



Proposed Cycleway Upgrade: Rose Bay Promenade, New South Head Road, Rose Bay

Heritage Impact Statement



Prepared by
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for
Complete Urban Pty Ltd

on behalf of
Woollahra Municipal Council

Version 3, 3 May 2019

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Report Register

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Executive summary

Woollahra Municipal Council (the Council) proposes to construct a shared pathway for cyclists and pedestrians along the Sydney Harbour side of New South Head Road from Double Bay to Rose Bay. The Council has commissioned Complete Urban Pty Ltd (Complete) to undertake a concept design documentation for the provision of cycle facilities along New South Head Road, Rose Bay, from William Street to Kent Road. Part of the proposed route for the pathway, between Cranbrook Lane in the west and the access road to Rose Bay Wharf in the east adjoins an item listed on the State Heritage Register (SHR), namely the 'Rose Bay Sea Wall, Promenade and its setting'.

The SHR-listed item includes the sea wall balustrade, four sets of stairs, parking bays, light standards, an avenue of Hills Weeping Figs and the southern portion of the road comprising the road and footpath. It extends to the entrance of Lyne Park in the east and to the beginning of the sea wall in the west. The northern boundary runs east to west, parallel to the sea wall, 20 metres from the sea wall into the waters of Rose Bay as shown on Heritage Council of NSW Plan No. HC2612.

This Heritage Impact Statement (HIS) has been prepared by Betteridge Heritage for Complete Urban on behalf of the Council in accordance with the guidelines for preparation of Statements of Heritage Impact published by the Heritage Council of New South Wales and the requirements of *Woollahra Local Environmental Plan 2014* (WLEP 2014), including the following:

1. History of New South Head Road between Double Bay and Rose Bay and the heritage significance of the place.
2. Site analysis, including the heritage item, non-Aboriginal archaeological potential, adjoining development and landscape character;
3. Existing heritage listings and planning context;
4. Description of the proposal in detail;
5. Assessment of heritage impacts, including archaeological and arboricultural impacts;
6. Conclusion and recommended mitigative measures.

The HIS concludes that the Proposal will have the following heritage impacts:

1. No impacts on those parts of the SHR curtilage on the southern side of New South Head Road;
2. No or Negligible impacts on the historic fabric of the seawall, sets of stairs and light fittings;
3. No or negligible impacts on non-Aboriginal archaeological resources;
4. Identifiable and potentially adverse impacts on the specimens of Hills Weeping Fig on the northern side of New South Head Road.

It is concluded that many aspects of the proposal are within the limits of acceptable change for the SHR-listed item. However, if the potential impacts on the trees are to be eliminated or reduced to an acceptable level, the detailed design of the proposal will need to be modified from that shown in the Concept Plan – Option A. A list of measures to mitigate adverse impacts and possible solutions to the design issues is provided. If the adverse impacts to the trees can be eliminated or reduced to an acceptable level there are no other heritage grounds for refusal of the Development Application for the Proposal.

1.0 Introduction

This section of the HIS provides a background to the Proposal, locates and identifies the site, discusses the methodology used, identifies the author and his qualifications and experience and acknowledges those who have assisted in the preparation of the HIS.

1.1 Background

Woollahra Municipal Council (the Council) proposes to construct a shared pathway for cyclists and pedestrians along the Sydney Harbour side of New South Head Road from Double Bay to Rose Bay (The Proposal). The Council has commissioned Complete Urban Pty Ltd (Complete) to undertake a concept design documentation for the provision of cycle facilities along New South Head Road, Rose Bay, from William Street to Kent Road. The pavement construction methodology has not yet been determined. Part of the proposed route for the pathway, between Cranbrook Lane in the west and the access road to Rose Bay Wharf in the east adjoins an item listed on the State Heritage Register (SHR) and *Woollahra Local Environmental Plan 2014* (WLEP 2014), namely the 'Rose Bay Sea Wall, Promenade and its setting'.

Since parts of the proposed works are located within the curtilage of a heritage item listed on the SHR and WLEP 2014, the Council is required to prepare an Integrated Development Application and a Section 60 application to the Heritage Council of New South Wales. Pursuant to Clause 5.10 (4) of the LEP Council "must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area". Accordingly, pursuant to Clause 5.10 (5) (a) Council has required a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

This heritage management document, in the form of a Heritage Impact Statement (HIS), has been prepared by Betteridge Heritage for Complete Urban on behalf of the Council in accordance with the guidelines for preparation of Statements of Heritage Impact published by the Heritage Council of New South Wales and the requirements of WLEP 2014, including the following:

1. History of New South Head Road between Double Bay and Rose Bay and the heritage significance of the place.
2. Site analysis, including the heritage item, non-Aboriginal archaeological potential, adjoining development and landscape character;
3. Existing heritage listings and planning context;
4. Description of the proposal in detail;
5. Assessment of heritage impacts, including archaeological and arboricultural impacts;
6. Conclusion and recommended mitigative measures.

This HIS is complementary to the Statement of Environmental Effects (SEE) for the proposed works also prepared by Betteridge Heritage for Complete Urban on behalf of Council and should be read in conjunction with that report.

1.2 Site location and identification

The site which is the subject of this HIS is on the Sydney Harbour foreshore at Rose Bay in the Municipality of Woollahra and is within the SHR curtilage described as the

sea wall balustrade, four sets of stairs, parking bays, light standards, an avenue of Hills Weeping Figs and the southern portion of the road comprising the road and footpath [i.e. that part of New South Head Road and footpath on the opposite side from the seawall]. It extends to the entrance of Lyne Park in the east and to the beginning of the sea wall in the west. The northern boundary runs east to west, parallel to the sea wall, 20 metres from the sea wall into the waters of Rose Bay as shown on Heritage Council of NSW Plan No. HC2612 (see Fig.1).



Figure 1 Heritage Plan 2612 showing State Heritage Register Item 1932, edged red.
(Source: Heritage Council of NSW)

1.3 Methodology

This report has been prepared in accordance with the guidelines in the “Statements of Heritage Impact” section of the *NSW Heritage Manual* (NSW Heritage Office / Department of Urban Affairs and Planning, 1996, as amended). Preparation of the report involved library and web-based research of documentary material on the site, site inspections on 14 February and 17 April 2019 and consultations with officers of

Complete Urban and the Council. The report includes a brief physical description of the site, a visual analysis, consideration of the heritage significance of the subject property, description of the proposed works, impact assessment, conclusion and recommended mitigative measures.

1.4 Author identification, qualifications and experience

This report has been prepared by Chris Betteridge BSc (Sydney), MSc (Museum Studies) (Leicester), AMA (London), M. ICOMOS, Director of Betteridge Consulting Pty Ltd trading as Betteridge Heritage, specialists in the identification, assessment, management and interpretation of cultural landscapes. The author was Specialist – Environmental / Landscape in the Heritage & Conservation Branch, NSW Department of Planning for ten years. He has been in private practice as a heritage consultant since 1991 including extensive periods as consultant Heritage Advisor to both Port Stephens Council and Wollondilly Shire Council and a member of the heritage advisory panel of Northern Beaches Council. Chris has specialised in the conservation of significant places, including some of the most important cultural landscapes in NSW. He has prepared or contributed to conservation planning documents for many significant sites and in recent years has prepared numerous heritage impact statements for proposed developments affecting listed items or conservation areas.

The Archaeological Impact Assessment (see Appendix C) was prepared by Dr Iona Kat McRae, Senior Archaeologist, Casey & Lowe Archaeology & Heritage and reviewed by Tony Lowe, Director, Casey & Lowe.

The Arboricultural Impact Assessment Report (see Appendix D) was prepared by Andrew Morton, Dip. (Arboriculture) [AQF Level 5], B. App. Sci. (Horticulture), A. Dip. App. Sci. (Landscape), Director, Earthscape Horticultural Services.

1.5 Acknowledgments

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2.0 Analysis of documentary and physical evidence

The following section includes a history of the area affected by the Proposal, based on readily available archival documentary sources, followed by a description of the physical characteristics of the place.

2.1 The history of Rose Bay & New South Head Road

2.1.1 Prior to European settlement

The low-lying Sydney Harbour foreshore lands at the head of Double Bay would have supported forest with trees of *Eucalyptus tereticornis* (Forest Red Gum), *E. robusta* (Swamp Mahogany) and *E. botryoides* (Bangalay), with shrubs of *Kunzea ambigua*, *Leptospermum flavescens* and *Melaleuca ericifolia* and small 'rainforest type' patches of *Livistona australis* (Cabbage Palm).¹ The low sandy country at Rose Bay originally supported a low swamp woodland of *Melaleuca quinquenervia* (Five-veined Paperbark).

2.1.2 Aboriginal occupation

Prior to European settlement, the area between Double Bay and Rose Bay was part of the lands of the Gadigal clan of the coastal Dharug language group of Aboriginal people.

*"The Cadigaleans and adjacent clans were a truly maritime people. Fish were their mainstay and they developed remarkable methods to catch them. They were one of very few Aboriginal groups to manufacture fishhooks, which they made by grinding down the shells of mud oysters. In late winter they journeyed into the bush to find suitable casuarina trees whose bark they used to build canoes up to five metres long. These they managed with astonishing dexterity."*²

An Aboriginal foot track known as Maroo generally followed the southern coastline of Port Jackson from Sydney to South Head.³

The devastating impact of European settlement in 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 people at Woollahra, some of their heritage is preserved in the form of rock art, shell middens and the Sydney language.⁴

According to the published account of First Fleet official David Collins, the Aboriginal name for the Rose Bay locality was 'Pan-ner-rong'. In describing an act of ceremonial bloodshed which he witnessed at Rose Bay, Collins adds by way of a footnote that "the word Pan-ner-rong, in the language of the country signifies blood". The name Pannerong lives on the small rest park located at the junction of Wilberforce and Newcastle Streets, Rose Bay.

The European name for the bay now known as Rose Bay was established on John Hunter's first chart of Port Jackson in 1788 and commemorates the Right Honourable

¹ Benson & Howell 1990, p.100

² Flannery 2000

³ Wikipedia

⁴ WSC website

https://www.woollahra.nsw.gov.au/library/local_history/a_brief_history_of_woollahra

George Rose, Joint Secretary of the Treasury of England, for whom Rose Hill – now Parramatta – was also named.

“The name [of the bay] is appropriate also, in a poetical sense, when the reflections of dawn or of sunset glow on the broad waters in delicate tints of pink or cerise, evocative of the petals of a rose. That play of light, characteristic of Sydney harbour in all its reaches, bays, and coves, is seen to perfection on Rose bay’s large expanse, especially when the water is calm, as it is usually at dawn, and often at sunset on a summer’s day, before a southerly breeze ripples it at dusk.”⁵

2.1.3 Early European settlement

The patches of Cabbage Palm in the gullies along the harbour were plundered for house construction early after European settlement of Port Jackson. John White on 21 July 1788 recorded ‘I went down the harbour, with the master of the *Golden Grove* victualler, to look for a cabbage tree as a covering for my hut’.

