park and Police Station, Rose Bay – single specimen, 30 metres tall, 100+ years old.

4.3 Rarity of Cook's Pine in Sydney and NSW

Araucaria columnaris (Cook's Pine) is an evergreen conifer in the family Araucariaceae, native to New Caledonia (including the Isle of Pines) and on Loyalty Island. It was recorded by James Cook on his second voyage to the Pacific and its common name reflects this. In cultivation in southeast Australia it is regarded as the rarest of the species of *Araucaria* commonly planted, the others being *Araucaria heterophylla* (Norfolk Island Pine), *Araucaria cunninghamii* (Hoop Pine) and *Araucaria bidwillii* (Bunya pine). *Araucaria araucana* (Monkey Puzzle), from Chile and Argentina was more widely grown in the 19th century but is rare in NSW.

The authoritative *Horticultural Flora of South-Eastern Australia*, published jointly by Royal Botanic Gardens Melbourne and UNSW Press, lists both native and exotic plants that have either been listed on wholesale and retail nursery catalogues in the region since 1985 or are known to be widely grown in parks and gardens. The listings advise readers where to find specimens and, where known, include details of size, historical notes and dates of planting. The book describes *Araucaria columnaris* as the rarer of the commonly planted species of *Araucaria*, with a few old trees remaining from 19th century plantings. It lists the following specimens of *Araucaria columnaris* in New South Wales.

- Mollymook (near surf beach adjacent to Golf Club);
- Royal Botanic Gardens Sydney;
- Centennial Park;

- Thomas Walker Hospital "Rivendell", Concord – about 30 metres tall;
- Cumberland Hospital, Parramatta North (near cricket oval) - about 30 metres tall;
- Catholic Theological Union, Mary street, Hunters Hill (several in a grove – about 35 metres tall);
- Parramatta Park (3 trees above Old Government House on top of hill – about 40 metres tall);
- Dunara Gardens, Woollahra (32 metres tall, > 100 years old).

From the above analysis, it may be concluded that Dunara Reserve contains a significant tree which is relatively rare in cultivation in NSW although there are a number of specimens in Woollahra local government area. The specimen of Cook's Pine in Dunara Reserve is cited in an authoritative source as an important example of the species in cultivation in southeast Australia.

5.0 Assessment of Cultural Significance

This section of the heritage assessment describes the methodology used for the assessment of cultural significance of heritage places in NSW and applies the assessment criteria to Dunara Reserve and its component elements.

5.1 Principles and basis for assessment

The concept of 'cultural significance' or 'heritage value' embraces the value of a place or item which cannot be expressed solely in financial terms. Assessment of cultural significance endeavours to establish why a place or item is considered important and is valued by the community. Cultural significance is embodied in the fabric of the place (including its setting and relationship to other items), the records associated with the place and the response that the place evokes in the contemporary community.

Cultural landscapes by their name imply human intervention but they may also include substantial natural elements. "They can present a cumulative record of human activity and land use in the landscape, and as such can offer insights into the values, ideals and philosophies of the communities forming them, and of their relationship to the place. Cultural landscapes have a strong role in providing the distinguishing character of a locale, a character that might have varying degrees of aesthetic quality, but, regardless, is considered important in establishing the community's sense of place."

5.2 Assessment methodology

The Australia ICOMOS charter for the conservation of places of cultural significance (the Burra Charter) was formulated in 1979 and most recently revised in 1999, with an updated edition published in 2013. The Burra Charter is the standard adopted by most heritage practitioners in Australia. The Burra Charter and its Guidelines for Assessment of Cultural Significance recommend that significance be assessed in categories such as aesthetic, historic, scientific, social and other. The 1999 amendments to the Burra Charter emphasise the importance of setting in the conservation of heritage items.

The *NSW Heritage Manual* outlines the same broad criteria for assessing the nature of significance. These criteria are considered in addition to an item's rarity and / or representativeness, criteria that relate to comparative significance. The seven criteria adopted by the Heritage Council of New South Wales for the assessment of items for potential listing on the State Heritage Register apply equally well for items of local

significance. To qualify for listing on a LEP schedule or on the SHR, an item must satisfy at least one of the seven assessment criteria at a local or State level respectively, although many items will satisfy more than one criterion. Items are assessed firstly in relation to the heritage values and, secondly, in regard to the context in which the item is significant. Decisions on whether items are significant against each criterion are assisted by application of Inclusion and Exclusion Guidelines.

5.3 Current heritage listings

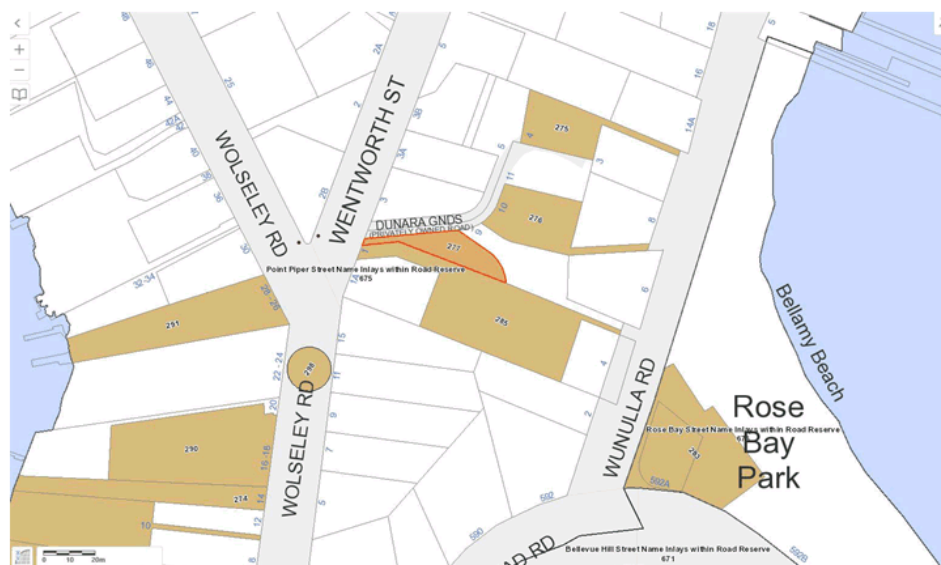


Figure 26 Extract of Woollahra LEP 2014 Heritage Map showing Item 27776 – Specimen of Cook's Pine on Dunara Reserve (edged red) and other listed heritage items in its vicinity. No.10 Dunara Gardens, the original house 'Dunara', on a much-reduced curtilage is Item 276 and No.4 Dunara Gardens is Item 275. (Source: Woollahra Council)

5.4 Review of heritage significance

The additional information obtained from review of previous documents and from the research for this assessment has enabled a review of the heritage values of the Reserve since it was last assessed. Following is a revised assessment of significance against the relevant criteria.

5.4.1 Historical Significance (Criterion A)

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

Guidelines for Inclusion

- shows evidence of a significant human activity
- is associated with a significant activity or historical phase
- maintains or shows the continuity of a historical process or activity

⁷⁶ The current LEP listing is for the specimen of Cook's Pine, not the Dunara Reserve.

Guidelines for Exclusion

- has incidental or unsubstantiated connections with historically important activities or processes
- provides evidence of activities or processes that are of dubious historical importance
- has been so altered that it can no longer provide evidence of a particular association

Types of items which typically meet criterion (a) include:

- items which demonstrate strong associations to past customs, cultural practices, philosophies or systems of government, regardless of the intactness of the item or any structure on the place;
- items associated with significant historical events, regardless of the intactness of the item or any structure on the place;
- significant cultural landscapes and other items demonstrating overlays of the continual pattern of human use and occupation; and/or
- items where the physical fabric (above or below ground) demonstrates any of the points described above.

Dunara Reserve is associated with a significant historical phase in the development of the cultural landscape of Point Piper and the former Dunara Estate. It retains physical fabric in the form of a significant specimen of *Araucaria columnaris* (Cook's Pine) which is a remnant of the historic plantings of 'Dunara' and which is a local landmark. It also contains two specimens of *Phoenix canariensis* (Canary Island Date Palm) likely to have been part of the ornamental plantings in the 'Dunara' garden.

Dunara Reserve satisfies the inclusion guidelines for Criterion A at a local level as a significant part of the historic cultural landscape of Woollahra local government area but not at a State level.

5.4.2 Historical Associational Significance (Criterion B)

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

Guidelines for Inclusion

- shows evidence of a significant human occupation
- is associated with a significant event, person, or group of persons

Guidelines for Exclusion

- has incidental or unsubstantiated connections with historically important people or events
- provides evidence of people or events that are of dubious historical importance
- has been so altered that it can no longer provide evidence of a particular association

Types of items which typically meet this criterion include:

- items which demonstrate strong associations to a particular event, historical theme, people or philosophies, regardless of the intactness of the item or any of its structures;
- items associated with significant historical events, regardless of the intactness of the item or any structure on the place; and/or
- items where the physical fabric (above or below ground) demonstrates any of the points described above.

Dunara Reserve is a remnant of the 'Dunara' Estate developed by Sir Charles Mackellar from the 1880s and associated with the famous Australian poet Dorothea Mackellar, who was born at 'Dunara' in 1885.

Dorothea Mackellar was born in the house and lived at 'Dunara' for many years, probably being inspired by the garden to write her poem 'In a southern garden'. While it is highly likely that the specimen of Cook's Pine was planted by or for the Mackellar family, there is insufficient evidence at this stage for a direct association between any member of the Mackellar family or subsequent occupants with the particular part of the garden retained in Dunara Reserve. The original garden is so subdivided and altered that the reserve is assessed to satisfy the exclusion guidelines for this criterion.

Dunara Reserve does not satisfy the inclusion guidelines for Criterion B at a local or State level.

5.4.3 Aesthetic Significance (Criterion C)

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

Guidelines for Inclusion

- shows or is associated with, creative or technical innovation or achievement
- is the inspiration for a creative or technical innovation or achievement
- is aesthetically distinctive
- has landmark qualities
- exemplifies a particular taste, style or technology

Guidelines for Exclusion

- is not a major work by an important designer or artist
- has lost its design or technical integrity
- its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
- has only a loose association with a creative or technical achievement

Types of items which meet this criterion include:

- items which demonstrate creative or technical excellence, innovation or achievement;
- items which have been the inspiration for creative or technical achievement;
- items which demonstrate distinctive aesthetic attributes in form or composition;
- items which demonstrate a highly original and influential style, such as an important early (seminal) work of a major architect; and/or
- items which demonstrate the culmination of a particular architectural style (known as climactic).

The cultural landscape of Dunara Reserve is aesthetically distinctive and the specimen of *Araucaria columnaris* has exceptional landmark qualities, with visual prominence at local, district and harbour scales.

Dunara Reserve satisfies the inclusion guidelines for Criterion C at a local level but not a State level.

5.4.4 Social Significance (Criterion D)

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

Guidelines for Inclusion

- is important for its associations with an identifiable group
- is important to a community's sense of place

Guidelines for Exclusion

- is only important to the community for amenity reasons
- is retained only in preference to a proposed alternative

Types of items which meet this criterion include:

- items which are esteemed by the community for their cultural values;
- items which if damaged or destroyed would cause the community a sense of loss; and/or
- items which contribute to a community's sense of identity.

Items are excluded if:

- they are valued only for their amenity (service convenience); and/or
- the community seeks their retention only in preference to a proposed alternative.

Social value is hard to quantify without detailed surveys of those who have been associated with a place, but it is likely that living individuals within the Woollahra Council area will have strong opinions about the place – some positive, some negative. *Araucaria columnaris* is a species identified in the Woollahra Heritage Study as an important element in the cultural landscape of the local government area and therefore contributes to the community's sense of place. The specimen of *Araucaria columnaris* growing in Dunara Reserve has been recognised as a significant tree since the Woollahra Significant Tree Register was established in 1991, is listed as an item in Woollahra LEP 2014 and recognised as an important specimen in the authoritative publication *Horticultural flora of South-eastern Australia*.

It is considered that Dunara Reserve satisfies the inclusion guidelines for Criterion D at a local but not at a State level.

5.4.5 Technical Significance and Research Potential (Criterion E)

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

Guidelines for Inclusion

- has the potential to yield new or further substantial scientific and/or archaeological information
- is an important benchmark or reference site or type
- provides evidence of past human cultures that is unavailable elsewhere

Guidelines for Exclusion

- the knowledge gained would be irrelevant to research on science, human history or culture
- has little archaeological or research potential
- only contains information that is readily available from other resources or archaeological sites

The inclusion guidelines are pointers to assist in making an assessment against this criterion, but should not constrict the consideration. Similarly, the attributes described in the exclusion guidelines can be used to check if the fabric of the item or

place meets the criterion, or to check a judgment that an item does not meet this criterion. In addition to a detailed examination of surviving physical fabric, documents, oral history and other sources of evidence can often assist the assessment of whether a site has the ability to reveal valuable archaeological, technical, or scientific information. For example, it may become apparent that the buried footings of a colonial house have little integrity if there is historical evidence that the site has been so disturbed that there will be no additional archaeological deposits associated with the use of the house.

The lack of information about the date of planting and the maintenance history of the specimen of *Araucaria columnaris* and other plantings in the reserve and the limited archaeological or research potential of the reserve means that the place does not satisfy the inclusion guidelines for Criterion E at either a local or at a State level.

5.4.6 Rarity (Criterion F)

An item possesses uncommon, rare or endangered aspects of NSW's or an area's cultural or natural history.

Guidelines for Inclusion

- provides evidence of a defunct custom, way of life or process
- demonstrates a process, custom or other human activity that is in danger of being lost
- shows unusually accurate evidence of a significant human activity
- is the only example of its type
- demonstrates designs or techniques of exceptional interest
- shows rare evidence of a significant human activity important to a community

Guidelines for Exclusion

- is not rare
- is numerous but under threat

The inclusion guidelines are pointers to assist in making an assessment against this criterion, but should not constrict the consideration. Similarly, the attributes described in the exclusion guidelines can be used to check if the fabric of the item or place meets the criterion, or to check a judgment that an item does not meet this criterion. For example, a park in a country town may be said to be a *rare* example of Victorian public garden design, but further research may reveal that it is a *representative* example, as there are many such parks in country towns in NSW. If it is one of the few remaining examples of an important 19th century garden designer, or contains species not found in similar gardens elsewhere, it may qualify as rare in the NSW context. Assuming it is the only garden of its type in the local area, it is likely it would also be rare in the local context. The level of heritage significance at State or local levels can only be determined by comparison with other like items or by proving that there is no documentation on similar items. This helps in determining the heritage significance of an item.

While *Araucaria columnaris* is relatively rare in cultivation in the Woollahra local government area and in NSW generally, Dunara Reserve, a remnant of the former garden of 'Dunara', it is not considered to be sufficiently rare as a cultural landscape in the local government area or in NSW generally to satisfy the inclusion guidelines for Criterion F at a local or at a State level.

5.4.7 Representativeness (Criterion G)

An item is important in demonstrating the principal characteristics of a class of NSW's or an area's cultural or natural places or environments.

Guidelines for Inclusion

- is a fine example of its type
- has the principal characteristics of an important class or group of items
- has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity
- is a significant variation to a class of items
- is part of a group which collectively illustrates a representative type
- is outstanding because of its setting, condition or size
- is outstanding because of its integrity or the esteem in which it is held

Guidelines for Exclusion

- is a poor example of its type
- does not include or has lost the range of characteristics of a type
- does not represent well the characteristics that make up a significant variation of a type

The inclusion guidelines are pointers to assist in making an assessment against this criterion, but should not restrict the consideration. A fine representative example needs to demonstrate key characteristics of its type or class. The intactness of the physical fabric of an item (its integrity) is another attribute that can be used to qualify the rare or representative criteria. The attributes described in the exclusion guidelines can be used to check if the item or place meets the criterion or to check a judgment that an item does not meet this criterion. For example, a group of Victorian cottages in a place with many examples of 19th century architecture, such as Bathurst or the inner suburbs of Sydney, may have representative value. In another city or suburb in which most of the 19th century architecture has been replaced they may be assessed as rare.

The level of heritage significance at State or local levels can only be determined by comparison with other like items. The attributes described for criteria (f) and (g) will assist in the determination of significance. A heritage item is not to be excluded on the ground that items with similar characteristics have already been entered on a statutory list.

While the specimens of *Araucaria columnaris* and *Phoenix canariensis* growing on Dunara Reserve are representative of ornamental tree plantings in historic gardens within the Woollahra local government area, the reserve itself is not considered to be representative of those gardens since it is only a small remnant of the former 'Dunara' garden. The reserve is not considered to satisfy the inclusion guidelines for Criterion G at a local or at a State level.

5.5 Integrity and intactness

Integrity is "the state of being whole, entire or undiminished"⁷⁷. While the garden of the former 'Dunara' estate is much diminished in size and has lost most of its original and early plantings and other features, Dunara Reserve has retained its integrity since the lot is unchanged in size since it was created in the subdivision of 1956.

⁷⁷ *Macquarie Dictionary*, 2nd ed., 1991

Another term commonly used in the assessment of heritage items is intactness, a measure of the degree to which the item remains unaltered from its original configuration. Against this measure, Dunara Reserve retains the specimen of Cook's Pine and two specimens of Canary Island Date Palm from the original or early garden at 'Dunara' but other fabric in the reserve is more recent.

5.6 Archaeological Significance

5.6.1 Definitions

Archaeological potential is based on the likelihood of archaeological material surviving from the historical occupation phases of the site. Archaeological material can contribute to understanding the history and significance of a site. The survival of archaeological material depends on the nature of the archaeological material and on the degree of site disturbance.

Archaeological material has statutory protection under the *Heritage Act 1977*, which prohibits the exposure of *relics*.⁷⁸ If proposed work is likely to affect known relics or is likely to discover, expose, move, damage or destroy a relic, an excavation permit is required. Permits are issued to archaeologists by the Heritage Council of NSW in accordance with Sections 57 or 140 of the *Heritage Act, 1977*. Permits are approved based on a demonstrated need to disturb the archaeological resource, a research design, the archaeological technique to be employed and the management of excavated material or features left in-situ. Applications for permits require approximately 21 days to consider. Exemptions for maintenance of plumbing and other subterranean services exist and are assessed for each archaeological site.

The National Parks and Wildlife Service has delegated authority to issue excavation permits for some classes of excavation, including the work on sites containing Aboriginal archaeological sites. The Aboriginal archaeological potential of Dunara Reserve has not been assessed during this assessment. If Aboriginal archaeological material is exposed in the future, work should stop and the NP&WS contacted.

All archaeological work, whether carried out under a permit or not, must conform to the established professional standards. The archaeological requirements include the archiving of reports and archaeological collections as well as the dissemination of the results as part of the archaeological work.

No archaeological investigations of Dunara Reserve have been carried out for this assessment but available evidence of the former garden of 'Dunara' suggests that archaeological potential is low although the boundary wall between the reserve and the adjoining property at No. 1 Wentworth Street is likely to mark part of the original southern boundary of the 'Dunara' Estate.

⁷⁸ "*relic*" means any deposit, artefact, object or material evidence that:
(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance. Ref: *Heritage Act 1977 & Heritage Amendment Act 2009* No.34

5.7 Statement of significance

Dunara Reserve has historical significance at a local level but not at a State level derived from its association with a significant historical phase in the development of the cultural landscape of Point Piper and the former 'Dunara' Estate. It retains physical fabric in the form of a significant specimen of *Araucaria columnaris* (Cook's Pine) which is a remnant of the historic plantings of 'Dunara' and which is a local landmark. It also contains two specimens of *Phoenix canariensis* (Canary Island Date Palm) likely to have been part of the ornamental plantings in the 'Dunara' garden. (Criterion A).

While it is highly likely that the specimen of Cook's Pine on the reserve was planted by or for the Mackellar family, there is insufficient evidence at this stage for a direct association between any member of the Mackellar family or subsequent occupants with the particular part of the garden retained in Dunara Reserve and the reserve is not considered to have historical associational significance at a local or State level. (Criterion B)

The cultural landscape of Dunara Reserve is aesthetically distinctive and the specimen of *A. columnaris* has exceptional landmark qualities, with visual prominence at local, district and harbour scales. The reserve is considered to have aesthetic value at a local but not at a State level. (Criterion C).

