

<b>Item No:</b>	R1
<b>Subject:</b>	<b>PLANNING PROPOSAL - HERITAGE LISTING OF THE ROSE BAY UNITING CHURCH AND WESLEY HALL GROUP AT 518A OLD SOUTH HEAD ROAD, ROSE BAY.</b>
<b>Author:</b>	Jorge Alvarez, Senior Strategic Planner
<b>Approvers:</b>	Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development
<b>File No:</b>	18/96961
<b>Reason for Report:</b>	Council is required to refer all planning proposals to be prepared after 1 June 2018 to the local planning panel for advice. There are some exemptions to this requirement, however, this planning proposal does not meet the exemption criteria.

**Recommendation:**

THAT Council reaffirm its decision of 21 May 2018 as follows:

- A. THAT Council prepare a planning proposal to list the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay as a heritage item in the *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows: Rose Bay Uniting Church and Wesley Hall Group - church and interiors (including moveable heritage, vestry and 1924 additions), Wesley Hall and interiors.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

**1. Reason for report to local planning panel (LPP)**

On 23 February 2018, the Minister for Planning issued a Local Planning Panel Direction – Planning Proposals:

- A Council to whom this direction applies is required to refer all planning proposals to be prepared after 1 June 2018 to the local planning panel for advice, unless the council's general manager determines that the planning proposal relates to:
  - (a) the correction of an obvious error in a local environmental plan,
  - (b) matters that are of a consequential, transitional, machinery or other minor nature, or
  - (c) matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.
- A proposal is to be referred to the local planning panel before it is forwarded to the Minister under section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- This direction takes effect on 1 June 2018 and applies to planning proposals prepared, but not submitted to the Minister, before 1 June 2018.

In this case, the planning proposal is required to be referred to the local planning panel because the general manager has not made a determination in regard to items (a), (b) or (c), above.

## 2. Reasons for recommendation

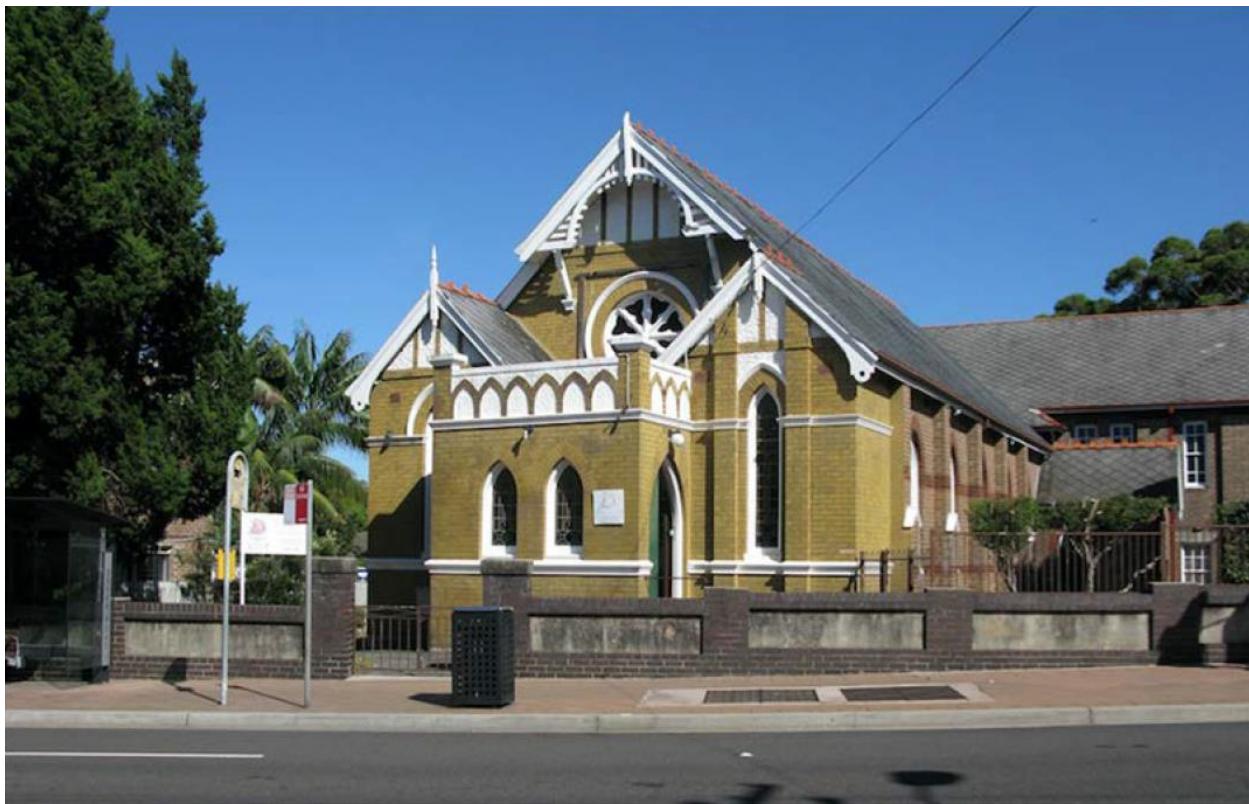
On 21 May 2018 Council resolved to submit a planning proposal to list the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay as a heritage item in the *Woollahra Local Environmental Plan 2014*. The heritage significance of the Rose Bay Uniting Church and Wesley Hall Group has been assessed in accordance with the NSW heritage best practice guidelines.

