

AGENDA

INNER WEST LOCAL PLANNING PANEL

Date: 9 May 2023

	
PLANNING PROPOSAL REPORT From Strategic Planning	
Planning Proposal	Macarthur Parade Dulwich Hill Heritage Listing
Site Address	3 Macarthur Parade Dulwich Hill (individual listing), 7-13 Macarthur Parade Dulwich Hill (group listing)
Proposal	Council-led Planning Proposal to heritage list five properties on Macarthur Parade, Dulwich Hill.
Recommendation	<p>That the Inner West Local Planning Panel advise Council:</p> <p>That the draft Planning Proposal prepared by Council officers dated April 2023 to amend Schedule 5 of the IWLEP 2022 to heritage list five properties on Macarthur Parade, Dulwich Hill has sufficient strategic and site-specific merit for submission to Minister for Planning and Public Spaces for a Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning & Assessment Act 1979</i>.</p>

SUMMARY

The purpose of this report is to seek the advice of the Inner West Local Planning Panel (IW LPP) on the individual listing of 3 Macarthur Parade, Dulwich Hill, and group listing of 7-13 Macarthur Parade, Dulwich Hill as heritage items of local significance in Schedule 5 and on the Heritage Map (Sheet HER_005) of the *Inner West Local Environmental Plan 2022* (IW LEP 2022)

We request that the IW LPP supports the recommendation and provides advice to Council to proceed with the draft Planning Proposal at **Attachment 1**.

1.0 BACKGROUND

In 2021, Council engaged specialist consultants GML Heritage to undertake an Inner West local government area (LGA) wide heritage review. During the project's early phases, five properties on Macarthur Parade, Dulwich Hill, were identified as having potential heritage significance. The *Potential Heritage Conservation Area Study* (February 2022) identified:

“That Nos. 7 to 13 Macarthur Parade are pursued for group listing. A group listing would provide additional statutory protections than would be achieved through a Heritage Conservation Area. It is also recommended to investigate the individual heritage listing of 3 Macarthur Parade, the Dulwich Hill Baptist Church. The church, while originating from the same estate, displays different values and would have inherent local historic and social significance.” (GML Heritage, 2022)

See **Attachment 1** of the draft Planning Proposal for an excerpt from the February 2022 Study.

1.1 Interim Heritage Orders

In October 2022, Council became aware that 11 Macarthur Parade was for sale and being marketed as a heritage free development site.

Council is authorised to make Interim Heritage Orders (IHOs) by Ministerial Order as published in the Government Gazette No. 90 of 12 July 2013. An IHO can be made if Council has considered if the following pre-conditions are in place:

- a) *it has considered a preliminary heritage assessment of the item prepared by a person with appropriate heritage knowledge, skills and experience employed or retained by the Council and considers that:*
 - (i) *the item is or is likely to be found, on further inquiry and investigation, to be of local heritage significance;*
 - (ii) *the item is being or is likely to be harmed;*
 - (iii) *the IHO is confined to the item determined to be under threat.*

In response, under delegation, the General Manager sought an IHO be placed on the property. The IHO (No. 6) was issued under Section 25 of the *Heritage Act 1977* and was published in the NSW Government Gazette 553 on 25 November 2022. Refer to **Attachment 3** of the draft Planning Proposal for a copy of the Gazettal Notice. This occurred a week before the property was due for auction on 3 December. It was subsequently passed in and remains on the market.

Further to this, at the Council Meeting this evening, on 9 May 2023, the Council will discuss a report to:

1. Authorise the extension of the Interim Heritage Order on the property '11 Macarthur Parade Dulwich Hill' by an additional six months in line with Section 29(2) of the Heritage Act 1977.
2. Authorise the creation of additional Interim Heritage Orders for 7, 9 and 13 Macarthur Parade Dulwich Hill.
3. Authorise the preparation of a draft Planning Proposal to amend Schedule 5 of the Inner West Local Environmental Plan 2022 for 7, 9, 11 and 13 Macarthur Parade, Dulwich Hill as a Group Item and 3 Macarthur Parade, Dulwich Hill as an Individual Item.
4. Authorise the General Manager to immediately notify the property owners and the public via a Government Gazette of Council's decision to extend the Interim Heritage Order on 11 Macarthur Parade Dulwich Hill and the creation of Interim Heritage Orders for 7, 9 and 13 Macarthur Parade Dulwich Hill.

The extension of the original IHO and implementation of IHOs to the other three residential sites will ensure the entire group listing (7, 9, 11 and 13 Macarthur Parade Dulwich Hill) remains intact while the process to provide permanent statutory protections progresses.

1.2 Assessment of significance

Having carried out the preliminary heritage assessment, and further to the IHO, a detailed assessment of heritage significance was carried out for the five properties, informed by a site inspection in March 2023. The Draft Detailed Heritage Assessment Report for the subject sites was received on 2 March 2023, with the recommendation that 7-13 Macarthur Parade, Dulwich Hill should be listed as a group heritage item of local significance, and that 3 Macarthur Parade, Dulwich Hill should be listed as an individual heritage item of local significance in Schedule 5 and on the Heritage Map of the IW LEP 2022.

The preliminary heritage advice received from GML Heritage, and the draft detailed heritage assessment received from Council's Heritage Specialists, both state that heritage significance is achieved for 7, 9, 11 and 13 Macarthur Parade as they are a group of houses built at a similar time with joint historical significance. This demonstrates the need for interim heritage protections on all four sites, as the loss or damage to one building would substantially diminish the heritage significance of the entire estate of houses.

The draft detailed heritage assessment can be seen at **Attachment 2** of the draft Planning Proposal.

2.0 PLANNING PROPOSAL

The draft Planning Proposal aims to amend Schedule 5 of the IW LEP 2022 by including:

- A local group listing of four residential houses, including interiors, at 7-13 Macarthur Parade, Dulwich Hill; and
- A local individual listing of church, including interiors, at 3 Macarthur Parade, Dulwich Hill

3.0 CONCLUSION

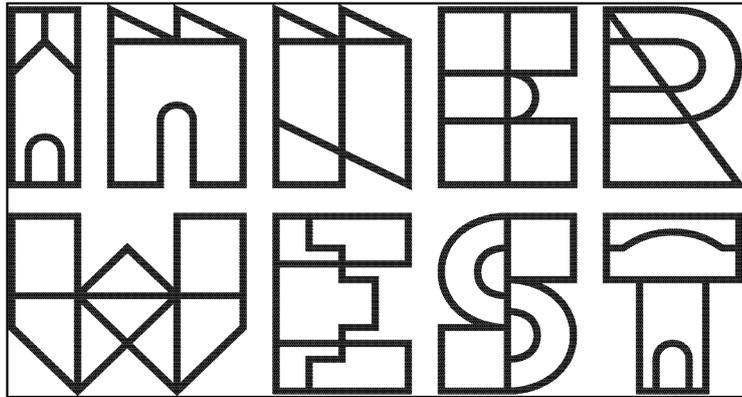
The draft Planning Proposal will preserve local heritage in the Inner West local government area by providing statutory protection and recognition to sites of historical significance.

The submission of the draft Planning Proposal to the Department of Planning and Environment (DPE) after Council endorsement at the 20 June 2023 meeting will allow Council Officers to work proactively with DPE to ensure that draft statutory heritage protections are delivered before the initial IHO for 11 Macarthur Parade, Dulwich Hill is set to lapse on 25 November 2023.

It is recommended that the Inner West Local Planning Panel support this draft Planning Proposal and advise Council to forward the proposal to the Minister for Planning and Public Spaces for a Gateway Determination in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979*.

4.0 ATTACHMENTS

1. Draft Planning Proposal - Macarthur Parade Dulwich Hill Heritage Listings (April 2023)



**Macathur Parade Dulwich Hill
Heritage Listings
Draft Planning Proposal**

17 April 2023

Prepared by Inner West Council

Table of Contents

	Page
1. Introduction	1
2. Background	2
3. Part 1 – Objectives and Intended Outcomes	3
4. Part 2 – Explanation of provisions	4
5. Part 3 – Justification of strategic and site-specific merit	5
Section A – Need for the planning proposal	5
Section B – Relationship to the strategic planning framework	7
Section C – Environment, social and economic impact	8
Section D – Infrastructure (local, State and Commonwealth)	9
Section E – State and Commonwealth Interests	10
6. Part 4 Maps	10
7. Part 5 – Community consultation	11
8. Part 6 – Project Timeline	11

Attachments

1. Extract of GML's Heritage Study (February 2022)
2. draft Macarthur Parade Inventory Sheets (March 2023)
3. IHO Gazette Notice – 11 Macarthur Parade (25 November 2022)
Note: At the time of submission to DPE this attachment will include IHO Notices for 7, 9 and 13 Macathur Parade.
4. Council Resolution: 9 May 2023 (excluding annexures)
Note: this attachment will be included at the time of submission to DPE.
5. Consistency with State Environmental Planning Policies and Section 9.1 Ministerial Directions (Local Planning Directions)
6. Inner West Local Environmental Plan2022 existing and proposed Heritage Map (Sheet HER_005).

1. Introduction

Inner West Council has prepared a Planning Proposal (PP) to amend the *Inner West Local Environment Plan 2022* (Inner West LEP).

The primary intent of the PP is to identify five properties at Macarthur Parade, Dulwich Hill as heritage items under Inner West LEP 2022. In particular, the proposed amendment seeks to include the subject sites at 7-13 Macarthur Parade as a new group local heritage item, and the subject site at 3 Macarthur Parade as an individual heritage item under Schedule 5 Environmental Heritage, and to identify both as 'general' heritage items on the Heritage Map to Inner West LEP 2022 (Sheet HER_005).

The PP is made in relation to the following properties in the Inner West local government area (LGA):

	Property name	Address	Lot/DP
1	Dulwich Hill Baptist Church	3 Macarthur Parade	Lot 6 DP 7767
2	House	7 Macarthur Parade	Lot 4 DP 7767
3	House	9 Macarthur Parade	Lot 3 DP 7767
4	House	11 Macarthur Parade	Lot 2 DP 7767
5	House	13 Macarthur Parade	Lot 1 DP 526818

The five Macarthur Parade properties were identified as having potential heritage significance in the *Potential Heritage Conservation Area Study* (February 2022) completed by GML Heritage. A subsequent detailed heritage assessment confirmed the significance of the properties and recommended a group listing of 7-13 Macarthur Parade and the individual listing of 3 Macarthur Parade, Dulwich Hill.

See **Attachment 1** for an excerpt of the Potential Heritage Conservation Area Study – containing a preliminary heritage assessment of the subject sites – and **Attachment 2** for the draft Macarthur Parade Heritage Study (March 2023) that provides the detailed heritage assessment and Inventory Sheets.

This PP has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and the Department of Planning and Environment's *Local Environmental Plan Making Guideline* (September 2022).

2. Background

In 2021, Council engaged specialist consultants GML Heritage to undertake an LGA-wide heritage review. During the project's early phases, five properties on Macarthur Parade, Dulwich Hill were identified as having potential heritage significance. The *Potential Heritage Conservation Area Study* identified:

"That Nos. 7 to 13 Macarthur Parade are pursued for group listing. A group listing would provide additional statutory protections than would be achieved through a Heritage Conservation Area. It is also recommended to investigate the individual heritage listing of 3 Macarthur Parade, the Dulwich Hill Baptist Church. The church, while originating from the same estate, displays different values and would have inherent local historic and social significance." (GML Heritage, 2022)

Attachment 1 contains an excerpt from the February 2022 Study.

In October 2022, Council became aware that 11 Macarthur Parade was for sale and being marketed as a heritage free development site.

