

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.

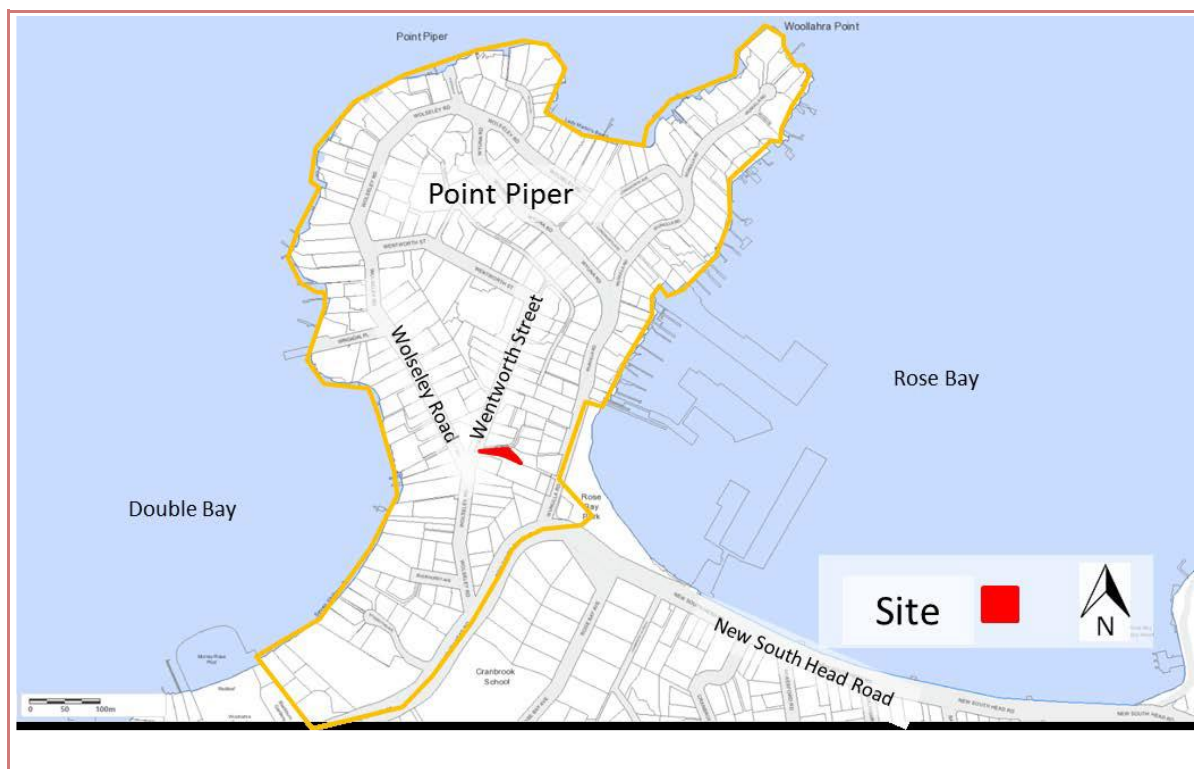


Figure 1 Context map for site .



Figure 2 Cadastral map showing site outlined and coloured red

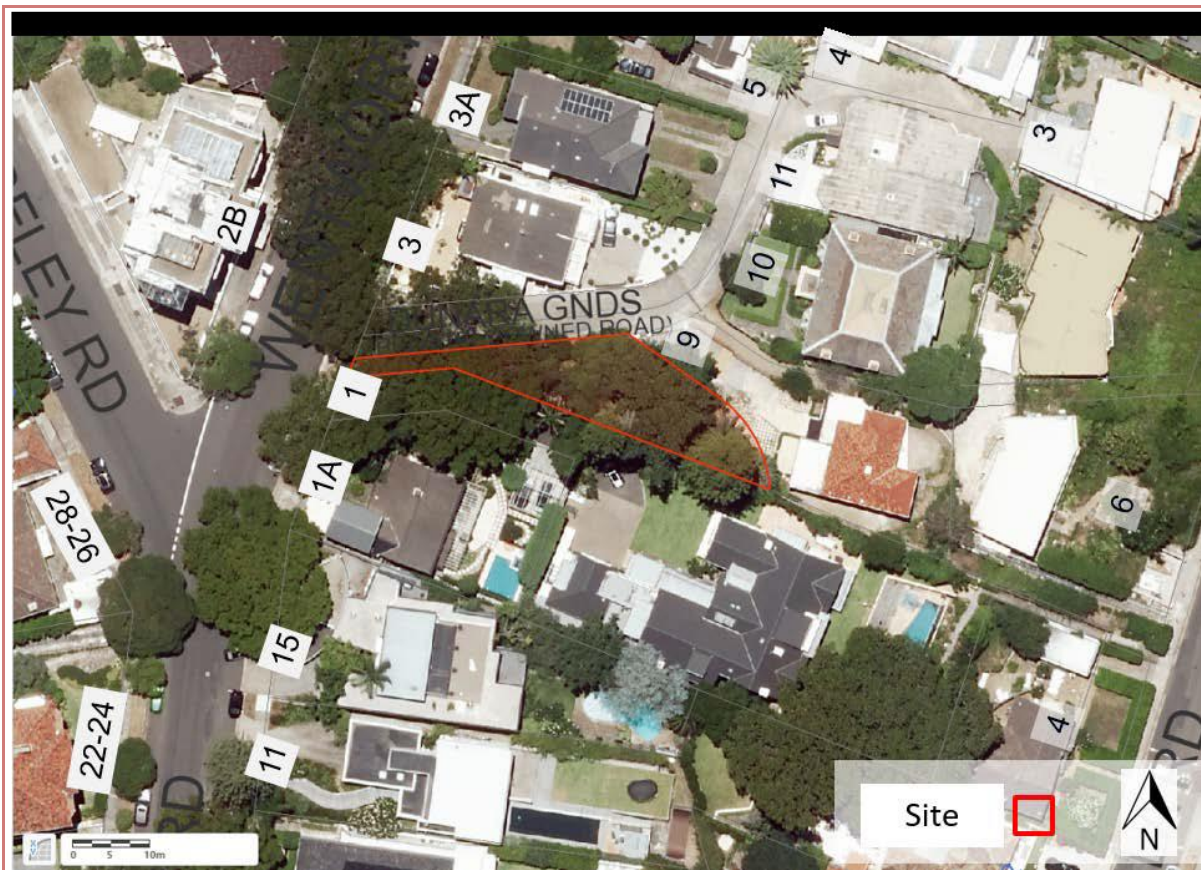


Figure 3 Aerial photograph showing the subject site outlined in red



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