Social value is hard to quantify without detailed surveys of those who have been associated with a place, but it is likely that living individuals within the Woollahra Council area will have strong opinions about the place – some positive, some negative. *Araucaria columnaris* is a species identified in the Woollahra Heritage Study as an important element in the cultural landscape of the local government area and therefore contributes to the community's sense of place. The specimen of *Araucaria columnaris* growing in Dunara Reserve has been recognised as a significant tree since the Woollahra Significant Tree Register was established in 1991, is listed as an item in Woollahra LEP 2014 and recognised as an important specimen in the authoritative publication *Horticultural flora of South-eastern Australia*. The reserve is considered to have social value at a local but not at a State level. (Criterion D).

The reserve is not considered to have technical / research values, rarity or representativeness at a local or State level. (Criteria E, F and G).

5.8 Grading of significance

5.8.1 Rationale for grading

Grading of significance is in accordance with the *NSW Heritage Manual* update 'Assessing Heritage Significance' (NSW Heritage Office, August 2000). Typical gradings and the recommended management regimes for each grading are shown in the table below.

| Grading | Justification | Status & Management |
|----------------|--|--|
| Exceptional | Rare or outstanding item of local or State significance. High degree of intactness. Item can be interpreted relatively easily. | Fulfils criteria for local or State listing. Retain, conserve (restore / reconstruct) and maintain. Adaptation is appropriate if it is in accordance with Burra Charter principles and with the specific guidance provided in this heritage significance assessment. |
| High | High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance. | Fulfils criteria for local or State listing. Retain, conserve (restore/reconstruct) and maintain. Adaptation is appropriate if it is in accordance with Burra Charter principles and with the specific guidelines provided in this heritage significance assessment. There is generally more scope for change than for components of exceptional significance. |
| Moderate | Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item. | Fulfils criteria for local or State listing. Retain, adapt and maintain. Demolition / removal is acceptable if there is no adverse impact on the significance of the place. Retention in some cases may depend on factors other than assessed values, including physical condition and functionality. |
| Little or none | Alterations detract from significance. Difficult to interpret. | Does not fulfil criteria for local or State listing. Retain, alter or demolish / remove as required provided there are no adverse impacts on the significance of the place. Sensitive alteration or demolition/removal may assist with enhancing the significance of components of greater significance. |
| Intrusive | Damaging to the item's heritage significance. | Does not fulfil criteria for local or State listing. Demolish / remove when the opportunity arises while ensuring there are no adverse impacts on the significance of other more significant components. Components that are actively contributing to the physical deterioration of components of higher significance should be removed as a matter of priority. |

5.8.2 Application of gradings to Dunara Reserve elements

Those components that are critical to the significance of the place include items of local significance, worthy of inclusion on any register of items of significance. Elements in this category include:

- all original and early principal spaces that retain all or much of their original spatial character and characteristic fabric;
- original and early site layout and plantings;
- significant views and view corridors to, from and within the site;
- the entire archival collection, including Woollahra Council records, historic photographs, plans and reports.

The heritage values of the various component elements within the Reserve have been assessed using the criteria in Section 5.4 for the purpose of enabling decisions on the future conservation and development of the place to be based on an understanding of its significance. The schedule below identifies those landscape components which contribute to the overall significance of Dunara Reserve.

These assessments have been made without regard to the practical considerations which will subsequently be taken into account in formulating conservation policies. In other words, the assessments below relate solely to *significance* (how important the item is), and do not relate to *management* (what should happen to the item). Management decisions should take into account both significance and other issues such as physical condition.

It should be noted that some components or spaces have been degraded by recent development, by adaptation or deterioration, and would require restoration or reconstruction to recover their full significance. In some cases, significant fabric may be obscured by later materials or finishes.

| Significance Level | Elements in Dunara Reserve |
|--------------------|---|
| Exceptional | Entire curtilage of the Reserve, being a remnant of the garden of 'Dunara' containing significant plantings from that garden; The specimen of <i>Araucaria columnaris</i> (Cook's Pine) listed as a Significant tree in Council's Register of Significant Trees (1991) and as an item of environmental heritage in Woollahra LEP 2014; |
| High | Two specimens of <i>Phoenix canariensis</i> (Canary Island Date Palm) |
| Moderate | Other mature tree plantings in the Reserve; Recent shrub plantings e.g. <i>Hibiscus rosa-sinensis</i> |
| Little or none | Capped timber paling fence; |
| Intrusive | 'No Parking' signs; Rope swings on African Olive tree |

5.9 Curtilage Considerations

5.9.1 Some Definitions

In the past, the term curtilage has been interpreted in various ways by landscape professionals and the courts, often as the minimal area defined as 'the area of land occupied by a dwelling and its yard and outbuildings, actually enclosed or considered as enclosed by a building and its outbuildings'⁷⁹. This definition does not take into account the importance of the setting of a heritage item, which may not be a building

⁷⁹ *Macquarie Dictionary*, 2nd edition, 1991

and may include a substantial garden or landscape and views and vistas to and from the item. The current NSW Heritage System interpretation of curtilage, embodied in the 1996 Heritage Council publication, *Historic Curtilages*, may be summarised as the area around a heritage item that must be conserved in context to retain the significance of the item and enable its heritage values to be interpreted.

The curtilages for many properties now listed on the State Heritage Register or on Local Environmental Plan schedules were defined at a time when more emphasis was placed on the architectural qualities of buildings than on their landscape contexts. Since the early 1980s there has been an increase in community awareness of the need to protect adequate settings for heritage items, including views and vistas. This enhanced appreciation of landscape is highlighted in the 1999 revision of the Burra Charter of Australia ICOMOS, placing greater emphasis on 'setting'. Article 8 of the Burra Charter now reads:

"*Conservation* requires the retention of an appropriate visual *setting* and other relationships that contribute to the *cultural significance* of the *place*. New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate".

The Explanatory Notes to Article 8 are as follows:

"Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials. Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place."

5.9.2 Determination of a curtilage for Dunara Reserve

The statutory curtilage for a heritage item is usually but not always the lot or lots on which the item stands and, for statutory purposes, is usually but not always restricted to land in the same ownership as the item. The boundaries for an adequate curtilage may be the historic lot boundaries or a smaller area resulting from previous subdivision(s). They may also include adjoining lands critical to retention of views and vistas, although these values may sometimes be more appropriately conserved through planning controls other than those used to protect the item and its immediate setting.

Definition of a curtilage for a historic place does not preclude development within its bounds but requires particular care in the consideration of the nature, extent and impact of such development. However, given the very small size of Dunara Reserve and the significant trees growing on it, development other than horticultural management, canopy replenishment and heritage interpretation is not recommended.

It is recommended that the heritage curtilage for Dunara Reserve should be the entire site described as Lot 11, DP 27451, Wentworth Street, Point Piper.

5.10 State Heritage Inventory form

In accordance with the brief, since Dunara Reserve has been assessed to have heritage significance at a local level, a draft State Heritage Inventory (SHI) form for Dunara Reserve has been prepared and is included as Appendix A. The SHI forms for the specimen of *Araucaria columnaris* (Cook's Pine) growing on Dunara Reserve, for 'Dunara' and for the LEP listed house at 4 Dunara Gardens are included as Appendices B, C and D respectively.

5.11 Nomination for State Heritage Register

In accordance with the brief, since Dunara Reserve has been assessed to not have heritage significance at a State level, a nomination for the inclusion of the place on the State Heritage Register has not been prepared.

6.0 Conclusions and management recommendations

6.1 Conclusions

Based on the assessment in the previous sections, I am of the opinion that Dunara Reserve is of local heritage significance for its historic, aesthetic and social values, warranting its consideration for inclusion as an item of environmental heritage on Schedule 5, *Woollahra LEP 2014*.

I am of the opinion that Dunara Reserve is not of significance at a State level that would warrant its nomination for inclusion on the State Heritage Register.

Given the importance of the reserve as the location for several significant tree specimens including the LEP-listed specimen of *Araucaria columnaris*, I am of the opinion that conservation of the reserve's heritage values may be best achieved if the reserve is retained in public ownership.

6.2 Management recommendations

It is recommended that:

1. Dunara Reserve be managed to conserve and enhance its heritage significance through a proactive program of arboricultural and horticultural maintenance.
2. Consideration be given to interpreting the heritage significance of Dunara Reserve in culturally sensitive ways which may include material on Council's website and inclusion on a downloadable app for a walking tour of heritage sites in the Woollahra local government area.
3. A Canopy Replenishment Strategy for the Reserve be prepared to provide for the staged replacement of the significant trees on the site, the timing of such replacement to be guided by arboricultural assessment of the vigour, condition and useful life expectancy of the trees.



Chris Betteridge
Director, Betteridge Heritage
15 June 2018

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8.0 Appendices

Appendix A – Draft SHI form for Dunara Reserve

Appendix B – SHI database entry for Cook’s Pine, Dunara Reserve

Appendix C – SHI database entry for ‘Dunara’, 10 Dunara Gardens

Appendix D – SHI database entry for 4 Dunara Gardens

Appendix A

Heritage Data Form

| ITEM DETAILS | | | | | |
|--|--|-----------------|------------------|--|-----------------|
| Name of Item | Dunara Reserve | | | | |
| Other Name/s Former Name/s | Part of the former 'Dunara' Estate | | | | |
| Item type (if known) | Landscape - cultural | | | | |
| Item group (if known) | Parks, gardens and trees | | | | |
| Item category (if known) | Remnant of residential garden | | | | |
| Area, Group, or Collection Name | | | | | |
| Street number | | | | | |
| Street name | Wentworth Street | | | | |
| Suburb/town | Point Piper | Postcode | 2027 | | |
| Local Government Area/s | Woollahra | | | | |
| Property description | Lot 11, DP 27451 | | | | |
| Location - Lat/long | Latitude | | Longitude | | |
| Location - AMG (if no street address) | Zone | | Easting | | Northing |
| Owner | Woollahra Council | | | | |
| Current use | Public Garden and Recreation Space / Community Land | | | | |
| Former Use | Residential garden | | | | |
| Statement of significance | <p>Dunara Reserve has historical significance at a local level but not at a State level derived from its association with a significant historical phase in the development of the cultural landscape of Point Piper and the former Dunara Estate. It retains physical fabric in the form of a significant specimen of <i>Araucaria columnaris</i> (Cook's Pine) which is a remnant of the historic plantings of 'Dunara' and which is a local landmark. It also contains two specimens of <i>Phoenix canariensis</i> (Canary Island Date Palm) likely to have been part of the ornamental plantings in the 'Dunara' garden. (Criterion A).</p> <p>While it is highly likely that the specimen of Cook's Pine on the reserve was planted by or for the Mackellar family, there is insufficient evidence at this stage for a direct association between any member of the Mackellar family or subsequent occupants with the particular part of the garden retained in Dunara Reserve and the reserve is not considered to have historical associational significance at a local or State level. (Criterion B)</p> <p>The cultural landscape of Dunara Reserve is aesthetically distinctive and the specimen of <i>A. columnaris</i> has exceptional landmark qualities, with visual prominence at local, district and harbour scales. The reserve is considered to have aesthetic value at a local but not at a State level. (Criterion C).</p> <p>Social value is hard to quantify without detailed surveys of those who have been associated with a place, but it is likely that living individuals within the Woollahra Council area will have strong opinions</p> | | | | |

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| | <p>about the place – some positive, some negative. <i>Araucaria columnaris</i> is a species identified in the Woollahra Heritage Study as an important element in the cultural landscape of the local government area and therefore contributes to the community's sense of place. The specimen of <i>Araucaria columnaris</i> growing in Dunara Reserve has been recognised as a significant tree since the Woollahra Significant Tree Register was established in 1991, is listed as an item in Woollahra LEP 2014 and recognised as an important specimen in the authoritative publication <i>Horticultural flora of South-eastern Australia</i>.</p> <p>The reserve is considered to have social value at a local but not at a State level. (Criterion D).</p> <p>The reserve is not considered to have technical / research values, rarity or representativeness at a local or State level. (Criteria E, F and G).</p> | | | | |
| Level of Significance | Local <input type="checkbox"/> | | | | |
| DESCRIPTION | | | | | |
| Designer | Unknown but assumed to have been originally designed by or at the direction of Sir Charles Mackellar | | | | |
| Builder/ maker | Unknown | | | | |
| Physical Description | <p>Dunara Reserve is irregular in shape with an area of approximately 402 m² and a fall from Wentworth Street of approximately 4 metres to the southeast. To the west, the site has a narrow access of approximately 2.7 m to Wentworth Street, which provides limited pedestrian access. To the north the site adjoins Dunara Gardens, the private road to the former 'Dunara' estate. To the east the site adjoins No.9 Dunara Gardens and to the south the site adjoins No. 1 Wentworth Street.</p> <p>The southern boundary with 1 Wentworth Street is bounded partly by a capped timber paling fence and partly by a stone-capped masonry wall and the northern boundary is the concrete driveway of Dunara Gardens. There are several 'No Parking at any time beyond this sign' signs in the Reserve beside the driveway and two swings attached to the African Olive tree.</p> <p>The site contains a range of exotic and native trees and shrubs including a mature specimen of <i>Araucaria columnaris</i> (Cook's Pine) which is local heritage item No 277 in Woollahra LEP 2014. The site also contains two specimens of <i>Phoenix canariensis</i> (Canary Island Date Palm) which may date from the post-Mackellar period. Other specimens in the reserve are likely to be self-sown or recent plantings and include specimens of <i>Olea europaea</i> subsp. <i>cuspidata</i> (African Olive), <i>Ficus</i> sp., <i>Cinnamomum camphora</i> (Camphor Laurel), several palms, <i>Strelitzia nicolai</i> (Bird-of-Paradise Tree), a casuarina and <i>Hibiscus rosa-sinensis</i> cultivars. There is a dense layer of leaf litter and accumulated dead palm fronds, particularly on the steep slope adjoining the boundary with 1 Wentworth Street.</p> | | | | |
| Physical condition and Archaeological potential | <p>At the time of this author's inspection of the site on 19 April 2018, the plantings appeared to be in generally good condition, given that Sydney had been experiencing a prolonged dry spell. There was a considerable amount of accumulated leaf litter on the site, including dead palm fronds shed by the specimens of <i>Phoenix canariensis</i> (Canary Islands Date Palm) and other palms on the site.</p> <p>No archaeological investigations of Dunara Reserve have been carried out for this assessment but available evidence of the former garden of 'Dunara' suggests that archaeological potential is low although the boundary wall between the reserve and the adjoining property at No. 1 Wentworth Street is likely to mark part of the original southern boundary of the Dunara Estate.</p> | | | | |
| Construction years | Start year | Circa 1882 | Finish year | Circa 1920s | Circa <input type="checkbox"/> |

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| Modifications and dates | The original and early plantings have been supplemented by self-sown trees and shrubs and recent plantings |
| Further comments | |
| HISTORY | |
| Historical notes | <p>Aboriginal occupation of the Point Piper area The traditional Aboriginal owners of much of the Woollahra district were the Cadigal clan, while the harbour area around Watsons Bay and South Head was inhabited by the Birrabirragal clan. Both these clans belonged to the coastal Dharug language group and the Eora nation. The devastating impact of European settlement after 1788, felt particularly in the effects of introduced diseases such as smallpox, resulted in the eventual disappearance of the local Aboriginal population. While there is limited information on the lives of the Cadigal and Birrabirragal at Woollahra, some of their heritage is preserved in the form of rock art, shell middens and the Sydney Aboriginal language. ('A brief history of Woollahra' accessed at https://www.woollahra.nsw.gov.au/library/local_history/a_brief_history_of_woollahra)</p> <p>The relatively sheltered, east-facing slopes of Point Piper where 'Dunara' is now located, would have provided good vantage points over Rose Bay and the proximity to the Harbour would have afforded Aboriginal people easy access to food sources in the bay and along the shoreline. The kangaroos in the Aboriginal carvings also suggest the area provided food in the form of terrestrial fauna.</p> <p>Early European settlement of Point Piper Point Piper is named for Captain John Piper, a naval officer who became one of the richest men in Sydney as official collector of customs and harbour dues. On a parcel of 76 hectares granted to him by Governor Lachlan Macquarie in 1820, Piper built a mansion 'Henrietta Villa' at Point Piper, the house named after the second name of Macquarie's wife, Elizabeth.</p> <p>Point Piper Estate In the 1820s, business partners Daniel Cooper (1785-1853) and Solomon Levey began acquiring the Bellevue Hill, Rose Bay, Point Piper and Woollahra parts of the substantial Point Piper Estate comprising 1130 acres that had been amassed by Captain John Piper since 1816. Their title to the land was confirmed in 1830 and it became the sole property of Daniel Cooper in 1847. The Vaucluse part of Piper's estate outside the Point was bought by William Charles Wentworth. On Cooper's death in 1853, his nephew, also Daniel Cooper (later Sir Daniel Cooper), born in Lancashire in 1821, was appointed trustee of the Point Piper Estate. In 1856 Cooper began a great mansion called 'Woollahra House' on Point Piper, on the site of Piper's 'Henrietta Villa'. In the same year Cooper became first Speaker of the new Legislative Assembly. He resigned from the Speakership in 1860 and returned to England a year later, became the Agent-General for NSW, was made the First Baronet of Woollahra in 1863, and died in 1902.</p> <p>'Woollahra House' was not completed until 1883 by Cooper's son, William, who had purchased the grant from his brother for £10,000. The younger William had "picked up his father's ambition to have the finest garden in Sydney around Woollahra House". (Morris 2008, p.88) The first subdivision on the Point took place around 1880, and although the estate was progressively subdivided after William's departure for England in 1888, it retained impressive grounds laid out with specimen trees and flower beds in expansive lawns, in a Gardenesque rather than Italianate style. (Morris 2008, p.88) 'Woollahra House' was suggested as a replacement for Government House (then occupied by the new Governor-General) around 1901 but the offer was not taken up by the government and the estate was progressively sold off and the house was demolished in 1929. (Spindler, nd)</p> |