The swampy land at the head of Rushcutters Bay initially hampered access along the Sydney Harbour southern foreshore and the initial European route from Sydney to South Head followed the high ground along the present route of Oxford Street and South Head Road, now called Old South Head Road.

The first European settlement in Woollahra occurred two years after the arrival of the First Fleet when a flagstaff was erected at South Head (near the site of the Signal Station) in 1790 to serve as a landmark for ships arriving at the Heads.⁶ Before construction began on New South Head Road, only Aboriginal people and men stationed at the South Head Lookout Post used the Maroo track.⁷

In 1830, the Rose Bay foreshore became the burial place of Bungaree, a prominent man among his own people and throughout the early Sydney colonial settlement. Known for his intelligence, wit and a certain flamboyance, Bungaree featured regularly in colonial newspaper reports and his portrait was painted on a number of occasions. A measure of the trust placed in him by the colonial establishment was his invitation to sail on exploratory journeys with both Matthew Flinders and Philip Parker King.

Born at Broken Bay, Bungaree had moved into the Sydney area, on the northern shore of Port Jackson, where he mixed with the European community, on its terms, while retaining the respect of his own people, over whom he had assumed leadership. He was well known for, and often illustrated, wearing a cocked hat and uniforms given to him by the governors and officers⁸. Governor Macquarie had the title ‘BOONGAREE - Chief of the Broken Bay Tribe – 1815’ inscribed for him on a brass breast plate⁹. For several years from January 1815, Bungaree and his family camped on land on Georges Head where Macquarie had set aside huts and a farm for them. They gained some money by selling peaches to the residents of Sydney town, but the farm was not a success in the eyes of the British¹⁰. The death of ‘King Bungaree’ in November 1830 was reported in both Sydney newspapers of the day,

⁵ Stephensen 1966, p. 64

⁶ WSC website

https://www.woollahra.nsw.gov.au/library/local_history/a_brief_history_of_woollahra

⁷ Wikipedia

⁸ Attenbrow 2010, p.111

⁹ Ibid., p.61

¹⁰ Ibid., p.84

each recording his burial place at Rose Bay beside his late 'Queen'. This was possibly his wife Matora¹¹. Sometime after Bungaree's death, another of his wives, known as Gooseberry, received two breastplates, styled on regimental gorgets, one bearing the inscription 'Cora Gooseberry / Freeman Bungaree / Queen of Sydney and Botany'.¹² In 1844, 'Old Queen Gooseberry' accompanied George French Angas and Augustus Miles to several sites near North Head to explain Aboriginal engravings but how much she divulged of what she knew is unclear as she believed the sites were *koragee* ground or priest's ground¹³.

2.1.4 The New South Head Road

The information in this section is largely taken from the SHR listing supplemented by material from Council's local studies archives.

For the first few years of construction progress on New South Head Road was slow and only parts of the road began to develop, as work was treacherous, with the route offering a range of harsh environments such as the low lying swamplands of Rushcutters Bay, Double Bay and Rose Bay, to the steep cliff faces of Vaucluse and Watsons Bay; in addition, the bush lands surrounding the Maroo Track were reportedly infested with snakes. However, by 1834 efforts had increased, and the road began to take shape. Where the road crosses Rushcutters Creek, a succession of bridges was built, starting with a timber bridge around 1834, followed by a stone bridge erected between 1837 and 1839. Bentley's Bridge¹⁴, as it came to be known, was built by convicts under supervision of Lieutenant A C D Bentley. By the late 1830s, the road was able to cater for carts and stretched from Rushcutters Bay to Vaucluse, finally providing Sydneysiders a coastal thoroughfare along the southern banks of the harbour.

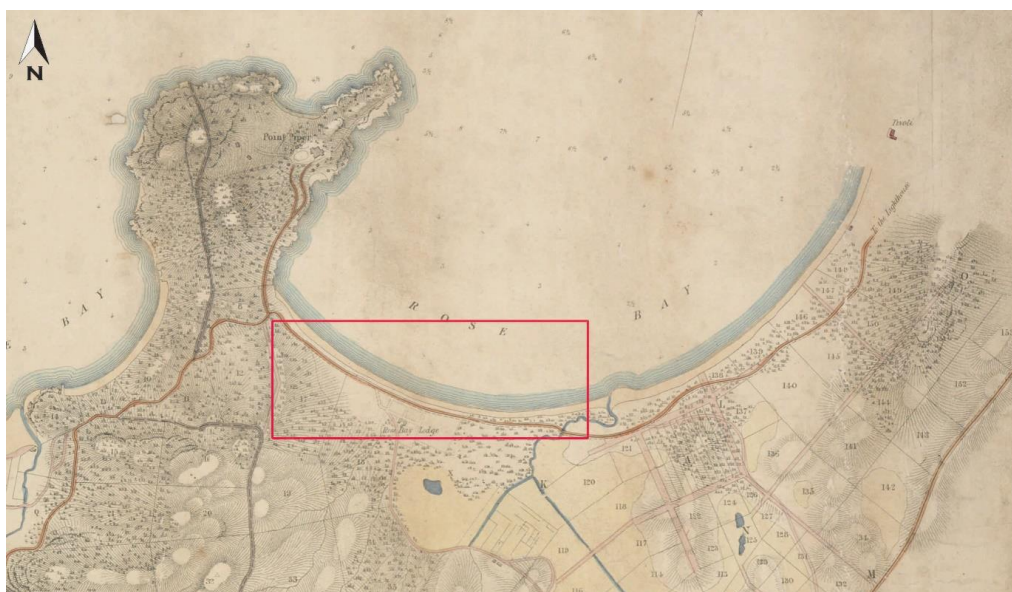


Figure 2 Extract of 'The Estate of Point Piper surveyed trigonometrically and divided into allotments' circa 1844. The alignment of then recently constructed New South Head road is shown in red and the study area is outlined in red. (Source: SLNSW, M2 811.181/1844/2. File no. 447221, with overlay by Casey & Lowe Archaeology and Heritage, April 2019)

¹¹ Ibid., 141

¹² Ibid., p. 61

¹³ Ibid., p.135

¹⁴ "[Bentleys Bridge](#)". *Heritage and Conservation Register*. [Roads and Traffic Authority](#). Retrieved 2007-04-16, cited in Wikipedia

During the first 40 years of European settlement, the land at Woollahra was broken up and acquired by members of the colony by grant and/or purchase. The largest of the estates was the Point Piper Estate (the sole property of Daniel Cooper by 1847) which covered 1,130 acres of land in Woollahra, parts of Edgecliff, Double Bay, Point Piper, Bellevue Hill and Rose Bay.

Due to the poor condition of both New South Head Road and Old South Head Road, in May 1848, the *South Head Roads Trust Act* was passed, placing control of roads (including New South Head Road) and the construction of tollgates (one of which was located on New South Head Road) with the South Head Roads Trust. The Trust was to maintain the 24 kilometres of road under its control and to raise the necessary maintenance funds, the Trust collected tolls from the road users. Unfortunately, for the occupants of newly developed suburbs such as Vaucluse, the trust failed to adequately delegate funds and maintenance of the road remained poor until the trust was disbanded in 1904.¹⁵ The Government then passed management of major roads to local councils. A number of councils objected to the added financial burden, so in November 1904, the Minister for Works undertook to repair and maintain the former Trust roads until such time as the councils could raise more revenue.



Figure 3 Historic photograph of New South Head Road, Rose Bay, looking east towards Dover Road and showing the road as still a dirt track. (Source: Russell 1980, p.33)

After the completion of New South Head Road, suburbs quickly formed around the road creating a demand for public and private services. In the late nineteenth century a number of schools were established on the road including the Sacred Heart Convent, now Kincoppal, Rose Bay (1882), Kambala School (1884), Ascham School (1886) and Cranbrook School established twenty years later in Rose Bay. As well as this a Roman Catholic church, St. Mary Magdalene, was built in Rose Bay in 1920. Official Government buildings were also established on the road including the Rose Bay Police Station (1930) and the Woollahra Council Chambers in Double Bay (1947). Also, a number of recreational facilities were installed along the route including parks, yacht clubs and the Royal Sydney Golf Club (1896).

Steam ferries had been running from Circular Quay to the pier at Rose Bay since at least 1877 and it is thought that a jetty may have been built by the Cooper family when they occupied Rose Bay Lodge., with a regular ferry service established in

¹⁵ Wikipedia

1887 but this was discontinued with the extension of the tramline along New South Head Road.

“Before the tramline was completed, steamers called here [at Rose Bay] and brought large crowds for holidays. Now there is no regular service. It is however, a delightful place for rowing or sailing”.¹⁶ Between 1893 and 1900 a boat shed was built on the eastern side of the Rose Bay pier and in 1904 boats were available “for hire at Eveston’s sheds near the first jetty”.¹⁷ According to *Sands Directories*, Charles Eveston was the ‘boat and motor launch proprietor’ at the boatsheds. At the northern end of Lyne Park ‘Rose Bay Baths’ were established in 1905. Known at various times as ‘Pike’s Crystal Baths’, Farmer’s Baths’ and ‘O’Keefe’s Crystal Waters’, the baths were clad in corrugated iron and at one stage had a high diving tower. The baths were demolished, along with the Scots College rowing shed in 1938, when the area was required for the flying boat base¹⁸.

In 1884, just over two acres of land on the shores of Rose Bay were resumed for a public park, the site proclaimed Rose Bay Park on 14 February 1888. Woollahra Council accepted trusteeship of the park in 1897. In the 19th century, a narrow stretch of land, also known as Rose Bay Park, existed between New South Head Road and the natural high-water mark about opposite where the Royal Sydney Golf Club now stands. In March 1899, Woollahra Council sent a deputation to the Minister for Works to urge for the reclamation of a portion of the foreshore at Rose Bay extending out into the harbour from this site. In September that year the Minister reported that funds were available for the formation of a park which he intended to call ‘Lyne Park’ in honour of the Premier, Sir William Lyne and further that “the governor will be asked to dedicate the grounds to the people”.¹⁹

Work on the reclamation of tidal sand flats resulting from the creek that entered the bay there was carried out between 1901 and 1902 and the size of the park was increased to approximately 5.7 hectares. Lyne Park was officially dedicated for public recreation on 2 August 1905 and Woollahra Council appointed trustee but the same year the Department of Lands revoked 3.2 hectares for uses as a recreation ground for the Navy. Over the years, parts of the park were also alienated for sectional interests including a number of business ventures and commercial operations, accommodating restaurants, loading and equipment wharves, boat ramps, the World War II flying boat base and the post-war commercial flying boat base which continued in operation until 1974 when the service to Lord Howe Island was terminated after the construction of a landing strip on the island. The War Memorial in Lyne Park was unveiled by the Governor of NSW Sir Alexander Hore-Ruthven on 21 April 1935. The ornamental gates at the entrance to the memorial came from the demolished house ‘Colebrook’.