The objective of the planning proposal is to amend Woollahra LEP 2014, to list the Rose Bay Uniting Church and Wesley Hall Group as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the site, including the existing buildings, interiors and moveable heritage. The moveable heritage includes furniture and fittings within the church and Wesley Hall such as the stained-glass windows, pews, original font and the preacher's rostrum said to be from the first Methodist Church in Australia.

## 3. Site and context

### 3.1. The site

The planning proposal applies to the site located on the corner of Dover Road and Old South Head Road, Rose Bay. The street address of the site is 518A Old South Head Road, and the land title is described as Lot 37: Sec: A in DP 4567 (see Figure 1, 2 and 3 below).



**Figure 1: Rose Bay Methodist Church (1904) and the Wesley Hall (1929), (Source: RA Moore February 2018)**



**Figure 2: Cadastral map showing the subject site outlined in red**

Church buildings occupy the majority of the site, with two small areas of lawn and landscaping on either side of the church building and a play area at the rear adjacent to the Hall (see the aerial image of the subject site in Figure 3). The complex is surrounded by a brick and roughcast fence fronting Old South Head Road and Dover Street, and a timber paling fence along Dover Lane and the south boundary.



*Figure 3: Aerial photograph showing the subject site outlined in red*

### 3.2. Context

The site is located within the Rose Bay South mixed use centre. The centre extends for approximately four blocks along Old South Head Road. This road forms part of the boundary between Woollahra and Waverley local government areas.

The centre contains a mix of architectural styles, but is generally characterised by two to four storey shop top housing. The site is located in a section of the centre between Wilberforce and Hamilton Streets in which the building stock was largely constructed in the Inter-War period, and is characterised by strong rectilinear parapet lines, continuous awnings and shopfronts built to the street alignment.

The centre is a traditional main street development providing a broad mix of services, including health services for local residents; shops such as cafés, take-away food stores, hair dresser and a petrol station; and community uses such as the Rose Bay Uniting church and Wesley Hall.

The properties in closest proximity to the site are described in the table below.

**Table 1: Description of nearby properties**

Location	Address	Description
South-west – directly adjoining the site	518 Old South Head Road	2 storey retail / commercial building with a large vacant rear yard facing to Dover Lane
North-west – opposite side of Dover Lane	79-81 Dover Street	3 storey modern residential flat building with landscaping and driveways facing Dover Lane
North-east – opposite side of Dover Street	520 Old South Head Road	2 storey retail / commercial building with a large vacant back yard facing Dover Street
East –diagonally opposite the intersection of Old South Head Road and Dover Road	527 Old South Head Road	3 storey modern mixed use development with ground floor retail and 2 storeys of shop top housing above
South-east – opposite side of Old South Head Road	523 & 525 Old South Head Road	Continuous row of 2 storey retail / commercial buildings

#### 4. Background

##### 4.1. Council notices of motion

On 18 December 2017, Council adopted the following two notices of motion:

**Item No: 11.2**

*THAT Council explore the Heritage Listing of Rose Bay Church and Hall on the corner of Old South Head Road and Dover Road, Rose Bay.*

**Item No: 11.3**

*THAT Council requests staff to prepare and submit a report including a heritage assessment and draft inventory sheet for Rose Bay Uniting Church and Wesley Hall (having their primary address at 518a Old South Head Road, Rose Bay) to the Urban Planning Committee to facilitate the Rose Bay Uniting Church and Wesley Hall (and its elements) being:*

- i. *Included in the Woollahra Local Environmental Plan as a heritage item: and*
- ii. *Listed as a heritage item of State significance on the NSW State Heritage Register*

##### 4.2. Assessment of heritage significance

In response to the decisions from 18 December 2017, Woollahra Council appointed Robert Moore: Heritage Architect and Heritage Consultant to prepare a Heritage Significance Assessment (HSA) for the Rose Bay Uniting Church and Wesley Hall group. The HSA was carried out in accordance with the document titled “Assessing heritage significance”, published by the Heritage Office in 2001.

The consultant was required to:

- Prepare a summary statement of significance for the property.
- Make a recommendation as to whether the property should be listed as a local or State heritage item in Schedule 5 of Woollahra LEP.
- Make a recommendation as to whether the property should be listed as an item on the State Heritage Register under the *Heritage Act 1977*.

A copy of the HSA dated March 2018 and the accompanying Heritage Data Form/Heritage Inventory Sheet is attached in Appendix 3 to the planning proposal. The HSA concludes the following:

*This assessment of the heritage significance of the Rose Bay Uniting (former Methodist) Church and Wesley Hall group, with its associated collection of moveable heritage, concludes that the property as a whole clearly meets the threshold of local heritage significance. As a large property in a rapidly redeveloping part of Sydney it will come under increasing pressure for adaptive reuse, or redevelopment, and this Heritage Significance Assessment provides the necessary basis on which to plan appropriate heritage outcomes.*

*It is the notable local history of the group, written clearly in the physical fabric of its staged construction, and supported by the documents and associated moveable heritage collection, which together record its construction and development, that its local heritage values are founded.*

*The care and ongoing use of the site will require sensitive consideration of these values and their consequences in planning a strategy for its deserved conservation*

*This report concludes that the property meets the threshold for LEP heritage listing on historical, associational, aesthetic and social values, and that it is a representative of the type of property once well represented and common, but now becoming uncommon on a local level. Further research and analysis may also identify research and rarity values. However, in the context of the evidence available for this report it is considered that the Church and Hall group are not of State heritage significance.*

*It is recommended that the property be added to the heritage schedule of the LEP as a property of local heritage significance to Woollahra and that a Conservation Management Plan be prepared to guide its conservation and potential adaptive reuse.*

To reflect the HSA and the Inventory Sheet, the listing in Schedule 5 of the Woollahra LEP would consist of the following:

Suburb	Item name	Address	Property description	Significance	Item No
Rose Bay	Rose Bay Uniting Church and Wesley Hall Group - church and interiors (including moveable heritage, vestry and 1924 additions), Wesley Hall and interiors.	518a Old South Head Road, Rose Bay	Lot 37: Sec: A in DP 4567	Local	680

#### **4.3. Consultation with the land owner**

In accordance with Council's standard practices, a copy of the HSA was sent to the land owner for comment. On Friday 20 April 2018, Council staff and Robert Moore met with the land owner's consultants, Christopher O'Connor from Endeavour Property Advisory, and Dale Swan and David Gole from Conrad Gargett. On 24 April 2018, a submission on behalf of the land owners by David Gole, Principal Heritage Architect at Conrad Gargett was made to Council. A copy of the submission is attached at Annexure 3.

The land owner acknowledged that the HSA has been undertaken in accordance with good heritage practice, and generally agrees with the assessment. However, the land owner, whilst supportive of the heritage listing of the Church and vestry (entry porch), objected to the listing of all the buildings on the site. The land owner requested that the listing be limited to the original church building and vestry. However, the land owner has not provided any additional information or research that indicates that the 1924 Church extensions or the 1927 Wesley Hall are not of heritage significance (within the Criteria for Listing) or have been incorrectly assessed.

Council considered the submission by the land owner and resolved to proceed with the heritage listing of both the Church (including its interiors, moveable heritage, vestry and 1924 additions), and the Wesley Hall (including its interiors).

#### **4.4. Council resolution**

The consultant's draft report and a report (including a copy of the HSA, Heritage Inventory Sheet and submission from Conrad Gargett on behalf of the land owner) was presented to the Environmental Planning Committee on 7 May 2018.

On 21 May 2018, Council resolved:

- A. THAT Council prepare a planning proposal to list the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay as a heritage item in the *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows: *Rose Bay Uniting Church and Wesley Hall Group - church and interiors (including moveable heritage, vestry and 1924 additions), Wesley Hall and interiors*.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

### **5. Planning proposal**

#### **5.1. Structure**

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

#### **5.2. Objective**

The objective of the planning proposal is to amend the Woollahra LEP 2014, to list the Rose Bay Uniting Church and Wesley Hall Group as a heritage item. Heritage listing will provide ongoing protection and recognition of the heritage significance of the site, including the existing buildings, interiors and moveable heritage.

### 5.3. Relationship to strategic planning framework

The planning proposal is consistent with the relevant strategic planning framework plans, policies and directions:

- The planning proposal is consistent with the objectives of *Greater Sydney Region Plan - A Metropolis of Three Cities* (2018) and the actions of the *Eastern City District Plan* (2018). These plans are discussed in detail in Schedule 1 of the planning proposal.
- The planning proposal is consistent with the Council's Community Strategic Plan titled *Our Woollahra 2030: Our community, our place, our plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces.
  - 4.3 Protect local heritage, including significant architecture and the natural environment.
- The planning proposal is consistent with the Standard Instrument – Principal Local Environmental Plan and all other applicable State Environmental Planning Policies (refer to Schedule 2 of the planning proposal).
- The planning proposal is consistent with applicable section 9.1 directions (refer to Schedule 3 of the planning proposal).

### 5.4. Community consultation

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

Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period.
- A notice on Council's website.
- A letter to the land owner of the site.
- A letter to land owners in the vicinity of the site.
- Local community groups such as the Rose Bay Residents' Association.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- The planning proposal, in the form approved by the gateway determination.
- The gateway determination.
- Information relied upon by the planning proposal, such as relevant Council and consultant reports.

## 6. Conclusion

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

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

Advice from the LPP will be provided in a further report to Council's Environmental Planning Committee before the planning proposal is submitted to the Department of Planning and Environment for a gateway determination.

### **Note about annexures**

- Annexure 1: Rose Bay Uniting Church and Wesley Hall Rose Bay - Planning proposal - June 2018, includes the following schedules:
  - Schedule 1 – Consistency with *A Metropolis of Three Cities* and the *Eastern City District Plan*
  - Schedule 2 – Consistency with state environmental planning policies
  - Schedule 3 – Compliance with section 9.1 directions

### **Annexures**

1. Rose Bay Uniting Church and Wesley Hall Rose Bay - Planning proposal - June 2018 (including Schedules 1, 2 and 3) [↓](#)
2. Appendix 1 - Environmental Planning Committee Report - 7 May 2018 - Rose Bay Uniting Church and Wesley Hall Group [↓](#)
3. Appendix 2 - Council Minutes 21 May 2018 - Minutes of Ordinary Council Meeting -21 May 2018 [↓](#)
4. Appendix 3.a - Heritage Significance Assessment - Rose Bay Uniting Church and Wesley Hall Group - Robert Moore - March 2018 [↓](#)
5. Appendix 3.b - Heritage Inventory Sheet - Rose Bay Uniting Church and Wesley Hall Group - Robert Moore -March 2018 [↓](#)
6. Appendix 3.c - Submission from Conrad Gargett on behalf of the land owner - 24 April 2018 - Rose Bay Uniting Church and Wesley Hall Group [↓](#)