

Item No: R1 Recommendation to Council
Subject: **ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL - PLANNING PROPOSAL - HERITAGE LISTING OF FIVE SITES ASSOCIATED WITH PROFESSOR LESLIE WILKINSON AND STATE HERITAGE REGISTER NOMINATION OF GREENWAY AT 24 WENTWORTH ROAD, VAUCLUSE**
Author: Flavia Scardamaglia, Senior Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning & Place
Scott Pedder, Director - Planning & Place
File No: 22/158028
Purpose of the Report: To provide Council with the advice of the Woollahra Local Planning Panel.
To obtain Council's approval to proceed with the planning proposal to list five sites associated with Leslie Wilkinson as local heritage items in Schedule 5 and on the heritage maps of the Woollahra Local Environmental Plan 2014.
To obtain Council's approval to proceed with the State Heritage Register Nomination for Greenway at 24 Wentworth Road, Vaucluse.
Alignment to Delivery Program: Strategy 4.2 Conserving our rich and diverse heritage.

Recommendation:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 1 September 2022 regarding the planning proposal to list five sites associated with Professor Leslie Wilkinson as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.
- B. THAT Council endorse the planning proposal as contained at **Attachment 4** of the report to the Environmental Planning Committee of to list the following five sites as local heritage items in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* and resolve to forward this to the Department of Planning and Environment with a request for Gateway Determination to allow public exhibition:
 - i. *Monument to Robert Watson, including sandstone tablet, carvings and setting* at Robertson Park, Watsons Bay (part of Lot 7093 DP 107469).
 - ii. *Hampden Lodge, including interiors and garage* at 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885).
 - iii. *House, including interiors and gardens* at 43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 131019).
 - iv. *House, including interiors* at 56 Wallaroy Road, Woollahra (Lot 3 DP 17153).
 - v. *Wrought iron gate and brick posts* at 28A Wentworth Road, Vaucluse (Part of Lot 2 DP 531931).
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. That Council endorse the State Heritage Register Nomination at **Attachment 3** of the local heritage item "Greenway"—*all buildings, interiors and works, grounds, grove of approx 8 Sydney Pink Gums* at 24 Wentworth Road, Vaucluse (Item 413, Lot 101 DP 621888).

Executive Summary:

The purpose of this report is to provide Council with the advice of the Woollahra Local Planning Panel (Woollahra LPP) on the outcomes of the Leslie Wilkinson Heritage Study which was presented to the Woollahra LPP on 1 September 2022.

In summary, we recommend that Council resolves to endorse the planning proposal as contained in **Attachment 4**, and forward this to the Department of Planning and Environment (DPE) with a request for a Gateway Determination to allow public exhibition. The planning proposal seeks to list five sites as local heritage items in Schedule 5 and on the Heritage Maps of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).

Supported by the advice from the WLPP, staff also recommend nominating Greenway at 24 Wentworth Road, Vaucluse to the State Heritage Register.

Discussion:

Background

Born in England in 1882, Leslie Wilkinson was a Professor of Architecture at the University of Sydney who dedicated his life to Architecture as both an academic and practising architect. He is a leading and influential figure in Australian architecture, whose traditional approach combined Australia's colonial heritage with Mediterranean influences experienced during his travels.

In recognition of his architectural contribution, 28 sites that were wholly or partially designed by Professor Leslie Wilkinson are already protected via individual listings in the Woollahra LEP 2014. Three sites, 5A and 6 Wiston Gardens and *BishopsCourt* at 11A Greenoaks Avenue, Darling Point are protected as State Heritage items under the *Heritage Act 1977*. Wilkinson also had some involvement with the design of *Dunara* at 10 Dunara Gardens Point Piper, which is also listed as a State Heritage Item.

However, due to the volume of work that Leslie Wilkinson carried out in the Eastern suburbs, it was recognised that the number of current listings were unlikely to represent a true contribution of his work to the built form heritage of the Woollahra Local Government Area and more research was required.