The major rural industries in the Rose Bay area were dairying and market gardening. During the second half of the 19th century the Trustees of the Point Piper Estate offered leases to Chinese market gardeners on low lying areas referred to as the ‘Rose Bay Flats’, centred around Rose Bay Creek which drained into the harbour near the location of present day Lyne Park. Some early Rose Bay residents such as Jack Johnson remembered cordial relations with the local gardeners.

¹⁶ *Harbour Guide*, 1904.

¹⁷ *Harbour Guide* 1904

¹⁸ Reminiscences of Rose Bay by H Martin 200?, Woollahra Library

¹⁹ *Daily Telegraph*, 26 September 1899

'We had a free run of the gardens and as there were twelve of us including my father and mother the constant supply of fresh vegetables were of great assistance to us all. Each Christmas they would come with their presents of preserved ginger in jars which would be handed over....'

The market gardens were gradually consumed by residential development, the Woollahra and Royal Sydney Golf Courses and Woollahra Park and by 1926 there was only one remaining garden. This last market garden was situated in O'Sullivan Road on land leased to the gardener Yee Lee by the Ryan family who operated a dairy known as 'Ryan's Dairy' on another portion of their property in O'Sullivan Road. Yee Lee's garden was forced to close due to health concerns in March 1926.

By the late 19th century, much of the paperbark swamp at Rose Bay had been cleared. Arthur Hamilton, writes in 1919 that 'survivors of the extensive forest of these plants [of *Melaleuca quinquenervia*] originally in the peaty flat stretching across to Rose Bay, are still preserved in paddocks and private gardens'²⁰



Figure 4 Rose Bay tram terminus 1898, showing the sweep of the bay with a timber fence along the harbour side of New South Head Road at that time. (Source: Mitchell Library PF-215)

The volume of traffic along New South Head Road was steadily increasing. By the 1890s a tram line had been constructed along New South Head Road, reaching Edgecliff in 1894 and later with a terminus at the western end of Rose Bay in 1898. The tram service was extended as far as Dover Road in 1900. Anticipating the expansion of settlement that would accompany the building of the tramline, the local landowners began creating subdivisions of their properties and offering these for sale, such as the 'Beresford Estate' in 1901, the 'Royal Sydney Golf Links subdivision' in 1907, 'Rose Bay Beach Estate' in 1908, 'Rose Bay Lodge Estate' in 1911, 'Ellerslie Estate' in 1913 and the 'Mirimar Estate'. These subdivisions encouraged the development of a commercial centre at Rose Bay where the first shop, White's 'Harbour View Store' was established in 1905, coinciding with the opening of Lyne Park that year. The Rose Bay commercial centre was given further

²⁰ Hamilton 1919, cited in Benson & Howell 1990, p.100

impetus along New South Head Road with the release of the foreshore subdivision of the. The tramline was extended via a single line from Vaucluse down the steep grades to Watson's Bay Wharf by 1909.

The break-up of the estates at Rose Bay allowed for gradual residential development along New South Head Road, initially with Federation style houses and, in the interwar period, California bungalows and Art Deco and Spanish Mission style residential flat buildings.

Woollahra Council was acquiring land for widening New South Head Road by the beginning of 1917 and a deputation met with the Local Government Department later in the year to urge resumptions, realignment of sections of the road and generally widening it.

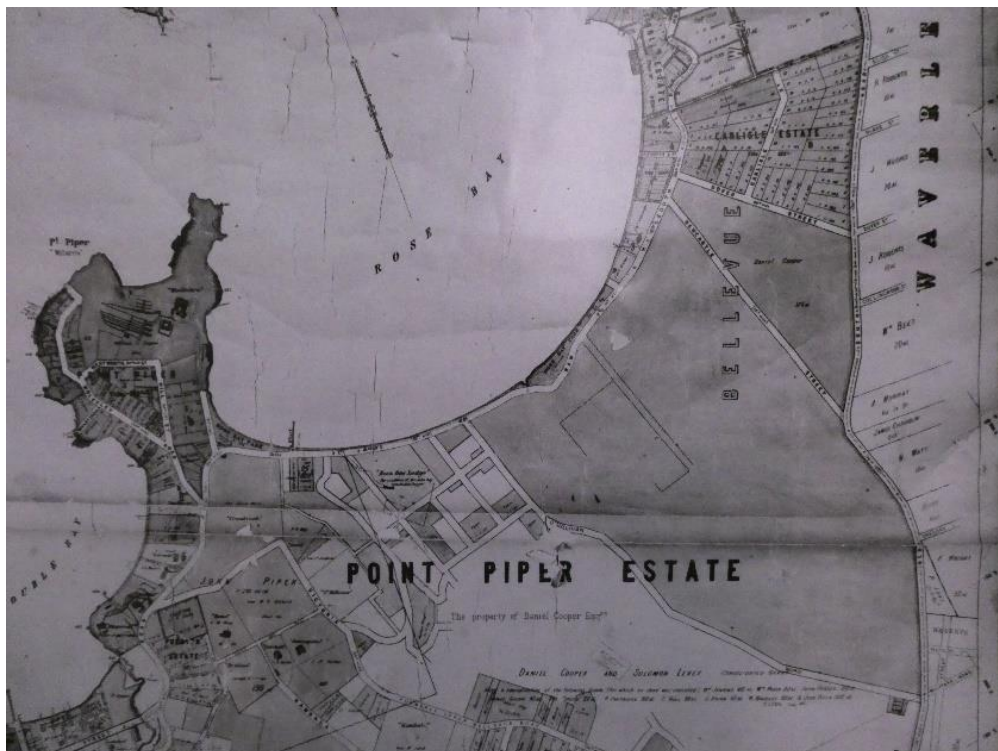


Figure 5 Extract of 'Map of the Municipality of Woollahra, Parish of Alexandria' by Higinbotham and Robinson circa 1908, showing Rose Bay, parts of New South Head Road and the extent of subdivision that had taken place to that time. (Source: Woollahra Library)

The Council established a New South Head Road Improvement Committee to look after the proposed works, which commenced at the beginning of 1918. New South Head Road was proclaimed a main road under the *Local Government Act* of 1919. By the late 1920s, New South Head Road had become a major route as it linked the wealthy suburbs on the harbour foreshore to Sydney's centre. The road had developed little since its initial completion and its condition had severely deteriorated since the disbanding of the Old South Head Road's Trust in 1904. The road widening works were carried out over several stages. In June 1924 the prominent architect Herbert E Ross FIA offered his services as an honorary consulting engineer for the works between Rose Bay and Lyne Park, acting in conjunction with Council's own engineer. Council accepted his offer.

Herbert Ross

Herbert Ross was born in the vicinity of Inverell in 1868. After studying Science at University in Edinburgh he returned to Sydney and enrolled at the University of Sydney to study topics associated with mining and civil engineering. Ross became the manager of gold mines in New South Wales and Queensland, and then practised as a metallurgist. He also studied architecture under John Sulman at the University of Sydney and by 1900 had set up a practice as an architect and engineer.

In 1911 Ross went into partnership with the architect Ruskin Rowe and in the years that followed the practice of H E Ross and Rowe became one of the largest in Sydney. Perhaps its best-known building was the large and impressive headquarters for the former Government Savings Bank of NSW at 44 Martin Place (now occupied by the Commonwealth Bank). H E Ross and Rowe also designed about 150 branch buildings for the bank, several large city office buildings, the former Usher's Hotel in Castlereagh Street, the building for the Royal Automobile Club in Macquarie Street, suburban hotels, blocks of flats, warehouses, churches and houses. Along with so many architectural practices, the firm of H E Ross and Rowe suffered as a result of the Great Depression, but only broke up after Ross died in 1937.



Figure 6 A 'J' class tram car outbound on New South Head Road, Rose Bay in the early 1920s showing the old sandstone block seawall and timber arris rail fence and tramway poles on the beach. On windy days tram passengers were obliged to close the car doors to prevent sea spray from the harbour entering the car. The widening of the road and the construction of the new seawall eliminated the narrow stretch of beach. (Source: Keenen 1990, p.48)

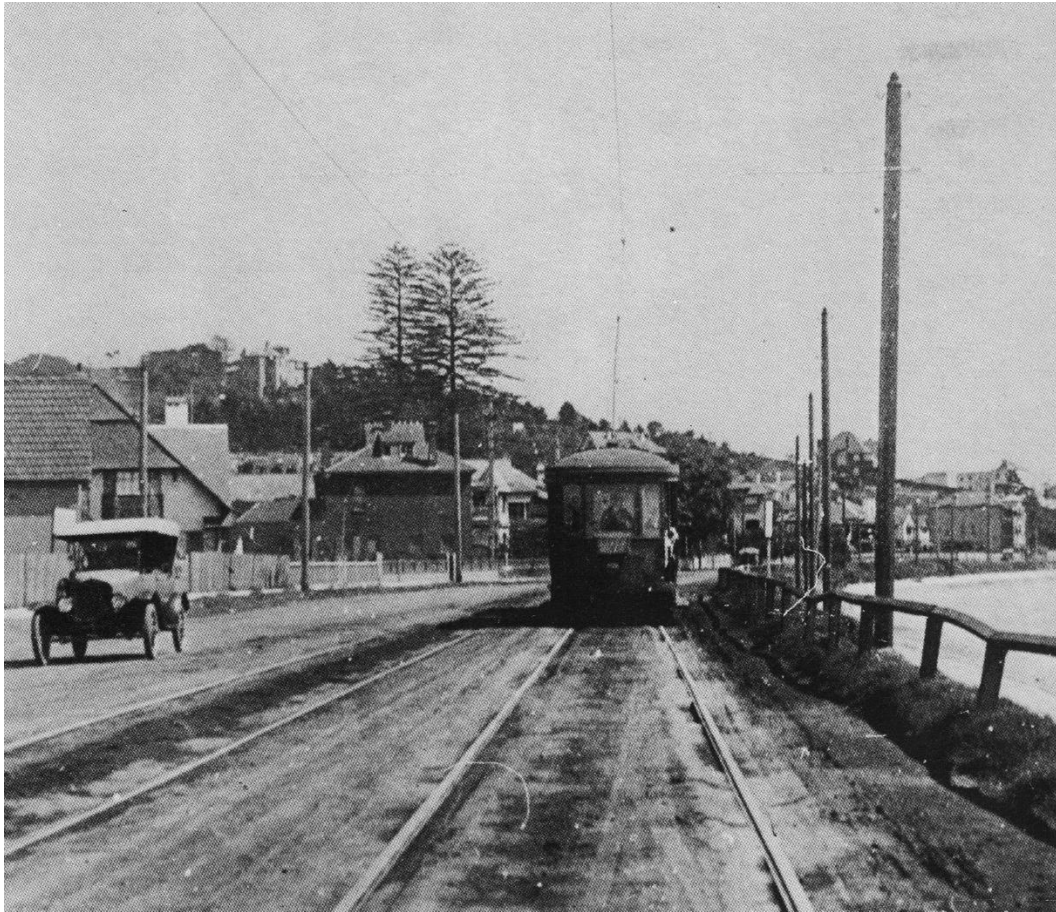


Figure 7 Tram in New South Head Road, Rose Bay, 1924, before the widening of the road and construction of the promenade and seawall. (Source: Labor Daily photograph, Mitchell Library reproduced in Cassidy et al (ed.) 1988, p. 92)