Council is authorised to make Interim Heritage Orders (IHOs) – safeguarding a place or object of potential heritage significance for a temporary period of up to 12 months – by Ministerial Order as published in the Government Gazette No. 90 of 12 July 2013. An IHO can be made if Council has considered if the following pre-conditions are in place:

- a) *it has considered a preliminary heritage assessment of the item prepared by a person with appropriate heritage knowledge, skills and experience employed or retained by the Council and considers that:*
- (i) *the item is or is likely to be found, on further inquiry and investigation, to be of local heritage significance;*
 - (ii) *the item is being or is likely to be harmed;*
 - (iii) *the IHO is confined to the item determined to be under threat.*

In response, the General Manager (under delegation) sought an IHO be placed on the property. The IHO (No. 6) was issued under Section 25 of the *Heritage Act 1977* and was published in the NSW Government Gazette 553 on 25 November 2022. Refer to **Attachment 3** for a copy of the Gazettal Notice.

Further to this, at its 9 May 2023 Meeting, the Council endorsed a report to:

1. Authorise the extension of the Interim Heritage Order on the property '11 Macarthur Parade Dulwich Hill' by an additional six months in line with Section 29(2) of the Heritage Act 1977.
2. Authorise the creation of additional Interim Heritage Orders for 7, 9 and 13 Macarthur Parade Dulwich Hill.

3. Authorise the preparation of a draft Planning Proposal to amend Schedule 5 of the Inner West Local Environmental Plan 2022 for 7, 9, 11 and 13 Macarthur Parade, Dulwich Hill as a Group Item and 3 Macarthur Parade, Dulwich Hill as an Individual Item.
4. Authorise the General Manager to immediately notify the property owners and the public via a Government Gazette of Council's decision to extend the Interim Heritage Order on 11 Macarthur Parade Dulwich Hill and the creation of Interim Heritage Orders for 7, 9 and 13 Macarthur Parade Dulwich Hill.

Refer to **Attachment 4** for a copy of the Council Resolution: 9 May 2023 (excluding annexures).

The extension of the original IHO and implementation of IHOs to the other three residential sites will ensure the entire group listing (7, 9, 11 and 13 Macarthur Parade Dulwich Hill) remains intact while the process to provide permanent statutory protections progresses.

Having carried out the preliminary heritage assessment, and further to the IHO, a detailed assessment of heritage significance was carried out by Council's Heritage Specialists for the five properties, informed by a site inspection in March 2023. The Draft Detailed Heritage Assessment Report for the subject sites was received on 2 March 2023, with the recommendation that 7-13 Macarthur Parade, Dulwich Hill should be listed as a group heritage item of local significance, and that 3 Macarthur Parade, Dulwich Hill should be listed as an individual heritage item of local significance in Schedule 5 and on the Heritage Map of the Inner West LEP 2022 (Sheet HER_005). It also noted that 5 Macarthur Parade Dulwich Hill has not been considered in this Planning Proposal as the original building has been demolished.

The preliminary heritage advice received from GML Heritage, and the draft detailed heritage assessment received from Council's Heritage Specialists, both state that heritage significance is achieved for 7, 9, 11 and 13 Macarthur Parade as they are a group of houses built at a similar time with joint historical significance. This demonstrates the need for interim heritage protections on all four sites, as the loss or damage to one building would substantially diminish the heritage significance of the entire estate of houses.

3. Part 1 – Objectives and intended outcomes

The objective of this PP is to amend Schedule 5 Environmental Heritage, Part 1 Heritage Items of the Inner West LEP 2022 to identify five properties on Macarthur Parade, Dulwich Hill as heritage items of local significance.

The intended outcome of this PP is to:

- provide statutory heritage protection to five properties on Macarthur Parade, Dulwich Hill, including a group listing for 7-13 Macarthur Parade and a single listing for 3 Macarthur Parade.
- preserve local heritage in the Inner West LGA by providing statutory protection and recognition to sites of historical significance.
- ensure future generations can observe items of historical significance.

4. Part 2 – Explanation of provisions

The PP seeks the following amendments to Inner West LEP 2022:

Written instrument:

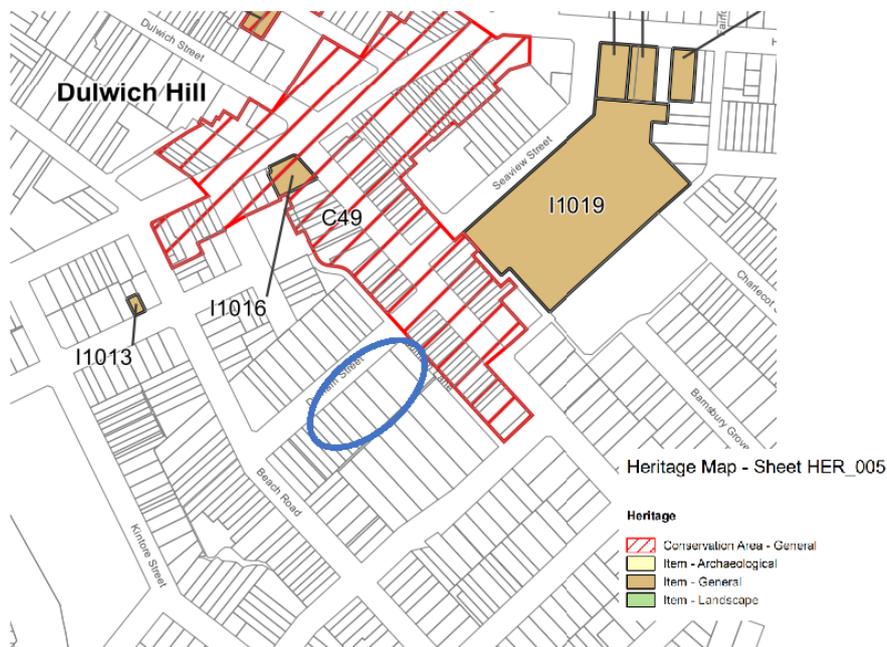
Amend Schedule 5 Environmental Heritage, Part 1 Heritage Items to include the following two listings:

Suburb	Item name	Address	Property description	Significance	Item no.
Dulwich Hill	Houses, group of 4, including interiors	7-13 Macarthur Parade	Lot 1 DP 526818 and Lots 2, 3 and 4 DP 7767	Local	IXXXX (to be confirmed at time of Plan making)
Dulwich Hill	Church, including interiors	3 Macarthur Parade	Lot 6 DP 7767	Local	IXXXX (as above)

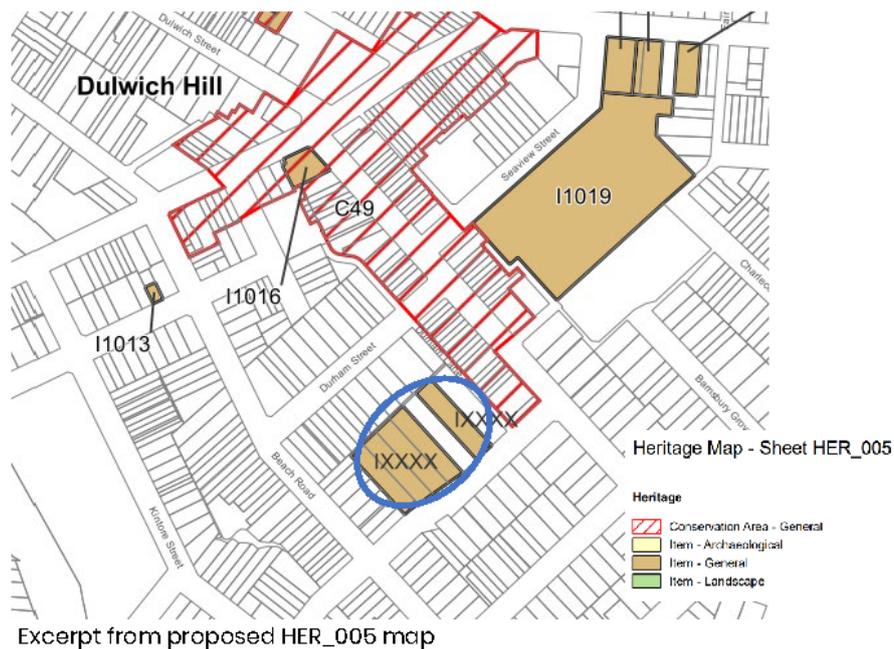
Mapping:

Amend the Heritage Map (Sheet HER_005) to identify:

- 3 Macarthur Parade, Dulwich Hill as an Item – General
- 7-13 Macarthur Parade, Dulwich Hill as an Item – General



Excerpt from existing HER_005 map



5. Part 3 – Justification of strategic and site-specific merit

Section A - Need for planning proposal

- 1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?**

Yes.

The Inner West Local Strategic Planning Statement – *Our Place Inner West* (IWLSPS) identifies a number of actions aligned to planning priorities and includes:

- *Action 6.I Continue to protect the heritage and character values of the Inner West by:*
 - *Ensuring significant existing or desired future character is identified and protected through LEP and DCP provisions*
 - *Undertaking targeted heritage studies to identify new heritage items and conservation areas across the LGA and use these studies to inform future LEP and DCP provisions for their protection,*

This PP is the result of a targeted, LGA-wide residential heritage review by independent expert heritage consultants, GML Heritage. Further detailed assessment was undertaken by Council’s heritage specialist team. The assessment confirmed the local heritage significance of the properties.

Assessment of heritage significance

The assessment of heritage significance reviewed the subject sites in accordance with *Assessing heritage significance* (NSW Heritage Office, 2001) and *Investigating heritage significance* (Heritage NSW, 2021). There are seven criteria used in the process of assessing heritage significance:

Criterion (a) – Historical significance

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

Criterion (b) – Associative significance

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

Criterion (c) – Aesthetic/technical significance

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

Criterion (d) – Social significance

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

Criterion (e) – Research potential

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

Criterion (f) – Rarity

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

Criterion (g) – Representative

An item is important in demonstrating the principal characteristics of NSW's

- cultural or natural places; or*
- cultural or natural environments.(or a class of the local area's cultural or natural places; or cultural or natural environments.)*

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. 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. The draft detailed heritage assessment concluded that the subject sites meet the criteria for historical, associative, aesthetic, social and representative significance, thus confirming their local heritage significance. The draft detailed heritage assessment is included at **Attachment 2**.

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

Yes.

The objective of this PP is to locally list five properties on Macarthur Parade, Dulwich Hill in Schedule 5 of the Inner West LEP 2022 and associated Heritage Map. The best, and only, means of achieving this objective is through the PP process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of the item. Other options, such as adding site-specific objectives and controls to the Marrickville Development Control Plan 2011, or including heritage conservation conditions to a development consent, will not provide the same level of heritage protection and recognition.

Section B – Relationship to strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

Yes.

The planning proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below:

Greater Sydney Region Plan: A Metropolis of Three Cities

The PP is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly *Objective 13 'Environmental heritage is identified, conserved and enhanced'*.

Eastern City District Plan

The PP is consistent with the directions, priorities and objectives of the *Eastern City District Plan*, particularly Planning Priority E6 and Action 20:

- *Planning Priority E6 'Creating and renewing great places and local centres, and respecting the Districts heritage'*
- *Action 20 'Identifying, conserving and enhancing the environmental heritage of the local area' through:*
 - *engaging with the community early to understand heritage values*
 - *applying adaptive re-use and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places'.*

4. **Is the planning proposal consistent with a council Local Strategic Planning Statement or another endorsed local strategy or strategic plan?**

Yes.

The PP is consistent with the IWLSPS and Council's Community Strategic Plan – *Our Inner West 2036*. As described in Question 1, the PP is a direct result of Action 6.2 of the IWLSPS.

5. **Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

Yes

The PP is consistent with the Greater Sydney Region Plan: A Metropolis of Three Cities and the Eastern City District Plan as described in Question 3.