On 26 April 2005, Woollahra Council endorsed the *Built Environment Principal Activity – 2005-08 resolving that the Built Environment Principal Activity be included in the Draft Management Plan*. The *Built Environment Principal Activity* included the following project:

- *Review potential heritage items, Wilkinson buildings:*
 - *Completing investigations*
 - *Report to UPC*

In 2008, a preliminary inventory of works by Professor Leslie Wilkinson was compiled by Council staff. This project was accelerated in March 2014, with the use of external resources to review the list, and to make recommendations as to whether any of these sites reach the threshold for individual heritage listing. A progress report was presented to the Urban Planning Committee (UPC) on 10 November 2014 (see **Attachment 1**) which recommended the following:

That Council note the next stages of the study as set out in the report to the Urban Planning Committee meeting on 10 November 2014.

The conclusion of this report states the following:

Leslie Wilkinson has had a profound impact on architecture in Australia. The majority of his domestic commissions were within the Woollahra Local Government Area. Council has already identified and heritage listed 28 significant examples of his work.

In order to complete the comprehensive review of Wilkinson's work in the municipality, site inspections for the six properties identified as potential heritage items should be carried out to determine the extent of his association with each property. Following the site inspections draft inventory forms will be completed and another report prepared recommending heritage listing of those properties that reach the threshold for local heritage listing

However, on 24 November 2014 Council resolved the following:

That Council defer the study until Council Staff have the capacity to prioritise the study.

On 22 November 2021, Council endorsed the *Woollahra Heritage Gap Analysis*. The *Woollahra Heritage Gap Analysis* and accompanying Action Plan was prepared to inform future heritage studies that will fill the gaps identified in the current listings and management practices.

Part 7 of the *Woollahra Heritage Gap Analysis* contains the Action Plan and the first priority is to *Finalise outstanding heritage studies and assessments*. This includes the Leslie Wilkinson Heritage Study.

Progressing the heritage study

As identified above, in 2008 Council staff prepared lists of:

- Properties listed on the Woollahra LEP 2014 associated with Professor Leslie Wilkinson;
- Properties listed on the Woollahra LEP 2014 whose association with Professor Leslie Wilkinson is yet to be ascertained;
- Properties associated with Professor Leslie Wilkinson that do not have statutory heritage protection.

In compiling these lists, staff reviewed documents from Council and Woollahra Libraries Records, the State Library of NSW, the National Library of Australia (Trove) and the Australian Institute of Architects (NSW Chapter).

During the undertaking of this heritage study:

- Twenty-eight heritage listed items in the Woollahra LGA associated with Professor Leslie Wilkinson were reviewed in order to inform a comparative analysis;
- Seventy additional sites in the Woollahra LGA, with potential association with Professor Leslie Wilkinson were identified and researched;
- Of these 70 sites, only 25 sites are currently extant and these were assessed for their level of intactness;
- Of these 25 sites, 17 owners were sent correspondence requesting a site inspection.
- Of these 17 sites, 11¹ owners facilitated a site inspection so that staff could view the interiors and grounds.
- Six sites associated with Professor Leslie Wilkinson were assessed in accordance with the NSW heritage criteria.

¹Two of the 11 sites are already listed as local items in the Woollahra LEP 2014 being Greenway at 24 Wentworth Road, Vaucluse and St Michael's Church at 1 St Michaels Place, Vaucluse.

The sites

The six sites that are the subject of this report are spread across the municipality, and are summarised below.



Figure 1: Monument to Robert Watson in Robertson Park, Watsons Bay

This Monument, located in Watsons Bay Park, was commissioned by Vaucluse Council in 1929 upon the request of the Royal Historical Australian Society (RHAS) to commemorate Robert Watson, after whom the area was named.

Designed in 1929 by Professor Leslie Wilkinson, it demonstrates the proactive and educational role of the RHAS in erecting monuments to celebrate the history of NSW.



Figure 2: Hampden Lodge at 12 Hampden Avenue, Darling Point

Originally built as stables for Winslow mansion between 1902 and 1909, Hampden Lodge was adaptively reused as a residence by Sydney Gilchrist in 1922 (BA51/1922).

Owned by Florence Emily Nesbitt from March 1930, Wilkinson was engaged to design various alterations and additions. The site is of local heritage significance for its association with Winslow, providing historically significant evidence of the early development of Darling Point and its association with Leslie Wilkinson.