Figure 8 View circa 1926 looking east showing the widening of New South Head Road, Rose Bay, with the Refreshment Rooms at left. (Photo: Lemaire Studios, Woollahra Library Collection)

In 1924-25 a major upgrade of the road began, including widening of the carriageway to cater for modern day motor vehicles. This required the creation of a seawall at Rose Bay, replacing an earlier timber fence that had offered little protection from harbour spray, which at times inconvenienced even tram commuters. The new Rose Bay Promenade was designed as an integrated scheme that allowed both pedestrians and motorists a unique opportunity to view the waters of Rose Bay and the harbour beyond. The Rose Bay Promenade was designed to optimise this view. The concrete balustrade was low to allow motorists a view over it as they travelled along New South Head Road or from the parking bays that form part of the scheme. The interface between the harbour and foreshore zone and the experience of this was fundamental to the original design.

The Chief Secretary and Minister of Health, the Hon C W Oakes, CMG, MLA laid the foundation stone for the sea wall on 25 October 1924, witnessed by a crowd of dignitaries and prominent citizens. During the ceremony Oakes praised the efforts of the Council and described it as "progressive and efficient". This was a day dedicated to the 'The Rose Bay Functions' by Council, reflecting the fact that the suburb was the focus of a considerable public works program at the time. Other causes for celebration included the official re-opening of O'Sullivan Road following its re-construction in concrete, and the 'turning of the first sod' in the development of what is now Woollahra Park – then a recently acquired area of Cooper Estate swampland.

At the beginning of 1925 architects Pitt and Morrow submitted drawings to Council describing the facade of a shop and refreshment rooms adjacent to the Rose Bay jetty for Council's consideration. The front (south) wall of the building formed part of the seawall. The building had in fact been originally constructed in 1909. Constructed in panels of concrete, the seawall was surmounted by an ornamental lighting scheme, consisting of a series of opal globes mounted on pillars, designed by architect Mr W G Brown.



Figure 9 (Left): The foundation stone for the seawall and promenade laid in the balustrade 25 October 1924, date of photo unknown. (Source: Woollahra Municipal Council Library pf004873); **(Right):** The foundation stone with one of the original light fittings, showing the oversize original spherical glass shades. (Source: Woollahra Municipal Council Library, mm000101)

Designs for the parapet of the sea wall were under consideration by Council between February and May 1925. The ornamental lighting scheme for the sea wall was under

discussion later in the year, and eventually a series of 'opal ball type' electric globes on pillars, designed by architect Mr W G Brown under the direction of the Mayor, was adopted in September 1925. The globes were supplied by Australasian Westinghouse Electricity Coy Ltd and the installation was carried out by Messrs Ransay Sharp & Coy.

The reclamation and reconstruction of the roadway at Rose Bay, which at £31,000, came in under budget, was carried out by Council labour under the supervision of the Council's late engineer, Mr S J Lindsay.

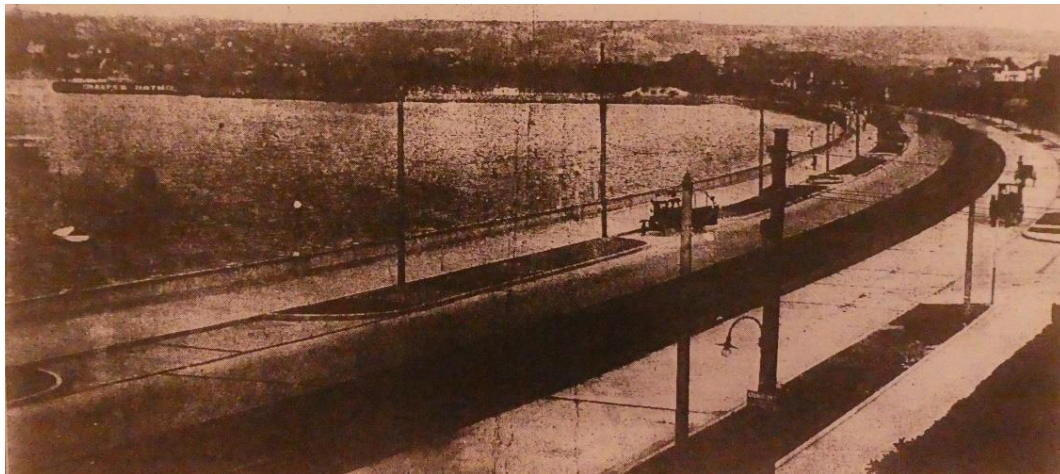


Figure 10 Extract of a newspaper article on the opening of the new sea wall and promenade extending from Rose Bay Park to Lyne Park, Rose Bay. (Source: *Sydney Morning Herald* 20 February 1926, p.18, Woollahra Library collection)

The official opening of the roadway, promenade and seawall was held on 19 February 1926 and was attended by a large crowd. The very much wider roadway, with central tramlines, was declared open by the Mayor, Alderman Leo Whitby Robinson who claimed that the widened portion of New South Head Road was "the best piece of road in Australia today", rivalling even "the celebrated St Kilda road of which we have heard so much....".²¹ The evening ceremony allowed a special moment in proceedings, when the lights on the promenade were switched on by the Mayor. When the lights came on "the effect was beautiful. The promenade was immediately filled with a gay throng, enjoying the cool sea breeze. Many of the homes opposite were also illuminated, and the effect was brilliant. There is no other promenade in New South Wales which can compare with this at Rose Bay for beauty, as well as expanse"²².

On 22 February 1926, in a Mayoral Minute, the Mayor reported to Council on the Official Opening of the widened road and switching on of the electric light at the promenade at Rose Bay to Lyne Park, which had taken place on the 19th of that month. The Mayor reported that:

There was an immense attendance of residents and rate payers and great interest taken by the general public in the completion of this most important work which marks the practical completion of the widening scheme of New South Head Road.

²¹ Woollahra Council Local History records

²² *Sydney Morning Herald* 20 February 1926, p.16

Among the many visitors at the opening of the esplanade were the Town Clerk of Sydney (Mr W G Layton), Mr Aubrey Halloran, and the Mayor of Waverley (Alderman Jackaman).

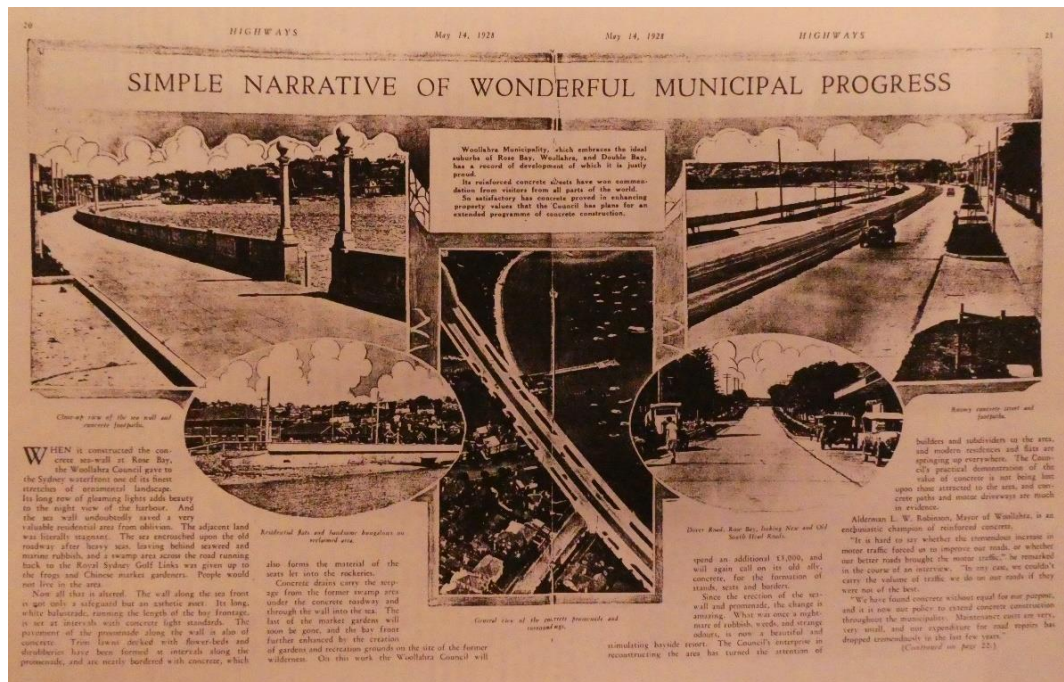


Figure 11 An extract of an article on the widening of New South Head Road and the construction of the Rose Bay seawall and promenade (Source: *Highways*, 14 May 1928, pp.20-21, courtesy of Roads and Maritime Services)

The project was not quite complete, as work on 'plantations' was still in progress at the time - the landscaping works were to extend along both sides of New South Head Road.

The works, which significantly contained purpose-designed parking bays both for the convenience of motorists and an adjunct to the amenity of tourists, were placed under the management and control of Woollahra Council on 17 March 1926, but by 1929 New South Head Road was placed under the control of the Main Roads Board.

While the Rose Bay sea wall had been mainly developed in 1928, the Rushcutters Bay sea wall wasn't completed until later in 1932. In 1949, the tram line from Rose Bay to Watsons Bay was closed, but reopened due to public protest in 1950, although it was later, along with the rest of the line, permanently closed in 1960, the services replaced by buses. New South Head Road was again widened in the late 1970s and early 1980s to four lanes (two each way).