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| | <p>The Mackellar family and their tenants at 'Dunara'</p> <p>Scotsman John Mackellar married Euphemia Jackson and the couple emigrated with their family to Australia from Dundee, Scotland in 1839. Their three sons were Keith, Charles and Frederick. Frederick (died 1863), physician and his wife Isabella, née Robertson, widow of William McGarvie had one son, Charles Kinnaird Mackellar (1844-1926) who was born in Sydney and educated at Sydney Grammar School and the University of Glasgow medical school, graduating in 1871. He returned to Australia and practised in Sydney, becoming a noted physician and sociologist. (ADB/Dorothea Mackellar obituary, <i>SMH</i>)</p> <p>In 1877 Charles Mackellar married Marion Isobel Buckland (1854-1933) and the couple had four children: Keith; Eric; Isobel Marion Dorothea (1885-1968) and Malcolm. After the birth of their first two sons, the family's residence in Macquarie Street, Sydney became too small and they chose a site of five acres (2 hectares) at Point Piper to build a gentleman's residence.</p> <p>'Dunara' was built in 1882-83, the name of the house apparently being Aboriginal for 'gunyah on the slope of a hill'. (Anderson 2008, pp.14-15) At the time the house was built, 'Wentworth Street was still a bush track, and does not appear as a road until 1894'. (Griffiths 1970, p.68) As little as was practical of the native growth was cleared for the house, servants' quarters, coach house, necessary outbuilding and gardens. (Howley 1989, p.21) There were wrought iron gates and fences [presumably to the Wentworth Street frontage], a driveway lined with <i>Cinnamomum camphora</i> (Camphor Laurel) and a fishpond with fountain. (Howley 1989, p.21)</p> <p>An 1887 photograph shows the bushland surrounding 'Dunara' (downhill to its east, south and to the north), with the house on a cleared rise above Rose Bay. (<i>SMH</i> 1978)</p> <p>Dorothea Mackellar was born at 'Dunara' on 1 July 1885 and spent her youth there on and off until 1908. Her two older brothers were delighted with their baby sister. "It was almost as good as having huge expanses of garden and bush with the beach at the bottom; almost as good as having the horses on the property instead of being kept at a livery stable in the city; almost as good as being able to keep a dog or two." (Howley 1989, p.23)</p> <p>'Dunara' appears to have been occupied consistently by the Mackellar family from c.1885 to c.1900. After the turn of the century, the Mackellars travelled widely and during some of their absences in other houses or abroad, the house was apparently leased to several other families. In 1901, 'Dunara' was occupied by Monsieur and Madame Brasier de Thuy (<i>Sands Directory</i> 1901), a couple who are mentioned in Nesta Griffith's history as 'delightful' and 'well-loved wherever they went'. The alphabetical listing in <i>Sands</i> gives M. Brasier de Thuy's full title as Principle Agent for <i>Australasia Compagnie des Messageries Maritimes</i>, Queen's Corner, 57 Pitt Street, Sydney. The French couple were preparing to move out of 'Dunara' in late March of 1901 to take up residence at 'Arlington' in Edgecliff Road, which they had leased from a Mr Machardy. (<i>Australian Town & Country Journal</i> 23 March 1901, p.45, accessed on Trove at nla.news-article71464994.pdf)</p> <p>Mackellar is again listed in <i>Sands</i> as the occupant of 'Dunara' from 1902 to 1904. The family was still reeling from the death of their oldest son and Sir Charles' heir, Keith, who was a second lieutenant in the Australian Volunteer Horse Squadron and was killed in action in South Africa on 11 July 1890, right at the end of the Boer War hostilities.</p> <p>The 1905 issue of <i>Sands</i> directory shows C Carlisle Taylor in residence at 'Dunara'. Mr Taylor was evidently the General Manager of the Equitable Life Assurance Society of United States, which operated from the Equitable Building, George Street, Sydney. He appears to have stayed at 'Dunara' for only one year. (Letter from Jane Britten, Local History Librarian, Woollahra Council to Mrs Farkas, 23 September 1992)</p> <p>The issues of <i>Sands</i> for 1906, 1907 and 1908 show the Hon. Charles Mackellar again at 'Dunara' while those for 1909, 1910 and 1911 list George Henry Greene, a fellow MLC, in residence. In her biography of Dorothea Mackellar, Hawley (p.63) implies that 'Dunara' was still under a lease to other</p> |
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| <p>parties in 1908 and the Mackellars stayed for a while at the Hotel Australia and later went to Buckland Chambers, 183 Liverpool Street, Sydney, where the two top floors were residential and used by members of the family a sort of townhouse when needed. (Hawley, p.63)</p> <p>Information on Greene in the <i>Australian Dictionary of Biography</i> would suggest that he was not permanently resident at 'Dunara', since during the period for which he is listed at Point Piper he was apparently engaged in building "an ornate Edwardian mansion 'landra'", his property near Grenfell in southwestern NSW. (Letter from Jane Britten, Local History Librarian, Woollahra Council to Mrs Farkas, 23 September 1992) The Hon. G H Greene MLC and Mrs Greene do seem to have used their time at 'Dunara' and the facilities the property offered to advantage in snaring eligible naval officers for two of their daughters. On a Thursday evening in 1909, the Greens entertained a number of guests at "a charming dance" at 'Dunara'. (<i>Figaro</i> 29 September 1910, p.5, accessed on Trove at nla.news-article84445292.pdf)</p> <p><i>"The Chinese lanterns looked beautiful in the grounds, and a carpeted pathway led from the ball-room to the supper-room."</i></p> <p>In October 1909 their younger daughter, Gladys Gwendoline Greene was engaged to Flag Lieutenant F C Fisher, right-hand-man to Admiral Sir Richard Poore, Commander-in-Chief of the Royal Navy's Australia Station. (<i>Punch</i> 28 October 1909, p.38 accessed at nla.news-article176029229.3.pdf; https://en.wikipedia.org/wiki/Sir_Richard_Poore,_4th_Baronet) The elder daughter was already married to another naval officer. Unfortunately, George Greene died on 22 December 1911 and was buried at 'landra'.</p> <p><i>Sands</i> for 1912 indicates 'Dunara' was occupied by Mr and Mrs C B Pharazyn who, in October that year hosted a dinner party at the Hotel Australia in honour of Mr and Mrs G W Johnston of Wellington, New Zealand. (<i>The Sun</i> 6 October 1912, p.21, accessed on Trove at nla.news-article228834193.3.pdf) In mid-1914 'Dunara' was taken by Mrs Johnstone, a well-known identity in horse-racing circles from Hyman, New Zealand. She was visited at 'Dunara' in June that year by her mother Mrs Baldwin. (<i>Sunday Times</i> (Sydney) 21 June 1914, p.7 accessed on Trove at nla.news-article120365093.3.pdf)</p> <p>In the second half of 1915, Dorothea seems to have been at 'Dunara' again. An entry in her published diaries at that time headed 'Wednesday September 19', contains the following:</p> <p><i>"On Tuesday night a terrific South-east gale began. It raged all Wednesday and did about £20,000 worth of damage in the eastern suburbs alone. I couldn't sleep for the howling of the wind and the pistol shots of my canvas [blind], but it was a nice cosy exhilarating contradictory night – when one didn't think of those at sea. Trees were torn down in all directions. It was the worst gale for very many years, and I wrote to Pat and did flowers (battered they were, and I was battered getting them). And Dorothy came in the afternoon. It was nice to have her".</i> (Brunsdon 1990, pp.175-76)</p> <p>Another entry, dated "Dunara Wednesday – Saturday December 8-11", reads:</p> <p><i>"There was a cool change on Tuesday night and consequently one arrived sick and shivering, but it was nice to be home.....Saturday was a beautiful summer day, warm and cool blue and gold – green with the coral trees flaming everywhere so splendidly that it was like a thousand trumpets. As I walked down Wolseley Road I had a strange swinging feeling – and then suddenly I realised what it was – that if there were no War (What an if!) I'd be happy. Not for years have I had that." (Brunsdon 1990, pp.175-76)</i></p> <p>Sir Charles Mackellar was reported to be ill at 'Dunara' in February 1916. (<i>Mirror of Australia</i>, 26 February 1916, p.420, accessed on Trove at http://nla.gov.au/nla.news-article104644309)</p> |
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| | <p>Lady Mackellar and Dorothea Mackellar of 'Dunara', Point Piper made donations to a Sydney fund to buy a battleplane for the war effort in August 1916. (<i>Sun</i> (Sydney) 20 August 1916, p.20, accessed on Trove at http://nla.gov.au/nla.news-article223378789)</p> <p>Dorothea's poem 'In a southern garden', published circa 1918, may have been inspired by her times at 'Dunara' and the references to Camphor Laurel and the water 'at the garden's lowest fringe' tend to support this theory.</p> <p><i>When the tall bamboos are clicking to the restless little breeze, And bats begin their jerky skimming flight, And the creamy scented blossoms of the dark pittosporum trees, Grow sweeter with the coming of the night. And the harbour in the distance lies beneath a purple pall, And nearer, at the garden's lowest fringe, Loud the water soughs and gurgles 'mid the rocks below the wall, Dark-heaving, with a dim uncanny tinge Of a green as pale as beryls, like the strange faint-coloured flame That burns around the Women of the Sea: And the strip of sky to westward which the camphor laurels frame, Has turned to ash-of-rose and ivory—</i></p> <p><i>And a chorus rises valiantly from where the crickets hide, Close-shaded by the balsams drooping down— It is evening in a garden by the kindly water-side, A garden near the lights of Sydney town!</i></p> <p>The Mackellar family was back at 'Dunara' during the later war years 1917-18 (Information provided to Mr Robin Brampton by Libby Watters, Woollahra Local History Centre in November 2010) but in September 1918 they were preparing to leave Point Piper to take up residence at Warrawee. (<i>Sunday Times</i> (Sydney) 8 September 1918, p.14, accessed on Trove at nla.news-article123129016) Sir Charles Mackellar had suffered a bout of pleurisy in 1916 and after World War I it was obvious something had to be done to get him away from the city and negotiations were begun through the family's lawyers regarding the sale of 'Dunara'.</p> <p>The Kater family buy 'Dunara' Circa September 1919 'Dunara' was sold to medical practitioner, merino sheep breeder and politician, Dr (later Sir) Norman Kater and his wife Jean Kater (née Mackenzie) after they had sold their property 'Nyrang' near Molong. (http://adb.anu.edu.au/biography/kater-sir-norman-william-6896) They also had a property 'Eenaweena' at Warren, presumably part of his family's Mumblebone stud. In 1924 Dr Kater inherited Mount Broughton near Moss Vale, where he spent most weekends. In November 1929, the Katers held a reception at 'Dunara' for the wedding of their daughter Mary to Douglas Tooth. (<i>Telegraph</i> (Brisbane) 16 November 1929, p.14, accessed on Trove at nla.news-article180088210.3.pdf) The garden was being prepared as a bower for the reception. (<i>The Daily Telegraph</i> 7 November 1929 p. 22, accessed on Trove at http://nla.gov.au/nla.news-article246819509)</p> <p>The Depression years In June 1930 it was reported that a son had been born to Mr and Mrs Ranald Munro of 'Dunara', Point Piper. (<i>SMH</i>, 13 June 1930, p. 10, accessed on Trove at http://nla.gov.au/nla.news-article16704541) In December 1932, Australia was still in the grip of the Great Depression and the Sydney real estate market remained inactive. However, estate agents Raine and Horne Ltd had 'Dunara' listed for sale by auction on 15 December that year, with the property described thus: <i>"Point Piper, 'Dunara', 3 Wentworth-street, residence of about 17 rooms, with tennis court, garage and chauffeur's quarters."</i> <i>SMH</i> 3 December 1932, p.11, accessed on Trove at nla.news-article28030115</p> |
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| | <p>The best bid was £6,500 and negotiations were proceeding for the sale of the property at a figure in advance of this. (SMH, 17 December 1932, p. 10, accessed on Trove at http://nla.gov.au/nla.news-article16938715) The SHR listing has the property sold to a Mr Michaelis in 1931 but perhaps it was 1932 or 1933. The SHR listing also records alterations carried out by architect G Keesing in 1933. These may be the alterations and additions carried out by builders R Wall & Son for Michaelis and Ors at 3 Wentworth Street. (Application 1933/20)</p> <p>George Michaelis was in residence in 1935 when he wrote to Council of an 'objectionable smell' suffered at the house arising from the harbour below. The death of Mr George I Michaelis at his residence 'Dunara', Wentworth Street, Point Piper on 30 July 1936 was reported in the <i>Sydney Morning Herald</i>. (SMH 31 July 1936, accessed on Trove at http://nla.gov.au/nla.news-article17256510)</p> <p>'Dunara' during World War II</p> <p>From February 1943 Dunara was occupied by the Women's Australian Auxiliary Air Force (WAAAF). (Sun, 14 February 1943, p. 8, accessed on Trove at http://nla.gov.au/nla.news-article17840841)</p> <p><i>Spending their first weekend at Dunara, lovely old Point Piper home, CO Waafs are acquainted with their new barracks and its' charming grounds. Lawns overlooking the Harbor will make a perfect setting for 6 am physical exercises. After examining the tennis court, the girls are eagerly awaiting arrival of the net. Seven airy dormitories and a mosquito-proof balcony provide the sleeping accommodation, and mess-room and recreation hall open on to a wide terrace. Wireless and gramophone will be installed for the "moving-in" party to be held shortly, but the girls are also -hopeful that some kind benefactor will bestow a piano. Ex-dress designer Corporal J. Zahara is .in charge of the household at Dunara.</i></p> <p>A photograph accompanying the above article showed ACW's Belly Margetts and Zoie Case with Cpl. J. Zahara admiring the waterlilies in the fishpond at 'Dunara'. To mark the second anniversary of the formation of the WAAAFs, Honorary Commandant Lady Gowrie sent messages of greetings and congratulations, a church service followed by a dinner was held at 'Dunara' (SMH, 18 March 1943, p. 3, accessed on Trove) and a Mothers' Day party was held at 'Dunara' on Sunday 14 March 1943. (SMH, 15 March 1943, p. 3, accessed on Trove at http://nla.gov.au/nla.news-article17840486)</p> <p>On 14 March 1945, RAAF airmen attended a dinner dance at 'Dunara' to help WAAAFs celebrate the fourth anniversary of their organisation. (SMH, 16 March 1945, p. 6, accessed on Trove at http://nla.gov.au/nla.news-article17935438)</p> <p>In March 1946, the continued occupation by the RAAF of several stately homes in Point Piper, including 'Kilmory', 'Craig-y-mor', 'Dunara', 'Mount Luano', 'Linlithgow', 'Hughendon' and 'Redleaf' was causing concern, labelled as a scandalous waste of money when accommodation in more suitable military camps was available. 'Dunara' was described as having "an ornamental fountain playing in the centre of a lawn around which sweep car drives to the stately entrance" and providing "restful quarters and messes for members of the WAAAF". (Sun, 10 March 1946, p. 7, accessed on Trove at http://nla.gov.au/nla.news-article228799656) A headline in the <i>Sydney Sun</i> described the occupied houses at Point Piper as an "RAAF Shangri La". (Sun, 14 March 1946, p. 3, accessed on Trove at http://nla.gov.au/nla.news-article228791327) The paper's reporter stated:</p> <p><i>"While thousands of families' lives have been disrupted by the housing shortage, RAAF personnel work in a Shangri-la atmosphere in seven large Point Piper homes. These homes, with 140 rooms, would provide between 30 and 40 flats if they were subdivided.</i></p> <p>He used the telephone in each of the seven houses without challenge and claimed most of the houses had three bathrooms and bedrooms two to three times larger than the bedrooms in most houses. The same article claimed that Woollahra Municipal Council had "outspokenly favored [sic] the sub-division of large houses into flats." (Sun, 14 March 1946, p. 3, accessed on Trove at http://nla.gov.au/nla.news-article228791327) Forty women's organisations asked the Army and air</p> |
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| | <p>Ministers to make these mansions available as hostels for women. (<i>Sun</i>, 17 March 1946, p. 5, accessed on Trove at http://nla.gov.au/nla.news-article228797929) The following month, 'Dunara' was reported in the press as possibly becoming a guest house. (<i>Northern Star</i> (Lismore), 6 April 1946, p. 5, accessed on Trove at http://nla.gov.au/nla.news-article99111214) By June 1946, the RAAF had decided to move out of these mansions. (<i>SMH</i>, 12 June 1946, p. 4, accessed on Trove at http://nla.gov.au/nla.news-article17987345)</p> <p><i>"Personnel of ' R.A.A.F. Headquarters, Eastern Area, and other Sydney units. expect to be in their new quarters at Bradfield Park by July 1. At present Eastern Area occupies several mansions at Point Piper: Linlithgow, Kilmory, Craig-y-moor. Hughenden. Redleaf. Dunara, and Mount Lonana. The R.A.A.F. will maintain guards at the homes until they are vacated."</i></p> <p>'Dunara' after World War II</p> <p>In November 1948 it was reported that the Sydney Young Men's Hebrew Association (YMHA) had recently taken possession of 'Dunara'. (<i>Hebrew Standard of Australasia</i>, 25 November 1948, p. 3, accessed on Trove at http://nla.gov.au/nla.news-article131102960)</p> <p><i>"At the moment the building has only been leased, and its selling is still subject to the consideration of the Treasury.' Tentative plans for the property include its immediate use for "Y" and communal functions: This building is mainly intended- to become a centre for "Y" youth. Ultimately a full-scale youth and communal centre, which will cater for the most modern requirements, will be established. The building was taken over as a guest house and will still be run as such for bona fide travellers. No structural alterations will be made until the housing shortage has been alleviated. It is planned to build tennis basketball and handball courts, a swimming pool, and bowling green. A hobby section will also be included. It is intended, to establish the best Jewish reference library in the southern hemi sphere. This will be done immediately; Social functions, such as weddings, bar mitzvahs, etc., will be catered for shortly, and many other developments are envisaged."</i></p> <p>The Young Men's Hebrew Association purchased 'Dunara' from the Michaelis family in 1949 (1949 Woollahra Municipal Council Rate Book) and proposed to subdivide the property. In January 1950 the NSW Board of Jewish Education announced that religious education classes would resume at a number of venues including the Rose Bay Centre at 'Dunara', Point Piper. (<i>Hebrew Standard of Australasia</i>, 19 January 1950, p. 5, accessed on Trove at http://nla.gov.au/nla.news-article131105917) In May 1956, Woollahra Council reported in the Council minutes that tentative plans had been submitted for a 'proposed subdivision of the property 'Dunara', 3 Wentworth Street, Point Piper (S/4012). The applicant was to be advised that 'favourable consideration will be given to the proposal subject to the proposed public garden and recreation space to be dedicated to Council being increased to a minimum of 4,000 square feet with a suggestion that such space be provided from Lot 9 of the proposed subdivision'. (WMC minutes 11 June 1956, pp.355-6)</p> <p>Council then approved the application in July 1956 with the engineer reporting "The survey plans agree substantially with the tentative plans previously submitted. Public garden and recreation space has been increased to 4,219 square feet, and whilst the right-of-way will be private property, some drainage work should be constructed to convey water from driveway to Wunulla Road". (WMC Minutes 9 July 1956, p.412)</p> <p>The 1955 valuation lists of the NSW Department of the Valuer General record that the 'Dunara' property had been transferred to Claude Edward Fortescue and on 19 November 1956 Emil E J Ford & Co, advised Council that they acted for C E Fortescue in the subdivision of the Du-Nara [sic] Gardens Estate. (WMC Minutes 26 November 1956, pp.691-2) Mr Fortescue was described as a wholesale butcher of 'Kiallacourt', Plumer Road, Rose Bay. (V G Valuation list of 1955)</p> |
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| | <p>The valuations further record the transfers of the various allotments of the Dunara Estate in 1956 and 1957. The transfer of 15 ½ perches from the Dunara estate to Woollahra Council is recorded with the transfer number T2/57. (Letter from Libby Watters to Mr Robert Brampton, November 2010) The 1957 lists record that Woollahra Council was the owner of 15 ½ perches with 8'10" front – described as 'public garden and recreation space. (Letter from Libby Watters to Mr Robert Brampton, November 2010)</p> <p>The 1987 Heritage Branch report recommending a PCO over 'Dunara' states that 'Dunara' was purchased by a Mr Plowman in 1957 and that sympathetic modifications to the house were made by Prof. Leslie Wilkinson that year. Council's records of building applications for Wentworth Street in 1957 show alterations being carried out to Lot 10B by Prof. Wilkinson for C E Fortescue but the lot number is crossed out and a penciled notation says "see No. 8 Wunulla Road". (Application 1957/152) 'Dunara' is not mentioned in Falkiner's book on the works of Wilkinson. (Falkiner et al. 1982)</p> <p>On 21 March 1978 'Dunara' was placed on the Register of the National Estate (RNE), a Commonwealth list of significant places. (SHR listing) The RNE has been replaced by the National Heritage List and is no longer maintained. In 1978 'Dunara' was up for sale and was sold by auction on 7 June 1979. (Russell 1980, p.76)</p> <p>In 1986 'Dunara' was Classified by the National Trust of Australia (New South Wales). On 10 July 1987 a Permanent Conservation Order (PCO) was placed on 'Dunara', the curtilage being Lot 10B, DP 408926, as shown on the Heritage Plan HC 1417 at Figure 12. The PCO was subject to a schedule of Exemptions under Section 57(2) of the Heritage Act to allow for routine building maintenance and horticultural management.</p> <p>In the Woollahra Significant Tree Survey of trees growing on private property carried out for Council by consultants Landscan in 1991, a specimen of <i>Ficus macrophylla</i> (Moreton Bay Fig) and a specimen of <i>Araucaria columnaris</i> (Cook's Pine), both growing in the garden of 1 Wentworth Street, Point Piper, close to the boundary with Dunara Reserve were identified as significant single trees for their historical value and visual dominance at harbour, district and local scales. In the same survey, of trees on public land, a single specimen of <i>Araucaria columnaris</i> (Cook's Pine) in Dunara Reserve was identified as a significant single tree for its historical value and visual dominance at harbour, district and local scales. The multi-stemmed development in the top part of the crown was also identified as an interesting feature of this tree. The Statement of Significance for this tree in Dunara Reserve is set out below.</p> <p><i>"The Cook Pine is of similar age, form and size to a neighbouring Pine of the same species located in 1 Wentworth Road [sic]. Both Pines are likely associated with the historically significant c.1882 "Dunara" estate. A dominant vertical element in its won right, the Pine on this property, moreover is of significance as part of a major historic grouping of Araucarias associated with the original estates in this precinct. This major grouping comprises the neighbouring Pine mentioned here as well as the Norfolk Island Pine in the street verge, in front of 1 Wolseley Road and the Cook Pine in Rose Bay Park, adjacent to the Rose Bay Police Station (formerly the gatehouseto Captain Piper's "Henrietta Villa", Furthermore, the Araucarias in Cranbrook School are a visual extension of this dominant theme. (Refer to Listings).</i></p> <p><i>These trees together form spectacular vertical accents and are an integral component of the early cultural planting of this area. Furthermore, the Cook Pines, with their distinctive curved trunks, dramatic scale, narrow branching pattern and very tall column-like appearance, are consistently rarer than the Norfolk Island Pines in the Municipality and are often more visually significant. Two large Canary Island Date Palms (<i>Phoenix canariensis</i>) are also of note in this reserve."</i></p> <p>In 1992 the owners of 'Dunara' were the Farkas family. (Letter from Council to Mrs Farkas dated 23 September 1992 in response to her enquiry regarding the history of the property)</p> |
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| | <p>'Dunara' was listed as an item of environmental heritage in Woollahra LEP 1995 on 10 March 1995 and on 2 April 1999 was placed on the State Heritage Register.</p> <p>The SHR listing indicates that interior alterations were made to 'Dunara' c.1990 and that the front and rear gardens were re-landscaped with box (<i>Buxus</i> sp.) hedging, Gardenia sp. and grassed areas. A brick wall was constructed to the southern side (right of way access to two lots downhill and east of 'Dunara'). In 2006, the then owner advised the Heritage Branch that the front of 'Dunara' had a recent brush fence along it. In the southwestern corner of 'Dunara' was a dead Sydney Blue Gum (<i>Eucalyptus saligna</i>). Another large tree, a Queensland Black Bean (<i>Castanospermum australe</i>) in Dunara's garden had also died and had been removed. In 2007, two air conditioning units and associated conduits had been installed on the southern wall of 'Dunara' without prior approval [of the Heritage Council]. (SHR listing for 'Dunara')</p> <p>At a meeting on 24 August 2015 Woollahra Council resolved:</p> <p style="margin-left: 40px;">A. THAT Council prepare a planning proposal to amend Schedule 4: Classification and reclassification of public land in Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) to reclassify the land known as Dunara gardens from 'community land' to 'operational land' with the intention of disposing of the land.</p> <p style="margin-left: 40px;">B. THAT a further report be brought to Council on the findings of the public consultation including the public hearing and submissions.</p> <p>On 12 March 2018 Woollahra Council adopted a notice of motion in the following terms:</p> <p style="margin-left: 40px;">"THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Dunara Reserve to the Urban Planning Committee to facilitate consideration of Dunara Reserve (and its elements) being:</p> <ol style="list-style-type: none"> included in the Woollahra Local Environmental Plan as a heritage item; and listed as a heritage item of state significance on the NSW State Heritage Register." |
| THEMES | |
| National historical themes | Developing local, regional and national economies; Building settlements, towns and cities; Developing Australia's cultural life; Marking the phases of life |
| State historical themes | Environment – Cultural Landscape; Land Tenure; Creative Endeavour; Persons |
| APPLICATION OF CRITERIA | |
| Historical significance SHR criterion (a) | Dunara Reserve is associated with a significant historical phase in the development of the cultural landscape of Point Piper and the former Dunara Estate. It retains physical fabric in the form of a significant specimen of <i>Araucaria columnaris</i> (Cook's Pine) which is a remnant of the historic plantings of 'Dunara' and which is a local landmark. It also contains two specimens of <i>Phoenix canariensis</i> (Canary Island Date Palm) likely to have been part of the ornamental plantings in the 'Dunara' garden. |
| Historical association significance SHR criterion (b) | Dunara Reserve is a remnant of the Dunara Estate developed by Sir Charles Mackellar from the 1880s and associated with the famous Australian poet Dorothea Mackellar, who was born at 'Dunara' in 1885. |
| | Dorothea Mackellar was born in the house and lived at 'Dunara' for many years, probably being inspired by the garden to write her poem 'In a southern garden'. While it is highly likely that the specimen of Cook's Pine was planted by or for the Mackellar family, there is insufficient evidence at |