Figure 3: 43 Latimer Road, Bellevue Hill

Originally designed by architect and colleague John D Moore, 43 Latimer Road, Bellevue Hill underwent substantial alterations and additions to the design of Leslie Wilkinson in 1939 for Mr Gordon Russell.

The house exhibits aesthetic significance for its Neo-Georgian /Inter-War Mediterranean influence and detailing. As an intact Inter-War Mediterranean/Neo-Georgian style building, this house and its landscaped setting are rare in Woollahra.



Figure 4: 56 Wallaroy Road, Woollahra

56 Wallaroy Road, Woollahra is an Inter-War Mediterranean house designed by Frederic George Leslie Allen Architect in 1932 for W P Gunning on the Glencoe Estate.

In 1953, Leslie Wilkinson was asked to design a second garage to the house. Whilst Wilkinson's input into the design of this house is relatively minor, this is an aesthetically distinctive house showing Inter-War Mediterranean influences.



Figure 5: Wrought iron gate at 28A Wentworth Road, Vaucluse

Originally designed by architect E. C. Pitt, this house underwent substantial alterations by John Crawford in association with Leslie Wilkinson in 1970.

The wrought iron gates and brick posts were also designed by Wilkinson and constructed after his death in 1973. They exhibit significance for their decorative floral detailing associated with Leslie Wilkinson.



Figure 6: Greenway, 24 Wentworth Road, Vaucluse
(Source: www.realestate.com.au)

Designed as Wilkinson's own residence in 1922, this is a two storey Mediterranean style villa with 1950 additions, also designed by Wilkinson.

This house is an excellent example of the Mediterranean style that Wilkinson introduced to Sydney, specifically designed and oriented to maximise light ingress, ventilation and combine restrained classical details with comfort and amenity.

This property is currently listed as a local heritage item on the Woollahra LEP 2014 (Item 413, Lot 101, DP 621888) being “Greenway”—*all buildings, interiors and works, grounds, grove of approx 8 Sydney Pink Gums*).

Assessments of heritage significance

An assessment of heritage significance for each of the six sites was carried out by Council's Senior Strategic Heritage Officer, in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001 and *Investigating Heritage Significance 2021* published by Heritage NSW.

All sites were assessed against the seven NSW heritage criteria. Each criterion has inclusions and exclusions guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

Table 1: NSW Heritage assessment criteria summary

Criteria		
(a)	Historic significance	<i>An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
(b)	Historical association significance	<i>An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
(c)	Aesthetic significance	<i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)</i>
(d)	Social significance	<i>An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons</i>
(e)	Technical significance/research potential	<i>An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
(f)	Rarity	<i>An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
(g)	Representativeness	<i>An item is important in demonstrating the principal characteristics of a class of NSW's</i> <ul style="list-style-type: none">• <i>cultural or natural places; or</i>• <i>cultural or natural environments.</i>• <i>or a class of the local area's</i>• <i>cultural or natural places; or</i>• <i>cultural or natural environments.</i>

To be assessed for State significance, an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

During the undertaking of a comparative analysis, these sites were compared with 49 other comparable sites across the LGA, and NSW. This comparative analysis was based on an analysis of:

- Style,
- Typology, and
- Architect.

A copy of the heritage study report titled *Professor Leslie Wilkinson in Woollahra* includes a comparative analysis of these sites (Chapter 4) and a heritage assessment in accordance with the guidelines at Chapter 5. A copy of this report can be found at **Attachment 2**, and a copy of the Heritage Inventory Sheets is at **Attachment 3**.

Having assessed each of the sites against the Heritage NSW guidelines, it was concluded that five of the sites meet the threshold for listing as items of local heritage significance. A summary of each Heritage NSW criteria, and how these were met by each site is summarised below in **Table 2**.