In recent decades there have been Land and Environment Court appeals relating to a proposed expansion of the Rose Bay Marina. Both cases involved a huge community opposition to any future development that would impinge on the existing body of water of Rose Bay and subsequently views from the Rose Bay Promenade.

Historical Context

In the 1920s, many local councils undertook 'beautification' schemes, assisted by the Local Government Act of 1919 that gave councils the power to resume land. Examples of these resumptions and accompanying beautification works include the construction of bathing facilities and concourses at Bondi Beach (1930),

beautification of the surrounds of the Spit Bridge (1924) and the promenade at Balmoral, which included a bathing pavilion (1929), a band rotunda and a promenade (both 1930). Vacluse Council undertook works at Parsley Bay that included the erection of an imposing pavilion-like kiosk in 1929 and a seawall during the mid-1930s. Other groups undertook improvements and beautification schemes as well, such as the Nielsen Park Trust, which constructed a promenade and terraced platforms alongside part of the harbour foreshores at the edge of the park.

The widening of New South Head Road was not the first reclamation to have taken place on the harbour foreshores at Rose Bay. In 1902 tidal sand flats were reclaimed to form Lyne Park, named in honour of a former premier of New South Wales, Sir William Lyne. The widening of New South Head Road was one of many road improvement and beautification schemes carried out in Woollahra during the 1920s. According to the *Sydney Morning Herald*, "during the past 18 months the Woollahra Council has initiated a policy of street beautification, and has expended about 2000 pounds in street plantations and rock gardens. In the large rockery at the corner of New South Head-road and Gallipoli-Avenue (now Rose Bay Avenue) there are no fewer than 7000 plants". In fact, Council had undertaken a program of tree planting as early as 1918.

After a long community-led campaign with support from The Hon. Gabrielle Upton MLA for Vacluse and Woollahra Municipal Council, the Rose Bay Sea Wall, promenade and their setting were listed on the NSW State Heritage Register in April 2014. Woollahra Council on the advice of a staff report about the appropriate extent of view from the Promenade (to include in its listing curtilage), unanimously adopted the view that the view should include all of Rose Bay out to a line between Steele Point on the east and Woollahra Point on the west. The Woollahra History & Heritage Society wrote to the Heritage Council seeking that this wider view as proposed by Council be included in the listing curtilage, citing the view's social value and impacts on it of several recent development proposals. The Heritage Council recommended to the Minister for Heritage that the northern curtilage extend 30m out from the seawall²³.

In 2014 a heritage plaque was installed in the footpath outside the gate of Rose Bay Lodge, recording that Sir Daniel Cooper, merchant had lived here. Further information on Cooper and Sir John Hay who also lived here (leasing it from the Cooper estate) is on Woollahra Municipal Council's website at http://www.woollahra.nsw.gov.au/library/local_history/woollahra_plaque_scheme/winners_plaques/sir_daniel_cooper

2.2 Site description

The Rose Bay Promenade is a collective term for various elements including: the seawall, the balustrade with light standards directly above; four sets of stairs to access Rose Bay; the road carriageway, footpaths to the north and south of New South Head Road; landscaped verge of mature fig trees and other plantings punctuated by parking bays either side of New South Head Road; and the early refreshment rooms. The setting comprises Rose Bay Park to the west and the waters of Rose Bay.

The seawall consists of a structure covered by cement render, above which is a reinforced concrete balustrade wall of 30 panelled bays topped by 29 regularly-spaced light standards of precast concrete columns with single spherical glass lights.

²³ Woollahra History & Heritage Society, news, October 2014

A thin coat of surface render has been applied in the 2007 reconstruction. The balustrade and lamp standards are designed in the Inter-War Free Classical style; the Tuscan order has been used in the design of the light standards. Pairs of lamp standards flank openings for three sets of concrete stairs which provide access to the



Figure 12 (Left): View looking east towards Lyne Park along the northern side of the seawall from one of the sets of stairs; **(Right):** One of the pairs of light standards flanking the stairs. (Photos: Chris Betteridge, April 2019)

water of the bay, or at low tide, the narrow beach below the seawall, from the northern footpath. Openings for two of them are aligned with streets intersecting with New South Head Road (O'Sullivan and Beresford Roads). Another flight of stairs links the northern footpath to the jetty and Rose Bay Park.

The original surface to the footpath is not known. Around 1981 there was a wash concrete finish with borders of brick pavers, apparently laid over earlier paving. The surface was re-laid in 2007 to incorporate granite paving borders and a cross-strip at each lamp standard, and a new layer of bitumen.

Rows of mature specimens of *Ficus microcarpa* var. *hillii* (Hill's Weeping Fig), create an avenue either side of the carriageway of New South Head Road, although there are gaps in the planting on the southern side of the road. This tree type remains the dominant species in the row, despite new plantings and replacement of some trees. Hill's Weeping Fig are characteristic of 1920s plantings. The girth of the trunks of the older trees suggests that they are probably an original part of the scheme. Early photographs show the new plantings upon completion of the construction, and later photographs track the growth of the trees over time.



Figure 13 View looking west towards Regatta Restaurant showing the current Promenade surface, the seawall, a parking bay, Hills Weeping Fig trees and understorey plantings of hardy native plants. (Photo: Chris Betteridge, April 2019)

The building at the western end of the Rose Bay Promenade was constructed as refreshment rooms in 1908, the first proprietor being Mrs Ada Goddard. A new front for the tearooms and boatshed was designed by architects Pitt & Morrow in 1924 to coincide with the widening of New South Head Road and the building of the seawall. The Pier Restaurant was established on the site by noted Sydney restaurateur Walter Magnus in the late 1920s and advertised as “the only Sydney restaurant on the water”.²⁴

From 1958 to 1983 the restaurant was operated by the Doyle family²⁵. It has been modified and extended over time and since 2014 has been home to Regatta restaurant²⁶.

Its original configuration is still apparent 'a masonry building, the external walls of which are cement rendered, with a terracotta tiled roof consisting of a high gabled section flanked on either side by hipped sections. Its facade contains original fabric' a large gable with a cast cement cartouche, openings that retain leadlight glazing and bracketed eaves. The southern portion of this building has been identified as of high significance; however, the refreshment pier is not part of the SHR heritage assessment for the Rose Bay Promenade.

²⁴ *Cruiseguide to Sydney Harbour*

²⁵ <http://www.regattarosebay.com/#about>

²⁶ Ibid.



Figure 14 Newspaper clipping of restaurateur Walter Magnus walking his pet dachshund Amigo along the promenade at Rose Bay c.1950s near Magnus' Pier Restaurant . (Source: C Betteridge collection)



Figure 15 View looking west towards the Rose Bay Park end of the Promenade, showing the street frontage of Regatta Restaurant, on the site of the original Refreshment Rooms, with the steps to the Rose bay Marina at right. (Photo: Chris Betteridge, April 2019)

Two commemorative plaques are situated on the structure; the foundation stone on the southern side of the balustrade wall laid on 25 October 1924 and a plaque on the northern face of the wall commemorating Frank Pace, described as the 'Lord Mayor' of Rose Bay.

An engineering study in 2003 into the condition of the concrete seawall, balustrade, stairs and light standards found evidence of cracking and salt attack in the seawall and varying degrees of spalling and corrosion in the other elements. The study proposed various remedial measures

A thin coat of surface render was applied in the 2007 reconstruction. The balustrade and lamp standards are designed in the Inter-War Free Classical style; the Tuscan order has been used in the design of the light standards. Pairs of lamp standards flank openings for three sets of concrete stairs which provide access to the water of the bay, or at low tide, the narrow beach below the seawall, from the northern footpath. Openings for two of them are aligned with streets intersecting with New South Head Road (O'Sullivan and Beresford Roads). Another flight of stairs links the northern footpath to the jetty and Rose Bay Park.

The original surface to the footpath is not known. Around 1981 there was a wash concrete finish with borders of brick pavers, apparently laid over earlier paving. The major restoration and upgrade works carried out in 2007 included repairs to the balustrade, light standards and stairs. The seawall was generally retained in its existing condition with only minor repairs. However, significant repairs were required to the concrete balustrade, with sections affected by concrete cancer removed and repaired with epoxy cement, and degraded reinforcing replaced with stainless steel. A new layer of thin render was applied to the surface of the balustrade to bond the repaired and original sections.



Figure 16 View looking west along the seawall from the eastern end of the Promenade near the entrance road to Rose Bay Wharf. (Photo: Chris Betteridge, April 2019)

All the original lamp standards were replaced with exact replicas made by casting new columns from an original mould. New glass spheres were installed, which were appropriate to the size of the columns (previously, there had been much larger spheres and sets of double spheres hung off either side of a T-shaped bracket).

The footpath was reconstructed to its original 4 metre width, with a new granite paving pattern with a border to the sea side of the footpath, and strips crossing the footpath at every light standard. The fig trees were preserved, with native groundcover plantings of grasses and shrubs planted beneath. Replacement trees were planted where older trees needed to be removed. Porous asphalt surfaces to protect tree roots and provide drainage around trees was installed, along with new timber and steel street furniture and steel bollards in front of the refreshment pier.

The stairs were rebuilt on top of the existing stairs. New handrails of timber with steel wire balustrading were installed.



Figure 17 (Left): Bronze plaque commemorating the 2008 restoration and upgrade works; **(Right):** Brass plaque for Woollahra Conservation Award 2008. (Photos: Chris Betteridge, April 2019)

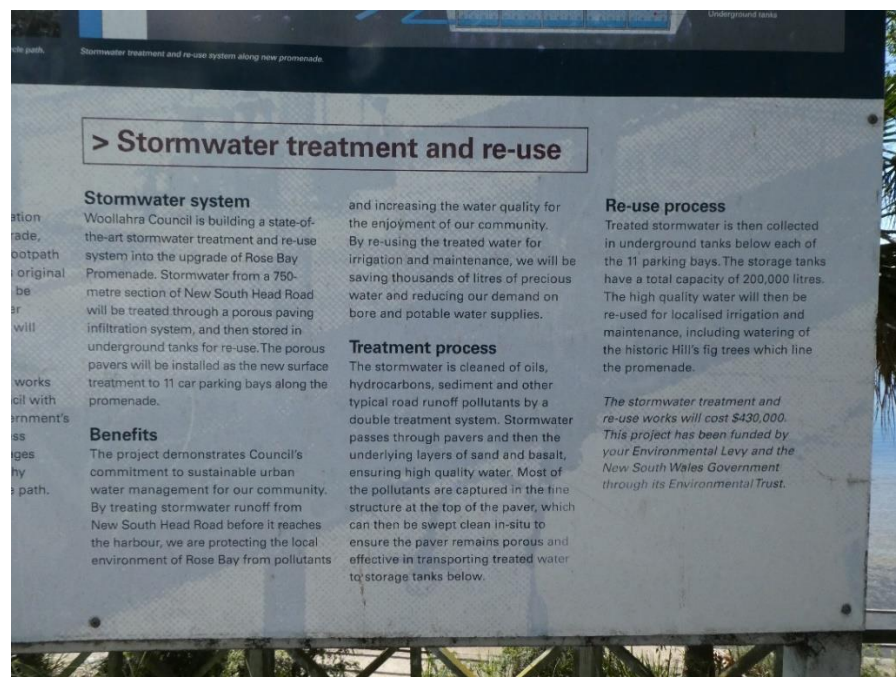


Figure 18 Interpretive sign towards the western end of the Promenade providing information about the stormwater treatment and re-use project. (Phot: Chris Betteridge, April 2019)

A new secondary lighting system was considered necessary due to the insufficient spacing of the existing lights, and the fact that the existing street lighting is blocked by the fig trees. Low grey metal pier lighting with a square cross-section has been added to the south side of the footpath, set low to light the footpath and not disrupt views of the harbour.