6. **Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes.

The PP is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Attachment 5**).

7. **Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Yes.

The PP is largely consistent with applicable section 9.1 directions. It is arguably inconsistent with Direction 6.1 Residential Zones, as the proposed new heritage listings would have the effect of reducing the permissible residential density on the subject residential properties. This inconsistency is justifiable as it is of minor significance (refer to **Attachment 5**).

Section C – Environmental, social and economic impact

8. **Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No.

There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No.

There are no likely environmental effects that would arise as a result of the PP. Protection of the items will be required when development is proposed, or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

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

Yes.

The heritage assessments measured the subject sites against the criteria for 'cultural significance' as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The draft detailed heritage assessment found that the subject sites meet the criteria for historical, associative, aesthetic, social and representative significance, thus confirming their local heritage significance

While the PP does not have any direct economic effect, it has some social impact for the local community that appreciates and enjoys local heritage in the Inner West.

Section D – Infrastructure (local, State and Commonwealth)

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

Yes.

The PP involves the local heritage listing five properties on Macarthur Parade in Dulwich Hill and does not involve amendments to the planning controls that will facilitate intensified development.

Currently, both properties have access to adequate public infrastructure such as water, sewer, electricity and telephone services. The site's closest access to transport services is on Marrickville Road.

There is no significant infrastructure demand that will result from the PP. The existing services that are available to the site are suitable for the proposal of a local heritage listing in a residential zone.

Section E – State and Commonwealth interests

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

Should the PP proceed to public exhibition, consultation with the relevant public authorities will be carried out. These authorities will include, but are not limited to:

- Heritage NSW, Department of Premier and Cabinet
- NSW Heritage Council
- The National Trust of NSW

Further consultation will take place with any other authorities identified by the Gateway Determination.

6. Part 4 – Maps

The PP seeks to amend the Inner West LEP 2022 Heritage Maps (Sheets HER_005) by applying an “Item – General” classification to the following sites:

Individual Item

3 Macarthur Parade, Dulwich Hill

Group Item:

7 Macarthur Parade, Dulwich Hill

9 Macarthur Parade, Dulwich Hill

11 Macarthur Parade, Dulwich Hill

13 Macarthur Parade, Dulwich Hill

The existing and proposed Heritage Map (Sheet HER_005) is provided in **Attachment 6** The heritage item numbers are indicative and will be confirmed on finalisation of the PP.

7. Part 5 – Community consultation

The public exhibition will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*, with reference to *Local Environmental Plan Making Guideline (2022)* and any conditions of the Gateway Determination.

It is expected that the PP will be exhibited for a minimum of 28 days and that public notification of the exhibition will comprise:

- a notice on Council's website.
- a letter to the land owners of the subject sites, and land owners in the vicinity of each site.
- any other requirements as listed in Council's *Inner West Engagement Strategy 2022-2024* (which incorporates Council's Community Participation Plan).

8. Part 6 – Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the EP&A Act 1979, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Inner West Local Planning Panel provides advice	9 May 2023
Council resolution to proceed	20 June 2023
Gateway determination – See Note	September 2023
Public exhibition period	October 2023
Interim Heritage Order Lapses	25 November 2023
Submissions assessment	December 2024
Council assessment of PP post exhibition	January 2024
Council decision to make the LEP amendment	January 2024
Council to liaise with Parliamentary Counsel to prepare LEP amendment	February 2024–March 2024
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	February 2024–March 2024
Notification of the approved LEP	April 2024

Note: 7-13 Macarthur Parade are subject to an Interim Heritage Order set to expire on 25 November 2023. Council will work proactively with the Department of Planning and Environment to ensure the properties receives draft heritage status prior to the expiry of the IHO.



2.2.4 Macarthur Parade HCA (GML Map Reference 4DH)

Description

A group of single-storey roughcast rendered Californian Bungalows on the western side of Macarthur Parade between Marrickville Road and Beach Road. The group includes the Dulwich Hill Baptist Church (No. 3).

The properties generally display asymmetrical façades with open porches. High and large roof planes with multiple gables and decorative joinery in gable ends. Some houses retain leadlight windows, with joinery and large piers supporting porch roofs.

The houses occupy large lots with houses with consistent setbacks from the street behind brick fences with large front gardens. Properties feature side driveways.

13 – roughcast rendered and painted

11 - roughcast rendered and painted. Shingles base to bay window left of porch and front door.

9 – Roughcast rendered and painted, original leadlight windows in front bay window, large front porch.

7 – Roughcast rendered and painted. Curvilinear Art Deco addition at northwest former of house with painted rendered wall and double sash hung windows.

3 – Dulwich Hill Baptist Church constructed in 1925.





Representative Photos



7 Macarthur Pd



9 Macarthur Pd



11 Macarthur Pd



13 Macarthur Pd

History

The study area comprises land in the Sefton Hall Estate. Sefton Hall Estate was advertised for auction sale on 16 May 1914 including Sefton Hall (Lot 7), corner of Macarthur Parade and Marrickville Road, and Chadston (lot 9) corner of Marrickville Road and Fairfowl Street to the north. Sefton Hall was the property of Henry Marcus Clark (1859–1913) the owner of the famous Sydney department store chain. Sefton Hall was



named after the village of Sefton in Lancashire, England where he had grown up. The family moved to Dulwich Hill in 1890. Sefton Hall was the first Sydney house to have a private swimming pool which is shown on lot 5 of the subdivision plan.

Henry Marcus Clark passed away on 14 March 1913 at his Mt Wilson residence. His estate was sworn for probate at £372, 658 14s 3d.

The Dulwich Hill property passed by transmission in December 1913 to Roland Cuthbert Clark of Dulwich Hill, clerk. He simultaneously transferred same to Joseph War Airey of Strathfield, draper, Reginald Marcus Clark of Dulwich Hill, draper, and William Edward Day of Marrickville, clerk. They subdivided the property as DP 7767, forming 6 allotments in Macarthur Parade; Sefton Hall was located on Lot 7.

The Sydney Morning Herald reported on 18 May 1914 that '*The lawns of Sefton Hall were availed of to accommodate the remarkable attendance of over 500 people which marked the auction of Sefton Hall, Dulwich Hill Subdivision. From the commencement bidding was brisk...The six residential sites [sold] from £5 15s to £7 15s per foot.*' According to the land title lots 3 and 5 were transferred in February 1915 and lots 1, 4 and 6 in 1919. The Dulwich Hill Baptist Church, 'a fine new brick church' was built on Lot 6 in 1925 at a cost of £1500 including furnishing and replaced the earlier building on the site.

By 1920-1922, all of the allotments in the Sefton Hall Estate are built upon excepting Lot 6, the present site of the Baptist Church.

Assessment

This is a finely detailed and consistent group of highly intact Californian Bungalows built between 1916 and 1920. The properties originate from the Sefton Hall estate and have been generally well maintained. They appear to have aesthetic and representative value

It is recommended that Nos. 7 to 13 Macarthur Parade are pursued for group listing. A group listing would provide additional statutory protections than would be achieved through an HCA.

It is also recommended to investigate the individual heritage listing of 3 Macarthur Parade, the Dulwich Hill Baptist Church. The church, while originating from the same estate, displays different values and would have inherent local historic and social significance.

Heritage Data Form

<i>Item Details</i>			
Name of Item	Dulwich Hill Baptist Church including interiors		
Other Names	None identified		
Item Type (if known)	Built		
Item Group (if known)	Religion		
Area, Group of Collection Name			
Street Number	3 Macarthur Parade		
Suburb	Dulwich Hill	Post Code	2203
Local Government Area	Inner West		
Property Description	No. 3 Macarthur Parade, Lot 6, DP 7767		
Location	Latitude		Longitude
Owner	Trustees of the Baptist Church		
Current Use	Church		
Former Use	Church		
Statement of Significance	<p>The Dulwich Hill Baptist Church is of local heritage significance as a substantial Gothic Revival style suburban church built in 1925 to replace an earlier timber school and church in Macarthur Parade. The Dulwich Hill Baptist Church has served the local community for well over a century and has a distinctive presence in the streetscape.</p> <p>A well-designed example of an interwar Gothic Revival style church, the last of the series of Baptist churches erected in the Inner West, including Newtown, Marrickville, Petersham and Stanmore. A fine example of the work of the Sydney architect Walter Leslie.</p> <p>The construction and dedication of the church represents the work of a series of prominent reverends including Samuel Harrison, David Morse and W Cleugh Black who ministered to the Dulwich Hill Baptist congregation. The church has social significance to the current congregation.</p> <p>The choice of site is likely to have been influenced by the presence of the Roman Bath, part of the Sefton Hall complex erected by Marcus Clark.</p>		
Level of Significance		Local	

Heritage Data Form

<i>Description</i>						
Designer	Walter Leslie, Architect					
Builder / Maker	Mr W R Robbins Builder					
Physical Description	<p>The Dulwich Hill Baptist Church is a Gothic Revival style building constructed of face brick with rendered masonry detailing including windows surrounds, copings, pinnacles and quoin blocks.</p> <p>The gable of the main façade to the street has a series of lancet windows and banding including a row of quatrefoils. A small porch fronts the street, also with a gable. Lancet windows are also utilised in the side elevation.</p> <p>The main façade is substantially in its original configuration, with the exception of the lights to the front fence shown in the 1930s photograph that have been removed.</p> <p>Internally the church is relatively plain, with rendered walls, including a dado and exposed roof timbers, supported on corbels.</p> <p>The interior contains timber pews. The altar has been modernised.</p> <p>The survival of the Roman Bath has not been confirmed.</p>					
Physical Condition and Archaeological potential	<p>The church appears to be in fair condition, however some deterioration and staining is evident to the exterior brickwork.</p> <p>Formerly the ‘roman bath’ set within the grounds of Sefton Hall.</p>					
Construction Years	Start Year	1925	Finish Year	1925	Circa	
Modifications and Dates	See Historical Notes					
Notes	Part of the 1914 subdivision of the Sefton Hall Estate.					