Table 2: NSW Heritage criteria assessment summary (Local significance)

Site	(a) historic	(b) association	(c) aesthetic	(d) social	(e) technical/ research	(f) rarity	(g) representative
Monument to Robert Watson in Robertson Park, Watsons Bay	✓	✓	✓	✓	✗	✓	✓
Hampden Lodge, 12 Hampden Avenue, Darling Point	✓	✓	✓	✓	✓	✓	✓
43 Latimer Road, Bellevue Hill	✓	✓	✓	✓	✓	✓	✓
56 Wallaroy Road, Woollahra	✓	✗	✓	✗	✗	✓	✓
Wrought iron gate and brick posts at 28A Wentworth Road, Vaucluse	✓	✓	✓	✓	✗	✓	✓

At 24 Wentworth Road, Vaucluse it was concluded that, based on the comparative analysis and Greenway's established heritage, this site meets the following heritage criteria at the State level, as summarised in **Table 3** below:

Table 3: NSW Heritage criteria assessment summary (Greenway)

Site	(a) historic	(b) association	(c) aesthetic	(d) social	(e) technical/ research	(f) rarity	(g) representative
Greenway, 24 Wentworth Road, Vaucluse	✓ State	✓ State	✓ State	✓ State	✓ State	✓ State	✓ State

Any person or organisation can nominate a place or object believed to be of state significance for listing on the State Heritage Register (SHR). Nominations are made by completing the SHR nomination form. Should Council support the staff recommendation, Council staff will finalise the nomination and submit this to Heritage NSW. The SHR Committee may or may not recommend to proceed with the nomination to list Greenway at 24 Wentworth Road, Vaucluse on the SHR under the *Heritage Act, 1977*.

Planning Proposal

Consistent with the recommendations of the report *Professor Leslie Wilkinson in Woollahra*, a planning proposal was prepared to list the following sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra LEP 2014:

- *Monument to Robert Watson*, including sandstone tablet, carvings and setting at Robertson Park, Watsons Bay (Part of Lot 7093 DP 107469).
- *Hampden Lodge*, including interiors and garage at 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885).
- House, including interiors and gardens at 43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 131019).
- House, including interiors at 56 Wallaroy Road, Woollahra (Lot 3 DP 17153).
- Wrought iron gate and brick posts at 28A Wentworth Road, Vaucluse (Part of Lot 2 DP 531931)

The planning proposal was prepared in accordance with section 3.33 of the Act and the document prepared by the NSW Department of Planning and Environment titled *Local Environmental Plan Making Guideline* (September 2022).

The planning proposal satisfies the requirements of section 3.33 of the Act as it includes:

- A statement of the objectives or intended outcome of the amendment to Woollahra LEP 2014.
- An explanation of the provisions that are to be included in the amendment to Woollahra LEP 2014.
- The justification for the objectives, outcomes and provisions and the process for their implementation.
- Details of the community consultation that is to be undertaken.

The objective of the planning proposal is to recognise the heritage significance of the above listed sites as local heritage items and provide them with statutory heritage protection. Heritage listing aims to provide the sites with ongoing protection and recognition of the heritage significance of the sites.

Advice of the Woollahra Local Planning Panel

The planning proposal was referred to the Woollahra LPP on 1 September 2022 (see **Attachment 7**), where they provided the following unanimous advice to Council:

- A. *THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the following sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014:*
- *Monument to Robert Watson, including sandstone tablet, carvings and setting at 22 Military Road, Watsons Bay, Robertson Park (part of Lot 7093 DP 107469).*
 - *Hampden Lodge, including interiors and garage at 12 Hampden Avenue, Darling Point (Lot 1 DP 1184885).*
 - *House, including interiors and gardens at 43 Latimer Road, Bellevue Hill (Lot A DP 312687, Lot A DP 318717 and Lot 1 131019).*
 - *House, including interiors at 56 Wallaroy Road, Woollahra (Lot 3 DP 17153).*
 - *Wrought iron gate and brick posts at 28A Wentworth Road, Vaucluse (Part of Lot 2 DP 531931)*

Subject to B below.

- B. *THAT the Woollahra Local Planning Panel advises Council that the statements of significance should be reformatted to address the criteria in terms of the exclusion and inclusion guidelines of the Heritage NSW guidelines “Assessing Heritage Significance” published by NSW Heritage.*
- C. *THAT the Woollahra Local Planning Panel provides advice to Council staff to proceed with the nomination to the State Heritage Register of the local heritage item “Greenway”—all buildings, interiors and works, grounds, grove of approximately 8 Sydney Pink Gums at 24 Wentworth Road, Vaucluse (Item 413, Lot 101 DP 621888).*
- D. *THAT the Woollahra Local Planning Panel recommends that Council staff arrange to have the final heritage study, which informed the planning proposal, publicly available on Council’s website.*

It is noted that the Woollahra LPP provided the following reasons for its decision:

The panel congratulates Council staff on the thorough research and analysis evident in the heritage study. The Panel also commends Woollahra Council for resourcing such a careful consideration of the extraordinary legacy of Wilkinson's work in the municipality. His role in Australian architecture deserves such commitment.