A sustainable stormwater treatment and recycling system was built into the upgrade works. Run-off water is collected in large tanks under the parking bays, treated by filtering systems, and then available for reuse for localised irrigation and maintenance. The remedial works were carried out by Woollahra Municipal Council, with the design works by Conybeare Morrison, and the contractor Eco Civil. The upgrading works won the Woollahra Heritage Conservation Award in 2008.

2.3 Landscape character and adjoining development

The SHR-listed item presents as an open designed landscape on the Sydney Harbour Foreshore with concrete and bitumen infrastructure elements and landscaping of mature trees, grasses nature strips and understorey shrub plantings.



Figure 19 Development on the southern side of New South Head Road opposite the seawall. **(Top):** Mix of mostly interwar architectural styles of houses and residential flat dwellings; **(Centre):** Recent large houses; **(Bottom):** Commercial development at corner of O'Sullivan Road. (Photos: Chris Betteridge, April 2019)

New South Head Road in this vicinity has a carriageway of two eastbound and two westbound traffic lanes, with a parking lane on the southern side and intermittent parking bays on the northern side.

Development on the southern side of New South Head Road opposite the listed item is predominantly 2-3 storey residential dwellings, with a mix of architectural periods and styles including interwar flat buildings and late 20th century and early 21st century houses. There is a 2-storey Federation style house on the southwest corner of Balfour Road and New South Head Road.

2.4 Views and visual absorption capacity

One of the primary objectives of the construction of the Rose Bay seawall and adjoining promenade was to afford the public enhanced views of Sydney Harbour.

2.4.1 Views

There are extensive, largely uninterrupted and panoramic views of Sydney Harbour for pedestrians from the promenade. Harbour views from the carriageway of New South Head Road and from residential properties on the southern side of the road are interrupted to varying degrees depending on the location of the viewer and by traffic intensity and the trees along the promenade. Views of the harbour side of the seawall and balustrade can be obtained from either end of the balustrade, enhanced by the curve of the wall which follows the shoreline. There are also views of the harbour and seawall from the sets of stairs which lead from the promenade down to the waters of Rose Bay.

2.4.2 Visual absorption capacity

Visual absorption capacity is the ability of a place or area to accept new development without an undue change in the public perception of the place or area. The area affected by the Proposal is considered to have a high visual absorption capacity for the nature and scale of the proposed works which are predominantly at ground level and retain existing form and design.

2.5 Integrity and condition of the heritage item

Assessment of structural integrity and condition of the item is beyond the scope of this report. The condition of the item was last updated for the SHR listing on 28 January 2014 and stated “The Rose Bay Promenade is currently in excellent condition”²⁷. This author noted evidence of some erosion and cracking of the rendered surface of the balustrade in April 2019.

3.0 Heritage significance

This section describes the principles and criteria for the assessment of cultural significance and details current heritage listings in the area of the Proposal.

3.1 Principles & 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

²⁷

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5055617>

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 communities' sense of place."²⁸

The *Burra Charter* of Australia ICOMOS and its Guidelines for Assessment of Cultural Significance recommend that significance be assessed in categories such as aesthetic, historic, scientific and social. 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.

3.2 Current heritage listings

3.2.1 State Heritage Register

'Rose Bay Sea Wall, Promenade and its setting' is listed as an item of State heritage on the State Heritage Register (SHR). The SHR-listed item includes the sea wall balustrade, four sets of stairs, parking bays, light standards, an avenue of Hills Weeping Figs and the southern portion of the road comprising the road and footpath. It extends to the entrance of Lyne Park in the east and to the beginning of the sea wall in the west. The northern boundary runs east to west, parallel to the sea wall, 20 metres from the sea wall into the waters of Rose Bay as shown on Heritage Council of NSW Plan No. HC2612. The SHI database listing is included as Appendix B.

The Statement of Significance reads:

"The Rose Bay Sea Wall, Promenade and its setting may be of state heritage significance for its historic values as a good and representative example of one of the earliest and largest 20th Century civic improvement schemes for the recreation of both pedestrians and motorists. It clearly demonstrates the increasing uptake of private motor transport in the early 1920s.

It's [sic] potential State heritage significance is enhanced through its association with noted engineer and architect Herbert Ross whose architectural partnership with Ruskin Rowe was one of the largest architectural offices in Sydney producing well regarded building designs such as the former Government Savings Bank, the Royal Automobile Club and the former Ushers Hotel.

²⁸ Pearson & Sullivan 1995

The Rose Bay Sea Wall, Promenade and its setting has potential state heritage significance for its aesthetic values including high quality architectural elements in the Inter War Free Classical style. It is an early and at the time unique integrated civic improvement design with low lying balustrades, parking bays, lighting and landscape elements (including the avenue of weeping figs) designed in such a way as to allow the pleasure of viewing Rose Bay by both pedestrian and motoring visitors. The scheme defined the sweeping interface between the waters of Rose Bay and the foreshore zone which is reflected in the inclusion of 20 meters of the bay waters, following the contours of the bay, as an indicative setting in the State Heritage listing curtilage. The experience of this interface to both pedestrians and motorists was integral to the original scheme.

The Sea Wall Promenade and its setting are a relatively intact and good representative example of a 1920s civic improvement scheme designed in the Inter War Free Classical style and using trees representative of street and park plantings of the 1920s.”

3.2.2 Woollahra Local Environmental Plan 2014

‘Rose Bay seawall, balustrade and promenade including lamp standards, concrete stairs, avenue of Hill's Weeping Figs and parking bays, New South Head Road, Rose Bay, mostly within road reserve, is listed as Local item no.328 on Schedule 5, WLEP 2014.

There are numerous other local heritage items in the vicinity of the Rose Bay seawall and promenade, as shown on the extracts from Woollahra LEP 2014 Heritage Maps 002 and 005, see below.



Figure 20 Extracts of Woollahra LEP 2014 Heritage Maps 002 (left) and 005 (right), showing the distribution of heritage items on Schedule 5 of the LEP in the vicinity of the Proposal site.

(Source: https://www.legislation.nsw.gov.au/maps/c5d5c79c-b492-4977-8838-bfa2aea53480/8500_COM_HER_002_010_20160927.pdf and https://www.legislation.nsw.gov.au/maps/0107a345-51d0-483f-b9ec-272792ab501d/8500_COM_HER_005_010_20160927.pdf)

Those items in Rose Bay closest to the Proposal site are listed below.

Rose Bay	Norfolk Island Pine	Balfour Road (within road reserve opposite 629 New South Head Road)	Road reserve	Local	308
Rose Bay	Site of former Rose Bay Flying Boat Base	Lyne Park	Lots 1534 and 1535, DP 40022; Lot 7066, DP 1023381	Local	319
Rose Bay	Bus stop shelter, former tram stop	New South Head Road, at intersection with Kent Road	Road reserve	Local	330
Rose Bay	War memorial	New South Head Road, at entrance to Lyne Park	Lot 7061, DP 1023378	Local	329
Rose Bay	The Chilterns--residential flat building, interiors and grounds	593 New South Head Road	SP 10366	Local	320
Rose Bay	House and interiors, outbuildings, front garden	629 New South Head Road	Lot 1, Section 2, DP 3696	Local	321
Rose Bay	Murong--house, interiors and grounds	633 New South Head Road	Lot C, DP 365041	Local	322
Rose Bay	Former Post Office and interiors	757 New South Head Road	Lot 1, DP 776799	Local	324
Rose Bay	Former service station, interiors and grounds	51-55 O'Sullivan Road	Lot 1, DP 320799	Local	332
Rose Bay	Rose Bay Lodge (Salisbury Court)--building and interiors	1-7 Salisbury Road	Lots 24-27, DP 6283	State	334
Rose Bay	Street name inlays	Various		Local	676

3.2.3 Woollahra Municipal Council Register of Significant Trees

The trees in the SHR and LEP listing for the Rose Bay seawall and promenade are not listed in Council's Register of Significant Trees.

3.2.4 Section 170 Register, Heritage Act

NSW Government instrumentalities are required, pursuant to Section 170, Heritage Act 1977, as amended, to create and maintain 'Heritage and Conservation Registers' of significant heritage assets under their care, control and management. There are two such items listed on the S.170 Register, both relating to the widening of New South Head Road in the past.

An Alignment Pin (SHI database no. 4309673) at the corner of New South Head Road and O'Sullivan Road, Rose Bay, was installed between 1924 and 1926, is on the Department of Lands S.170 Register and is of Local significance. Alignment pins took the form of wooden posts, wrought stones, cement blocks or more commonly iron castings, and these were identifiable through the presence of a broad arrow marked on the upper surface. Those in use on New South Head Road consisted of iron castings placed in the kerb or footpath by Lands Department surveyors for the purpose of marking the road alignment. The alignment pin present in the study area remains an active survey mark for the purpose of confirming cadastral boundaries.

This item may be within the SHR curtilage of the Rose Bay seawall, balustrade and promenade but is not affected by the Proposal.

A drain grate on New South Head Road at the northeast corner of Lyne Park (SHI database no. 4309674) forms a highly visible and distinctive component of the low level stormwater drainage infrastructure that was built at the time of widening of New South Head Road. It is of a simple and utilitarian gridiron design that is highly unusual and was not used outside of the city areas of Sydney. The construction of the drain grate has associations with the prominent architect Herbert E. Ross who offered his services as honorary consulting engineer for the construction of the sea wall and Promenade that formed part of the widening works of New South Head Road between 1924 and 1926. The drain grate has been assessed as being of Local significance.

This item is located outside the area affected by the Proposal.