Heritage Data Form

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| | <p>this stage for a direct association between any member of the Mackellar family or subsequent occupants with the particular part of the garden retained in Dunara Reserve. The original garden is so subdivided and altered that the reserve is assessed to satisfy the exclusion guidelines for this criterion.</p> <p>Dunara Reserve does not satisfy the inclusion guidelines for Criterion B at a local or State level.</p> |
| <p>Aesthetic significance SHR criterion (c)</p> | <p>The cultural landscape of Dunara Reserve is aesthetically distinctive and the specimen of <i>Araucaria columnaris</i> has exceptional landmark qualities, with visual prominence at local, district and harbour scales.</p> <p>Dunara Reserve satisfies the inclusion guidelines for Criterion C at a local level but not a State level.</p> |
| <p>Social significance SHR criterion (d)</p> | <p>Social value is hard to quantify without detailed surveys of those who have been associated with a place, but it is likely that living individuals within the Woollahra Council area will have strong opinions about the place – some positive, some negative. <i>Araucaria columnaris</i> is a species identified in the Woollahra Heritage Study as an important element in the cultural landscape of the local government area and therefore contributes to the community's sense of place. The specimen of <i>Araucaria columnaris</i> growing in Dunara Reserve has been recognised as a significant tree since the Woollahra Significant Tree Register was established in 1991, is listed as an item in Woollahra LEP 2014 and recognised as an important specimen in the authoritative publication <i>Horticultural flora of South-eastern Australia</i>.</p> <p>It is considered that Dunara Reserve satisfies the inclusion guidelines for Criterion D at a local but not at a State level.</p> |
| <p>Technical/Research significance SHR criterion (e)</p> | <p>The lack of information about the date of planting and the maintenance history of the specimen of <i>Araucaria columnaris</i> and other plantings in the reserve and the limited archaeological or research potential of the reserve means that the place does not satisfy the inclusion guidelines for Criterion E at either a local or at a State level.</p> |
| <p>Rarity SHR criterion (f)</p> | <p>While <i>Araucaria columnaris</i> is relatively rare in cultivation in the Woollahra local government area and in NSW generally, Dunara Reserve, a remnant of the former garden of 'Dunara', it is not considered to be sufficiently rare as a cultural landscape in the local government area or in NSW generally to satisfy the inclusion guidelines for Criterion F at a local or at a State level.</p> |
| <p>Representativeness SHR criterion (g)</p> | <p>While the specimens of <i>Araucaria columnaris</i> and <i>Phoenix canariensis</i> growing on Dunara Reserve are representative of ornamental tree plantings in historic gardens within the Woollahra local government area, the reserve itself is not considered to be representative of those gardens since it is only a small remnant of the former 'Dunara' garden. The reserve is not considered to satisfy the inclusion guidelines for Criterion G at a local or at a State level.</p> |
| <p>Integrity</p> | <p>Integrity is "the state of being whole, entire or undiminished". (<i>Macquarie Dictionary</i>, 2nd ed., 1991)</p> <p>While the garden of the former 'Dunara' estate is much diminished in size and has lost most of its original and early plantings and other features, Dunara Reserve has retained its integrity since the lot is unchanged in size since it was created in the subdivision of 1956.</p> <p>Another term commonly used in the assessment of heritage items is intactness, a measure of the degree to which the item remains unaltered from its original configuration. Against this measure, Dunara Reserve retains the specimen of Cook's Pine and two specimens of Canary Island Date Palm from the original or early garden at 'Dunara' but other fabric in the reserve is more recent.</p> |

Heritage Data Form


| HERITAGE LISTINGS | | | | |
|--|--|---|------|-------------------|
| Heritage listing/s | The mature specimen of <i>Araucaria columnaris</i> (Cook's Pine) growing on Dunara Reserve is local heritage item No 277 on Schedule 5 in <i>Woollahra Local Environmental Plan 2014</i> . | | | |
| | The mature specimen of <i>Araucaria columnaris</i> (Cook's Pine) growing on Dunara Reserve is included on Woollahra Council's Significant Tree Register. | | | |
| | | | | |
| | | | | |
| INFORMATION SOURCES | | | | |
| Include conservation and/or management plans and other heritage studies. | | | | |
| Type | Author/Client | Title | Year | Repository |
| Written | C Betteridge | 'Heritage Significance Assessment, Dunara Reserve, Wentworth Street, Point Piper' | 2018 | Woollahra Council |
| Written | Landarc Landscape Architects for Woollahra Municipal Council | Woollahra Municipal Council <i>Register of significant trees</i> , Volumes 1 to 4 | 1991 | Woollahra Council |
| | | | | |
| | | | | |
| | | | | |
| RECOMMENDATIONS | | | | |
| Recommendations | <p>Include Dunara Reserve as an item of local heritage significance on Schedule 5, Woollahra LEP 2014.</p> <p>Manage Dunara Reserve to conserve and enhance its heritage significance through a proactive program of arboricultural and horticultural maintenance.</p> <p>Give consideration to interpreting the heritage significance of Dunara Reserve in culturally sensitive ways which may include material on Council's website and inclusion on a downloadable app for a walking tour of heritage sites in the Woollahra local government area.</p> <p>Prepare a Canopy Replenishment Strategy for the Reserve to provide for the staged replacement of the significant trees on the site, the timing of such replacement to be guided by arboricultural assessment of the vigour, condition and useful life expectancy of the trees.</p> | | | |

Heritage Data Form


| SOURCE OF THIS INFORMATION | | | |
|---|---|-------------------------------------|------------------------------------|
| Name of study or report | 'Heritage Significance Assessment, Dunara Reserve, Wentworth Street, Point Piper' | Year of study or report | 2018 |
| Item number in study or report | | | |
| Author of study or report | Chris Betteridge, Betteridge Heritage | | |
| Inspected by | Chris Betteridge, on 19 April 2018 | | |
| NSW Heritage Manual guidelines used? | | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| This form completed by | Chris Betteridge | Date | 15 June 2018 |

Heritage Data Form


| IMAGES - 1 per page | | | | | |
|---------------------|--|----------|--------------|------------------------|--------------|
| Image caption | View south along the footpath of Wentworth Street at the entrance to Dunara Gardens, showing specimens of <i>Phoenix canariensis</i> (Canary Island Date Palm) and <i>Ficus</i> sp. on Dunara Reserve. | | | | |
| Image year | 2018 | Image by | C Betteridge | Image copyright holder | C Betteridge |




Heritage Data Form

| IMAGES - 1 per page | | | | | |
|---|--|-----------------|--------------|-------------------------------|--------------|
| Image caption | View east along the entrance drive of Dunara Gardens, with 3 Dunara Gardens at left, 'Dunara' (10 Dunara Gardens) at centre and Dunara Reserve at right. | | | | |
| Image year | 2018 | Image by | C Betteridge | Image copyright holder | C Betteridge |
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Heritage Data Form

| IMAGES - 1 per page | | | | | |
|---|--|-----------------|--------------|-------------------------------|--------------|
| Image caption | View east into Dunara Reserve, with glimpses of 9 Dunara Gardens (left of centre) and 1 Wentworth Street at right. | | | | |
| Image year | 2018 | Image by | C Betteridge | Image copyright holder | C Betteridge |
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Heritage Data Form

| IMAGES - 1 per page | | | | | |
|---|--|-----------------|--------------|-------------------------------|--------------|
| Image caption | View southeast from the footpath of Wentworth Street between 3A and 3B Dunara Gardens, showing parts of the upper elevations of 'Dunara'. The Cook's Pine with co-dominant trunks to its upper canopy is the listed specimen on Dunara Reserve while the other Cook's Pine is the listed specimen on 1 Wentworth Street. | | | | |
| Image year | 2018 | Image by | C Betteridge | Image copyright holder | C Betteridge |
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Heritage Data Form

| IMAGES - 1 per page | | | | | |
|---|--|-----------------|--------------|-------------------------------|--------------|
| Image caption | Telephoto view northwest from the northern footpath of New South Head Road, Rose Bay, with marina building and Regatta restaurant in the foreground. The Cook's Pines in Dunara Reserve and 1 Wentworth Street are very prominent elements in the landscape. The roof and part of the first-floor verandah of 'Dunara' can be seen to the right of centre. | | | | |
| Image year | 2018 | Image by | C Betteridge | Image copyright holder | C Betteridge |
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| IMAGES - 1 per page | | | | | |
|---|--|-----------------|--------------|-------------------------------|--------------|
| Image caption | View west from the footpath on the road into Rose Bay Wharf, west of Lyne Park, towards Dunara Reserve. The multi-stemmed Cook's Pine in Dunara Reserve and other Araucarias in the area are very prominent elements in the landscape. | | | | |
| Image year | 2018 | Image by | C Betteridge | Image copyright holder | C Betteridge |
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Heritage Data Form

| IMAGES - 1 per page | | | | | |
|---------------------|--|----------|--------------|------------------------|-------------------|
| Image caption | Plan of the 1956 subdivision of the Dunara Estate, showing the house on a much-reduced curtilage as Lot 10 and Dunara Reserve as Lot 11. | | | | |
| Image year | 1956 | Image by | C Betteridge | Image copyright holder | Woollahra Council |



Heritage Data Form

| IMAGES - 1 per page | | | | | |
|---|--|-----------------|-------------------|-------------------------------|-------------------|
| Image caption | The location of Dunara Reserve (coloured red) in the context of Point Piper. | | | | |
| Image year | 2018 | Image by | Woollahra Council | Image copyright holder | Woollahra council |
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Appendix B

Cook pine

Item details

| | |
|--------------------------|---------------------------------------|
| Name of item: | Cook pine |
| Primary address: | Dunara Gardens, Point Piper, NSW 2027 |
| Local govt. area: | Woollahra |

All addresses

| Street Address | Suburb/town | LGA | Parish | County | Type |
|----------------|-------------|-----------|--------|--------|-----------------|
| Dunara Gardens | Point Piper | Woollahra | | | Primary Address |

Listings

| Heritage Listing | Listing Title | Listing Number | Gazette Date | Gazette Number | Gazette Page |
|--------------------------|--------------------|----------------|--------------|----------------|--------------|
| Local Environmental Plan | Woollahra | LEP 1995 | 10 Mar 95 | 28 | 1348 |
| Local Environmental Plan | Woollahra LEP 2014 | 277 | 23 May 15 | | |

References, internet links & images

None

Note: internet links may be to web pages, documents or images.

Data source

The information for this entry comes from the following source:

Name: Local Government

Database number: 2711094

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to the **Database Manager**.

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Accessed at

<http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2711094>

On 3 May 2018

Appendix C

Dunara

Item details

| | |
|---------------------------------------|--|
| Name of item: | Dunara |
| Other name/s: | Dorothea Mackellar birthplace |
| Type of item: | Built |
| Group/Collection: | Residential buildings (private) |
| Category: | House |
| Location: | Lat: -33.8689850889 Long: 151.2522772270 |
| Primary address: | 10 Dunara Gardens, Point Piper, NSW 2027 |
| Parish: | Alexandria |
| County: | Cumberland |
| Local govt. area: | Woollahra |
| Local Aboriginal Land Council: | La Perouse |

Property description

| Lot/Volume Code | Lot/Volume Number | Section Number | Plan/Folio Code | Plan/Folio Number |
|-----------------|-------------------|----------------|-----------------|-------------------|
| LOT | 10B | | DP | 408926 |

All addresses

| Street Address | Suburb/town | LGA | Parish | County | Type |
|-------------------|-------------|-----------|------------|------------|-------------------|
| 10 Dunara Gardens | Point Piper | Woollahra | Alexandria | Cumberland | Primary Address |
| 10 Wunulla Road | Point Piper | Woollahra | Alexandria | Cumberland | Alternate Address |

Owner/s

| Organisation Name | Owner Category | Date Ownership Updated |
|-------------------|----------------|------------------------|
| Mr George Farkas | Private | 24 Mar 99 |

Statement of significance:

Dunara is the oldest remaining house in Point Piper. It is historically significant particularly for its associations with Dorothea McKellar - as her birthplace and for its association with the influences on her artistic development, including her education, cultural environment and the surrounding landscape. Architecturally the house is an excellent example of a well-crafted Victorian residence of the period (built c 1883). It is a two-storey stuccoed brick house with slate roof and fine cast iron verandah and balcony, retaining much of its original detail intact and which past and present owners have maintained in a sympathetic manner. (Heritage Branch report, 1987).

The stables have been partially demolished and the servants' wing likewise has been separated from the house and converted into another dwelling. The entrance hall is particularly fine, having delicately carved shell motif cedar door head trims to doors opening off it and with Minton tiles.

Date significance updated: 21 Nov 06

Note: There are incomplete details for a number of items listed in NSW. The Heritage Division intends to develop or upgrade statements of significance and other information for these items as resources become available.

Description

Construction years: 1882-1883

Physical description: Site & Garden:
Dunara retains a portion of front (street-facing) formal garden, to Dunara Gardens and a small more informal rear garden, facing east towards Rose Bay. This garden is a remnant of the former Dunara estate which was subdivided in the 1950s, creating Dunara Gardens and adjoining house lots and Dunara Reserve to the house's south-west, facing Dunara Gardens (Stuart Read, pers.comm., 6/9/2017).

The house no longer had its original bush leading to the harbour foreshores, but it retains an uninterrupted view of Rose Bay (to its east)(Carr, 1987).

House:
Victorian house built c 1883 (Russell (1980) says in 1882). It is a two storey stuccoed sandstock brick house with slate roof and fine cast iron and tiled verandah and balcony. The brick walls are 45cm thick. The stables have been partially demolished and the servants' wing likewise has been separated from the house and converted into another dwelling (Branch report, 1987).

The entrance hall is particularly fine, having delicately carved shell motif etched cedar door head trims to doors opening off it and with Minton floor tiles. The house covers 45 squares (ibid, 1987).

The entrance hall leads to the sitting room, drawing room, dining room and the staircase to the first floor. All rooms are spacious and have provision for fireplaces, six of which have fine marble fireplace surrounds remaining. There are four bedrooms and one study. Two bathrooms have been added though it is understood that the original fabric remains intact underneath (ibid, 1987).

The upper floor is reached by an elaborately carved staircase via a large first floor hall lit by an etched glass skylight. Windows and French doors are timber framed and generally glazed with large sheets of hand drawn plate glass. The ceilings have been

strengthened early this century by an artistic application of patterned batted mouldings. (ibid, 1987).

The front of Dunara has a recent brush-fence along it. In the south western corner of Dunara is a dead Sydney blue gum (*Eucalyptus saligna*). Another large tree, a Qld. black bean (*Castanospermum australe*) in Dunara's garden has also died and been removed. The whole cul-de-sac of Dunara Gardens (now 11 houses) was all part of Dunara's original estate, which stretched east to Wunulla Road, much of it grassed with a circular driveway (pers.comm., current owner, 2006).

Physical condition and/or Archaeological potential:

House generally in very good condition (1987 Heritage Branch report).

Date condition updated:06 Sep 17

Modifications and dates:

1933 alterations by G.Keasing architect
c1939-45 acquired by RAAF and used as WAAF Officers' Mess.

Latter half, 20th century: stables partially demolished and the servants' wing likewise has been separated from the house and converted into another dwelling. The verandah to the south was removed under the terms of the covenant although some iron work was salvaged.

1954 subdivision alienating most of Dunara's grounds including circular driveway in lawn areas and bushland-clad access to Pt.Piper's eastern side foreshores. 11 houses are now around it off Dunara Gardens cul-de-sac, which did not exist prior.
1957 modifications (sympathetic) by Prof. Leslie Wilkinson (Heritage Branch Report, 1987)

c.1990 ensuite & dressing room for main bedroom installed in former hall access from second floor landing to rear (eastern) verandah. Bathroom installed to left hand side of front door (former room). Front and rear gardens re-landscaped with box (*Buxus* sp.) hedging, *Gardenia* sp. and grassed areas. Brick wall to southern side (right of way access to two lots downhill and east of Dunara).

The front of Dunara has a recent brush-fence along it. In the south western corner of Dunara is a dead Sydney blue gum (*Eucalyptus saligna*). Another large tree, a Qld. black bean (*Castanospermum australe*) in Dunara's garden has also died and been removed (pers.comm., current owner, 2006).

2007: air conditioning units (2) and conduits installed via southern wall of house & floor, without prior approval.

Further information:

Generally in very good condition (1987

Current use:

residence

Former use:

Aboriginal land, rural estate, suburban estate residence

History

Historical notes:

Point Piper:

The Point's European history began as part of a 76ha land grant by Governor Macquarie to Captain John Piper in 1820. Piper had control of customs and all harbour matters, a lucrative position which enabled him to vastly increase the size of his land holding and build the finest house then in Sydney on the Point. He named it Henrietta Villa (after the second name of Governor Macquarie's wife, Elizabeth) and it quickly became the most prestigious social venue in town. However, Piper's flamboyant and extravagant lifestyle exceeded even his resources and he was soon deeply in debt. In 1827 it became apparent that he had embezzled 13,000 pounds from the customs revenues which, together with other debts, amounted to millions in modern values. The mortified Piper made a curiously grand suicide attempt, having himself rowed out into the harbour and, to the strains of his naval band, jumping overboard. He survived to retire to a more modest rural life.

Henrietta Villa was bought by one of his debtors, Daniel Cooper in 1827, the Vacluse part of his estate outside the Point being bought by William Charles Wentworth and the rest (Bellevue Hill, Rose Bay, Woollahra) to the firm of Cooper and Levey to whom Piper had owed another 20,000 pounds.

Daniel Cooper (1785-1853) had been transported to Australia in 1816 and became one of the colony's most successful merchants. His nephew, born in Lancashire in 1821 and also named Daniel Cooper, came to Australia in 1843 and was soon following in his Uncle's footsteps. Daniel the younger was already wealthy by the time he inherited his uncle's estate a decade later. He now had estates throughout the colony, including a large chunk around Double Bay,

much of which was Piper's former estate. In 1856 Cooper began a great mansion called Woollahra House on Point Piper, on the site of the Captain Piper's Henrietta Villa. In the same year Cooper became first Speaker of the new Legislative Assembly. He resigned from the Speakership in 1860 and returned to England a year later, became the Agent-General for NSW, was made the First Baronet of Woollahra in 1863, and died in 1902. Woollahra House was not completed until 1883 by his son, William. Some subdivision of the Point also began around that time. It was suggested as a replacement for Government House around 1901 (then occupied by the new Governor-General) but the offer was not taken up by the government and the estate was progressively sold off and the house demolished in 1929 (Spindler, undated).

Point Piper Estate:

In the 1820s business partners Daniel Cooper and Solomon Levey began acquiring land that included the substantial Point Piper Estate comprising 1130 acres in the Woollahra district that had been amassed by Captain John Piper since 1816. Following some financial difficulties Piper's land was conveyed to Cooper and Levey in 1826. Their title to the land was confirmed in 1830 and it became the sole property of Daniel Cooper in 1847. On Cooper's death in 1853, his nephew, also Daniel Cooper (later Sir Daniel Cooper), was appointed trustee of the Point Piper Estate which his uncle had bequeathed to his nephew's eldest son (also Daniel Cooper)(Woollahra Municipal Council/Local History/Fast Facts/p).

Point Piper Grant:

Now a prestige living area, it was part of a 190 acre (76 ha.) grant to Captain John Piper in 1820 who was 'Naval Officer' of the Colony at the time. After Piper found himself in financial difficulties the grant was bought in 1827 by Daniel Cooper who bequeathed it to the son of his nephew both also called Daniel. The son sold the grant to his brother, William, for 100,000 pounds who in 1883 built Woollahra House. The first subdivision on the Point took place around 1880 with the release of foreshore land around Woollahra House in 1899 (Woollahra Municipal Council/Local History/Fast Facts/p).

The Mackellars

John Mackellar married Euphemia Jackson and emigrated with their family to Australia from Dundee, Scotland in 1839. Their three sons were Keith, a sea trader, Frederick, who in 1839 became the first salaried officer at the Sydney Infirmary and Dispensary, later Sydney Hospital, and Charles, who became a surgeon.

Frederick had a son, Charles Kinnaird Mackellar (1844-1926) who married Marion Isobel Buckland (1854-1933) in 1877. There were four children of this marriage: Keith; Eric; Isobel Marion Dorothea (1885-1968) and Malcolm. Keith was killed in action in South Africa on 11 July 1890, during the Boer War. He was second lieutenant in the Australian Volunteer Horse Squadron.

Sir Charles Kinnaird Mackellar (1844-1926) was born in Sydney and educated at Sydney Grammar School and the University of Glasgow medical school, graduating in 1871. He returned to Australia and practiced in Sydney, becoming a noted physician and sociologist (Australian Dictionary of Biography/Dorothea Mackellar obituary, Sydney Morning Herald).

Charles registered with the Medical Board of NSW in 1872. In 1873-77 he was honorary surgeon at the Sydney Infirmary and Dispensary (Sydney Hospital from 1881), where his father had been the first salaried officer (Mitchell, 1986). He advised the Government on hygiene and preventative medicine and helped establish the North Head Quarantine Station and the Coast, or Prince Henry Hospital. In 1883, he became president of the new Board of Health and president of the NSW branch of the British Medical Association, which was set up in 1880.

Mackellar was a physician at the hospital in 1882 and a director in 1884-1903. He was also a director of Royal Prince Alfred Hospital 1886-1917. He worked 'stupendously' at general practice in early years. In 1877 he married Marion Buckland, acquired considerable pastoral interests and in 1896 succeeded his father-in-law as a director of the Bank of NSW, of which he was president in 1901-23 apart from absences abroad in 1904-5 and 1912-13. He was chairman, board member and trustee of a number of other companies, in insurance, sugar refining, etc (ibid, 1986).

His parliamentary career included serving in the Legislative Council from 1885. He became a Federal Senator in 1903 but his commitments precluded attendance at Melbourne sittings so he resumed his Legislative Council seat.

He was president of the Children's Relief Department from 1903 and published a pamphlet on 'Parental Rights and Parental Responsibility' (1903) and a treatise on 'The Child, The Law and the State' (1907); he established homes for invalid children at Mittagong, for disabled children at Parramatta and for delinquents who had been before the Children's Court, at Ormond House. In 1913, Mackellar reported on the treatment of delinquent and neglected children in Europe and the United States.

Mackellar was knighted in 1912 and appointed KCMG in 1916; he died in Sydney on 14 July 1926 (Australian Dictionary of Biography/Dorothea Mackellar obituary, Sydney Morning Herald).

Marion MacKellar (1854-1933)

Marion Isobel Mackellar (nee Buckland)(1854-1933) was the second daughter of Thomas Buckland of Kent, a wealthy merchant, pastoralist and banker. Buckland became a director and president of the Bank of NSW, a position in which he was succeeded by his son-in-law, Charles, from 1901-1923. Marion married Charles Mackellar

in August 1877 at St.Paul's Church, Sydney. They had three sons and a daughter, Dorothea (Anderson, 2008, 14-15).

Dorothea MacKellar (1885-1968)

Dorothea Mackellar was born (on 1 July 1885: Anderson, 2008, 15) at the family home, Dunara, built by the Mackellars on five acres of land (Woollahra Council say 2 acres) at Rose Bay (Point Piper). The two-storied residence was surrounded by servants' quarters, stable, coach house, numerous outbuildings and magnificent gardens. Dunara - Aboriginal for 'gunyah on the slope of a hill', was one of many residences in Sydney owned by the Mackellar family (Anderson, 2008, 14-15). She spent most of her childhood here (Carr, 1987).

Dorothea was educated privately, travelled extensively (Kingston, 1986) and educated at the University of Sydney. She became fluent in French, Spanish, German and Italian and attended some lectures at the University of Sydney. Her youth was protected and highly civilised. She moved easily amongst the society of Sydney's intellectual and administrative elite, life on her family's country properties and among their friends in London (ibid, 1986).

While staying at Torryburn, a family property in the Allyn River valley (in the Hunter), she experienced the breaking of a drought and subsequently wrote the patriotic verse "My Country". This poem was published under the title 'Core of My Heart' in "The Spectator" on 5 September 1908, when she was visiting London, and reprinted in "The Sydney Mail" 21/10/1908 and in most of Australia's leading newspapers and journals, on occasions with minor wording changes. It quickly became Australia's best known lyric poem (Anderson, 2008, 15). The poem captured the spirit of nationalism developing in the early 20th century.

In 1911 her first book of verse, 'The closed door and other verses' was published in Melbourne. The appearance of 'My Country' in this book is thought to be the first under its more familiar title.

Dorothea lived for a time at Darling Point. She worked for the Red Cross and was filled with energy and zets, wanting to do things for people, putting a lot of energy into women's causes (unattrib., 2017, 5).

Dorothea travelled widely in Europe, Asia and South America and published three more collections of verse: 'The Witch Maid' (1914); 'Dreamharbour' (1923); and 'Fancy Dress' (1927). Her novel, 'Outlaw's Luck' (1922) reflected impressions of Argentina and her poems included translations from Spanish, German and Japanese. She also wrote two other novels in collaboration with Ruth Bedford, but ill health had virtually ended her literary career when 'Fancy Dress' appeared. She was appointed OBE in the 1968 New Year Honours list and died at the Scottish Hospital, Sydney on 14 January 1968 (Anderson, 2008, 15: unattrib., 2017, 5) says she died in a Randwick

nursing home). Prior to this she had spent a good deal of time living in relative seclusion at her house, Tarrangaua, in Lovett Bay, Pittwater (Stuart Read, pers.comm.). 'The Poems of Dorothea Mackellar', including 'My Country' and a brief memoir by Adrienne Matzenik (nee Howley) was published in 1971 (Anderson, 2008, 19). On her 82nd birthday in 1967, Dorothea told two friends, Gordon Williamson and Dorothea Macmillan, that the famous poem was completed in the apartments above her father's consulting rooms in Buckland Chambers, overlooking Hyde Park (183 Liverpool Street), Sydney (Anderson, 2008, 20-21).

Dorothea was buried at Waverley Cemetery. In 2017 poet Libby Harthorn and the Society of Women Authors of NSW crowd-funded \$2000 towards the cost of placing a new marble etched grave tablet on Dorothea's grave, which quotes her most-famous lines from 'My Country': 'I love a sunburnt country, a land of sweeping plains, of ragged mountain ranges, of droughts and flooding rains'. This tablet was unveiled in a ceremony with the Mayor of Waverley, John Wakefield (unattributed, 2017, 5).

It is a good example of the spacious and well crafted residence of the period. (AHC from nominator, modified Read, S., 11/2006).

Dunara:

Dunara was built c 1883 (1882 says Russell, 1980, 76; Woollahra Council say 1882-4) by distinguished physician, MLA and philanthropist, Sir Charles McKellar*1 was the birthplace (Russell, 1980, 67) and the childhood home of his daughter, Dorothea, the famous poetess*2.

It is a good example of the spacious and well crafted residence of the period. (AHC from nominator, modified Read, S., 11/2006).

An 1887 photograph shows the bushland surrounding Dunara (downhill to its east, south and to the north) the house is on a cleared rise above Rose Bay)(SMH, 1978).

In 1919 the house was sold to merino sheep breeder, Sir Norman Kater (1919) and in 1931 sold to Mr Michaelis. Some alterations were carried out by architect G.Keesing in 1933 and when bought by Mr Plowman in 1957 further modifications of a sympathetic nature were made by Professor Leslie Wilkinson (Carr, 1987).

It was later acquired by the RAAF and has been used as a WAAF Officer's Mess (Carr, 1987).

The property was subdivided in 1954, alienating most of the grounds. Although bushland no longer leads to the foreshores (to the east side of Pt. Piper), Dunara still has an uninterrupted view of Rose Bay. (Heritage Branch report, 1987).

The whole cul-de-sac of Dunara Gardens (now 11 houses) was all part of Dunara's original estate, which stretched east to Wunulla Road, much of it grassed with a circular driveway west of the front door (pers. comm., current owner, 2006).

In 1978 Dunara was up for sale.
Russell (1980) notes it was sold by auction in 1979.

"And a chorus rises valiantly from
where the crickets hide,
Close-shaded by the balsams
drooping down -
It is evening in a garden by the
kindly waterside,
A garden near the lights of
Sydney town!"
(from the poem "In a Southern Garden", in which Dorothea Mackellar may have been thinking of her early home Dunara.

Dorothea Mackellar spent many of her early years at Dunara, a Georgian mansion built by her father on a large property fronting Rose Bay. Now (1978) long after the once-expansive grounds have been subdivided (c.1950), Dunara is to be sold. In "Point Piper Past & Present" Nesla Griffiths says: "Miss Dorothea Mackellar tells me that Dunara is a native word meaning 'the house on the hill' and that her father built his home between 1882 and 1884. It is still standing, and is one of the few with a drive to the door, with a lovely view eastward, and in those days gracious gardens and beautiful trees."

Dunara was bought by Dr.N.W.Kater (later Sir Norman) in 1919 and sold to Mr Michaelis in 1931. It was one of the houses taken over by the RAAF and has been used as a WAAF Officers' mess. The house has two storeys, covering about 45 squares, a colonial verandah on the ground floor and a balcony on the first floor, both with wrought iron lacework.

Bushland no longer leads to the foreshores but Dunara still has an uninterrupted view of Rose Bay.

The sandstock walls of the house are 45 cm thick and the front door is cedar with etched white glass panels. The Minton tiled vestibule inside the front porch leads to the sitting room, drawing room, dining room and cedar staircase to the second floor. There are 5 bedrooms, some of which contain period features like bay windows and the original chain window sashes. All have marble fireplaces (there are seven in the house) cedar and mahogany joinery, and high ceilings.

The main bedroom is huge, and it has two floor-to-ceiling windows leading to the balcony, a wall of built-in cupboards and a study annexe. The present owners, who have been progressively restoring the mansion since they moved in 21 years ago (1957), plan to move to

a smaller home. Richardson & Wrench Ltd., of Double Bay, will auction the property on November 24 (Garry Maddox, Property Reporter, Sydney Morning Herald, 21/10/1978).

The house was sold by auction on 7 June 1979 (Russell, 1980, 67).

Mr Andre Korda, the present (1987) owner (at time of PCO) was interested in the heritage aspect of the Dunara Gardens property and nominated it for the protective order (Bob Carr, Minister for Planning & Environment and Minister for Heritage, Press Release, 1987).

*1

Sir Charles Kinnaird Mackellar (1844-1926) was a physician, politician and businessman. Only son of Frederick Mackellar (d.1863) physician, from Dundee, Scotland and wife Isabella, nee Robertson, widow of William McGarvie. Educated at Sydney Grammar, Charles moved with his family to the Port Macquarie district c. 1860. He spent several years on the land before proceeding to Scotland to attend the University of Glasgow (MB, Ch.M., 1871). Returning to Sydney he registered with the Medical Board of NSW on 25/3/1872. In 1873-7 he was honorary surgeon at the Sydney Infirmary and Dispensary (Sydney Hospital from 1881) where his father had been first salaried medical officer: (Sir) Henry Normand MacLaurin also joined the staff in 1873 and cemented one of the most important friendships of Dr Mackellar's life. He was a physician at the hospital in 1882 and a director in 1884-1917. He worked 'stupendously' at general practice in early years.

In September 1881 Dr Mackellar joined the board, led by Dr Alfred Roberts, which was appointed to control the first serious smallpox epidemic in NSW and was gazetted as the Board of Health on 6/1/1882. In July Mackellar became Government Medical Adviser, health officer for Port Jackson, chairman of the Immigration Board, and an official visitor to the hospitals for the insane at Gladesville & Parramatta. He was also ex officio emigration officer for Port Jackson, and a member of the Board of Pharmacy and the Medical Board. In July 1883 he campaigned for a federal quarantine system and was appointed president of the Board of Health in August. Contemporaries believed that Mackellar was solely responsible for the organisation of the department but he deferred to Roberts: 'it is rather that I doggedly and persistently followed his lines than that I formulated any original scheme of my own' - the Mackellar motto was Perseverando.

Persuaded by the attorney-general W.B.Dalley, a private patient, Mackellar resigned his official appointments in August 1885 and was nominated to the Legislative Council to promote public health legislation he had helped to draft, but which lapsed with the resignation of the Stuart government in October. He was an ordinary member of the Board of Health until 1925. In 1886-7 as vice-president of the Executive Council and briefly secretary for Mines Mackellar represented the Jennings government in the Representative Council.

He introduced the Dairies Supervision Act of 1886 which helped to reduce infant mortality. Except for October-November 1903, when he was appointed to the Commonwealth Senate, he remained in the council until 1925. In 1903-4 he chaired the Royal Commission on the decline in the birth rate, dominating its proceedings in a manner uncharacteristic of his usually careful approach to scientific enquiry.

In 1882-5 Mackellar had been a member of the State Children Relief Board. In 1902-14 he was president, and was identified with the Neglected Children and Juvenile Offenders Act (1905) which created children's courts and the probationary system. He was soon at loggerheads with his under-secretary Peter Board, largely over the extension of the Board's activities into areas not envisaged by its Act. Criticism, muted while Mackellar remained in office, became public not long after his departure.

Until at least 1912, Mackellar had been convinced that environmental factors determined the development of the young. Enquiries abroad leading to his report as Royal Commissioner on the Treatment of Neglected and Delinquent Children in Great Britain, Europe and America (1913) caused him to modify his views. With Professor D.A. Welsh he published an essay, Mental Deficiency (1917) advocating better training and care of the feeble minded, and suggesting their sterilisation on eugenic grounds. Mackellar consistently lectured and published pamphlets to propagate social reform. He was admired for his reluctance to align himself with any political faction, and for his unselfish devotion to the public interest. Knighted in 1912, he was appointed KPMG in 1916.

On 9/8/1877 Mackellar had married Marion (d.1933) daughter of Thomas Buckland. He acquired considerable pastoral interests and in 1896 succeeded his father-in-law as a director of the Bank of NSW, of which he was president in 1901-23 apart from absences abroad in 1904-5 and 1912-13. Mackellar was chairman of the Gloucester Estate Co. in its later years and succeeded MacLaurin as chairman of the Mutual Life & Citizens' Assurance Co. Ltd; he had been a trustee in 1911-14. He was also a director of Pitt, Son & Badgery Ltd.; the Union Trustee Co. of Australia Ltd.; United Insurance Co. Ltd.; Colonial Sugar Refining Co.; Australian Widows' Fund; and Equitable Life Assurance Co.Ltd. of which he was medical director. He was surgeon in the Volunteer Rifles from 1872; chairman of the medical section of the Royal Society of NSW in 1881; founding councillor and in 1883-4 president of the NSW branch of the British Medical Association; examiner in medicine at the University of Sydney in 1889-1901; vice-president and in 1907-14 president of the Sydney Amateur Orchestral Society; inaugural vice-president of the Royal Society for the Welfare of Mothers and Babies in 1918; and a member of the Australian and Athenaeum Clubs, Sydney.

By 1923 Mackellar had resigned most of his business appointments as health and memory deserted him. He died at his residence Rosemont,

Woollahra on 14/7/1926 and was buried in the Anglican section of the Waverley cemetery. His estate, valued for probate at 39,205 pounds, was left in trust to his wife and on her death in 1933 to their surviving children Eric, Malcolm and Dorothea. His eldest son Keith Kinnaird had been killed in action in South Africa in 1900. Australian Dictionary of Biography, 1891-1939)(SMH, 1978).

One of Dr Mackellar's special interests was public health and he did pioneering work with juvenile delinquents and mentally defective children; he was knighted for his services to medicine. Later he became a Member of the Legislative Council of NSW, and in 1903 was elected a Senator for NSW (Russell, 1980, 67).

*2

Isobel Marion Dorothea Mackellar (1885-1968) was born at Dunara, Point Piper, Sydney, third child (of four children and the only girl in the family (Russell, 1980, 67)) of native-born parents (Sir) Charles Kinnaird Mackellar and his wife Marion, daughter of Thomas Buckland. She was educated at home and travelled extensively*3 with her parents, becoming fluent in French, Spanish, German and Italian, and also attended some lectures at the University of Sydney. Her youth was protected and highly civilised. She moved easily between the society of Sydney's intellectual and administrative elite, life on her family's country properties, and among their friends in London.