The research is comprehensive and further to the public submissions and discussions at the panel meeting, reformatting is recommended of the statements of significance to address the criteria in terms of the exclusion and inclusion guidelines of the Heritage NSW guidelines "Assessing Heritage Significance" published by NSW Heritage.

The heritage study report (**Attachment 2**), the heritage inventory sheets and SHR nomination (**Attachment 3**) and the planning proposal (**Attachment 4**) have been updated based on the advice from the Woollahra LPP.

Late correspondence was tabled by Ms Jessica Glenda-Prats from Martin Street Lawyers on behalf of the owner of Greenway at 24 Wentworth Road, Vaucluse (a copy of this is included in **Attachment 6**). A response from staff is provided below under 'Community Engagement' (which was provided to the Woollahra LPP as late correspondence).

Options:

Subject to Council's decision, the planning proposal (with updates to make reference to the Council decision) will be referred to the DPE seeking a Gateway Determination. This will allow the planning proposal to be placed on public exhibition.

The public exhibition of the planning proposal will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act), the *Environmental Planning and Assessment Regulation 2021* and the Gateway determination issued by the Department as delegate for the Minister.

The Gateway determination will specify the minimum duration of the public exhibition period. This period is usually a minimum of 28 days, which is consistent with Council's standard practice for the exhibition of a planning proposal.

Public notification of the exhibition will comprise:

- A weekly notice in the Wentworth Courier for the duration of the exhibition period (if a hardcopy is being published).
- A notice on Council's website.
- A notice to land owners, surrounding land owners and community/resident groups.

To streamline the plan-making process, the Minister can delegate some plan-making powers to Council for routine matters. In this case, Council may request authorization to exercise the functions of the Minister to make an LEP under section 3.36 of the Act. Part C of the recommendation for this report deals with this request. After public exhibition, the planning proposal and submissions received will be reported to Council.

Alternatively, Council may decide to note the advice of the Woollahra LPP and not progress the planning proposal or the nomination for State Heritage listing.

Community Engagement and / or Internal Consultation:

Following the finalisation of the draft heritage inventory sheets, Council staff engaged with the six site owners and a chronology of consultation in 2022 is included at **Attachment 5**.

In summary:

Monument to Robert Watson

- As Woollahra Council is the owner and manager of the land on which this monument sits, correspondence with the Director Infrastructure & Sustainability has indicated no objection to the proposed heritage listing.

Hampden Lodge, Darling Point

- The owner of *Hampden Lodge* at 12 Hampden Avenue, Darling Point, supports the proposed heritage listing (see **Attachment 6**).

43 Latimer Road, Bellevue Hill

- A representative of the owner of 43 Latimer Road, Bellevue Hill engaged Graham Brooks of *GBA Heritage* to prepare a submission. This submission objects to the proposed local heritage listing (see **Attachment 6**).

According to *GBA Heritage*, this house takes its inspiration from a typical rural farmhouse in southern France, with its restrained classicism and detailing and lack of colonnaded wings. It is an overall “economical upgrading” of an existing house, and “...while the hand of two distinguished architects, does not exhibit the firm or creative hand of either.”

The letter concludes that there is no justification for heritage listing due to its not meeting any of the NSW heritage criteria.

Staff response:

In response, Council staff assert that the heritage study was prepared in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001 and *Investigating heritage significance: A guide to identifying and examining heritage items in NSW*, published by Heritage NSW in 2021. This property has been identified as meeting the following heritage criteria due to its being the work of one of the most prominent architects in Australia and an excellent example of an Inter-War Mediterranean style house.