3.2.5 Register of the National Trust of Australia (NSW)

The Sea Wall and Promenade, New South Head Road, Rose Bay were listed on the Register of National Trust of Australia (NSW) in June 2004. The site is also within the Trust's Sydney Harbour Landscape Conservation Area. See Appendix E.

Although listing on the National Trust Register does not carry any statutory force it is recognition by a long-established and well-recognised community conservation organisation that a place is significant and should be managed to conserve its heritage values.

3.3 Statutory Planning Requirements

Since parts of the proposed works are located within the curtilage of a heritage item listed on the SHR and WLEP 2014, the Council is required to prepare an Integrated Development Application and a Section 60 application to the Heritage Council of New South Wales. Pursuant to Clause 5.10 (4) of the LEP Council "must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area". Accordingly, pursuant to Clause 5.10 (5) (a) Council has required a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

This heritage management document, in the form of a Heritage Impact Statement (HIS), has been prepared in accordance with the guidelines for preparation of Statements of Heritage Impact published by the Heritage Council of New South Wales and the requirements of WLEP 2014.

A draft S.60 Application to the Heritage Council of NSW is attached as Appendix F.

4.0 Heritage impact assessment

4.1 Description of the proposal

The proposed measures across the entire project involve the provision of cycle facilities along New South Head Road connecting Double Bay to Rose Bay. For most of the route, the proposals provide a shared path on the northern side of New South Head Road. However, along the Rose Bay Promenade, the area subject of this report, the facility provides a 2.8m wide pedestrian path adjacent to the sea wall, a 0.4m wide planted separation strip, and a 2.0m bi-directional separated cycleway. Refer to Appendix A for the concept design plans.

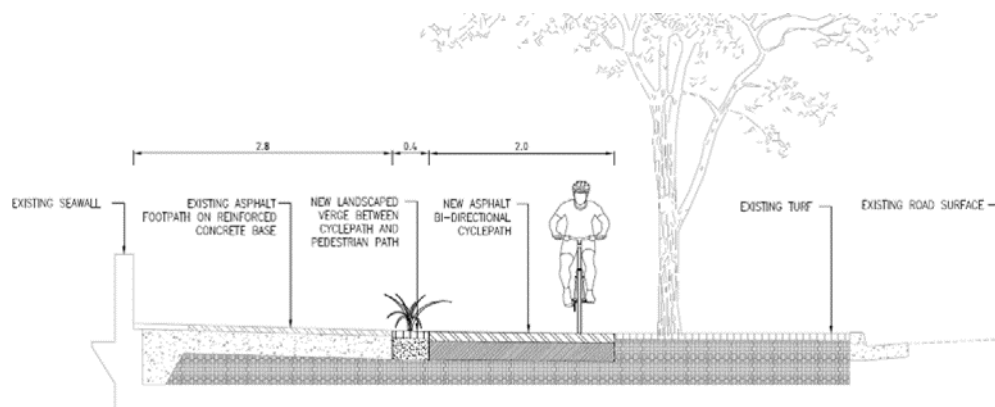


Figure 21 Proposed cross-section of the upgraded pedestrian path / cycle path. (Source: New South Head Road – Cycleway Upgrade: Traffic and Parking Report, April 2019)

Several additional modifications to the surrounding landscape are required. These include:

- The removal or reduction of several garden beds along the new path;
- The relocation of existing bench seats and rubbish bins, the extension of concrete pads;
- Moving the kerb in parking bays to allow for car door buffers;
- Relocating existing stormwater pits.

4.2 Non-Aboriginal Archaeological Impact Assessment

The non-Aboriginal Archaeological Impact has been assessed in a separate report commissioned by Betteridge Heritage and prepared by Casey & Lowe Archaeology & Heritage. This report has been prepared by highly qualified and experienced historical archaeologists. See Appendix C for the full report. The key findings are summarised below:

“There is no known development in the study area prior to the construction of the seawall in the 1920s. the foreshores of Rose bay were purportedly flooded after heavy seas, with swamps forming across the roadway, and a smell so potent to apparently discourage any building here. The construction of the seawall involved the reclamation to a depth in some areas behind the wall of more than 15m.²⁹

²⁹ Construction and Local Government Journal 28, January 1920, p.10

As such, there is a **low potential** for any archaeological remains associated with the pre-1920s land-use of the study area. Any remains are likely ephemeral and are expected to have been disturbed during the reclamation process.

Equally, there is a **low potential** for the archaeological remains of the original (1920s) surface of the footpath, which was likely disturbed during the footpath's repaving. The significant restoration and upgrade work to the balustrade, light standards and stairs carried out in 2007 mean there is also **low potential** for archaeological evidence related to the original built fabric here, although the original concrete seawall remains largely intact.

There is a moderate-high potential for archaeological evidence associated with the construction of the existing seawall and promenade, largely represented by reclamation / levelling fills underlying the current bitumen pavement and sections of the New South Head Road.

Although intact archaeological evidence may remain within the study area relating to the construction of the seawall and footpath, these deposits are assessed as not meeting the threshold for local or State significance (Section 4).³⁰

"The proposed works are predominantly at ground level and are not expected to impact any known or potentially significant archaeological deposits".³¹

4.3 Arboricultural Impact Assessment

An 'Arboricultural Impact Assessment Report: Proposed Cycleway, New South Head Road, Rose Bay', dated March 2019, has been prepared for Woollahra Council c/- Complete Urban by Andrew Morton, Earthscape Horticultural Services and is attached as Appendix D. This report has been prepared by a highly qualified and experienced arborist to assess the potential impacts posed by the proposed works on the specimens of trees within the SHR curtilage, identified as Trees T1 -T26. These trees are all specimens of *Ficus microcarpa* var. *hillii* (Hills Weeping Fig) except for Tree T23 *Eucalyptus pilularis* (Blackbutt) and Tree T26 (*Ficus macrophylla* (Moreton Bay Fig)). The critical heritage impact findings of this report are summarised below.

"The majority of the subject trees are *Ficus microcarpa* var. *hillii* (Hills Weeping Figs). Most are mature specimens forming part of the original plantings, but a number of the trees are semi-mature and immature (young) trees, being replacements for senescent trees, planted in a similar location to the original layout. Many of the mature trees exhibit multiple co-dominant primary limbs arising at 1-3 metres, forming broad umbellate crowns. The majority of these branch junctions exhibit included bark (bark inclusions) to varying degrees. Included bark forms a potential weakness at the branch junction, increasing the risk of branch failure under static (weight) or dynamic (wind) loading. This is exacerbated by the broad, extended lateral branching habit of the trees, with most branches exhibiting terminal loading (most of the foliage distributed toward the end third of the branch). Included bark is an inherent defect in this species. Despite the potential weakness, the subject trees exhibit few if any branch failures to date as a result of this defect".³²

³⁰ Archaeological Impact Assessment April 2019, section 3.4, p.13

³¹ Ibid., section 5, p.16

³² Arboricultural Assessment March 2019, Section 4.4.1

“The majority of the mature trees have also been lopped (all of the primary branches reduced) at about 4 to 5 metres from ground level). This was common practice from the 1950’s to the 1980’s and was probably undertaken in an attempt to produce a more compact form. This type of pruning produces multi-stemmed re-growth (epicormic growth) from the point of severance, eventually restoring the crown. However, the re-growth does not form a strong attachment to the parent branch and is often prone to failure. This type of pruning is no longer acceptable arboricultural practice for this reason”³³.

“A number of the trees, particularly in the central section of the Promenade, exhibit thinning crowns and dieback. This is possibly due to latent drought conditions from 2016 – 2018, which may have also led to lowering of the water table, leading reduced moisture availability and an overall decline in health. The areas around these trees is largely paved with little permeable area within the root zones. The decline could also be due to root damage during previous public domain upgrade works around the trees, (c. 2006-2007) which may have resulted in some root damage, salinity in the water table (given proximity to the harbour), or low or poor soil nutrient status (being typical of the natural soils of this area)”³⁴.

*“A few of the trees toward the western end of the Promenade [T19, T20 & T21] exhibit evidence of pathogenic fungal infections, affecting the lower trunk, butt and root crown area. Such disease creates significant structural weakness, which can lead to wholesale tree failure. The disease appears to be a *Phellinus* species (Bracket Fungus). This disease has led to many failures of similar size and age trees in Hyde Park and warrants further investigation and diagnostic testing (beyond the scope of this report)”³⁵.*

“Generally, the younger plantings are performing well, without the hinderances of poor management practices of the past, and do not appear to be developing the same inherent structural weaknesses (such as included bark) due to better stock selection and nursery stock management”³⁶.

The Arboricultural Assessment includes a Tree Health and Condition Assessment Table³⁷ which identifies the species and their relevant dimensions as well as condition, previous pruning history, health (vigour and pest and disease problems), remaining safe useful life expectancy (SULE), landscape significance rating, retention values and location. On balance, 17 out of the 26 trees are given a High retention value, 5 Moderate and 2 Low.

“Widening the pavement will result in an encroachment to the Tree Protection Zones (TPZs) and Structural Root Zones (SRZs) of Trees T2-T21. A conventional pavement system would require excavations and compaction for the pavement subgrade within the soft landscape area between the existing footpath and the subject trees and over the existing permeable area of pavement. Given the nature of the root systems of these trees (some of which have large buttresses and above grade woody surface roots), excavations of this nature are highly likely to result in severance and damage to woody roots,

³³ Ibid., Section 4.4.2

³⁴ Ibid., Section 4.4.3

³⁵ Ibid., Section 4.4.4

³⁶ Ibid., Section 4.4.5

³⁷ Ibid., Appendix 4

*leading to an adverse impact on these trees. As no suitable alternatives exist to relocate the pavement further from the trees, alternative construction methodologies should be adopted in order to avoid any adverse impact*³⁸.

*“The most appropriate alternative pavement system may need to be considered on a case by case basis, as every tree situation and root arrangement may be slightly different. Essentially these options involve installing the pavement system either above grade with minimal sub-grade excavation, or installing the pavement system as an elevated decking and supporting it using isolated post or pier footings (which can be placed to avoid root severance and damage). The pavement system should preferably be permeable (to allow some moisture percolation to the root zone), as much of the root zones are already covered with non-permeable pavement systems. In some instances, local narrowing of the cycleway may be required, with suitable mitigation measures (such as signage, line marking, barriers or similar measures) installed to warn cyclists of any irregular conditions (obstacles, reduced clearances or other potential hazards), in accordance with Roads and Maritime Services (RMS) guidelines. It should be noted that raising the pavement surface level may have implications for designated clearances between trees and the cyclist envelope*³⁹.

4.4 Overall Heritage Impact Assessment

The Heritage Division, NSW Office of Environment and Heritage has published a standard set of questions that need to be addressed in the assessment of the impact of proposed development on items of environmental heritage. The following assessment answers those questions that are relevant to the current proposal and details those aspects of the proposal considered likely to enhance the significance of the place and any considered likely to be detrimental. A conclusion is then drawn as to whether the proposal is acceptable, and recommendations are made for any mitigative measures to reduce adverse impacts.

4.5 Works to or adjoining a heritage item

4.5.1 How is the impact of the works on the heritage significance of the item to be minimised?

The proposed works have been designed and located to be harmonious in design, scale, fabric and finishes to the heritage item and its curtilage and environmental context. Any alterations to or relocations of kerbs, landscaping and street furniture will be minimal and within the limits of acceptable change for the item and its curtilage. However, the siting of the new cycle path closest to the existing trees poses potentially high impacts to root systems and canopies of some of those trees.

4.5.2 Will the works visually dominate the item?

The works are predominantly at ground level and will not visually dominate the item.

4.5.3 Are the works sited on any known or potentially significant archaeological deposits?

*“The proposed works are predominantly at ground level and are not expected to impact any known or potentially significant archaeological deposits”*⁴⁰

³⁸ Arboricultural Assessment March 2019, Section 9.2.3

³⁹ Ibid., Section 9.2.4

⁴⁰ Ibid., section 5, p.16

4.5.4 Are the works sympathetic to the heritage item? In what way (form, proportions, design)?

See answer to 4.5.1 above.

4.5.5 Why are the works required to be adjacent to a heritage item?

The works are designed to increase the public's opportunities to use and appreciate the heritage item and the opportunities that the promenade affords for views over Sydney Harbour.

4.5.6 How does the statutory curtilage of the item contribute to the retention of heritage significance?

Curtilage is the area that needs to be protected around a heritage item to retain its significance. In the case of the Rose Bay promenade, seawall and setting, the curtilage extends to the southern boundary of the New South Head Road road reserve and out into Rose Bay. The SHR curtilage is considered to be sufficient to provide the necessary statutory protection and development controls for the item.

4.5.7 How do the works affect views to and from the heritage item? What has been done to minimise negative effects?

The proposed works will have minor effects on close views to the item, arising from the upgrade pedestrian path, new planting beds, new cycle path and additional markings on the paved surface required to enhance public safety. These visual impacts are considered to be within the limits of acceptable change for the item and will be attenuated by distance of the viewer from the pathway. Views from the harbour will not be affected.

4.5.8 Will the public and users of the item still be able to view and appreciate the item?

The Proposal will enhance opportunities for the public and users of the promenade to view and appreciate the item and Sydney Harbour by providing safer access for cyclists along the harbour foreshore and by maintaining access for pedestrians.

4.6 Potential positive and negative aspects of the proposal

4.5.1 Aspects of the proposal considered likely to retain and/or enhance significance

The Proposal essentially retains the existing route of the pathway along the promenade and retains the fabric of the seawall, balustrade, light standards and stairways but enables the promenade to be safely shared by pedestrians and cyclists.

4.5.2 Aspects of the proposal considered likely to have a possible adverse impact on significance

The siting of the proposed cycle path on the side closest to the existing trees poses identifiable and potential negative impacts on the tree root systems and canopies. These impacts will need to be eliminated or reduced to a level acceptable to qualified arborists and heritage practitioners in the detailed design phase of the project.

5.0 References

- 'A brief history of Woollahra', accessed at https://www.woollahra.nsw.gov.au/library/local_history/a_brief_history_of_woollahra on 18 March 2019
- Attenbrow, Val 2010, *Sydney's Aboriginal past: Investigating the archaeological and historical records*, 2nd edition, University of NSW Press, Sydney.
- Benson, Doug & Howell, Jocelyn 1990, *Taken for granted: The bushland of Sydney and its suburbs*, Kangaroo Press in association with Royal Botanic Gardens Sydney, Sydney.
- Cassidy, Elaine, Goddard, Dinah, Lawrence, Faye, May, Judy & Poland, June 1988, *Impressions of Woollahra past and present*, Allen & Unwin, Sydney et al. on behalf of the Woollahra Bicentennial Community Committee.
- Complete Urban Pty Ltd 2018, New South Head Road Shared Path Concept Design Double Bay to Rose Bay, Concept design Plan – Option A, Revision B, dated 23 July 2018.
- Complete Urban Pty Ltd 2019, 'New South Head Road – Cycleway Upgrade: Traffic and Parking Report', consultant report prepared for Woollahra Municipal Council.
- Cunneen, Chris, 'Magnus, Walter (1903–1954)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/magnus-walter-11035/text19629>, published first in hardcopy 2000, accessed online 3 May 2019.
- Flannery, Tim 2000, *The birth of Sydney*, Heinemann UK, London.
- Hamilton A A 1919, 'An ecological study of the saltmarsh vegetation in the Port Jackson district', *Proceedings of the Linnean Society of New South Wales* 44, 463-513.
- Heritage Council of NSW State Heritage Inventory database listings.
- Keenan, David R 1990, *The Watsons Bay line of the Sydney tramway system*, Transit Press, Sydney.
- Landarc Landscape Architects 1991, 'Register of significant trees', consultant report prepared for Woollahra Municipal Council.
- Mooney, Tim & Allerton, Tim 2006, *Sydney waterfronts east*, The authors, Sydney.
- Morton, Andrew 2019, 'Arboricultural Impact Assessment Report: Proposed Cycleway, New South Head Road, Rose Bay', consultant report prepared by Earthscape Horticultural services for Woollahra Municipal Council c/- Complete Urban, March 2019.
- National Trust of Australia (NSW) 2004, 'Classification report for Sea Wall & Promenade, New South Head Road, Rose Bay', Listing No. S11245, The Trust, Sydney.
- 'News of the Month: Metropolitan Division', *Main Roads*, November 1929, p.27

'New South Head Road, Sydney', accessed at https://en.wikipedia.org/wiki/New_South_Head_Road,_Sydney on 1 March 2019

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

Pollen, Frances 1990, *The book of Sydney suburbs*, Angus & Robertson, Sydney.

Regatta Rose Bay website <http://www.regattarosebay.com/#about>

Rod Howard Heritage Conservation 2001, 'Rose Bay Sea Wall and Promenade Heritage Report', consultant report.

RTA Environmental and Heritage Site Locations Unit 2003, 'Potential European heritage and environmental sites along New South Head Road at Rose Bay', consultant report prepared for Harry Gopalani.

Russell, Eric 1980, *Woollahra – a history in pictures*, John Ferguson Sydney in association with Woollahra Municipal Council.

Stephensen, P R 1966, *The history and description of Sydney Harbour*, Rigby Ltd, Adelaide et al.

White, John 1962, *Journal of a voyage to New South Wales* (first published 1790), Angus & Robertson, Sydney.

Woollahra Local Environmental Plan 2014 and associated Heritage Maps

Woollahra Municipal Council Local Studies Collection files: New South Head Road Widening and Rose Bay

6.0 Conclusion & recommended mitigative measures

6.1 Conclusion

Having analysed the documentary and physical evidence related to the area likely to be affected by the Proposal, reviewed the heritage significance of the State Heritage Register-listed item and assessed the likely heritage impacts of the proposed works, including the archaeological and arboricultural impacts assessed in separate reports, I am of the opinion that many aspects of the proposal are within the limits of acceptable change for the SHR-listed item and can be managed effectively to maintain heritage values. However, if the potential impacts on the trees are to be eliminated or reduced to an acceptable level, the detailed design of the proposal will need to be modified from that shown in the Concept Plan – Option A, Revision B. Provided the adverse impacts to the trees can be eliminated or reduced to an acceptable level at the detailed design stage, there are no other heritage grounds for refusal of the Development Application for the Proposal. Notwithstanding these issues, the recommended mitigative measures in section 6.2 should be implemented and the potential design solutions further investigated.

6.2 Recommended mitigative measures

6.2.1 Detailed design

Detailed design for the Proposal should eliminate the potential impacts on the trees assessed in the Arboricultural Impact Assessment Report or reduce those impacts to a level considered by a suitably qualified and experienced arborist.

6.2.2 Materials and finishes

Paving, landscaping and signage materials, surface finishes and exterior colours to meet Council requirements and be chosen from a colour palette appropriate for the heritage item and to minimise negative visual impact when viewed from the public domain.

6.2.3 Soft landscaping

Any new soft landscaping should be with plant species to meet the following requirements:

1. Compatibility with existing heritage plantings;
2. Suitability for the local climatic conditions;
3. Environmental sustainability wherever possible;
4. Non-invasiveness.

6.2.4 Protection of site

Measures should be taken to ensure that during construction there is no runoff or spillage of concrete, adhesives, spoil or other waste from the site that might have a negative impact on the heritage item, Sydney Harbour or adjoining properties.

6.2.5 Protection of trees

During site works and construction all significant trees within the area subject to the Proposal should be protected in accordance with Council requirements, Australian Standard AS4970-2009 – Protection of Trees on Development Sites and any recommendation in the Arboricultural Impact Assessment Report.

6.2.6 Unexpected archaeological finds

If any unexpected archaeological finds are revealed during site works or construction, then the recommendations contained in the Archaeological Impact Assessment should be followed.

6.3 Possible design solutions to reduce arboricultural impacts

Consideration should be given to the following design solutions to reduce the potential impact of the cycle way construction on the trees within the SHR curtilage.

6.3.1 Reduction in width of existing footpath

Subject to meeting relevant standards, a reduction in the width of the exiting footpath would enable the cycle path to be moved further north, away from the trees but would involve excavating the reinforced concrete base and existing asphalt paving of the footpath as well as reducing the width of the Promenade.

6.3.2 Replacement of the landscaped verge with a narrow kerb

At best this would achieve a saving in width of 0.2m and would provide less barrier between pedestrians and cyclists as well as removing a strip of greenery between the two paths. However, some understorey landscaping could still be provided between trees subject to maintaining access to the Promenade from parked cars.

6.3.3 Various alignment and surface treatments of the cycle path

The Arboricultural Impact Assessment Report canvasses a number of design solutions involving surface treatments, variable widths, etc.

A handwritten signature in black ink, reading 'C. Betteridge'.

Chris Betteridge
Director
Betteridge Heritage

3 May 2019

7.0 Appendices

<i>Appendix A</i>	<i>Concept Plan Option A, Revision B</i>
<i>Appendix B</i>	<i>SHR listing for Rose Bay Seawall and Promenade</i>
<i>Appendix C</i>	<i>Archaeological Impact Assessment</i>
<i>Appendix D</i>	<i>Arboricultural Impact Assessment Report</i>
<i>Appendix E</i>	<i>National Trust Register Listing</i>
<i>Appendix F</i>	<i>Section 60 Application</i>