Dorothea began writing while quite young and surprised her family when magazines not only published but paid for her verses and prose pieces. On 5/9/1908 a poem, 'Core of my heart', which she had written about 1904, appeared in the London "Spectator". It reappeared several times in Australia before being included as "My Country" in her first book, "The closed door, and other verses" (Melbourne, 1911). She published "The Witchmaid, and other verses" in 1914 and two more volumes of verse (1923 & 1926), also a novel "Outlaw's luck" (London, 1913) set in Argentina. With Ruth Bedford, a childhood friend, she wrote two other novels (1912, 1914). During World War 1 and as a result of its frequent inclusion in anthologies, 'My Country' became one of the best known Australian poems, appealing to the sense of patriotism fostered by the war and post-war nationalism.

Photographs of Dorothea in her twenties show her to have been then an ideal image of the Australian girl, pretty, sensitive, and fashionable. She was said to be a strong swimmer, a keen judge of horses and dogs. Her verse shows that she was cultivated and spirited, her novels that she was hopelessly romantic. Between 1911 and 1914 she was twice engaged. The first engagement she broke because the man was over-protective; the second lapsed through misunderstanding and lack of communication after the outbreak of war. Her writing, once the product of youthful passion and enthusiasms, became increasingly souvenirs of travel or dependent on nature for inspiration. She was unable to write of her disappointment in love except in powerful translations from little-known Spanish and German poets.

Despite her 'loathing all restrictions and meetings' Dorothea Mackellar was honorary treasurer of the Bush Book Club of NSW and active in the formation in 1931 of the Sydney P.E.N Club. She became responsible for her aging parents, and apparently wrote little after her father's death in 1926. Her mother died in 1933 and Dorothea, 'a not particularly robust dormouse', was frequently in poor health, spending ten years in a Randwick nursing home. Yet she outlived her younger brothers and was able to keep both Cintra, Darling Point, and a house at Church Point on Pittwater. She was appointed O.B.E just before she died on 14/1/1968 in the Scottish Hospital, Paddington, after a fall at home. She was cremated after a service at St. Mark's Anglican Church, Darling Point and her ashes laid in the family vault in Waverley Cemetery. Her estate was valued for probate at over \$1,580,000.

H.M.Green describes her as a 'lyrist of colour and light' in love with the Australian landscape. She herself 'never professed to be a poet. I have written - from the heart, from imagination, from experience 'some amount of verse'. Privileged and unusual, she was also typical of many Australian women of her generation in the contrast between the inspired vigour of her youth and the atrophy of her talent and vitality through lack of use. (Beverley Kingston in The Australian Dictionary of Biography, 1891-1939, p.298-9).

*3

Russell (1980) adds she became friendly with Joseph Conrad and his wife in London, where she lived for some years before World War 1. He adds she lived for some time at Rosemont, Woollahra and from the 1930s at Cintra, Darling Point Road, Darling Point.

In 2017 Woollahra Municipal Council resolved to reclassify adjacent Public Reserve land titled 'Dunara Gardens' to the west of Dunara's SHR curtilage from 'community' to 'operational land' to allow its sale. 67 objections from 55 people were received and referred to an Independent Chair's review of the reclassification of the land. The chair's report on reclassification is due in April 2018. A March 2018 unanimous Council motion led to a direction to staff to investigate whether reserve meets criteria for LEP and SHR listing. Both will go to a full Council meeting. WWC, 21/3/18).

Historic themes

| Australian theme (abbrev) | New South Wales theme | Local theme |
|---------------------------|-----------------------|-------------|
|---------------------------|-----------------------|-------------|

| | | |
|--|---|--|
| 1. Environment- Tracing the evolution of a continent's special environments | Environment - naturally evolved-Activities associated with the physical surroundings that support human life and influence or shape human cultures. | Changing the environment- |
| 3. Economy- Developing local, regional and national economies | Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings | Developing local, regional and national economies- National Theme 3 |
| 3. Economy- Developing local, regional and national economies | Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings | Landscapes and gardens of domestic accommodation- |
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | Residential- |
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | Adapted heritage building or structure- |
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | housing (suburbs)- |
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | gentlemen's residences- |

| | | |
|---|--|--|
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | A Picturesque Residential Suburb- |
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | Housing famous families- |
| 4. Settlement- Building settlements, towns and cities | Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities. | Housing professional people- |
| 8. Culture- Developing cultural institutions and ways of life | Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities. | Creating works of literature- |
| 8. Culture- Developing cultural institutions and ways of life | Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities. | Architectural styles and periods - Victorian (late)- |
| 8. Culture- Developing cultural institutions and ways of life | Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions. | Living in suburbia- |
| 8. Culture- Developing cultural | Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions. | Valuing women's contributions- |

| | | |
|--|--|---|
| institutions and ways of life | | |
| 9. Phases of Life-Marking the phases of life | Persons-Activities of, and associations with, identifiable individuals, families and communal groups | Associations with Dorothea McKellar, Poetess- |
| 9. Phases of Life-Marking the phases of life | Persons-Activities of, and associations with, identifiable individuals, families and communal groups | Associations with the Hon. Sir Charles McKellar Doctor, MP, philanthropist- |

Recommended management:

Recommendations

| Management Category | Description | Date Updated |
|------------------------|--|--------------|
| Recommended Management | Produce a Conservation Management Plan (CMP) | |
| Recommended Management | Prepare a maintenance schedule or guidelines | |
| Recommended Management | Carry out interpretation, promotion and/or education | |

Procedures /Exemptions

| Section of act | Description | Title | Comments | Action date |
|----------------|-------------|-------|----------|-------------|
|----------------|-------------|-------|----------|-------------|

| | | | | |
|-------|-------------------------|---------------------|---|-------------|
| 57(2) | Exemption to allow work | Heritage Act | <p>Record converted from HIS events</p> <p>Order Under Section 57(2) to exempt the following activities from Section 57(1): (1) The maintenance of any building or item on the site where maintenance means the continuous protective care of existing material; and (2) All horticultural management including the repair and maintenance of existing fences, gates and garden walls.</p> | Jul 10 1987 |
| 57(2) | Exemption to allow work | Standard Exemptions | <p>SCHEDULE OF STANDARD EXEMPTIONS HERITAGE ACT 1977 Notice of Order Under Section 57 (2) of the Heritage Act 1977</p> <p>I, the Minister for Planning, pursuant to subsection 57(2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order:</p> <p>1. revoke the Schedule of Exemptions to subsection 57(1) of the Heritage Act made under subsection 57(2) and published in the Government Gazette on 22 February 2008; and</p> <p>2. grant standard exemptions from subsection 57(1) of the Heritage Act 1977, described in the Schedule attached.</p> <p>FRANK SARTOR Minister for Planning Sydney, 11 July 2008</p> <p>To view the schedule click on the Standard Exemptions for</p> | Sep 5 2008 |

| | | | | |
|--|--|--|---|--|
| | | | Works Requiring Heritage Council Approval link below. | |
|--|--|--|---|--|

 **Standard exemptions** for works requiring Heritage Council approval

Listings

| Heritage Listing | Listing Title | Listing Number | Gazette Date | Gazette Number | Gazette Page |
|--|---------------|----------------|--------------|----------------|--------------|
| Heritage Act - State Heritage Register | | 00539 | 02 Apr 99 | 27 | 1546 |
| Heritage Act - Permanent Conservation Order - former | | 00539 | 10 Jul 87 | 117 | 3917 |
| Local Environmental Plan | | | 10 Mar 95 | | |
| National Trust of Australia register | 1986 | | | | |
| Register of the National Estate | | | 21 Mar 78 | | |

References, internet links & images

| Type | Author | Year | Title | Internet Links |
|---------|----------------|------|--|----------------|
| Written | Anderson, Val. | 2008 | The Dorothea Mackellar 'My Country' Paterson Valley Connection | |
| Written | Bastians, Kate | 2018 | 'Locals fight for open space' | |

| | | | | |
|---------|-----------------------------|------|--|-----------------------------|
| Written | Kingston, Beverley | 1986 | 'Mackellar, Isobel Marion Dorothea (1885-1968)', in Australian Dictionary of Biography, vol.10 | View detail |
| Written | Mitchell, Ann M. | 1986 | 'Mackellar, Sir Charles Kinnaird (1844-1926)', Australian Dictionary of Biography, vol.10 | View detail |
| Written | Russell, Eric | 1980 | Woollahra - a history in pictures | |
| Written | Spindler, Graham | | CIRCULAR QUAY TO SOUTH HEAD AND CLOVELLY LOOP WALK L6: POINT PIPER - 1 | View detail |
| Written | Woollahra Municipal Council | | 'Point Piper (grant; estate)' in 'P', in 'Local History: Fast Facts' | View detail |
| Written | Woollahra Municipal Council | | 'Dunara' in 'D', in 'Local History Fast Facts' | View detail |

Note: internet links may be to web pages, documents or images.



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Name: Heritage Office

Database number: 5045694

File number: EF14/5899; S90/3423; HC33435

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Dunara

HERITAGE COUNCIL OF NEW SOUTH WALES
 PLAN
 UNDER THE HERITAGE ACT, 1977

Description Lot 10B, D.P. 408926
'Dunara'

Mun/Shire/City Woollahra Locality Point Piper
 Parish of Alexandria County of Cumberland

↑
N

Scale 1:500 SUBJECT LAND SHOWN THUS:

THIS IS THE PLAN REFERRED TO IN ~~INTERIM~~/PERMANENT CONSERVATION ORDER No. 539

| | | |
|--|--|------------------------------------|
| N.S.W. GOVERNMENT GAZETTE No. <u>117</u> OF <u>10.7.87</u> | PLAN APPROVED <i>[Signature]</i> for SECRETARY, HERITAGE COUNCIL | PLAN NUMBER H.C. <u>1417</u> |
| FILE <u>H.C. 33435</u> | DRAWN BY <u>R.E.B. 27-5-87</u> | |

PCO Plan Number 539
 Image by: Heritage Council of NSW
 Image copyright owner: Heritage Council of NSW

Dunara

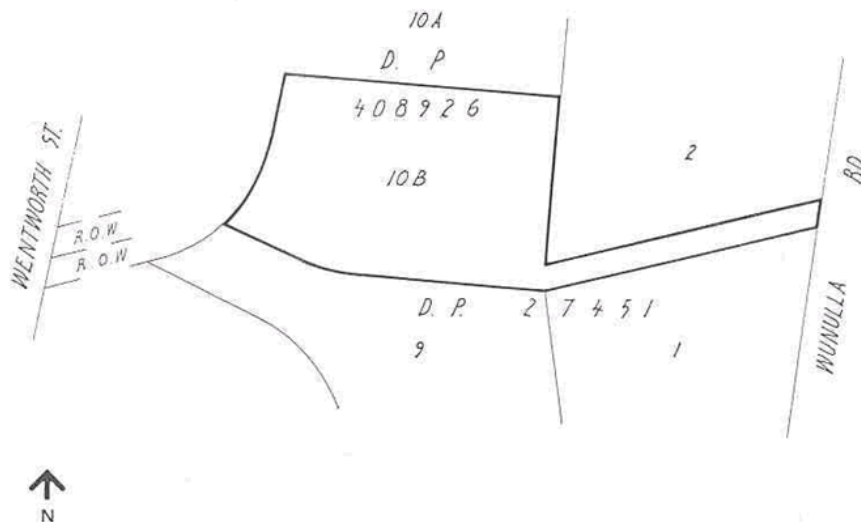
[Back to images gallery](#)

HERITAGE COUNCIL OF NEW SOUTH WALES

PLAN

UNDER THE HERITAGE ACT, 1977

Description *Lot 10B D.P. 408926*
'Dunara'
 Mun/Shire/City *Woollahra* Locality *Point Piper*
 Parish of *Alexandria* County of *Cumberland*



Scale *1:500* SUBJECT LAND SHOWN THUS:

THIS IS THE PLAN REFERRED TO IN ~~INTERIM~~/PERMANENT CONSERVATION ORDER No. *539*

N.S.W. GOVERNMENT GAZETTE No. *117* OF *10.7.87*

| | | | |
|------------------------|--------------------------------|--|------------------------------------|
| FILE <i>H.C. 33435</i> | DRAWN BY <i>R.E.B. 27-5-87</i> | PLAN APPROVED <i>Dunyoung</i> for SECRETARY HERITAGE COUNCIL | PLAN NUMBER H.C. <i>1417</i> |
|------------------------|--------------------------------|--|------------------------------------|

Accessed at
<http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045694>

On 3 May 2018

Woollahra 2004 heritage inventory

Based on the NSW Heritage Office State Heritage Inventory sheet

Appendix D

| ITEM DETAILS | | | |
|---------------------------------|--|--------------------------|-----------------------|
| Current name of proposed item | Walter McGrath House | | |
| Former name | | | |
| Item type | Archaeological, Built, Landscape, Movable/Collection, Area/Group/complex Built | | |
| Significant area or group | Name | | |
| Address | Number 4 | Street Dunara Gardens | Suburb Point Piper |
| Property description by Council | Lot 4 | DP 27451 | |
| Original owner | Name Mr & Mrs Walter McGrath Jnr. (from BA drawings) | Address | |
| Use | Current Residence | Former Residence | |
| Statement of significance | Features typical of the Wrightian (Prairie School) approach are combined with the architect's own individual organic-inspired elements to create a modern expressionist building of great interest, with Structuralist style influences evident in the exposed frame form. The building is associated with the architect Peter Muller, an important mid to late 20 th century Australian architect of international note. The powerful geometrical themes and massing of the living wings of the house make the building a very good example of the early part of Muller's career and reflect his primary role in introducing the Prairie School approach to design to Australia in the 1950s. The place is of some significance to groups who appreciate Australian architectural history, as evidenced by its inclusion on the RAI Register of 20 th Century Buildings of Significance. | | |
| Level of significance | State Yes - Moderate | Local Yes - High | |
| Heritage listings | Woollahra Council LEP 1995 (as amended): No State Heritage Register / Inventory: No / No Royal Australian Institute of Architects (NSW Chapter) Register of 20th Century Buildings of Significance: Yes National Trust of Australia (NSW): No | | |
| DESCRIPTION | | | |
| Designer | Peter Muller [company structure at the time unknown] | | |
| Builder | Unknown, however Peter Muller recalls that the client, Mr McGrath, used a building foreman, with all accounts and purchases paid directly by the client. | | |
| Construction years | 1957 | | |
| Physical description | No. of Storeys: 2 storeys with lower level garage and service area Roof: Metal tray roofs with overhanging stained timber awnings Walls: Grey face brick with some cement render, and turquoise-painted fibre cement tile in diamond-pattern cladding. Chevron motif parapet decoration. Windows & Doors: Polished timber framed front door, flush timber varnished garage door, aluminium frame windows. Precast cement planter boxes in prismatic form below triangular-shape windows. Form & Structure: Courtyard form with two pavilions; one two-storey pavilion consisting of bedrooms, and one three-storey pavilion consisting of kitchen, dining, entertaining, breakfast, and study, surmounted by two bedrooms. Courtyard consists of swimming pool, gallery, and garden. Style or period: Abstract Modern style with Structuralist and Prairie School influences. Interiors: Not inspected. BA drawings show: lowest floor consisting of double garage, utility room, and winter drying room; middle level consisting of bedrooms 3, 4, 5, and 6, gallery, entertaining | | |

Woollahra 2004 heritage inventory

Based on the NSW Heritage Office State Heritage Inventory sheet

| | |
|---------------------------------|--|
| | <p>area, study, dining, kitchen, breakfast room, kitchen, and toilets; upper floor consisting of bedrooms 1 and 2, both with ensuites. Interior finishes are generally stone / carpet over concrete floors, timber/plywood walls and ceilings.</p> <p>Contribution to streetscape: Located near the end of a short, narrow dog-leg drive, the house makes a surprising and unusual contribution to the streetscape, which is dominated by the 19th century villa, Dunara, and other early to mid 20th century houses of substantial size in traditional materials, colours, and form.</p> <p>Landscaping: No landscaping of note evident.</p> |
| Physical condition | In good order |
| Modification and dates | No documented modifications except 1962 siteworks. |
| Archaeological potential | <p>Due to the long period of European occupation of this site the archaeological potential for Aboriginal cultural material is low.</p> <p>There is little potential for archaeological remains relating to the later-19th century development of the area due to disturbance caused by construction of the subject building.</p> |
| Further comments | <p>Inspected externally only.</p> <p>When asked how this building fits into his career's works, Muller replied that he sees it "as an expression of my searching for balanced, mirrored forms (yin/yang)".</p> <p>In her analysis of Muller's domestic architecture, Urford situates the McGrath house in the early phase of Muller's career, spanning from 1952, when he returned to Sydney after studying in the United States of America, to 1957. The houses of this period are "important for their unique, flexible, and spacious planning - as distinct from the typical Anglo-Australian plan of this time with its compartmentalised and boxy interiors." (Urford, op. cit., p. 6) The design for the McGrath House was an evolution from an illustrated letter Muller received from Bert Read. The diamond shaped cross section of the roof framing was a concept Muller had previously employed in the Molinari House (Forestville, 1954), as well the Audette House (1952) and his own house at Palm Beach (1954). Urford concludes that "the McGrath House is noteworthy not only for its ability to organise a large brief for an extremely large family on a restricted block...but also for the use of cheap, discarded, unconventional building materials. Muller here discovered and used for the first time the free off-cuts from 'Tilux', a compressed asbestos cement manufactured by Hardies." (Urford, op.cit., p. 18) The house is representative of Muller's characteristic "sense of geometry and axial composition, the repetition of simple geometrical elements impart[ing] a pervasive unity to the forms" evident from the early stage of his career. (Urford, op.cit., p. 20-1)</p> |

HISTORY

| | |
|-------------------------|--|
| Historical notes | <p>The subject house is located on land which was part of the Point Piper Estate and contained the tennis court associated with the c.1884 house Dunara, at 10 Dunara Gardens, long time home of the poet Dorothea MacKellar. In 1956, Edward Fortescue, a wholesale butcher from Rose Bay, acquired the property from the Young Men's and Women's Hebrew Association and subdivided it. Lot 4 was purchased in 1957 by Walter Patrick McGrath, company director. Plans for a new house designed by the architect Peter Muller were lodged with Woollahra Council early in the same year. In a 1984 interview, Muller stated that the McGraths were long-term friends for whom he had designed three houses.</p> <p>In 1962, Ernest and Magdalena Handler purchased the subject property, and a Development Application for a retaining wall along Wunulla Road was lodged. No other subsequent BAs or DAs have been recorded.</p> |
|-------------------------|--|

Woollahra 2004 heritage inventory

Based on the NSW Heritage Office State Heritage Inventory sheet

| | |
|--|--|
| | <p>" Muller, Peter (Neil). (b. Adelaide, 3 July 1927). Australian architect. After training at the universities of Adelaide and Pennsylvania, he practised in Sydney, building houses sympathetically related to their sites and exhibiting his understanding of the spatial compositions of the work of Frank Lloyd Wright. Of these, Audette House (1952), Castlecrag, Sydney, the Richardson House (1956), Palm Beach, Sydney, and his own house at Whale Beach (1954), Sydney, were the most accomplished. In this, his most significant period, he helped lay the foundations for an organic approach to design sympathetic to the Australian environment. Although his buildings exhibit a love of natural materials, he was content to use less expensive substitutes to further sound design in low-cost dwellings. Muller visited Japan in 1961 and 1963, where he studied Buddhist philosophy. This reinforced his prior interest in Japanese culture and design. His own office (1961), Paddington, Sydney, most clearly testifies to this influence, which later led to projects in Asia, the Middle East and the South Pacific. The Kayu Aya Hotel (1973), Bali, demonstrates his continuing love for fine craftsmanship and concern for the natural beauty of sites." (<i>The Grove Dictionary of Art</i>, Macmillan Publishers Limited.)</p> <p>Peter Muller is recognised as having introduced the Wrightian (Prairie School) approach to design in Australia, individualising it with strong personal and Asian influences.</p> <p>From the above it is reasonable to say Peter Muller is an important mid to late 20th century Australian architect of international note.</p> |
|--|--|

HISTORICAL THEMES

| | |
|-------------------------------|----------------------|
| State historical theme | Creative endeavour |
| Local historical theme | Contemporary housing |