- ✓ Historical,
- ✓ Historical Association,
- ✓ Aesthetic,
- ✓ Social,
- ✓ Research Significance
- ✓ Rarity
- ✓ Representative

In coming to this conclusion, over 70 sites associated with Leslie Wilkinson in Woollahra have been reviewed, 25 sites have had their level of intactness assessed and comparisons have been made with another 49 sites in and outside of Woollahra. Many items have been discounted as not qualifying for local heritage listing. The selection of the sites identified in this report has followed a rigorous heritage assessment.

It should also be noted that the connection with southern France (Provence) is correct and agreed upon, since Wilkinson's introduced Inter-War Mediterranean style in Sydney was based on southern Europe examples (including Provence). This is expressed through a restrained classicism, the use of pastel light walls, terracotta gabled roof, timber double hung sash windows and loggia with doric columns and entablature. Differently from Joseland & Gilling, Leslie Wilkinson refused to follow glamorous Californian examples to embrace a more sophisticated classicism given from references in a floor plan layout and/or architectural detailing.

John D Moore was a respected colleague and friend of Leslie Wilkinson who worked with him on multiple designs for the University of Sydney and other private commissions, such as 1 Rose Bay Avenue, Bellevue Hill (which is listed as a local heritage item).

According to *GBA Heritage*:

"The primary expression of the distinction between Wilkinson and Moore is the use of a different external window sill design for the upper level windows."

Staff response:

In response, staff contest that the different window sills between the two levels of the house confirms that the house was built in two main stages. This is considered to be a detail that enhances the heritage significance of this property. Overall, the extent of John D Moore's original cottage at 43 Latimer Road can hardly be seen due to the extent of alterations undertaken by Leslie Wilkinson, which completely transformed this building's character and enhanced its architectural quality.

Not all of Wilkinson's designs feature loggias (or colonnaded wings as suggested by GBA Heritage), including but not limited to both 5A and 6 Wiston Gardens in Double Bay (see **Figure 7**), which are renowned State significant items. It is then even more extraordinary that at 43 Latimer Road, when the building is of such a scale with a private outlook, the architect elected to include such a classical reference with the entablature supported by doric columns.

Council staff suggest that this submission does not fully consider Wilkinson's creative endeavor and this property's contribution to Woollahra as part of the body of work of one of the most prominent Australian architects.

It should also be noted that on 1 September 2022, the Woollahra LPP unanimously endorsed the study, including its recommendation to locally list this property in the Woollahra LEP 2014.



Figure 7: North facing elevation of 43 Latimer Road, Bellevue Hill with doric columns supporting an entablature

56 Wallaroy Road, Woollahra

- The owner of 56 Wallaroy Road, Woollahra, supports the proposed heritage listing (see **Attachment 6**).

28A Wentworth Road, Vaucluse

- The owner of 28A Wentworth Road, Vaucluse, has not indicated an objection to the proposed heritage listing (see **Attachment 6**)

Greenway, Vaucluse

- Late correspondence from Martin Street Lawyers dated 26 August 2022 was tabled at the Woollahra LPP meeting (see **Attachment 6**). The correspondence raises a number of issues in relation to Council staff's position to nominate Greenway at 24 Wentworth Road, Vaucluse to the SHR.
- Council staff has reviewed the owners' concerns and these are addressed below:

- Issue 1:** The owner seeks additional time to determine whether they oppose the potential listing of Greenway on the NSW SHR. During this time the owner will engage a consultant to:
- Inform a Conservation Strategy to outline potential exemptions to the SHR listing
 - Engage an arborist to provide separate advice
 - Commission a valuation report to evaluate the loss of market value of Greenway.

Staff response:

Anyone can nominate a site on the SHR with Heritage NSW but ultimately, Heritage NSW as delegate of the Heritage Council of NSW is the decision maker on this matter.

Council staff note that the nomination process of the SHR listing under the NSW Heritage Act 1977 will take several months and any additional time required should be negotiated with Heritage NSW.

Exemptions, economic and fabric impact will be considered through an assessment under the NSW Heritage Act, 1977.

- Issue 2:** The matter should be deferred pending the outcome of the sales campaign which is currently underway. This is to allow engagement with the new owners.

Staff response:

It is noted that this study has been in the Heritage work program since 2008. Council staff do not support any further deferrals.

However, the timing of this heritage study was dependent on the availability of Council resources, in particular the availability of Council's Senior Strategic Heritage Officer.