<i>History</i>	
Historical Notes	<p>The sites of both of the Baptist Churches erected to Macarthur Parade, Dulwich Hill, were part of a substantial portion of land originally granted to Thomas Moore in October 1803 that extended north from the Cooks River. Whilst some clearing of the land occurred, this area, much of which had been leased then purchased by Dr Wardell in the 1820s and early 1830s, was not subdivided into suburban lots until later than other parts of the LGA.</p> <p>The Dulwich Hill Mission</p> <p>A separate Dulwich Hill Baptist congregation initially held services in the Athenaeum Hall near the Dulwich Hill Tram terminus, with an inaugural evening</p>

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	<p>service, tea and public meeting held in late May 1902 (SMH 2 June 1902). A Sunday School was also established. Later reports indicate that the Dulwich Hill congregation had commenced as a separate congregation to Marrickville in the mid 1890s, around 1896. A Baptist Church had been established in Marrickville in 1887 and by 1889 was located in Silver Street. In May 1905 it was reported that “the church had its origin nine years ago, when Mr Groves started a mission in the old Methodist Church in Dulwich Hill...” (SMH 3 May 1905).</p> <p>The Weatherboard School Church (Macarthur Parade) In 1904 it was announced that the Reverend S Harrison of Tasmania ‘had accepted a call to the pastorate of the Dulwich Hill Baptist church’ (ATCI 2 March 1904).</p> <p>In Jan 1905 it was reported that</p> <p>“Plans have been completed and tenders are invited for the erected of weatherboard school church for the Baptist Denomination at Dulwich Hill. The plans are with Mr Smith at Lewisham” (SMH 24 Jan 1905).</p> <p>In May 1905 it was announced that “A new Baptist Church erected in MacArthur Parade, Dulwich Hill, was opened on Sunday by special services... ..It was decided six months ago to purchase a site in MacArthur-parade and to erect a new building. This has been done at a cost of 1000 pounds. It is intended that the new building shall ultimately become the Sunday School” (SMH 3 May 1905).</p> <p>A detailed description of the church (later No. 4 Macarthur Parade) was published when the building was completed.</p> <p>The site has a frontage of 84ft to M^CArthur-parade and is a few yards from the main throughfare of the district. The building, which is intended someday to be used as the school hall, when a more permanent church has been erected, cost with the land about 1000 pounds. It is commodious, well lighted and thoroughly ventilated. There is seating accommodation for over 300. The outside lining of the walls is of colonial mahogany varnished, while the inside is diagonally lined with 4in kauri. A mock principal roof gives a very fine finish to the interior. The floor has a gradual rise from the platform to the entrance doors, which the platform itself has been built on the American system with a fall to the front. An ornamental pulpit has been erected. The baptistry is in the alcove at the rear of the platform and draining boards have been let into the floor of the ante-room for the use of candidates emerging from the baptistry. In addition to the main building there are two vestries with folding doors between, and at the rear is a kitchen suitable for work connected with tea meetings. The entrance porch is a commodious one. The leadlight windows of the church, with their soft tints, combined the light and cheerful colours introduced into the walls and other parts of the interior, give a fine effect. Jordan ventilators have been provided in the roof. The seats are of polished kauri and have reversible backs. Mr S J Smith is the architect and Mr Richard Howell the builder (SMH 2 May 1905).</p> <p>This layout was designed for the specific rituals of the church. No other buildings designed by S J Smith have been located.</p>
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	<p>The 1906 Sands Directory shows that this building was located on the opposite side of Macarthur Parade, on the Hill Crest Estate between Marrickville Road and Beach Road. The building was demolished by 1943.</p> <p>The first Dulwich Hill Baptist Church</p> <p>The Dulwich Hill Baptist Church was a very active one, with a wide range of social events as well as different types of services. The church was a popular one for weddings. Volunteer workers were trained for missions, including women and a choir and football and cricket teams were established.</p> <p>In 1910 William Cleugh Black, who had just returned from four years study at Spurgeon's College, London England became the reverend. This was his first pastorate. (ATCJ 19 Jan 1910). His obituary in September 1940 described Mr Black as having a striking personality, with unusual gifts for preaching and public speaking, and was one of the outstanding figures of the denomination (SMH 25 Sept 1940).</p> <p>By November plans had been prepared to extend the church. Tenders were called, with no mention of the architect. "Dulwich Hill, extensive additions and alterations to the Baptist Church, plans at the Church" (SMH 15 November 1910).</p> <p>Electric light was introduced in 1914.</p> <p>Sefton Hall Estate</p> <p>The northern portion of Macarthur Parade formed the side boundary of a substantial residential property owned by Henry Marcus Clark known as Sefton Hall that existed from 1890 until 1914. The series of residences at No. 1-13 Macarthur Parade and the Baptist Church were constructed on the lots created by the 1914 subdivision of the grounds of Marcus Clark's substantial residence, Sefton Hall.</p> <p>Around 1890 Henry Marcus Clark restructured all of his Newtown holdings, moving to a larger retail premises on King Street and erecting a substantial private residence known as Sefton Hall on Marrickville Road. The family had previously resided close to their Newtown store. As befitting his increase in wealth and status, Marcus Clark moved his family to a substantial suburban residence in Dulwich Hill. The initial premises in King Street had been leased by Marcus Clark and following the death of the building owner the executors did not renew the lease, forcing a restructure,</p> <p>Following the death of Marcus Clark in 1913 his Marrickville holdings including the grounds of his residence Sefton Hall in Dulwich Hill were subdivided, as were the grounds of the substantial residence Chadston on the opposite side of Marrickville Road. The lots fronting Marrickville Road were commercial lots, whereas the lots to Macarthur Parade were intended as residential lots.</p> <p>Marcus Clark had already commenced building shops on Marrickville Road, changing the character of the street from a series of large residences set in substantial grounds to a commercial strip. The executors of the estate sold a</p>
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	<p>considerable number of the commercial and residential properties owned by Marcus Clark across Sydney. The widowed Mrs Marcus Clark moved from Dulwich Hill to her substantial new house at Mt Wilga near Hornsby which was also known as Sefton Hall, the land having been purchased in 1907.</p> <p>The first sale of the Sefton Hall estate in Dulwich Hill occurred in May 1914 <i>The Sefton Hall Estate, Dulwich Hill, which has been subdivided for auction, comprises a number of business sites fronting the tram line and 14 residential blocks. One lot will be sold with a Roman Bath.</i> (Evening News 15 May 1914) <i>The lawns of Sefton Hall were availed of to accommodate the remarkable attendance of over 500 people, which marked the auction of Sefton Hall, Dulwich Hill subdivision, held by Messers Stanton and Son Ltd on Saturday afternoon.</i> (SMH 18 May 1914).</p> <p>The Roman Bath is believed to have been one of the first private swimming pools in Sydney. This pool appears to have been located on the lot that the Baptist Church was built upon and may have been incorporated into the church building.</p> <p>Whilst the vacant lots sold, the two substantial residences did not. Tenders were called for the removal of the Sefton Hall in July 1914 (SMH 20 July 1914). A second subdivision of the Sefton Hall estate followed in 1915, which included a series of commercial lots on the site of the house. The residential lots were not built upon during the war years (1914-1918), the construction of the series of houses fronting Macarthur Parade appears to have commenced circa 1919 with the construction of Kewholm at No. 5 Macarthur Parade (now demolished). The buildings were not given their current street numbers until 1925, which is when the entire length Macarthur Parade appears to have been renumbered.</p> <p>The second Dulwich Hill Baptist Church By 1920 the Trustees of the Baptist Church had purchased one of the lots in the Sefton Estate, located between the site owned by Mr Wilcox (but not yet built upon, No. 1 Macarthur Parade) and the residence at No. 5 erected by Edward McCausland (now demolished).</p> <p>The trustees of the Baptist Church owned No.3 Macarthur Parade by at least 1920 but it would be some years before a new church was erected to replace the earlier timber church on the other side of the street. This would be their second purpose-built church building, the school-church having been erected on the opposite side of Macarthur-parade in 1905 and extended in 1910. The congregation raised funds for both of the buildings.</p> <p>In the early 1923 the Reverend David Morse was the minister of the Dulwich Hill Baptist Church. Morse had served as a chaplain during the Great War and had contracted 'trench fever' (Daily Telegraph 24 March 1923). His ill health continued and he was forced to take extended leave in mid 1923. Despite Reverend Morse's absence fundraising efforts for a new church continued. In May 1923 it was announced that</p>
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	<p>“The Dulwich Hill Baptist Church celebrated its 21st anniversary last Sunday with an offering of 400 pounds, completing their effort to raise 2000 pounds towards their new church building” (SMH 19 March 1923).</p> <p>It was not until 1925 that tenders were called to construct the new building.</p> <p>“A Baptist Church is to be erected at Dulwich Hill. Mr Walter Leslie is the architect and he has let a contract to Mr W R Robbins Builder to carry out the work”. (SMH 18 Feb 1925).</p> <p>The foundation stone for a new church was laid in April 1925 (SMH 4 April 1925) “Under the ministry of the Rec D G Morse the congregation of the Dulwich Hill Baptist Church has increased to such an extent that the present church building has become inadequate. Recently it was decided to erect a new building, and the ceremony of laying several stones on Saturday attracted a very large crowd. Alderman H J Morton, of Marrickville, president of the Baptist Union presided. Three stones were laid, one each by Messers W G West (deacon and ex-treasurer of the church, C E Groves and J F Fryer, foundation members. A fourth to commemorate the ministries of the past and present pastors Revs Samuel Harrison, W Cleugh Black and David G Morse was unveiled by the president of the Union”. (SMH 6 April 1925)</p> <p>The new Baptist Church at Dulwich hill was dedicated in September 1925.</p> <p>“A fine new church, to replace one that stood for many years on Macarthur Parade was opened and dedicated on Saturday afternoon. The opening of the new building was performed by Mr A Field, church secretary since 1911... Memorial windows, in memory of deceased members of the church, three of whom were killed on active service, were unveiled by Rev W Cleugh Black and Mrs D G Morse... The cost of the new building, including furnishing, was approximately 4500 pounds and the present debt is about 1100 pounds (SMH 21 Sept 1925).</p> <p>No detailed description of the architecture or the interiors has been located. Local history research, quoting the Centennial History of the Church noted that the new building was</p> <p>“A credit to all concerned, a noble edifice, ready to be dedicated to the highest and most sacred use...which in beauty, solidity and commodiousness, will bear favourable comparison with any similar building in the state.”</p> <p>The 1925 Sands Directory places the church built in 1905 between No. 2 Macarthur parade and No 6 Macarthur Parade. This building has been demolished. No photographs have been located of this structure. The substantial residence, Groves Lodge at No. 6 Macarthur Parade is operated by the Dulwich Hill Baptist church as accommodation. The date of construction of Groves Lodge has not been determined.</p> <p>The architect Walter Leslie practised in Sydney from at least 1917 until 1938 designing residences, factory buildings, business premises and churches. His other works include a School of Arts and Working Men’s Institute building at The Glebe</p>
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	<p>designed in 1923 (CLGJ 18 July 1923). He also designed the Presbyterian Church at Campsie (St Phillips Uniting Church) in 1923 (SMH 10 Oct 1923) which has a architectural character, but is less ornate.</p> <p>Reverend Morse resigned the pastorate in 1928 and moved to Armidale. (DT 10 March 1928). The bulk of the fund raising for the construction of the new church and the completion of the building was undertaken during his term in office. Morse was replaced by the Reverend R Goodman from Essendon (near Melbourne).</p> <p>The Dulwich Hill Baptist church choir was well known, winning first prize at the Sydney Eisteddfod in 1928 and performed widely in Sydney. The choir had around 50 members.</p> <p>The Reverend E J Rogers moved from Toowoomba to Sydney to take up the pastorate at the Dulwich Hill Baptist Church in 1935.</p> <p>Later modifications to the site</p> <p>A photograph of the church taken in 1936 held in the Marrickville Local Studies collection shows the building largely as originally constructed. The main façade still retains this configuration.</p> <p>A new Reverend was appointed in 1939, the Reverend R S Pickup (SMH 2 Sept 1939).</p> <p>A substantial addition was made to the site in 1940, with the construction of a new building to the rear of the church. This new block was designed by the architect J Aubrey Kerr. Tenders were called in mid 1940.</p> <p>“J Aubrey Kerr to Jones Bros Summer Hill for the erection of a School Church for the Dulwich Hill Baptist Church” (SMH 11 June 1940). The 1943 aerial photograph shows that a substantial building had been erected to the rear of the site.</p> <p>The Dulwich Hill Baptist Church published a 75 year history in 1977 and has subsequently published a 100 year history. The church continues to operate and now also has a worship service in Romanian.</p>
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<i>Themes</i>	
National	3. Economy 4. Settlement 8. Developing Australia's Cultural Life
State	Towns, Suburbs and Village Land Tenure Religion
Local	Subdivision of the Sefton Hall Estate Building Churches

<i>Application of Criteria</i>	
Historical significance SHR criteria (a)	Part of the Sefton Hall Estate, this subdivision occurred in the grounds of the substantial residence at Dulwich Hill erected by Henry Marcus Clark in 1890 as part of a substantial reworking and expansion of his business operations, including the relocation of his family to a substantial suburban mansion.
Historical association significance SHR criteria (b)	The subdivision of the Sefton Hall Estate in 1914-1915 demonstrates the consolidation of the property holdings of the late Henry Marcus Clark following his early death. Associated with the activities of the Baptist Church in Macarthur Parade, Dulwich Hill for over a century including the work of important members of the Baptist church including W Cleugh Black
Aesthetic significance SHR criteria (c)	A fine example of a suburban church, with a prominent gable and a distinctive presence in the streetscape.
Social significance SHR criteria (d)	The Baptist Church at No. 3 Macarthur Parade has been identified as a 'Dully Icon'. The church has social significance to the congregation.
Technical/Research significance SHR criteria (e)	None identified
Rarity SHR criteria (f)	The survival of the Roman Bath has not been confirmed however if the bath survives then it would be a very rare feature.
Representativeness SHR criteria (g)	A substantial example of an interwar suburban church erected in the Gothic Revival style, the last of a series of Baptist Churches in the Inner West including Newtown, Stanmore and Petersham.
Integrity	The church largely retains its original configuration.