ASSESSMENT of HERITAGE CRITERIA

| | |
|---|--|
| Historical significance SHR criterion (a) | <p>An item is important in the course, or pattern, of Woollahra's cultural or natural history</p> <p>The place reflects the continued popularity of the Point Piper area in the mid 20th century as a fashionable location for the residence of professional and business people. <i>This attribute by itself is of low significance at a local level.</i></p> |
| Historical association significance SHR criterion (b) | <p>An item has strong or special association with the life or works of a person, or group of persons, of importance in Woollahra's cultural or natural history.</p> <p>The place is strongly associated with the architect Peter Muller, who is an important mid and late 20th century Australian architect of international note.</p> <p>The building is one of a group of works by Peter Muller, and forms part of the architect's body of work. <i>Each of the two attributes above, by themselves, is of some significance at a local level. When considered with other aspects of significance in this assessment, the place should be considered to be of moderate significance at a state level.</i></p> <p>The place is an individual work by an architect of outstanding significance to 20th century architecture in Australia. <i>This attribute by itself is of some significance at a state level.</i></p> |
| Aesthetic significance SHR criterion (c) | <p>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in Woollahra.</p> <p>Features typical of the Wrightian (Prairie School) approach such as exposed brickwork, overhanging timber awnings, repetitive use of a chevron motif, and a well-resolved integration of indoor and outdoor spaces are combined in the subject house with the architect's own individual organic-inspired elements, such as the diamond-section roof framing system (used, with variations, previously in at least three other Muller buildings) and Tilux off-cut roof material (used here for the first time in Muller's practice), to create a modern expressionist building of great interest, with Structuralist style influences evident in the exposed frame form. The powerful geometrical themes found in the roof line, roofing materials, chevron-shaped window openings and planter boxes, ramp to the entrance, and massing of the living wings of the house make the</p> |

Woollahra 2004 heritage inventory

Based on the NSW Heritage Office State Heritage Inventory sheet

| | | | | |
|---|---|---|-------------|--|
| | building a very good example of the early part of Muller's career and reflect his primary role in introducing the Prairie School approach to design to Australia in the 1950s. <i>This attribute by itself is of moderate significance at a state level.</i> | | | |
| Social significance SHR criterion (d) | An item has strong or special association with a particular community or cultural group in Woollahra for social, cultural or spiritual reasons. As evidenced by its inclusion on the RAI (NSW Chapter) <i>Register of 20th Century Buildings of Significance</i> , the place is held in high regard by NSW architects and others interested in Australian architecture. <i>This attribute by itself is of some significance at a local level. When considered with other aspects of significance in this assessment, the place should be considered to be of moderate significance at a state level.</i> | | | |
| Technical/research significance SHR criterion (e) | An item has potential to yield information that will contribute to an understanding Woollahra's cultural or natural history. The archaeological potential of the place is low (see above). <i>This attribute by itself is of low significance at a local level.</i> The building is a resource for the understanding of the architectural detailing of the architect, Peter Muller, particularly the use of off-cut Tilux roofing tiles (used at this house for the first time in his practice) and the diamond-shaped cross-section of the wall/roof framing. <i>This attribute by itself is of low significance at a local level.</i> | | | |
| Rarity SHR criterion (f) | An item possesses uncommon, rare or endangered aspects of Woollahra's cultural or natural history. With its strong exposed framed form, the building is a rare example in Sydney of a Structuralist style inspired building of the 1950s. Additionally, the use of Tilux roofing material is rare, both within Muller's architectural practice and within the Woollahra local government area. <i>This attribute by itself is of some significance at a local level. When considered with other aspects of significance in this assessment, the place should be considered to be of moderate significance at a state level.</i> | | | |
| Representativeness SHR criterion (g) | An item is important in demonstrating the principal characteristics of a class of Woollahra's cultural or natural places or cultural or natural environments. The building is a very good example of the domestic architecture of Peter Muller. <i>This attribute by itself is of high significance at a local level.</i> | | | |
| Integrity | The degree to which the item retains the aspects which make it significant under the criteria above. The place appears to retain all of the aspects which made and make it significant. | | | |
| RECOMMENDATIONS | | | | |
| Recommendations | List as heritage item on Woollahra LEP. The boundary of the listing should be Lot 4 DP27451. Arrange internal inspection and, based upon intactness of interiors, consider for nomination for State Heritage Register. | | | |
| INFORMATION SOURCES | | | | |
| Type | Author/Client | Title | Year | Repository |
| Site Inspection | Clive Lucas Stapleton & Partners Pty Ltd | External site inspection | 2004 | Clive Lucas, Stapleton and Partners Pty Ltd |
| Architectural Plans | Peter Muller | Point Piper Residence for Mr & Mrs Walter McGrath Jnr. (BA 39/57) | 1957 | Woollahra Council |
| Perspective Drawing | Peter Muller | McGrath House, Point Piper | 1957 | www.petermuller.org/1957.html |



Woollahra 2004 *heritage inventory*

Based on the NSW Heritage Office State Heritage Inventory sheet

| | | | | |
|--|-------------------|---|------|---|
| Written | Jacqueline Urford | <i>Peter Muller: Domestic Architecture to 1964</i> (Advanced Study Report) | 1984 | University of Sydney |
| Correspondence | Peter Muller | Response to Clive Lucas, Stapleton and Partners Pty Ltd list of questions | 2004 | Clive Lucas, Stapleton and Partners Pty Ltd |
| Certificates of Title | | Certificates of Title Vol 7504 No 227, Vol 6160 Fol 171, Vol 4566 Fols 47, 48, 49, Vol 3754 Fol 127 | | Department of Lands |
| AUTHOR OF THIS REPORT | | | | |
| Clive Lucas, Stapleton and Partners Pty Ltd (Ian Stapleton & Meg Quinlisk) | | | | 2005 |

Woollahra 2004 *heritage inventory*

Based on the NSW Heritage Office State Heritage Inventory sheet

| IMAGES | | | |
|--|---|--|---|
| Image caption | Street elevation (south) of McGrath House | | |
|  | | | |
| Image year | 2004 | Image author and copyright holder | Clive Lucas, Stapleton and Partners Pty Ltd |
| Image caption | Two-storey pavilion of McGrath House | | |
|  | | | |
| Image year | 2004 | Image author and copyright holder | Clive Lucas, Stapleton and Partners Pty Ltd |



Annexure 2

Gateway Determination

Planning proposal (Department Ref: PP_2018_WOOLL_002_00): to list Dunara Reserve, Point Piper as a local heritage item.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan 2014 to list Dunara Reserve, Point Piper as a local heritage item should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the Office of Environment and Heritage under section 3.34(2)(d) of the Act. The Office of Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - a. the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - b. the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - c. there are no outstanding written objections from public authorities.

PP_2018_WOOLL_002_00(IRF18/6138)



5. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated *11th* day of *January* 2019.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

PP_2018_WOOLL_002_00(IRF18/6138)

Annexure 3

The General Manager
Woollahra Municipal Council

records@woollahra.nsw.gov.au

Dear Sir,

SC4415 Submissions: Planning proposal for Dunara Reserve, Point Piper

Having considered the documents exhibited, and noting that the reasoning underlying the original reservation of the land for public open space has still not been disclosed, I support the proposal indicated in the present exhibition.

I also support compliance with the management recommendations contained in the June 2018 *Heritage Significance Assessment* by Betteridge Consulting Pty Ltd, and strongly commend those recommendations to the Council.

Yours sincerely,

Hylde Rolfe,

()

9 February 2019

From: [Anna Finkelstein](#)
To: [Records](#)
Subject: PLANNING PROPOSAL TO HERITAGE LIST DUNARA RESERVE
Date: Sunday, 17 February 2019 1:27:29 PM

ATTENTION: General Manager Woollahra Council. Your Ref: SC 4415

Hello,

My name is DAVID FINKELSTEIN and my address is [REDACTED] My email address is as above.

I am writing in relation to the Planning Proposal to Heritage List Dunara Reserve at Point Piper ("the Reserve"). I previously made a written submission in favour of the Reserve's retention and listing and I now write to confirm that I very much support the planning proposal to heritage list the Reserve.

Please keep me informed.

Sincerely,

DAVID FINKELSTEIN

GEORGE FARKAS
B.A LL.B



16 February 2019

The General Manager
Woollahra Municipal Council
records@woollahra.nsw.gov.au

**RE: PLANNING PROPOSAL – HERITAGE LISTING OF DUNARA
RESERVE, POINT PIPER SC4415**

Dear Sir,

1. Council is aware of my previous detailed Submissions, which do not need repeating.
2. Suffice it to note that the Reserve's Heritage Listing has been
 - (1) Supported by the Heritage Council of NSW
 - (2) Supported by the independent heritage consultant, Betteridge Heritage, retained by Council
 - (3) Unanimously supported by Council's Environmental Planning Committee on 2 July 2018
 - (4) Unanimously supported by Full Council on 16 July 2018; and
 - (5) Unanimously supported by the Woollahra Local Planning Panel on 13 September 2018 after a site inspection
3. I support the planning proposal to heritage list the Reserve.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. Farkas', with a horizontal line underneath.

GEORGE FARKAS

From: [Robert Lowy](#)
To: [Records](#)
Subject: Heritage listing Dunara Reserve Ref SC4415
Date: Monday, 18 February 2019 10:27:23 AM

The General Manager, Woollahra Council,
I hereby advise that I fully support the planning proposal to heritage list Dunara Reserve.
I agree that it is an important and unique piece of land that should be preserved.
Kind regards
Bob Lowy.

[Redacted signature block]

From: [Jim Kornmehl](#)
To: [Records](#)
Subject: SC 4415
Date: Monday, 18 February 2019 12:19:30 PM

Dear Sirs,
I refer you to your plan to heritage list Dunara Reserve.
I have in the past made a submission on this matter.
I would like to put on record that I am supportive of the heritage listing plan.

regards,

Jim Kornmehl

Jim Kornmehl

[Redacted]
[Redacted]
[Redacted]
[Redacted]

From: [Larry Bergman](#)
To: [Records](#)
Subject: Reference SC4415
Date: Monday, 18 February 2019 6:03:11 PM

The General Manager,
Woollahra Council

Dear Sir,

I had previously made a written submission on Nov 24, 2017 regarding the planning proposal on the Dunara Reserve and attended the discussions at the Council.

Having been recently advised via e-mail that there is now a planning proposal to Heritage list the Dunara Reserve, I must say that I am delighted with this news. I believe that it is important to preserve the native and exotic trees on this reserve for future generations to also enjoy.

Yours sincerely,

Laurence Bergman

From: [REDACTED]
To: [Records](#)
Cc: [REDACTED]
Subject: SC 4415 Submission
Date: Monday, 18 February 2019 10:43:57 PM

To General Manager

Woollahra Council

We are residents of Dunara Gardens and strongly support the proposal to amend *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), to list Dunara Reserve, Point Piper, as a heritage item – including inserting a listing for Dunara Reserve and amending the Heritage Map.

Listing Dunara Reserve as a heritage item will preserve this valuable area with its range of exotic and native trees and associated wildlife for future generations to enjoy.

The Reserve is and will continue to be a beautiful pocket of greenery amongst the dense residential development including the presence of high density units across the road and as such is priceless. It is valuable open space and the relaxing bush and tree environment is therapeutic for residents and many visitors.

Certainly Dunara Reserve is enjoyed by the residents of Dunara Gardens and their visitors. Children living in Dunara Gardens regularly play in Dunara Reserve. However Dunara Reserve is also enjoyed by residents living outside Dunara Gardens.

Children living outside of Dunara Gardens regularly come to play at Dunara Reserve. In some of the unit developments nearby there are no back yards and Dunara Reserve is the only outdoor space available for these children to play.

In addition historical groups come to look at the two Heritage listed properties in Dunara Gardens, particularly the property "Dunara" which was the original home on the Dunara Estate. The house "Dunara" is directly opposite the Dunara Reserve. These groups of people coming to look at significant historical houses are able to enjoy the amenity of the open space offered by Dunara Reserve and they often stop and enter Dunara Reserve on their way to or from the heritage homes.

Further there are residents of Point Piper (outside of Dunara Gardens) and surrounding suburbs who themselves walk or walk their dogs as exercise along the streets nearby – these people also enjoy the amenity of Dunara Reserve even as they walk along the footpath and often come into the reserve to enjoy the tranquillity and peaceful environment it provides.

In 1956 Woollahra Council showed great foresight when in approving the subdivision of Dunara Estate, it insisted on part of the land being classified as "Public Garden and Recreation Space" and required this land to be transferred to Council in 1957 – as a trustworthy owner - to ensure that the area was retained as a reserve for future generations to enjoy. The transfer of the land to Council was to prevent any development on this area and ensure that it was retained as "Public Garden and Recreational Space" for the future. In continuation with the foresight shown originally by Woollahra Council in establishing Dunara Reserve we ask that Council preserve this unique reserve for future generations by heritage listing

Peter and Victoria Papadakis

[REDACTED]

[REDACTED]

[REDACTED]

Please confirm receipt of this submission by email

From: [Peter & Edith Ryba](#)
To: [Records](#)
Subject: Dunara Reserve
Date: Thursday, 21 February 2019 2:53:35 PM

The General Manager, Woollahra Council

I am writing in reference to the planning Proposal to Heritage List Dunara Reserve – Ref: SC 4415

This follows on from my previous submission in favour of the Reserve's retention and listing.

I support the Council's planning proposal to heritage list Dunara Reserve.

Kind Regards,

Peter Ryba

Freda Cassen



The General Manager
Woollahra Council
PO Box 61, Double Bay NSW 1360

Dear Sir

**PLANNING PROPOSAL TO HERITAGE LIST DUNARA
RESERVE POINT PIPER SC 4415**

I wish to strongly support the planning proposal to heritage list the Reserve

I have previously made strong submissions in favour of its retention and refer to those submissions in support of this proposal

In particular, it is absolutely imperative to preserve and retain green space in Point Piper, which is generally bereft of such and overdeveloped.

The reserve, as is noted by council and by the heritage report commissioned by council, has numerous exotic and native trees whose preservation and maintenance are vital. The reserve, as is also noted, has a historical association with Dunara, the original heritage listed house on the Dunara Estate.

I congratulate council on this planning proposal

Yours faithfully

Freda Cassen

A handwritten signature in cursive script that reads "Freda Cassen".

From: [Steven Theakstone](#)
To: [Records](#)
Subject: To General Manager reSC4415 Submissions - Support
Date: Tuesday, 5 March 2019 6:06:07 AM

Dear Sir/Madam,

Mrs N Theakstone of [REDACTED] and Mr S Theakstone of [REDACTED] support the council's proposal to list Dunara reserve as an heritage item.

Please feel free to contact Mrs Theakstone on [REDACTED] or Mr Theakstone on [REDACTED] if you require additional information.

Yours Sincerely
Mrs N Theakstone
Mr S Theakstone



DOC19/95661-1

Mr Gary James
General Manager
Woollahra Municipal Council
PO Box 61
Double Bay NSW 1360

Via Email: records@woollahra.nsw.gov.au

Dear Mr James

Thank you for the opportunity to comment on the proposed local heritage listing of Dunara Reserve at Wentworth Street, Point Piper on the heritage schedule of the Woollahra Municipal Council LEP.

The Heritage Division does not object to the listing and notes that the proposal is supported by the 2018 *Heritage Significance Assessment – Dunara Reserve, Point Piper* prepared by Chris Betteridge of Betteridge Consulting.

If you have any further queries please do not hesitate to contact Nicole Secomb, Heritage Programs Officer, Statewide Programs at the Heritage Division, Office of Environment and Heritage on [REDACTED] or [REDACTED] (Tues, Thurs, Fri).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rochelle Johnston'.

ROCHELLE JOHNSTON
Manager – Statewide programs
Heritage Division

5 March 2019

PO Box 3720 Parramatta NSW 2124
10 Valentine Ave Parramatta NSW 2150
Tel: (02) 9895 6211 Fax:
ABN 30 841 387 271
www.environment.nsw.gov.au

From: [George Pal](#)
To: [Records](#)
Subject: Re: SC 4415
Date: Wednesday, 13 March 2019 7:27:22 PM

General Manager,
Woollahra Council

Dear Sir/Madam

Re: SC 4415

Planning Proposal to Heritage List Dunara Reserve

I am writing to express my full support of the planning proposal to heritage list Dunara Reserve.

As per my original correspondence of the 15th November 2017 -opposing the submission to reclassify the site from "community land" to "operational land"- I believe that the move to heritage list Dunara Reserve is consistent with its original creation and purpose, and will protect & preserve an important public space including the native fauna & flora for all to enjoy.

Yours sincerely,

George L. Pal.

Item No: R3 Recommendation to Council
Subject: STRATEGIC PLANNING DEPARTMENT PROJECTS AND STAFF RESOURCING
Author: Chris Bluett, Manager - Strategic Planning
Approver: Allan Coker, Director - Planning & Development
File No: 19/46134
Reason for Report: To respond to the notice of motion adopted on 11 March 2019 regarding Strategic Planning Department staff resourcing.

Recommendation:

THAT the report on Strategic Planning Department projects and staff resourcing be received and noted.

1. Background

At its meeting on 11 March 2018 the Council adopted the following notice of motion:

“THAT Council:

- A. Requests the General Manager to give urgent priority to increasing staff resourcing in the Planning and Development division to ensure the completion of the following projects by the end of September 2019:

| DPOP item | Priority Action |
|-----------|---|
| 4.1.1.10 | Review all matters deferred from inclusion in Woollahra LEP 2014. |
| 4.1.1.12 | Review planning controls for building envelopes, residential carparking rates and excavation. |
| 4.1.1.13 | Review controls for the Edgecliff Commercial Centre. |
| 4.1.1.14 | Prepare new housing strategy consistent with guidelines issued by the Greater Sydney Commission. |
| 4.1.1.19 | Prepare a draft Voluntary Planning Agreement policy. |
| 4.1.1.20 | Review WoollahraLEP 2014 to consider the impact of medium density dwelling provisions in the Low Rise Medium Density Housing Code. |
| 4.1.1.21 | Review landscaping controls in Woollahra DCP 2015 regarding enhancing the tree canopy requirements. |
| 4.1.1.23 | Prepare Local Strategic Planning Statement. |
| 4.1.1.24 | Prepare Community Participation Plan. |
| 4.1.1.25 | Report on attracting a public high school to the Edgecliff Commercial Centre Corridor. |
| 4.1.1.26 | Prepare a draft affordable housing policy. |
| 4.3.1.1 | Paddington Pubs study to determine and establish more specific conservation controls. |
| 4.3.1.2 | Review Wilkinson buildings and determine if they meet the threshold for heritage listing. |
| 4.3.1.3 | Prepare a report on future heritage listing of Arts and Crafts buildings and inter-war residential flat buildings. |
| 4.3.1.4 | Update heritage inventory sheets for existing heritage items. |
| 4.3.1.5 | Review the infill controls in the Paddington HCA Chapter in Woollahra DCP 2015. |
| 4.3.1.6 | Report reviewing the pavilion extension controls in the Paddington HCA Chapter in Woollahra DCP 2015. |
| 4.3.1.8 | Assessment of heritage significance for Rose Bay Scout Hall (former RAAF Officer’s Canteen) in Vickery Avenue, Rose Bay. |
| 4.3.1.9 | Rose Bay Scout Hall (former RAAF Officers’ Canteen) - proposed Heritage Listing and Upgrade. |
| 4.3.1.10 | Assessment of heritage significance for the Sydney Croquet Club building and greens, Woollahra Golf Club clubhouse and George Grimley Pavilion. |

| | |
|----------|--|
| 4.3.1.12 | Report on a heritage assessment of Cooper Park to determine heritage listing in Woollahra LEP 2014 and listing on the NSW State Heritage Register. |
| 4.3.1.13 | Undertake a heritage assessment of Gaden House Double Bay. |
| 4.3.1.14 | Prepare planning proposal to list as a heritage item the Rose Bay Uniting Church and Wesley Hall. |
| 4.3.1.15 | Prepare a planning proposal to list Dunara Reserve, Point Piper, as a local heritage item. |

- B. In particular, requests the most urgent prioritisation of:
- i) Report on the resolution in relation to the night-time economy and leasing of footpaths and footpath dining by the end of April 2019; and
 - ii) All works in relation to the review of DCP controls for the Double Bay commercial centre including all public consultation by 30 September 2019.”