- Issue 3:** Heavy constraint in terms of development of the site and in relation to improving disability use and access.

Staff response:

Greenway is already listed as a local heritage item in Schedule 5 of the Woollahra LEP 2014.

Should the nomination to the SHR be accepted, it is noted that state listing does not prevent change, and any proposed changes are assessed on their merits on a site by site basis

Minor works, day-to-day repairs and maintenance rarely need approval because they will normally fulfil criteria for exempt development.

Issue 4: Changes have already occurred to the building during and after the time Leslie Wilkinson was residing in the property.

Staff response:

It is recognised that there have been some modifications made to the property. However, from a review of these works, and an analysis of other comparable items, these changes are considered to be of a minor nature only.

Issue 5: There are no private residences designed by Leslie Wilkinson which have been listed on the SHR, which reflects the fact that public buildings have garnered more attention from the community.

Staff response:

The comparative analysis undertaken during the study has highlighted that Parkinson (1932) at 6 Wiston Gardens, Double Bay and Sweetapple (1936) 5A Wiston Gardens, Double Bay were both designed by Leslie Wilkinson and are listed on the SHR.

Wilkinson was also involved with major additions to BishopsCourt at 11A Greenoaks Avenue, Darling Point and minor involvement with Dunara at 10 Dunara Gardens Point Piper. Both of these properties are on the SHR.

Issue 6: Council staff has failed to assess other Wilkinson properties in Woollahra for State Heritage significance.

Staff response:

As part of this study, Council staff has carefully and rigorously assessed and considered:

- *28 already listed heritage items in the Woollahra local government area (LGA);*
- *70 potential associations with Leslie Wilkinson in the Woollahra LGA*
- *Among these 70, reviewed the intactness of 25 properties for potential heritage listing*
- *Among these 25, researched 17 properties*
- *Among these 17, inspected 11 properties*
- *Among these 11, undertaken a full heritage assessment and review of 6 properties.*

In addition to the above, Council staff have compared Greenway with seven SHR items across NSW, including other architects who were of the same era and designed in the same style.

It should be noted that no other property in Woollahra has such a significant historical association with Leslie Wilkinson at the State level as Wilkinson's own house.

Issue 7: The owner will be making submissions that, pursuant to Section 33(2)(d) of the NSW Heritage Act, 1977, any listing on the SHR would cause undue financial hardship as the owner of Greenway.

Staff response:

This is a matter for consideration by Heritage NSW, as part of the nomination process.

It should also be noted that on 1 September 2022 the Woollahra LPP unanimously endorsed the study, including its recommendation to nominate this property for State listing under the NSW Heritage Act, 1977.

Policy Implications:

Should Council resolve to progress a planning proposal and the SHR nomination, and should the planning proposal progress to finalisation, there will be policy implications by listing five new local heritage items in the Woollahra LEP 2014. Should the SHR proceed, there will be policy implications by elevating Greenway at 24 Wentworth Road Vaucluse from a local listing to a State listing.

Financial Implications:

NIL

Resourcing Implications:

Staff resources will be associated with sending a SHR nomination to Heritage NSW, progressing a planning proposal, managing the public exhibition and preparing a post exhibition report to a meeting of Council.

Conclusion:

A planning proposal to list five sites as local heritage items in Schedule 5 and on the Heritage Maps of the Woollahra LEP 2014 was considered by the Woollahra LPP on 1 September 2022. Council staff note the support from the Woollahra LPP to progress the local and State Heritage listing of the above sites and to proceed with the planning proposal and SHR nomination.

Given the Woollahra LPP endorsement, Council staff recommend that Council endorses the planning proposal at **Attachment 4** and the SHR nomination at **Attachment 3**.

Attachments

1. Progress report to Urban Planning Committee - 10 November 2014
2. Heritage Study - Professor Leslie Wilkinson in Woollahra (*circulated under separate cover*)
3. Heritage Inventory Sheets and SHR Nomination - September 2022
4. Planning Proposal - Professor Leslie Wilkinson in Woollahra (*circulated under separate cover*)
5. Chronology of consultation with the owners
6. Submissions from property owners (including late correspondence to the meeting of the Woollahra LPP)
7. Report to the Woollahra LPP - 1 September 2022 (attachments removed)