Heritage Data Form

<i>Heritage Listings</i>	
Heritage Listings/s	Adjacent to the Dulwich Hill Commercial Precinct HCA

<i>Information Sources</i>				
Type	Author / Client	Title	Year	Repository
Unpublished report	GML	Inner West Heritage Review – Heritage Assessment Report	2022	Inner West Council – Strategic Planning
Article	Bound to Rise, The Marcus Clark Connection			
Council records	Marrickville Council	Rate and Valuation Books		
Subdivision Plans	Various	Sefton Hall Estate subdivision plans	1914-15	State Library of NSW
Photographs	Unknown	Dulwich Hill Baptist Church	1936	Local Studies Collection, Marrickville

<i>Recommendations</i>	
Recommendations	<p>It is recommended that the Dulwich Hill Baptist Church be listed as a local heritage item on Schedule 5 of the Inner West LEP 2022.</p> <p>A detailed Statement of Heritage Impact should be prepared to guide proposals to alter the building, including the interiors.</p> <p>The original details of the church should be conserved and maintained including the Gothic Revival style detailing, stained glass windows, timberwork and other joinery. Original internal fittings and furniture should also be conserved.</p>

<i>Source of This Information</i>			
Name of Study or Report	Macarthur Parade Heritage Listings	Year of Study of Report	
Item Number in Study or Report	n/a		
Author of Study or Report	Inner West Council		
Inspected by	External inspection – Niall Macken, Noni Boyd Interiors not yet inspected		

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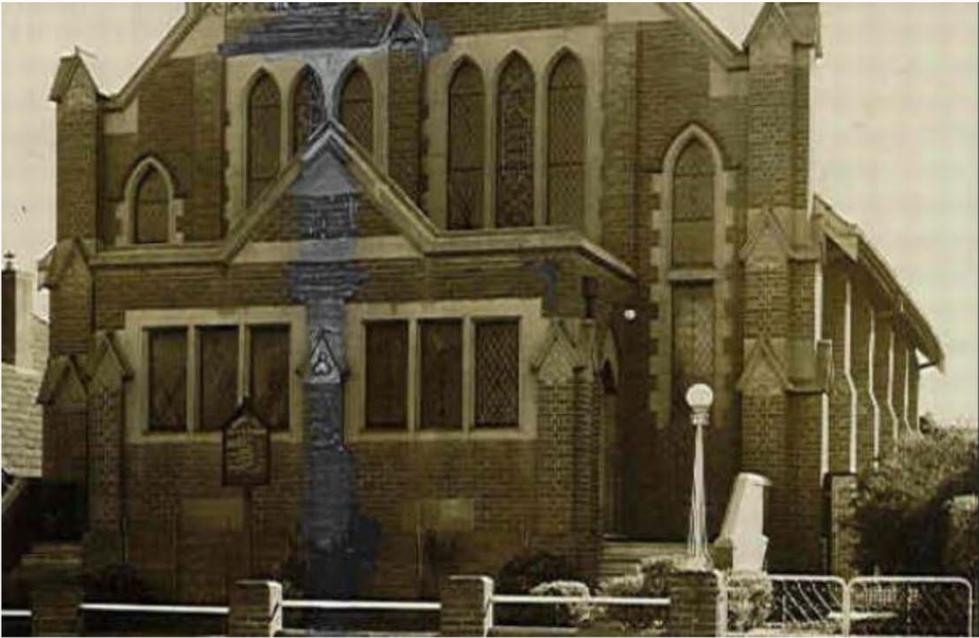
NSW Heritage Manual Guidelines used	Yes		
This form completed by	Dr Noni Boyd Heritage Specialist, Inner West Council	Date	April 2023

Images – 1 per page

Image Caption	The main façade of the Dulwich Hill Baptist Church				
Image Year	2023	Image By	Noni Boyd	Image Copyright Holder	IWC



Heritage Data Form

<i>Images – 1 per page</i>					
Image Caption	Dulwich Hill Baptist church in 1936				
Image Year	1936	Image By	Unknown	Image Copyright Holder	Out of copyright
					

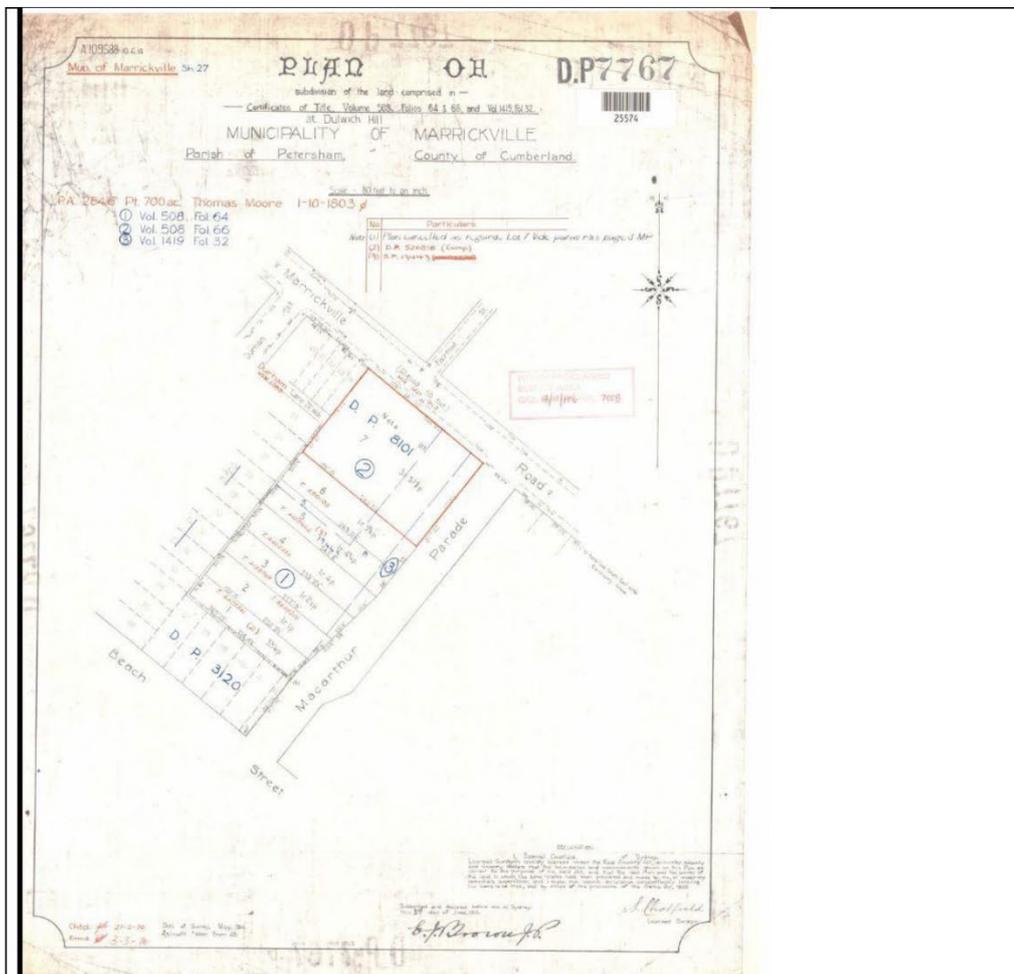
Heritage Data Form

<i>Images – 1 per page</i>					
Image Caption	Extract from the 1943 aerial survey of Sydney showing the group of houses and the church fronting Macarthur Parade				
Image Year	1943	Image By	DMR	Image Copyright Holder	Out of copyright



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Images – 1 per page				
Image Caption				
Image Year	Image By	Image Copyright Holder		



Heritage Data Form

<i>Images – 1 per page</i>				
Image Caption	Extract from the Sefton Hall Estate Subdivision			
Image Year	1914	Image By		Image Copyright Holder



Heritage Data Form

<i>Images – 1 per page</i>					
Image Caption	Current aerial photograph showing the group of houses in Macarthur Parade				
Image Year	c. 2022	Image By	Six Maps	Image Copyright Holder	Lands Department



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<i>Item Details</i>			
Name of Item	Group of Californian Bungalows including Roslyn, Delmara and Ormeby (including interiors)		
Other Names	No. 7 Macarthur Parade, Dulwich Hill No. 9 Macarthur Parade, Dulwich Hill No. 11 Macarthur Parade, Dulwich Hill No. 13 Macarthur Parade, Dulwich Hill		
Item Type (if known)	Built		
Item Group (if known)	Residential Buildings (Private)		
Area, Group of Collection Name	7-13 Macarthur Parade		
Street Number	7-13 Macarthur Parade		
Suburb	Dulwich Hill	Post Code	2203
Local Government Area	Inner West		
Property Description	No. 13 Lot 1, DP 526818 No. 11 Lot 2, DP 7767 No. 9 Lot 3, DP 7767 No. 7 Lot 4, DP 7767		
Location	Latitude		Longitude
Owner	Private Ownership		
Current Use	Private Residences		
Former Use	Private Residences		
Statement of Significance	<p>The substantially intact group of Californian Bungalow style houses at Nos. 7-13 Macarthur Parade is of local heritage significance. The surviving residences are from a group of houses erected in the early 1920s fronting Macarthur Parade following the sale and subdivision of the retailer Henry Marcus Clark’s substantial suburban residence at Dulwich Hill known as Sefton Hall.</p> <p>Constructed between 1919 and 1922 the surviving houses within the group are of aesthetic significance at a local level and are remarkably homogenous in terms of their architectural style, demonstrating the character of the larger scale Californian Bungalow style residences erected within the Inner West LGA during the interwar years. Although the houses appear to have been erected by different builders, the group demonstrates the degree to which the Californian Bungalow style of architecture had been adopted by speculative house builders in suburban Sydney following the introduction of the style from America just before World War 1. The group also demonstrates how the quality of buildings erected was controlled by a building covenant, a typical feature of the subdivisions developed by Richard Stanton.</p>		

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	<p>In particular, the difference in the scale and detailing of No 9 Macarthur Parade, erected by the builder Albert Sydney Rothwell Andrews as his own home and the adjacent smaller residence (No. 11) which was then sold demonstrate the pattern of speculative home building. No. 9 Macarthur Parade provides an example of Andrew’s skill as a builder and is a very good example of the Californian Bungalow style, as applied in suburban Sydney. The majority of the examples of this style of housing erected across the LGA are slightly smaller than this group of houses.</p> <p>The subsequent forced sale of one of the houses and the conversion of another in the group to a boarding house during the 1930s indicates the impact of the Great Depression.</p> <p>Prominent residents of the group also included the Ness family, who were active in local politics and advocacy for protestant values including temperance.</p> <p>The site is associated with the series of residences erected by the Clark family, three of which were known as Sefton Hall (Dulwich Hill, Mount Wilson and Mount Wilga).</p>	
Level of Significance		Local