In response to questions which were put to the General Manager and to the Director of Planning at the meeting it was indicated that a response to the Notice of Motion would be provided to the next meeting of the Environmental Planning Committee.

2. Response to notice of motion

The recruitment process to increase staff in the Planning and Development Division responsible for delivering projects listed in the notice of motion has commenced with the placement of job advertisements for an additional strategic planner and an additional heritage officer. As an additional step we have made internal changes with one of the part-time Heritage Officer positions being extended to a full-time role.

We will continue to outsource projects in the current heritage program under existing and new resource allocations to accelerate the completion of as many projects as possible by 30 September.

3. Project completion timeframe

The Council’s decision refers to the completion of all projects listed in the table by 30 September 2019.

Aside from the necessary resources to undertake the projects in the table, the ability to complete all the projects by the end of September 2019 can be significantly influenced by several factors:

1. The nature and complexity of the projects, including the scope of research and consultation.
2. The need for Council’s signoff at stages to advance to further steps.
3. The requirement to obtain advice from the Woollahra Local Planning Panel.
4. Statutory requirements with the preparation of a planning proposal and DCP amendments. This includes the need for a gateway determination for planning proposals and minimum public consultation periods for both a planning proposal and draft DCP.
5. The role of State government agencies in processing planning proposals. The primary government agencies are the Department of Planning and Environment (DPE) and the Greater Sydney Commission. The gateway determination is issued by the DPE. The Office of Environment and Heritage will be consulted for heritage item planning proposals whilst the Roads and Maritime Services, Sydney Water and other agencies may be involved with planning proposals dealing with development uplift.

Factors 4 and 5 are particularly influential in setting a timeframe for planning proposals and draft DCPs. There is a minimum statutory public participation period of 28 days for draft DCPs set in the *Environmental Planning and Assessment Regulation 2000*. The minimum public participation periods for planning proposals range from 14 to 28 days depending on criteria set down in the document titled *A Guide to Preparing Local Environmental Plans* (DPE, December 2018). The DPE will confirm the minimum public participation periods in the gateway determination which is issued for each planning proposal.

The length of time taken by the DPE to issue a gateway determination is largely outside the Council's influence. Aside from this, the DPE may require Council to submit further information to justify a planning proposal before it issues a determination. Also, conditions imposed on the determination may require Council to carry out further research and include additional information as part of the exhibition material.

Establishing whether a particular project can be completed by the end of September 2019 is also related to the terms of the Council's initial decision when it created each project. For example, the Council may ask for a report to be submitted on a matter. Completion of that project would then be the date on which the Environmental Planning Committee's recommendation is considered by the Council. Another project may arise as a consequence of the Council's decision on that recommendation. If so, that project should be commenced as a new action in the DPOP and its completion date should be considered in light of the five points mentioned above.

We are not able to pre-empt a future decision of the Council which may result in a new project being created. This is particularly the case for projects involving the assessment of heritage significance. Nevertheless, for the purpose of this report we have looked at the option whereby some projects may advance to a further stage which is set up as a new project in the DPOP. In those cases we have considered the likelihood of the new project being completed by 30 September 2019.

The tables in **Annexure 1** of this report list projects currently in the DPOP and those which have recently arisen due to an adopted notice of motion or other decision. The comments in each table identify requirements which will influence timeframes for delivering projects to various stages or will influence the project's completion. The comments do not provide a full status report as would be set out in the quarterly DPOP reports.

The second table lists projects which are additional to those contained in the table provided in the adopted notice of motion of 11 March 2019. These additional projects are allocated to the strategic planning department and have arisen from further notices and motion and decisions of Council.

4. Analysis of project timeframes

There are currently 29 projects in the Strategic Planning DPOP program. These projects are distributed within Theme 4 (Quality Places and Spaces: Well-planned neighbourhoods) and Theme 9 (Local Prosperity: Community focused economic development). The projects may be generally categorised into strategic planning and heritage conservation.

There are 14 strategic planning projects and 15 heritage conservation projects. Of these, 13 strategic planning projects and 14 heritage conservation projects have commenced.

In making our assessment about meeting the completion date of 30 September 2019 we have looked at the option that some projects will, subject to a Council decision, evolve into new projects. That is, there will be further stages built upon the original project. There are potentially 6 strategic planning and 14 heritage conservation projects in this situation.

Whilst some projects can be completed by 30 September 2019 because they only involve a report to the EPC, it is clear that subsequent work arising from those projects which would be created as a new project cannot be completed by the relevant date. There are potentially 5 strategic planning projects and 8 heritage conservation projects in this situation.

Of the single stage projects currently in the program potentially 3 strategic planning projects can be completed by 30 September 2019. There are no single stage heritage projects that can be completed by 30 September 2019.

The ability to complete the projects by 30 September 2019 is not simply a matter of staff numbers. The five factors mentioned in section 2 of this report are individually and in some cases collectively critical to the timely delivery of projects, whether they be in the form of a report responding to a notice of motion or the preparation and completion of a planning proposal or draft DCP. Nevertheless, additional resources whether in the form of staff or consultants will assist in progressing more projects through their phases.

5. Conclusion

Our analysis concludes that we will not be able to deliver all the projects in the Strategic Planning DPOP program listed in the table accompanying the adopted NOM of 11 March 2019 by 30 September 2019. Furthermore, we do not consider that the increase in staff resources will ensure all the projects are completed by 30 September 2019. This is because, in addition to the complexity of many projects, there are statutory processes, approvals by state agencies and minimum consultation requirements that must be observed. However, additional resources will certainly assist in completing projects in a more timely manner and we will work to achieve completion of those projects set out in tables 1 and 2 which are achievable by 30 September 2019.

Annexures

1. Strategic Planning Department project tables [↓](#) 

| Table 1 Strategic Planning and Heritage Projects – March 2019 | | | | | |
|--|--|--|--------------------------|----------------------------|------------------------------|
| DPOP item | Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| 4.1.1.10 | Review all matters deferred from inclusion in Woollahra LEP 2014 (DPOP) | <ul style="list-style-type: none"> About 23 property owners requested changes to planning controls, mostly to allow higher density development. This action is not a high priority project. It should be incorporated with the preparation of Council's housing strategy. The housing strategy will involve public consultation and referral to the Department of Planning and Environment and Greater Sydney Commission. | Yes | Yes | No |
| 4.1.1.12 | Review planning controls for building envelopes, residential carparking rates and excavation (NOM 8/04/2013) | <ul style="list-style-type: none"> This project was partly completed in April 2017. A further stage involving the introduction of FSRs for low density residential in the R2 and R3 zones (excluding the main heritage conservation areas). A report to the EPC on 4 March 2019 was deferred for further information. Subject to Council's decision, a planning proposal and a draft DCP is required. The process will include referral of the planning proposal and draft DCP to LPP, advice back to EPC, recommendation to Council, gateway determination for the planning proposal by the DPE and then public exhibition of planning proposal and draft DCP. Potential delays in getting gateway approval if Council wants to put minimum deep soil requirements in our LEP. | Yes | Yes | No |
| 4.1.1.13 | Review controls for the Edgecliff Commercial Centre (UPC delegated 16/11/2015) | <ul style="list-style-type: none"> Cannot be progressed until transport study completed. Transport study due April 2019 following consultation with RMS. Will most likely require a planning proposal and draft DCP. Subject to Council's decision these new projects will require a report to the EPC, referral to LPP, advice back to EPC, gateway determination for planning proposal by DPE and then public exhibition. Likely to generate significant and complex public submissions. | Yes | Yes | No |
| 4.1.1.14 | Prepare new housing strategy consistent with guidelines issued by the Greater Sydney Commission (UPC delegated 16/11/2017 and State Gov requirement) | <ul style="list-style-type: none"> Brief prepared. This is a large research project also dependent on state government guidelines for affordable housing. Staff working in consultation with Waverley and Randwick to ensure consistent methodology for affordable housing and to satisfy DPE LEP review assurance requirements. This project must identify appropriate targets for new housing. Likely to generate | Yes | Yes | No |

| Table 1 Strategic Planning and Heritage Projects – March 2019 | | | | | |
|--|--|---|--------------------------|----------------------------|------------------------------|
| DPOP item | Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| | | significant public interest and a planning proposal. Subject to Council's decision, a planning proposal will be referred to the LPP for advice. A gateway determination will be required from the DPE. Extensive public consultation will be occur followed by further reporting to the EPC. | | | |
| 4.1.1.19 | Prepare a draft voluntary planning agreement policy (NOM 30/10/2017 and CM 23/4/2018) | <ul style="list-style-type: none"> Following extensive research and expert input submit Draft Policy to EPC in April/May. Subject to Council's decision undertake public exhibition and report to EPC. | No | Yes | Yes |
| 4.1.1.20 | Review Woollahra LEP 2014 to consider the impact of medium density dwelling provisions in the Low Rise Medium Density Housing Code (NOM 21/5/2018) | <ul style="list-style-type: none"> Report to EPC 18 March 2019. Subject to Council's decision prepare planning proposal and draft DCP. Gateway determination for planning proposal required from DPE. Public exhibition of planning proposal and draft DCP. Further report to EPC. | Yes | Yes | Yes |
| 4.1.1.21 | Review landscaping controls in Woollahra DCP 2015 regarding enhancing the tree canopy requirements. (NOM 21/5/2019) | <ul style="list-style-type: none"> Report for EPC in April. Subject to Council's decision, prepare draft DCP. Process will involve public exhibition and reporting to EPC. | No | Yes | Yes |
| 4.1.1.23 | Prepare Local Strategic Planning Statement (State Gov requirement and CM 1/5/2018, EPC delegated 6/8/2018) | <ul style="list-style-type: none"> Statutory requirement to be submitted by 1/12/19. Community engagement underway. Major project to refresh Council's land use planning vision for the next 20 years. Will require further public consultation following preparation of draft statement. Referral to DPE. | Yes | Yes | No |
| 4.1.1.24 | Prepare Community Participation Plan (State Gov requirement and CM 1/5/2018, EPC delegated 6/8/2018) | <ul style="list-style-type: none"> Statutory requirement to be submitted by 1/12/19. Must set out Council's policy for community engagement on planning matters. Will require community engagement during preparation. | Yes | Yes | No |
| 4.1.1.25 | Report on attracting a public high school to the Edgecliff Commercial Centre Corridor (NOM 27/11/2017) | <ul style="list-style-type: none"> We have consulted with the Dept of Schools Education and Waverley Council. Government position is that there is no need for a new high school in Edgecliff corridor because a new high schools is being constructed at Surry Hills, expected to be completed by 2020. | No | No | Yes |
| 4.1.1.26 | Prepare a draft affordable housing policy (NOM 26/2/2018) | <ul style="list-style-type: none"> GSC assurance requirements requires this to be part of our housing strategy. Consider with 4.1.1.14 | Yes | Yes | No |

| Table 1 Strategic Planning and Heritage Projects – March 2019 | | | | | |
|--|---|---|--------------------------|----------------------------|---|
| DPOP item | Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| 4.3.1.1 | Paddington Pubs study to determine and establish more specific conservation controls (Council decision, most recently 21/5/2018) | <ul style="list-style-type: none"> Draft study completed by consultants has involved substantial input from staff. Council's process requires consultation with affected landowners. That process is underway. A report on the final study to EPC is achievable by 30 September 2019. The Four in Hand Hotel is being finalised separately and a single planning proposal has been prepared. Subject to Council's decision, completion of the Four in Hand planning proposal by 30 September 2019 is achievable, but is dependent on a favourable gateway determination and the nature of issues arising from public exhibition. Should Council resolve to prepare a planning proposal for the remaining hotels together with changes to the DCP, new actions would be created in the DPOP. The process would then require referral to the LPP, reporting to EPC, a gateway determination for the planning proposal, public exhibition and final reporting to the EPC. There are likely to be detailed submissions from property owners. These new actions will not be finalised by 30 September 2019. | Yes | Yes | Yes – potentially for the Four in Hand Hotel No – for remaining hotels |
| 4.3.1.2 | Review Wilkinson buildings and determine if they meet the threshold for heritage listing. (Council decision) | <ul style="list-style-type: none"> Deferred by resolution of Council on 24/11/14. If listings are justified and supported by Council a planning proposal will be required. Process will then involve report to LPP, gateway determination, public exhibition, and report to EPC. Likely to result in detailed submissions from land owners | Yes | Yes | No |
| 4.3.1.3 | Prepare a report on future heritage listing of Arts and Crafts buildings and inter-war residential flat buildings. (Council decision) | <ul style="list-style-type: none"> Deferred due to other priorities. If listings are justified and supported by Council a planning proposal will be required. Process will then involve report to LPP, gateway determination, public exhibition, and report to EPC. Likely to result in detailed submissions from land owners | Yes | Yes | No |
| 4.3.1.4 | Update heritage inventory sheets for existing heritage items. | <ul style="list-style-type: none"> Ongoing project. About 200-300 to be updated. | No | No | No |
| 4.3.1.5 | Review the infill controls in the Paddington HCA Chapter in Woollahra DCP 2015. (CM 10/4/2017) | <ul style="list-style-type: none"> Latest work has involved discussions with the Paddington DCP WP on 14/3/19. Report to EPC April/May. Subject to Council's decision, prepare draft DCP to amend to Chapter C1 of Woollahra DCP 2015. | No | Yes | Yes |

| Table 1 Strategic Planning and Heritage Projects – March 2019 | | | | | |
|--|--|--|--------------------------|----------------------------|--|
| DPOP item | Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| 4.3.1.6 | Report reviewing the pavilion extension controls in the Paddington HCA Chapter in Woollahra DCP 2015. (NOM 26/4/2016) | <ul style="list-style-type: none"> Latest work has involved discussions with the Paddington DCP WP on 14/3/19. Report to EPC April/May. Subject to Council's decision, prepare draft DCP to amend to Chapter C1 of Woollahra DCP 2015. | No | Yes | Yes |
| 4.3.1.8 | Assessment of heritage significance for Rose Bay Scout Hall (former RAAF Officer's Canteen) in Vickery Avenue, Rose Bay. (NOM 18/6/2018) | <ul style="list-style-type: none"> Consultant brief prepared. Will require consultation with lessees and land owner. Report on assessment to EPC is achievable by 30 September 2019. If listing is justified and supported by Council a planning proposal will be required. Process will then involve report to LPP, gateway determination, public exhibition, and report to EPC. | Yes | Yes | No |
| 4.3.1.9 | Rose Bay Scout Hall (former RAAF Officers' Canteen) – Investigate potential purchase and building upgrade. (NOM 18/6/2018) | <ul style="list-style-type: none"> Project responsibility is with Manager, Property and Projects | No | No | No |
| 4.3.1.10 | Assessment of heritage significance for the Sydney Croquet Club building and greens, Woollahra Golf Club clubhouse and George Grimley Pavilion (NOM 23/4/2018) | <ul style="list-style-type: none"> Consultant brief prepared. Will require consultation with lessees and land owner. Report on assessment to EPC is achievable by 30 September 2019. If listing is justified and supported by Council a planning proposal will be required. Process will then involve report to LPP, gateway determination, public exhibition, and report to EPC. | Yes | Yes | No |
| 4.3.1.11 | Carry out an assessment of the Four in Hand Hotel – 105 Sutherland Street Paddington (NOM 21/5/2018) | <ul style="list-style-type: none"> Assessment completed with landowners input. Draft planning proposal prepared. Advice obtained from LPP and to be reported to EPC on 1 April 2019. Subject to Council's decision, process will then involve gateway determination, public exhibition, report to EPC. | Yes | Yes | Yes, subject to timing for gateway and issues from public consultation |
| 4.3.1.12 | Report on a heritage assessment of Cooper Park to determine heritage listing in Woollahra LEP 2014 and listing on the NSW State Heritage Register (NOM | <ul style="list-style-type: none"> Consultant commissioned. Draft report due end March. Report findings to EPC in May. Report on assessment to EPC is achievable by 30 September 2019. If listing is justified and supported by Council a planning proposal will be required. Process will then involve report to LPP, gateway determination, public exhibition, and report to EPC. | Yes | Yes | No |

| Table 1 Strategic Planning and Heritage Projects – March 2019 | | | | | |
|--|--|---|--------------------------|----------------------------|---------------------------------------|
| DPOP item | Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| 4.3.1.13 | Undertake a heritage assessment of Gaden House Double Bay | <ul style="list-style-type: none"> Public exhibition of planning proposal ends on 29 March 2019. Report to EPC in April. Subject to Council decisions, this project can be finalised by 30 September 2019. | Yes | Completed | Yes |
| 4.3.1.14 | Prepare planning proposal to list as a heritage item the Rose Bay Uniting Church and Wesley Hall | <ul style="list-style-type: none"> Planning proposal prepared but held up by gateway condition and review to Independent Planning Commission. Presentation to IPC on 28 February 2019. Review unsuccessful. Awaiting response from Department of Planning and Environment. | Yes | Yes | Yes, but depends on response from DPE |
| 4.3.1.15 | Prepare a planning proposal to list Dunara Reserve, Point Piper, as a local heritage item | <ul style="list-style-type: none"> Exhibition of planning proposal completed on 8 March 2019. Report on exhibition to EPC in April. Subject to Council decisions, this project can be finalised by 30 September 2019. | Yes | Completed | Yes |

| Table 2 Additional Strategic Planning and Heritage Projects – March 2019 | | | | | |
|---|--|---|--------------------------|----------------------------|------------------------------|
| DPOP item | Priority Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| Theme 4 | Undertake a heritage assessment of the sewerage pumping station at Percival Park, Rose Bay (NOM 12/11/2018) | <ul style="list-style-type: none"> Consultation with Sydney Water has occurred. Report on assessment to EPC is achievable by 30 September 2019. If listing is justified and supported by Council a planning proposal will be required. Process will then involve report to LPP, gateway determination, public exhibition, and report to EPC. | Yes | Yes | No |
| Theme 4 | Prepare a report to review existing controls for outdoor lighting on various land uses in residential zones (NOM 10/12/2018) | <ul style="list-style-type: none"> Not commenced. Reporting on this NOM may be achievable by the end of September 2019 subject to work on other projects with designated priority. However, if DCP changes are required a new action will be created in the DPOP. This action would not be completed by the end of September 2019 and would require public exhibition. | No | Yes | No |
| Theme 4 | Investigate dewatering in Double Bay. Report on changes to planning controls if required. (NOM 25/2/2019) | <ul style="list-style-type: none"> Residents meeting held 28/3/19, awaiting response from Water NSW (formerly Department of Primary Industry Office of Water). Scope of geotechnical study to be determined following consultation with Water NSW. May require amendments to DCP controls, depending on outcome of geotechnical investigation. Changes to the DCP would be started as a new action in the DPOP. | Yes | Yes | No |
| Theme 4 | Review planning controls in neighbourhood conservation areas (NOM 10/12/2018) | <ul style="list-style-type: none"> Not commenced. This project will require a review of 11 neighbourhood heritage conservation areas. Subject to the outcome of the review and Council's decisions, amendments may be required to the DCP and Woollahra LEP 2014. Process will then involve report to LPP, gateway determination for the planning proposal, public exhibition, and report to EPC. | Yes | Yes | No |
| 9.1.4.20 9.1.4.22 9.1.4.23 | Double Bay Review of Planning Controls (Council decisions) | <ul style="list-style-type: none"> Revised envelopes prepared and modelled, indicative renderings completed, community impact statement prepared, transport study completed. Being considered with draft VPA policy to share value of development uplift and to fund adopted Double Bay improvement strategies. Council resolution to refer to the Double Bay Working Party before EPC. These last steps can be completed before 30 September 2019. Subject to Council decision, a planning proposal and DCP amendments will be prepared. This will require involve a report to LPP, gateway | Yes | Yes | No |

| Table 2 | | | | | |
|---|------------------------|---|--------------------------|----------------------------|------------------------------|
| Additional Strategic Planning and Heritage Projects – March 2019 | | | | | |
| DPOP item | Priority Action | Comments | External referral | Public consultation | Achievable by 30/9/19 |
| | | determination for the planning proposal, public exhibition, report to EPC. These steps cannot be completed by 30 September 2019 | | | |

Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