<i>Description</i>	
Designer	Unknown
Builder / Maker	Albert S R Andrews Builder, for No. 9 Macarthur Parade and No. 11 Macarthur Parade
Physical Description	<p>No. 7 Macarthur Parade is a substantial Californian Bungalow style of house with roughcast masonry walls and sheeted and battened gables. The roof is clad with Marseilles tiles. There is a substantial front garden with a brick fence and stone cappings. The residence has been altered from its original configuration and now has a substantial curved rendered addition to the main façade. This streamlined modern style addition appears to have been added in the late 1930s. The house has a battened gable to the street and gables to the side elevation, the detail of which appears to have been altered. The interiors have not been accessed.</p> <p>No 9 Macarthur Parade is the most intact residence in the group, and largely retains its external detailing including the set of three gables (one of which is to a wide verandah), shingles and battens to the gables and roughcast walls. The roof is clad with Marseilles tiles. The marble treads, glazed tiles to the risers and tiles to the verandah, as well as the windows survive, with the exception of the bay window which has had the glazing altered. The surviving bay window to No. 11 Macarthur Parade provides an indication of the original character of this feature. Other details such as the brick fence may be contemporary with the house, or were added shortly after. The interiors have not been accessed.</p> <p>No 11 Macarthur Parade is similar in character to No 9 but is slightly smaller and its detailing is slightly less elaborate. The house has a similar palette of materials</p>

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	<p>including the roughcast to the wall and combination of battened sheeting and shingles to the gables. The roof is clad with Marseilles tiles. This house appears to retain its original front path and possibly the gate, but the fence has been replaced. The current brick fence is modern. There is a substantial conifer adjacent to the verandah, possibly a pencil pine. The concrete drive has a concrete structure forming a canopy which resembles a grotto. The interiors have been modernised however some features such as joinery and cornices survive.</p> <p>No. 13 Macarthur Parade retains its overall form however this residence only has two gables and a much simpler porch treatment, with a flat roof rather than a gable. The roof is clad with Marseilles tiles. The pattern of fenestration is also simpler than the other houses. Like No. 11 this house also had roughcast to the main body of the walling. The front path is modern. There are two substantial palm trees in the front garden. The interiors have been modernised however some features such as cornices survive.</p>					
Physical Condition and Archaeological potential	Formerly the grounds of Sefton Hall. No previous structures located on these sites. It is unlikely that the sites have archaeological potential.					
Construction Years	Start Year	1919	Finish Year	1922	Circa	
Modifications and Dates	See Historical Notes					
Notes	Part of the 1914 subdivision of the Sefton Hall Estate.					

<i>History</i>	
Historical Notes	<p>The site of the group of Californian Bungalow style houses in Macarthur Parade, Dulwich Hill, is part of a substantial portion of land originally granted to Thomas Moore in October 1803 that extended north from the Cooks River. Whilst some clearing of the land occurred, this area, much of which had been leased then purchased by Dr Wardell in the 1820s and early 1830s, was not subdivided into suburban lots until later than other parts of the LGA.</p> <p>Macarthur Street or Parade Macarthur Street, as Macarthur Parade was originally known, was developed in stages. Land in the lower section of Macarthur Street close to the railway line was subdivided and sold in the mid 1890s, as part of the sale of the Macarthur Estate. Further subdivision followed in 1901 and 1912. The kink in Macarthur Parade demonstrates the development of the street from different estates. The different architectural styles of the residences in the street provide evidence of the pattern of subdivision and the different dates of the estate subdivisions.</p> <p>Sefton Hall Estate The northern portion of Macarthur Parade formed the side boundary of a substantial residential property owned by Henry Marcus Clark known as Sefton Hall that existed from 1890 until 1914. The series of residences at No. 1-13 Macarthur Parade were constructed on the lots created by the 1914 subdivision</p>

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	<p>of the grounds of Marcus Clark’s substantial residence, Sefton Hall, once the house had been demolished.</p> <p>Around 1890 the retailer Henry Marcus Clark restructured all of his Newtown holdings, moving to a larger retail premises on King Street and erecting a substantial private residence known as Sefton Hall on Marrickville Road. The family had previously resided close to their Newtown store. As befitting his increase in wealth and status, Marcus Clark moved his family to a substantial suburban residence in Dulwich Hill. The initial premises in King Street had been leased by Marcus Clark and following the death of the building owner the executors did not renew the lease, forcing a restructure.</p> <p>Following the death of Marcus Clark in 1913 his Marrickville holdings including his residence Sefton Hall in Dulwich Hill were subdivided, as were the grounds of the substantial residence Chadston on the opposite side of Marrickville Road. The lots fronting Marrickville Road were commercial lots, whereas the lots to Macarthur Parade were intended as residential lots. The executors of the estate sold a considerable number of the commercial and residential properties owned by Marcus Clark across Sydney. The widowed Mrs Marcus Clark moved from Dulwich Hill to her substantial new house at Mt Wilga near Hornsby which was also known as Sefton Hall, the land having been purchased in 1907.</p> <p>Marcus Clark had already commenced building shops on Marrickville Road, changing the character of the street from a series of large residences set in substantial grounds to a commercial strip.</p> <p>The first sale of the Sefton Hall estate in Dulwich Hill occurred in May 1914</p> <p><i>The Sefton Hall Estate, Dulwich Hill, which has been subdivided for auction, comprises a number of business sites fronting the tram line and 14 residential blocks. One lot will be sold with a Roman Bath. (Evening News 15 May 1914)</i></p> <p><i>The lawns of Sefton Hall were availed of to accommodate the remarkable attendance of over 500 people, which marked the auction of Sefton Hall, Dulwich Hill subdivision, held by Messers Stanton and Son Ltd on Saturday afternoon. (SMH 18 May 1914).</i></p> <p>The Roman Bath is believed to have been one of the first private swimming pools in Sydney. This pool appears to have been located on the lot that the Baptist Church was built upon. The standard of the buildings to be erected on the lot was controlled via the subdivision, with a minimum cost of 500 pounds set for each residence. The establishment of a covenant to control the standard of buildings was typical of the subdivisions developed by Robert Stanton.</p> <p>Whilst the vacant lots sold, the two substantial residences did not. Tenders were called for the removal of the Sefton Hall in July 1914 (SMH 20 July 1914). A second subdivision of the Sefton Hall estate followed in 1915, which included a series of commercial lots on the site of the house. Chadstone appears to have survived for a lot longer but had been demolished by 1943 as it does not appear in the 1943 aerial photograph.</p>
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	<p>The residential lots were not built upon during the war years (1914-1918), the construction of the series of houses fronting Macarthur Parade appears to have commenced circa 1919 with the construction of Kewholm at No. 5 Macarthur Parade (now demolished). The houses were not given their current street numbers until 1925, which is when the entire length Macarthur Parade appears to have been renumbered. The Sands Directory indicates the occupiers of the houses until 1932. The full set of Marrickville Council rate and valuation books for the 1920s have not survived nor have the Building Application registers from prior to 1922.</p> <p>The trustees of the Baptist Church had acquired the adjacent lot (No.3) but it would be some years before a new church was erected to replace the earlier church on the other side of the street. This would be their second church building in the street, a school-church having been erected on the opposite side of Macarthur-parade in 1905 (enlarged in 1910) (SMH 4 Feb 1905).</p> <p>The first house in the group to have been erected was Kewholm at No.5 Macarthur Parade, built in 1919. By 1920 more houses were under construction and are listed in the valuation books but do not appear in the Sands Directory until 1921, by which time there were four houses in the row, occupied by Wilcox (later No. 1) McCausland (later No. 5) Southwick (later No. 7) and Andrews (later Number 9). The 1943 aerial photograph shows that Nos 1, 5 and 7 had tennis courts in their rear yards, none of which survive. These three houses were more substantial than the three houses further south.</p> <p>No. 1 Macarthur Parade operated as a boarding house in the early 1920s. This building is now operated as a childcare centre. From plans held by Inner West Council it appears that the elements of the original plan of the residence survive internally but a new roof has been added and the façade configurations altered. The building is no longer recognisable as an interwar residence.</p> <p>Kewholm, No 5 Macarthur Parade (demolished) (1919)</p> <p>The first house in the group to have been constructed appears to have been No. 5 Macarthur Parade, built for Edward McCausland circa 1919. This house has been replaced by a walk-up block of flats. By 1922 E McCausland was no longer in occupation of No. 5 Macarthur Parade. The property was occupied by Mrs A Quartly and was known as Kewholm. Kewholm at No. 5 Macarthur Parade, a deceased estate was sold for 2150 pounds in November 1929 (Sunday Times 10 November 1929). The house had previously been put up for sale in January 1929, described as an attractive cottage home (Daily Telegraph 19 Jan 1929). The widowed Mrs Quartly had died at Kewholm in July 1928 and was survived by 10 of her 11 children. Her husband Mr Edwin Quartly, a well-known business identity of Newtown had died in December 1922 (Daily Telegraph 1 Dec 1922). During 1922 the Quartly family were living in Barnsbury Grove, Dulwich Hill. Mrs Ruby Hawdon was listed in the Sands Directory for 1930-32 as occupying No. 5 Macarthur Parade. By 1938 the house was operating as a boarding house (SMH 12 March 1938). A glimpse of the house can be seen in a 1930s photograph of the Baptist Church but this photograph does not provide enough detail to determine the architectural style of the building.</p>
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	<p>Roslyn, 7 Macarthur Parade (1920) No. 7 Macarthur Parade appears to have been erected for Alfred E Southwick around 1920 and he remained in the house until 1923/24. Alfred Southwick was a long term Marrickville resident who served as an Alderman on Marrickville Council. By 1929 the Southwick family were living in The Boulevarde, Dulwich Hill.</p> <p>From 1924 until 1927 (when the house was occupied by A F Findlay) the house was known as Roslyn. From 1927 until at least 1929 Harold Benjamin occupied the property. The tennis court to the rear was utilised, as players were sought for a weekend club in 1932 (SMH 13 Feb 1932).</p> <p>An alternate spelling for the house of Rosalynd has not been confirmed from archival sources.</p> <p>No. 9 Macarthur Parade (1920), possibly known as Canberra The Builder Albert S R Andrews had purchased two residential lots of the Sefton Hall Estate and erected two houses. He occupied the first house to be constructed (No.9) until his death in 1942. Albert Sydney Rothwell Andrews died in January 1942 and was survived by his wife Sarah Anne and his married daughter Pearl (Mrs H Ogden) (SMH 20 Jan 1942)</p> <p>No 9 and No 11 both survive and share similar details, although the detailing of No. 9 is slightly more ornate and the house is larger, as this house was the builder's own residence and would have served to demonstrate the standard of his work.</p> <p>The name for the house Canberra has not been confirmed from archival sources.</p> <p>Delmara, No. 11 Macarthur Parade (by 1922) Delmara at No. 11 was occupied by F H Harris until 1926, then by Ernest A Crapp in 1927 followed by the owner Stanley Zietkoffski [Zlotkoffski or Ziotkoffski] in 1930-32. Ignacy Zlotowski purchased the property however due to the depression he was unable to make the repayments and in 1936 the property was sold by order of the mortgagee. The advertisement gives an indication of the scale of the residence.</p> <p><i>Situate in a convenient position between the Railway Station and the Tram. 11 Macarthur Parade, northside, close to Marrickville Road, Double Fronted Brick bungalow, having verandahs front and rear, Hall, Drawing Room, Dining Room, Breakfast Room, three bedrooms, kitchen, bathroom, laundry and offices. Brick Motor Garage.</i> (SMH 26 Feb 1936)</p> <p>In 1937 the Mortgagee John Thomas Ness was still trying to recover funds from Ignacy Stanislaus Zlotkowski who had purchased the property in 1926 (Government Gazette 7 May 1937). Zlotowski had initially rented the property out.</p> <p>The Estate Agent John (Jack) Thomas Ness is believed to have then acquired No. 11 Macarthur Parade. The Ness family resided at No. 11 Macarthur Parade from at least the mid 1930s until the mid 1950s with his son, the journalist William John Ness residing in the property after his father's death. J T Ness served as an</p>
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	<p>Alderman on Marrickville Council from 1908 until 1922, including serving as mayor during the war years, and then in State as a Member of the Legislative Assembly from 1917-1937. Described as a 'keen temperance advocate' Jack Ness died in 1947 (Manning River Times 22 Feb 1947). His son William, who also served on Marrickville Council, died in 1964.</p> <p>An alternate name for the house, Valcourt, has not been confirmed.</p> <p>Ormeby, 13 Macarthur Parade (1922) Ormeby at No. 13 Macarthur Parade was the home of the Watson family from when the house was constructed in 1922 until at least 1932. A fibro garage was added to the property in 1930 (CREJ 13 August 1930). This house is the smallest house of the group. Mrs Gertrude Julia Watson, the wife of Percy V Watson died in 1931. The Watson family remained in residence after her death. The name of the house is sometimes also given as Ormsby.</p>
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<i>Themes</i>	
National	3. Economy 4. Settlement
State	Towns, Suburbs and Village Land Tenure Commerce
Local	Subdivision of the Sefton Hall Estate Building Speculative Suburban Housing

<i>Application of Criteria</i>	
Historical significance SHR criteria (a)	<p>Part of the Sefton Hall Estate, this subdivision was formed from the grounds of the substantial residence at Dulwich Hill erected by Henry Marcus Clark in 1890 as part of a substantial reworking and expansion of his business operations, including the relocation of his family to a substantial suburban mansion.</p> <p>The pattern of development of the site demonstrates the suburban development of Dulwich Hill during the interwar years, including the erection of speculative housing and the control of the standard of building via a covenant controlling the cost of the building to be erected.</p> <p>The forced sale of a dwelling within the group, and the conversion of houses within the subdivision to Boarding houses during the 1930s demonstrates the impact of the Depression.</p>

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Historical association significance SHR criteria (b)	<p>The subdivision of the Sefton Hall Estate in 1914-1915 demonstrates the consolidation of the property holdings of the late Henry Marcus Clark following his early death.</p> <p>Associated with the work of the builder Albert Sydney Rothwell Andrews.</p> <p>Associated with the work of the real estate agent, local politician and protestant activist John (Jack) Thomas Ness and his son William J Ness, both of whom served on Marrickville Council.</p>
Aesthetic significance SHR criteria (c)	<p>Although the houses appear to have been erected by different builders, the group is remarkably homogenous in terms of its architectural style, demonstrating the character of the larger scale Californian Bungalow style residences within the Inner West LGA, an architectural style imported from America by NSW builders and architects from 1912 onwards. The group is of significance is for its contribution to the streetscape.</p>
Social significance SHR criteria (d)	<p>No. 11 Macarthur Parade has been identified as a 'Dully Icon'.</p>
Technical/Research significance SHR criteria (e)	<p>The archaeological potential of the site is considered to be low.</p>
Rarity SHR criteria (f)	<p>A substantially intact group of Californian bungalow houses erected from 1919-1922.</p>
Representativeness SHR criteria (g)	<p>The architectural character of the buildings demonstrates the character of speculative suburban housing erected on the subdivision of the grounds of the substantial housing erected in the nineteenth century. The majority of the examples erected across the LGA are slightly smaller than this group of houses.</p>
Integrity	<p>No. 7 Macarthur Parade has been extended but retains evidence of the form of the building.</p> <p>No. 9 is substantially intact externally. The interiors have not been inspected.</p> <p>No. 11 is substantially intact externally but has been altered internally.</p> <p>No. 13 is substantially intact externally but has been altered internally.</p>

Heritage Listings

Heritage Listings/s	Adjacent to the Dulwich Hill Commercial Precinct HCA
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Information Sources

Type	Author / Client	Title	Year	Repository
Unpublished report	GML	Inner West Heritage Review	2022	Inner West Council –

Heritage Data Form

		- Heritage Assessment Report		Strategic Planning
Article	Bound to Rise, The Marcus Clark Connection			
Council records	Marrickville Council	Rate and Valuation Books		
Subdivision Plans	Various	Sefton Hall Estate subdivision plans	1914-15	State Library of NSW

<i>Recommendations</i>	
Recommendations	<p>It is recommended that the building group be listed as a local heritage item on Schedule 5 of the Inner West LEP 2022.</p> <p>A detailed Statement of Heritage Impact should be prepared to guide proposals to alter any of the houses within the group, including the interiors.</p> <p>The original details of the residences should be conserved and maintained, including joinery, gable details, paving and fencing.</p> <p>If the buildings are proposed to be repainted, colour schemes that are appropriate to the era of the houses are to be employed, based on paint scrapes.</p> <p>The major room volumes within the residences should be retained.</p>

<i>Source of This Information</i>			
Name of Study or Report	Macarthur Parade Heritage Listings	Year of Study of Report	2023
Item Number in Study or Report			
Author of Study or Report	Inner West Council		
Inspected by	External inspection – Niall Macken, Noni Boyd Interiors not yet inspected		
NSW Heritage Manual Guidelines used	Yes		
This form completed by	Dr Noni Boyd Heritage Specialist, Inner West	Date	April 2023

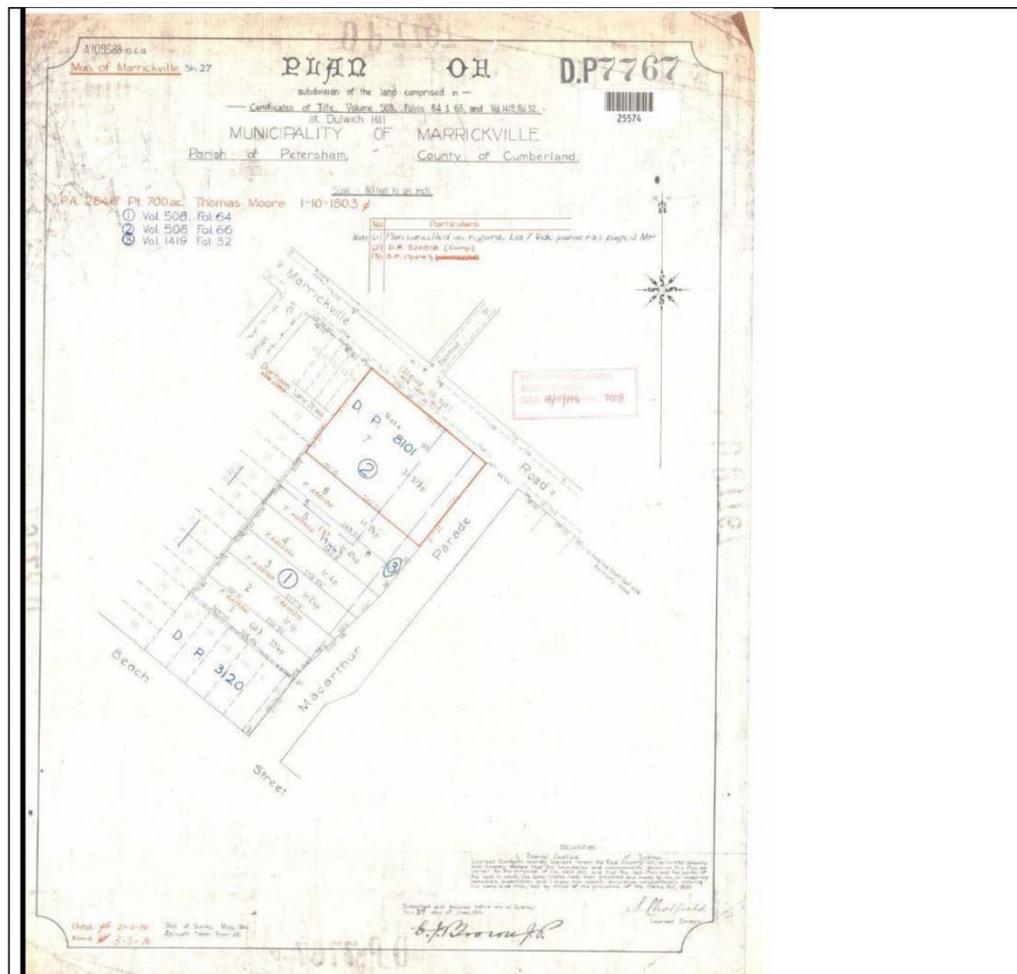
Heritage Data Form

<i>Images – 1 per page</i>					
Image Caption	Extract from the 1943 aerial survey of Sydney showing the group of houses and the church fronting Macarthur Parade				
Image Year	1943	Image By	DMR	Image Copyright Holder	Out of copyright



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<i>Images – 1 per page</i>					
Image Caption	Plan of DP 7767				
Image Year	1914 (with amendments)	Image By	S Chatfield, licensed surveyor	Image Copyright Holder	Out of Copyright



Heritage Data Form

<i>Images – 1 per page</i>					
Image Caption	Extract from the Sefton Hall Estate Subdivision				
Image Year	1914	Image By	Stanton and Son (Dulwich Hill Subdivision Plans)	Image Copyright Holder	Out of copyright



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<i>Images – 1 per page</i>					
Image Caption	Current aerial photograph showing the group of houses in Macarthur Parade				
Image Year	c. 2022	Image By	Six Maps	Image Copyright Holder	Lands Department



Heritage Data Form

<i>Images – 1 per page</i>					
Image Caption	No 9 Macarthur Parade, Dulwich Hill				
Image Year	2023	Image By	Inner West Council	Image Copyright Holder	Inner West Council



Heritage Data Form

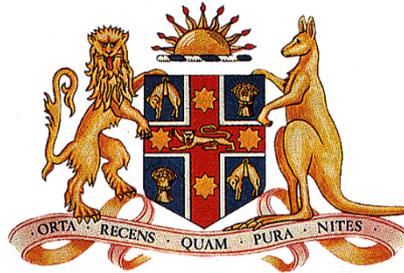
<i>Images – 1 per page</i>					
Image Caption	No 11 and 13 Macarthur Parade				
Image Year	2023	Image By	Inner West Council	Image Copyright Holder	Inner West Council



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<i>Images – 1 per page</i>					
Image Caption	Current view of No. 7 Macarthur Parade, Dulwich Hill, showing the later addition of a bay window (probably added in the late 1930s)				
Image Year	2023	Image By	Inner West Council	Image Copyright Holder	Inner West Council





Government Gazette

of the State of

New South Wales

Number 553–Planning and Heritage

Friday, 25 November 2022

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

HERITAGE ACT 1977**NOTICE OF LISTING ON THE STATE HERITAGE REGISTER
UNDER SECTION 37(1)(b)****Appin Massacre Cultural Landscape
Appin****SHR No. 02067**

In pursuance of section 37(1)(b) of the *Heritage Act 1977 (NSW)*, the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Environment and Heritage made on 15 November 2022 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Heritage Council of New South Wales**SCHEDULE "A"**

The item known as the Appin Massacre Cultural Landscape, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land in the Parish of Appin, County of Cumberland shown on the plan catalogued HC 3294 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977**INTERIM HERITAGE ORDER NO. 6**

Under section 25 of the *Heritage Act 1977* Inner West Council does by this order:

- I. Make an Interim Heritage Order to cover the item of environmental heritage specified in Schedule "A"; and
- II. Declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule "B".

This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date either:

- 1) In the case of an item which, in the Council's opinion, is of local significance, to place the item on the heritage schedule of a Local Environmental Plan with appropriate provisions for protecting and managing the item; an
- 2) in the case of an item which in the Council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.



Mr PETER GAINSFORD
General Manager
Inner West Council

Sydney. Date: 23 November 2022

Schedule "A"

The property is located at 11 Macarthur Parade, Dulwich Hill on land described in Schedule "B"

Schedule "B"

All those pieces or parcels of land known as Lot 1, DP 584307 with reference to all structures including the interiors and garden

Council Meeting
9 May 2023

Item No:

Subject: **MACARTHUR PARADE DULWICH HILL INTERIM HERITAGE ORDER AND PROPOSED HERITAGE LISTING**

Prepared By: Daniel East - Acting Senior Manager Planning

Authorised By: Simone Plummer - Director Planning

RECOMMENDATION

That Council:

1. Authorise the extension of the Interim Heritage Order on the property '11 Macarthur Parade Dulwich Hill' by an additional six months in line with Section 29(2) of the *Heritage Act 1977*.
 2. Authorise the placing of an Interim Heritage Orders on 7, 9 and 13 Macarthur Parade Dulwich Hill for six months in line with (add section here
 3. Authorise the General Manager to immediately notify the property owners and the public via a Government Gazette of Council's decision to extend the Interim Heritage Order on 11 Macarthur Parade Dulwich Hill and the placing of Interim Heritage Orders for 7, 9 and 13 Macarthur Parade Dulwich Hill.
 4. Authorise the preparation of a draft Planning Proposal to amend Schedule 5 of the *Inner West Local Environmental Plan 2022* for 7, 9, 11 and 13 Macarthur Parade, Dulwich Hill as a Group Item and 3 Macarthur Parade, Dulwich Hill as an Individual Item.
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DISCUSSION

Background

In 2021, Council engaged specialist consultants GML Heritage to undertake an Inner West local government area (LGA) wide heritage review. During the project's early phases, five properties on Macarthur Parade, Dulwich Hill, were identified as having potential heritage significance. The *Potential Heritage Conservation Area Study* (February 2022) states:

"That Nos. 7 to 13 Macarthur Parade are pursued for group listing. A group listing would provide additional statutory protections than would be achieved through a Heritage Conservation Area. It is also recommended to investigate the individual heritage listing of 3 Macarthur Parade, the Dulwich Hill Baptist Church. The church, while originating from the same estate, displays different values and would have inherent local historic and social significance." (GML Heritage, 2022)

Attachment 1 contains an excerpt from the February 2022 Study.

This outcome reiterated the request from a group of Dulwich Hill residents who sought heritage protection of the same five properties. A copy of their submission is contained in **Attachment 2**.

In October 2022, Council became aware that 11 Macarthur Parade was for sale and being marketed as a heritage free development site.

Council Meeting
9 May 2023

Council is authorised to make Interim Heritage Orders (IHOs) by Ministerial Order as published in the Government Gazette No. 90 of 12 July 2013. An IHO can be made if Council has considered if the following pre-conditions are in place:

- a) *it has considered a preliminary heritage assessment of the item prepared by a person with appropriate heritage knowledge, skills and experience employed or retained by the Council and considers that:*
- (i) *the item is or is likely to be found, on further inquiry and investigation, to be of local heritage significance;*
 - (ii) *the item is being or is likely to be harmed;*
 - (iii) *the IHO is confined to the item determined to be under threat.*

In response, under delegation, the General Manager sought an IHO be placed on the property. The IHO (No. 6) was issued under Section 25 of the *Heritage Act 1977* and was published in the NSW Government Gazette 553 on 25 November 2022. Refer to **Attachment 3** for a copy of the Gazettal Notice. This occurred a week before the property was due for auction on 3 December. It was subsequently passed in and remains on the market. We understand it was scheduled for a further auction on 22 April. At the time of preparing this report the outcome is unknown.

Progress during the Interim Order period

Since the IHO was put in place, a detailed assessment has been undertaken and has established heritage significance for:

- 7-13 Macarthur Parade as a local group listing; and
- 3 Macarthur Parade as a local individual listing

Refer to **Attachment 4** for the draft Heritage Inventory Sheets.

On this basis, work has begun on a draft Planning Proposal to amend Schedule 5 of the *Inner West Local Environmental Plan 2022* (LEP). This project was progressing as a component of the Inner West Heritage Review that is the subject of a future Council report. However, due to the imminent expiry of the IHO the draft Planning Proposal is being fast-tracked as the NSW Government Gazette No. 90, Schedule 5, Clause 2 states:

- (5) *An IHO made by a council must contain the following condition:*
*"This Interim Heritage Order **will lapse after six months from the date it is made unless the local council has passed a resolution before that date**; and*
- (i) *in the case of an item which, in the council's opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item."*

The current IHO expires on 23 May 2023, and this report requests endorsement of extending the IHO along with preparing a draft Planning Proposal.

The draft Planning Proposal is scheduled to be considered by the Inner West Local Planning Panel (LPP) at its meeting earlier today, on 9 May 2023. This is required prior to making a recommendation to Council to refer the draft Planning Proposal to the Department of Planning and Environment (DPE) to amend the LEP.

Furthermore, this report requests endorsement of a further three Interim Heritage Orders on the remaining sites in the proposed group listing (7, 9 and 13 Macarthur Parade, Dulwich Hill). This will ensure all properties in the proposed group listing remain intact while the process to provide permanent statutory protections progresses.

The preliminary heritage advice received from GML Heritage, and the draft detailed heritage assessment received from Council's Heritage Specialists, both state that heritage significance

Council Meeting
9 May 2023

is achieved for 7, 9, 11 and 13 Macarthur Parade as they are a group of houses built at a similar time with joint historical significance. This demonstrates the need for interim heritage protections on all four sites, as the loss or damage to one building would substantially diminish the heritage significance of the entire estate of houses.

Next steps

Subject to outcomes of this report:

- Processes will begin to extend the IHO on 11 Macarthur Parade for a further six months, and to place an IHO on 7,9 and 13 Macarthur Parade Dulwich Hill; and
- The draft Planning Proposal will be tabled at the 20 June 2023 Council meeting for endorsement to proceed to DPE for Gateway Determination.

Officers will proactively work with DPE encourage turn-around of the Gateway decision to ensure statutory consultation begins before the six-month period expires. Until the amendment to Schedule 5 of the *Inner West Local Environmental Plan 2022* is exhibited, the draft heritage listing has no legal status. Should the IHO lapse the property could be demolished as complying development under *State Environmental Planning Policy (Exempt and Complying Development)*.

FINANCIAL IMPLICATIONS

ATTACHMENTS

1. Attachment 1 - Extract of GMLs Heritage Study (February 2022)
2. Attachment 2 - Dulwich Hill Residents Submission (March 2018)
3. Attachment 3 - IHO Gazette Notice (25 November 2022)
4. Attachment 4 – Draft Inventory Sheets – for Group Listing of 7-13 Macarthur Parade and Individual Listing of 3 Macarthur Parade (March 2023)

Attachment 5 – Consistency with State Environmental Planning Policies and section 9.1 Ministerial Directions (Local Planning Directions)

Table 1: Consistency with State Environmental Planning Policies	
State Environmental Planning Policy (SEPP)	Comment on Consistency
SEPP (Planning Systems) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Biodiversity and Conservation) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Primary Production) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resources and Energy) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resilience and Hazards) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Industry and Employment) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Transport and Infrastructure) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Precincts – Eastern Harbour City) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Precincts – Central River City) 2021	Not Applicable
SEPP (Precincts – Western Parkland City) 2021	Not Applicable
SEPP (Precincts – Regional) 2021	Not Applicable
SEPP (Exempt and Complying Codes) 2008	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

SEPP (Building Sustainability Index: BASIX) 2004	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Sustainable Building) 2022 (<i>Not in effect till Oct 2023</i>)	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

Table 2: Consistency with section 9.1 Ministerial Directions (Local Planning Directions)	
Direction	Comment on Consistency
Focus Area 1: Planning Systems	
1.1 Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the Greater Sydney Regional Plan: A Metropolis of Three Cities, particularly Objective 13: Environmental heritage is identified, conserved and enhanced. The planning proposal is also consistent with the directions of the Eastern City District Plan, particularly planning priority E6 and Action 20.
1.2 Development of Aboriginal Land Council land	Not applicable. This planning proposal does not affect Aboriginal Land Council Land.
1.3 Approval and Referral Requirements	The planning proposal seeks the heritage listing of five properties on Macarthur Parade, Dulwich Hill. This is not expected to require any additional approval or referral requirements. The planning proposal is consistent with this direction
1.4 Site Specific Provisions	The planning proposal does not contain any unnecessarily restrictive site-specific planning controls. The planning proposal is consistent with the direction
Focus Area 2: Planning Systems – Place-based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not Applicable
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable

1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not Applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not Applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not Applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not Applicable
1.14 Implementation of Greater Macarthur 2040	Not Applicable
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not Applicable
1.16 North West Rail Link Corridor Strategy	Not Applicable
1.17 Implementation of the Bays West Place Strategy	Not Applicable. The subject sites do not fall within the Bays West Place Strategy land.
1.18 Implementation of the Macquarie Park Innovation Precinct	Not Applicable
1.19 Implementation of the Westmead Place Strategy	Not Applicable
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not Applicable
1.21 Implementation of South West Growth Area Structure Plan	Not Applicable
1.22 Implementation of the Cherrybrook Station Place Strategy	Not Applicable
Focus area 2: Design and Place	
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Applicable. Consistent. The planning proposal will not affect the conservation standards of any environmentally sensitive land.
3.2 Heritage Conservation	Applicable. Consistent. Heritage listing of the subject sites will provide ongoing protection and recognition of the heritage significance of the item.
3.3 Sydney Drinking Water Catchments	Not Applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable
3.5 Recreation Vehicle Areas	Not Applicable
3.6 Strategic Conservation Planning	Not Applicable
3.7 Public Bushland	Not Applicable
3.8 Willandra Lakes Region	Not Applicable

3.9 Sydney Harbour Foreshores and Waterways Area	Not Applicable
3.10 Water Catchment Protection	Not Applicable
Focus area 4: Resilience and Hazards	
4.1 Flooding	Not Applicable
4.2 Coastal Management	Not Applicable
4.3 Planning for Bushfire Protection	Not Applicable
4.4 Remediation of Contaminated Land	Not Applicable
4.5 Acid Sulfate Soils	Not Applicable
4.6 Mine Subsidence and Unstable Land	Not Applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001).
5.2 Reserving Land for Public Purposes	The planning proposal does not amend reservations of land for public purposes. The planning proposal is consistent with the direction.
5.3 Development Near Regulated Airports and Defence Airfields	Not Applicable
5.4 Shooting Ranges	Not applicable.
Focus area 6: Housing	
6.1 Residential Zones	Applicable. Inconsistent. The draft PP seeks to introduce new heritage restrictions on residential-zoned land, that would have the effect of reducing the permissible residential density on this land and is, therefore, inconsistent with this Direction. The proposed amendments do not affect the delivery of housing supply and diversity-related actions under Council's Local Housing Strategy, or Council's environment and sustainability goals. The changes are also supported by expert heritage advice. Therefore, the inconsistency with this Direction is of minor significance.
6.2 Caravan Parks and Manufactured Home Estates	Not Applicable
Focus area 7: Industry and Employment	
7.1 Business and Industrial Zones	Not Applicable
7.2 Reduction in non-hosted short-term rental accommodation period	Not Applicable
7.3 Commercial and Retail Development along the Pacific Highway, North	Not Applicable
Focus area 8: Resources and Energy	

8.1 Mining, Petroleum Production and Extractive Industries	Not Applicable
Focus area 9: Primary Production	
9.1 Rural Zones	Not Applicable
9.2 Rural Lands	Not Applicable
9.3 Oyster Aquaculture	Not Applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable