Attachment A

Planning Proposal – City Architect and City Landscape Architect Heritage Items

CITY OF SYDNEY

Planning Proposal – City Architect and City Landscape Architect Heritage Items

Planning Proposal
February 2026

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Cover: Alexandria Baby Health Clinic, Dadley Street Alexandria, 1964. Photo: City of Sydney Archives.

1. Background

1.1. History

The Sydney Local Environmental Plan 2012 (SLEP 2012) came into effect on 14 December 2012, consolidating the Sydney, Leichhardt and South Sydney plans into one comprehensive plan in the new NSW Government's Standard Instrument format.

Continuous review is necessary to ensure the SLEP 2012 continues to deliver positive outcomes for the local economy, residents and visitors and remains consistent with the vision set out in the *City of Sydney's City Plan Local Strategic Planning Statement and Sustainable Sydney 2030-2050 Continuing the Vision.*

Since the SLEP 2012 has been in force, the City of Sydney has made heritage-related amendments of deletions and additions to improve its operation, accuracy and ensure that the diverse history and heritage of the City is adequately acknowledged.

In August 2021, a Notice of Motion was raised at an Extraordinary Meeting regarding recognition of the work of City Architect Albert Smillie and City Landscape Architect Ilmar Berzins and their role in the design of post-war Sydney.

Council resolved that:

(B) the Chief Executive Officer be requested to:

(i) investigate the commissioning of a heritage study of City projects under Albert Smillie and Ilmar Berzins in the Local Government Area; and

(ii) report back to Council via the CEO Update on which items could be considered for heritage listing.

In response, the City of Sydney engaged TKD Architects in 2023 to complete a heritage study of sites designed under Smillie and Berzins and make recommendations for potential sites to be included as heritage items in the SLEP2012.

The TKD report surveyed the careers of Albert Alexander Smillie and Ilmar Berzins, who both played an important role in shaping the post-war development of the City of Sydney.

Initially a draftsman and later Chief Architect, Smillie contributed a range of important civil buildings including baby health centres, community centres, libraries, public (council) housing, parking stations, playgrounds and pools. Ilmar Berzins designed a range of important public parks and gardens. He also designed the landscaping for numerous projects coming out of the City Architect's office.

Comparison with other local government areas in metropolitan Sydney and other parts of NSW and eastern Australia established that the City of Sydney was the first to employ a City Architect and the first to engage a qualified landscape architect. The range and scope of projects designed by the City Architect under Smillie and by Berzins are unique. They are significant historically and aesthetically and are important evidence of the City of Sydney's social and civic responsibility from the early twentieth century to the 1970s.

The study identified hundreds of projects by Smillie and Berzins, or under their jurisdiction. These were considered in detail, and from this a shortlist of 16 sites were identified as suitable for a detailed heritage assessment by TKD.

Following internal review and discussion with stakeholders, 6 of the identified sites have had detailed heritage assessments prepared by TKD and these constitute the subject of this planning proposal as they are being recommended for inclusion as heritage items in Schedule 5 of the SLEP2012. Some of the places identified are contained within already listed sites (such as the Smillie-designed swimming pool in Victoria Park or the Berzins-designed Sandringham Garden in Hyde Park); in these instances, the existing inventories will be revised.

The additions in this Planning Proposal will ensure the City's planning control framework is up to date and reflects current planning strategies.

1.2. Introduction

This Planning Proposal – Sydney Local Environment Plan – City Architect & City Landscape Architect Heritage Items (planning proposal) explains the intent of, and justification for, proposed amendments to the SLEP 2012. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) and relevant Department of Planning guidelines.

The planning proposal identifies the following six sites for inclusion as individual heritage items under Schedule 5 (Environmental heritage), Part 1 (Heritage items), of the LEP:

- Former Baby Health Centre, 12A Dadley Street, Alexandria
- Former John Carroll Kindergarten, 2-14 Phelps Street, Surry Hills
- Former Phillip Park Cleansing Depot, 13-17 Riley Street, Woolloomooloo
- McElhone Reserve, 1A Billyard Avenue, Elizabeth Bay.
- Quarry Green and associated landscaping, Quarry Street, Ultimo.
- Landscaping, Ulster Street, Paddington

1.3. Background

Site identification

This planning proposal relates to the following land and structures:

- 12A Dadley Street, Alexandria (Lot 6 Sec A DP 2307, Lot 7 Sec A DP 2307)
- 2-14 Phelps Street, Surry Hills (Lot 1 DP 50102)
- 13-17 Riley Street, Woolloomooloo (Lot 1 DP 83649)
- 1A Billyard Avenue, Elizabeth Bay (Lot 4 DP 15713, Lot 5 DP 15713, Lot 1 DP 1080048)
- Landscaping, Quarry Street, Ultimo
- Landscaping, Ulster Street, Paddington

The relevant structures, Lot and DP boundaries subject to this planning proposal are outlined in blue in Figures 1, 2, 3, 4, 5 and 6.

Figure 1. 12A Dadley Street, Alexandria

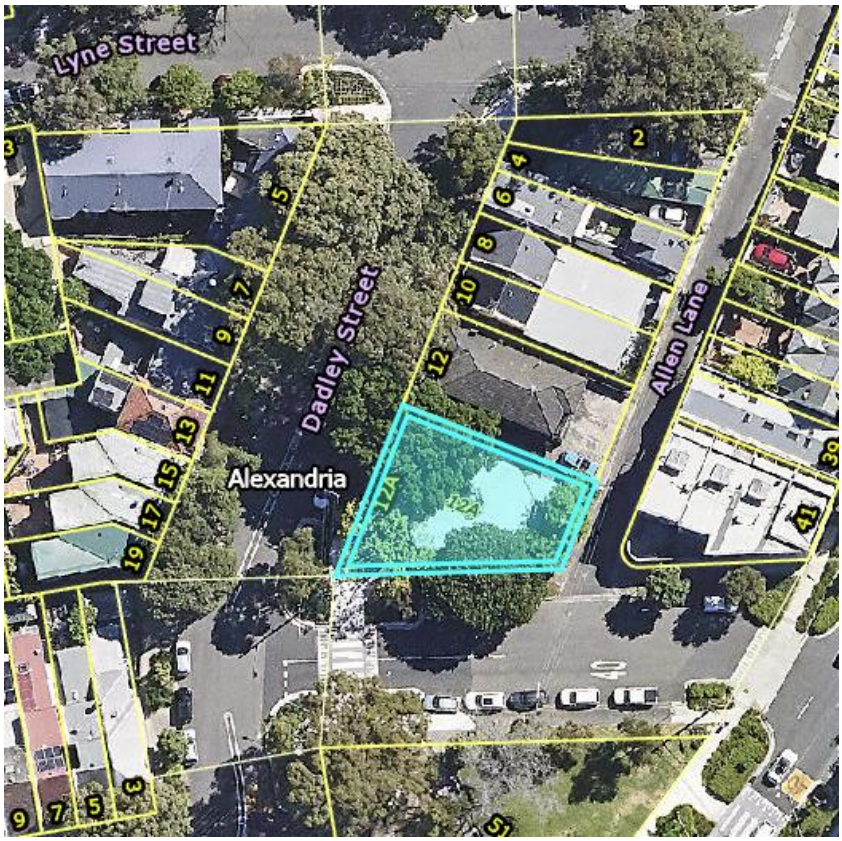


Figure 2. 2-14 Phelps Street, Surry Hills

Figure 3. 13-17 Riley Street, Woolloomooloo

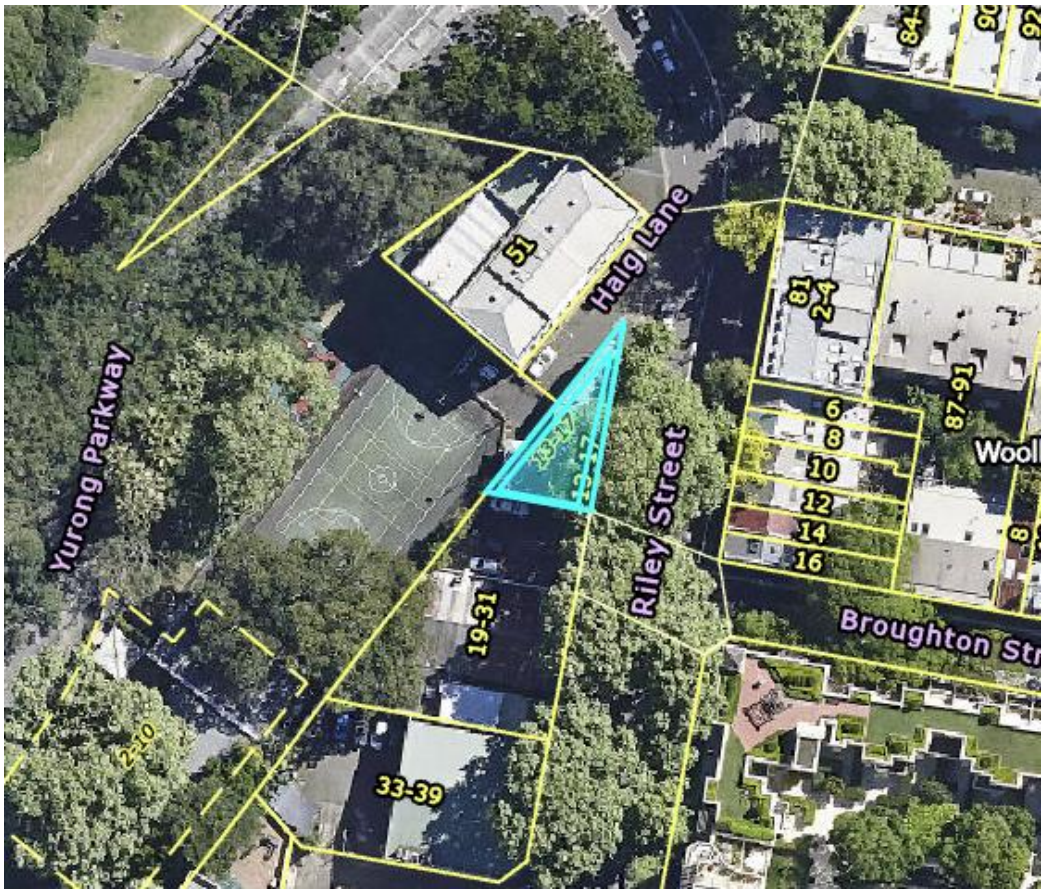


Figure 4. 1A Billyard Avenue, Elizabeth Bay

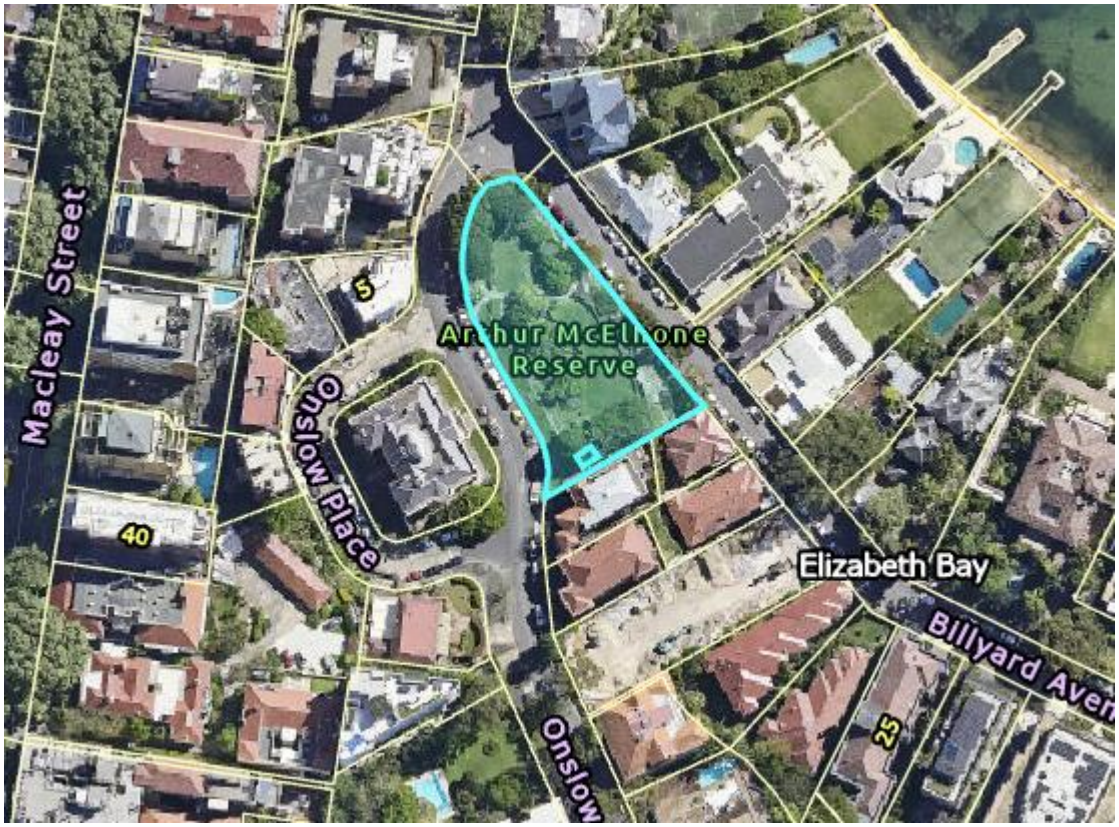


Figure 5. Quarry Street, Ultimo

Figure 6. Ulster Street, Paddington

12A Dadley Street, Alexandria – Former Baby Health Centre

The former baby health centre at 12A Dadley Street is a single storey brick building with a shallow pitched roof covered by metal decking. The building is octagonal in plan. An oculus over what was intended as a garden court in the centre of the building has been covered by a translucent dome.

The building has aluminium framed windows, the majority of which replaced earlier metal framed windows in the early 2000s. Metal canopies shade windows in the western half of the building.

There is chain-wire fencing along the Renwick and Dadley Street boundary and a portion of the Renwick Street boundary.

This building was constructed as baby health centre in 1964 and has continued providing a range of community uses since that time.

Figure 7. 17A Dadley Street, Alexandria. Photo: TKD Architects

2-14 Phelps Street, Surry Hills – Former John Carroll Kindergarten

The building at 2-14 Phelps Street is a single storey brick building with a rectangular plan footprint and a shallow-pitched gabled roof located on the eastern side of the site. Its design shows the influence of what has been termed New Empiricism, a form of humanist modernism that was appreciated and interpreted by prominent Australian architects.

The building is constructed with brick walls that are rendered internally. The roof is supported off steel trusses and comprises metal decking over timber rafters. The ceiling over the playrooms is raked to follow the pitch of the roof. There is a deep recessed porch on the southern side of the building forming the principal entry to the building, while eaves on the eastern side of the building are relatively deep. The playground area is heavily planted around its perimeter, effectively screening it from Alexander and Phelps Streets.

This building was completed in 1954 for use as a kindergarten and named after a prominent alderman and former staff member. It continues to be used for this purpose.

Figure 8. 2-14 Riley Street, Surry Hills. Photo: TKD Architects

13-17 Riley Street, Woolloomooloo – Former Cleansing Depot

The building at 13-17 Riley Street is a two-storey building with a distinctive plan footprint that reflects its unusual triangular site. The northern section of the building tapers, ending with a tightly curved corner, while the southern section is L-shaped in plan. This is reflected in the configuration of the building's roof, which is flat on the northern section and hipped and gabled over the southern part.

The exterior of the building is constructed out of textured brick with horizontal rendered coursing at the window head and sill levels extending across the facades. Brickwork above and below windows is darker in hue than brickwork at the level of the windows. Windows consist of pairs of double hung timber framed sashes.

Documentation describing the proposed single storey depot were prepared by the City of Sydney during 1938, though construction was delayed. In 1942 the design was revised so that it accommodated an air raid shelter, which was constructed as the initial phase of development. This was incorporated into a two-storey building in 1947 for use as a cleansing depot, associated with street cleaning. More recently, the building is used as a gallery and studio.

Figure 9. 13-17 Riley Street, Woolloomooloo. Photo: TKD Architects

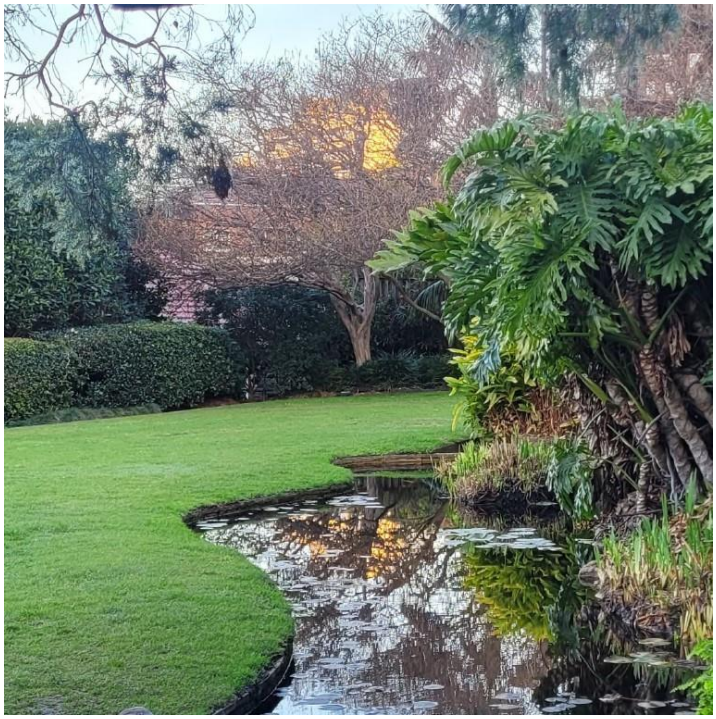
1A Billyard Avenue, Elizabeth Bay – Arthur McElhone Reserve

The Arthur McElhone Reserve is located at the intersection of Billyard and Onslow Avenues, between the western side of Billyard Avenue and the eastern side of Onslow Avenue. Elizabeth Bay House is located opposite the Reserve, on the western side of Onslow Avenue.

The majority of the park occupies a level area that has been formed through the erection of stone retaining walls at the top and bottom of the park, the walls at the bottom incorporating the naturally occurring sandstone outcrops. The design ensures that the views from Elizabeth Bay house to the harbour are retained and that its setting, while much modified since colonial times, can still be appreciated. The park has a number of built features including a stone bridge, pond, stairs and seating that encourage its use and enjoyment as a place of respite.

Originally part of the grounds of Elizabeth Bay House, several parcels of land from the subdivision of Elizabeth Bay House Estate were purchased by Council from 1929-1949 and the modernist garden designed by Ilmar Berzins was completed by 1954.

Figure 10. Arthur McElhone Reserve. Photo: TKD Architects



Quarry Street, Ultimo – Quarry Green

Quarry Green is located between Jones Street and Bulwara Road, Ultimo. The reserve forms a landscaped open space on what was Quarry Street and lies along an east west axis.

The landscape design of the Quarry Green Reserve features an extensive grassed open space at the centre with mature native trees forming a vegetated curtilage to the reserve. Paperbarks and Eucalypts predominate as the main tree species with Casuarina trees at the Jones Street entry. Garden beds are located adjacent to the apartments to the south, in shady areas under the canopy trees and to the footpath adjacent to the terraces to the north. These garden beds are characterised by low planting with a combination of both native and exotic plantings. These low plantings ensure clear sightlines through the reserve and to the properties that face it, assisting in the safety and security of the reserve.

Traversing the open space are a series of brick paved paths linking Bulwara Road and Jones Street. Supplementary paved areas with seating are located to the periphery of the open space and provide both tables and seats located under the tree canopy

The reserve was created on the street in response to community demand for increased open green spaces from the 1970s and opened in 1983.

Figure 11. Quarry Green, Ultimo. Photo: TKD Architects

Ulster Street, Paddington – Landscaping

Ulster Street is a small street closure between Oxford Street and Church Place in Paddington. It is rectangular in shape and is bounded on the south-eastern side by the St Matthias Church Hall. A two-storey residential building defines the street's north-western boundary. Both buildings are located on the site boundary, with their main orientation relating to Oxford Street.

The design of the street closure consists of a formally laid out brick paved plaza with four raised rectangular brick garden beds. Located in these planters, mature Chinese Weeping Elm and two Jacarandas form a treed canopy through the street closure. The layout of the brick paving is characterised by a strict rectangular grid that is highlighted with a contrasting lighter brick colour. There is minor planting in the raised garden beds of a ground cover nature.

The Ulster Street road closure is one of a series of road closures undertaken by the City in the 1970s and 1980s. Locally, the road closure is part of a series of road closures along the southern side of Oxford Street, Paddington that were part of Action Plan 26 South Paddington Precinct C4, approved by Council on 2 July 1973. The landscaping was completed in 1974/5.

Figure 12. Ulster Street, Paddington. Photo: TKD Architects

1.4. Planning context

Land Zoning

The proposed heritage item at 12A Dadley Street occupies SP2 – Infrastructure.

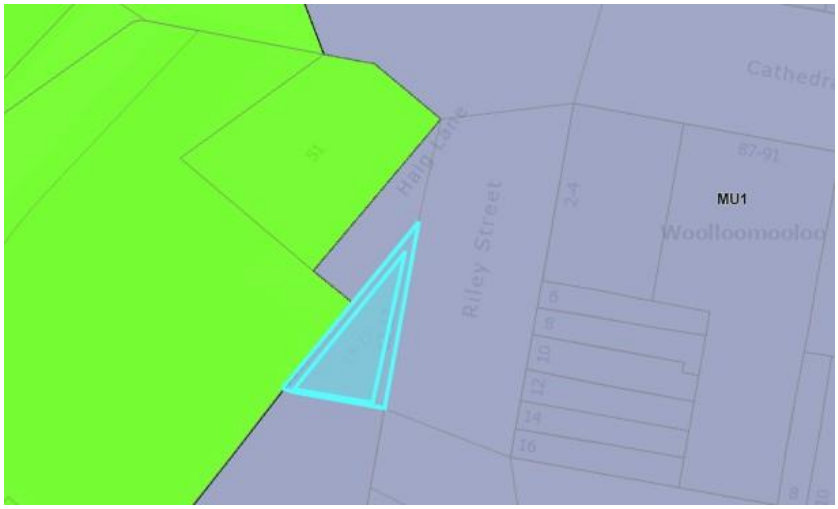
Figure 13. Extract from Zoning map in the SLEP 2012 showing zoning controls for 12A Dadley Street

The proposed heritage item at 2-14 Phelps occupies R1 – General Residential.

Figure 14. Extract from Zoning map in the SLEP 2012 showing zoning controls for 2-14 Phelps Street

The proposed heritage item at 13-17 Riley Street occupies MU1 – Mixed Use.

Figure 15. Extract from Zoning map in the SLEP 2012 showing zoning controls for 2-14 Phelps Street



The proposed heritage items at 1A Billyard Avenue, Quarry Green and Ulster Street all occupy RE1 – Public Recreation.

Figure 16. Extract from Zoning map in the SLEP 2012 showing zoning controls for 1A Billyard Avenue

Figure 17. Extract from Zoning map in the SLEP 2012 showing zoning controls for Quarry Green

Figure 18. Extract from Zoning map in the SLEP 2012 showing zoning controls for Ulster Street

Heritage context

12A Dadley Street, Alexandria

The proposed heritage item is located in the C3 Kingsclear Heritage Conservation Area.

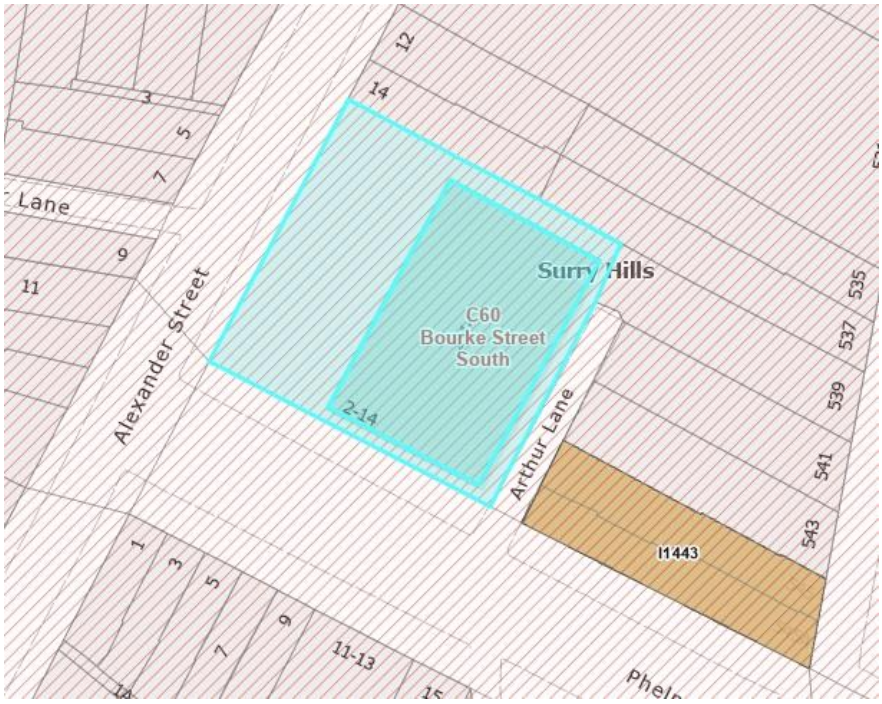
Figure 19. Extract from Heritage map in the SLEP 2012 showing heritage items and conservation areas adjacent to 12A Dadley Street.

2-14 Phelps Steet, Surry Hills

The proposed heritage item is located in C60 Bourke Street South Heritage Conservation Area. It is also in the vicinity of an individually listed item on the SLEP 2012:

- Corner shop and residence group including interiors, 545–545A Bourke Street (I1443)

Figure 20. Extract from Heritage map in the SLEP 2012 showing heritage items and conservation areas adjacent to 2-14 Phelps Street.

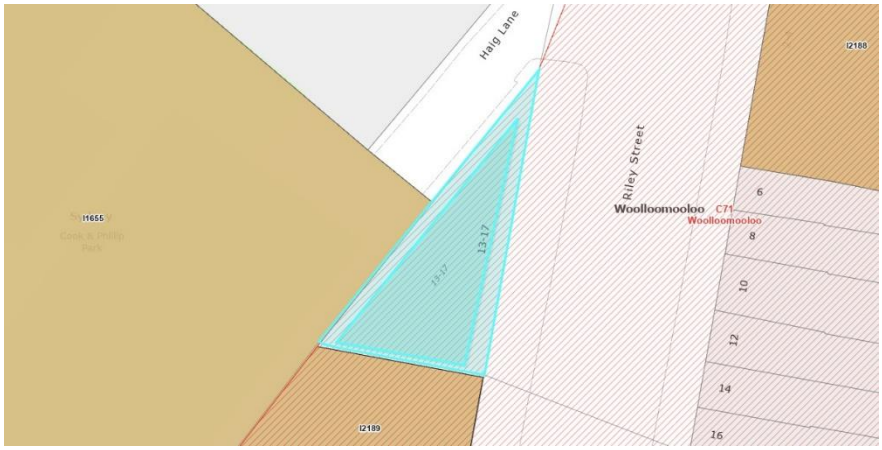


13-17 Riley Street, Woolloomooloo

The proposed heritage item is located in C71 Woolloomooloo Heritage Conservation Area. It is also in the vicinity of several individually listed items on the SLEP 2012:

- Sandstone wall remnant, 19–21 Riley Street (I2189)
- Cook & Phillip Park including “Earth Mother” play sculpture (I1665)
- Former Australian Hotel including interior, 2-4 Riley Street (I2188)

Figure 21. Extract from Heritage map in the SLEP 2012 showing heritage items and conservation areas adjacent to 13-17 Riley Street.



1A Billyard Avenue, Elizabeth Bay

The proposed heritage item is located in C20 Elizabeth & Rushcutters Bays Heritage Conservation Area. It is currently part of a heritage item known as “Elizabeth Bay House” including interior and grounds, at 7-9 Onslow Avenue. It is also in the vicinity of several individually listed items on the SLEP 2012:

- Cliff face behind Elizabeth Bay House, Onslow Place (I597)

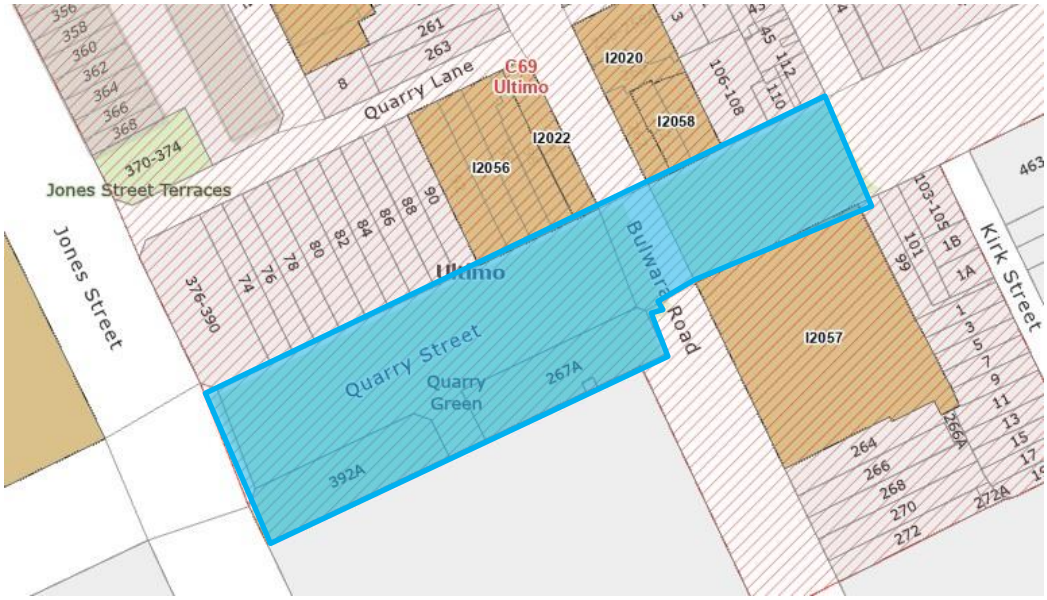
Figure 22. Extract from Heritage map in the SLEP 2012 showing heritage items and conservation areas adjacent to 1A Billyard Avenue.

Quarry Green, Ultimo

The proposed heritage item is located in C69 Ultimo Heritage Conservation Area. It is also in the vicinity of several individually listed items on the SLEP 2012:

- Cottage and terrace group including interiors, 92-98 Quarry Street (I2056)
- Lord Wolseley Hotel including interior, 265 Bulwara Road (I2022)
- Ultimo Uniting Church group buildings and grounds, including interiors, 97 Quarry Street (I2057)
- Terrace houses including interiors, 102-104 Quarry Street (I2058)
- Terrace group including interiors, 242–262 Bulwara Road (I2020)

Figure 23. Extract from Heritage map in the SLEP 2012 showing heritage items and conservation areas adjacent to Quarry Green.

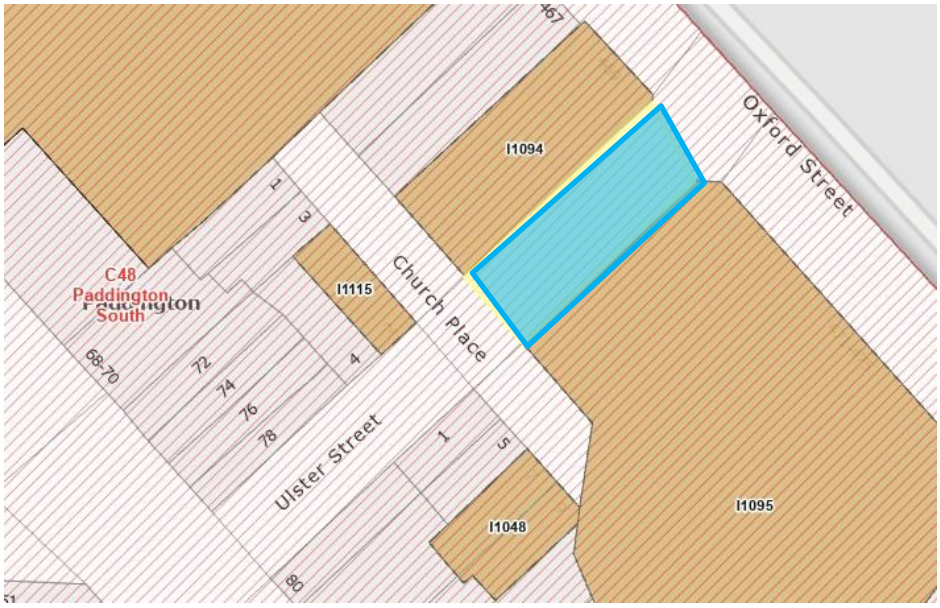


Ulster Street, Paddington

The proposed heritage item is located in C48 Paddington South Heritage Conservation Area. It is also in the vicinity of several individually listed items on the SLEP 2012:

- Former house “Pendower” including interior, 469 Oxford Street (I1094)
- St Matthias Church group including buildings and their interiors, front fence and grounds, 471–475 Oxford Street (I1095)
- Cottage group including interiors, 7-9 Church Place (I1048)
- “Church Place Cottage” including interior, 2 Ulster Street (I1115)

Figure 24. Extract from Heritage map in the SLEP 2012 showing heritage items and conservation areas adjacent to Ulster Street.



1.5. Heritage assessment

In August 2021, a Notice of Motion was passed regarding the heritage significance of projects by Smille, City Architect and Berzins, City Landscape Architect. Subsequently, the City of Sydney engaged TKD Architects to research projects by or under the jurisdiction of these Council staff members, and to investigate their potential heritage significance.

The study also recommended the inclusion of several additional sites within Schedule 5, Part 1 of the SLEP 2012.

This planning proposal is for 6 sites which are being recommended for listing. The findings of each heritage assessment are presented below.

The original heritage study prepared by TKD Architects is included in **Appendix B**. Separate heritage assessments for the subject, and draft inventory sheets are included at **Appendices C-N**.

Heritage assessment findings

12A Dadley Street, Alexandria - Former Baby Health Centre

The heritage assessment concluded that Former Baby Health centre meets the threshold for local significance in terms of:

> Criterion (a) Historic significance: The former Alexandria baby health centre at 12A Dadley Street is one of several baby health centres designed and constructed by the City of Sydney in various locations across the local government area after World War II and the redistribution of municipal boundaries in 1949. It provides evidence of efforts by the City of Sydney to improve social welfare conditions within the local government area during this period. The building is the second to house a baby health centre in Alexandria, the suburb in which the first baby health centre in NSW was opened in 1914. After this use was discontinued the building continued to serve the community, including members of Sydney's First Nations community.
>
> Criterion (b) Historical associations: The former Alexandria baby health centre has associations with City Architect Albert Smillie, who was involved in the design and construction of several baby health centres, welfare centres, libraries and other public facilities for the City of Sydney from the 1930s through to the 1960s.
>
> Criterion (c) Aesthetic significance: The former Alexandria baby health centre is notable for its distinctive octagonal plan that was organised around a circular central court. internal court. Modifications to the building to suit changing uses have removed much of the original layout, but the exterior of the building is relatively intact.
>
> Criterion (d) Social significance: The building has been a community facility continuously since its opening in 1964. Uses have included a baby health centre, the Redfern Crisis Clinic and a home and community care facility. It is likely to have significance for people who worked there and members of the public who used its facilities, but further research is needed to confirm this.
>
> Criterion (f) Rarity: The former Alexandria Baby Health Centre is considered to be a rare surviving example of a baby health centre designed by the City Architect, notwithstanding changes that have taken place to the building's interior. Its original external form is generally intact. Other baby health centres constructed in the City of Sydney after World War II have been demolished.
>
> Criterion (g) Representativeness: Because of modifications to the building, the former Alexandria baby health centre is not representative of this typology. However, many communal buildings designed by the City Architect continue to be used, although not for the purposes for which they were originally designed. In this sense the former baby health centre is representative.

The heritage assessment concludes that the building at 12A Dadley Street, Alexandria meets the threshold for local heritage significance for its historic, historical associations, aesthetic and representative significance and rarity at a local level and warrants potential listing as a heritage item on the SLEP 2012. The assessment also concludes that 12A Dadley Street may meet the threshold for social significance at a local level.

2-14 Phelps Street, Surry Hills - Former John Carroll Kindergarten

The heritage assessment concluded that the Former John Carroll Kindergarten meets the threshold for local significance in terms of:

> Criterion (b) Historical associations: 2-14 Phelps Street is associated with Albert Alexander Smillie, who joined the Sydney Municipal Council's Architectural Branch as an architectural

draftsman around 1924, registered as an architect in April 1926 and in September 1936 was promoted to the position of architectural assistant to the City Building Surveyor. In November 1949 Smillie was appointed the City of Sydney's Chief Architect and was responsible for the City's architectural branch. Smillie was involved with numerous Council projects, which included a number of kindergartens.

Criterion (c) Aesthetic significance: 2-14 Phelps Street has aesthetic significance as a modest vernacular example of New Empiricist style architecture, which was a regional form of Modernist architecture that exploited regional design and construction techniques. The style was used extensively by the City of Sydney's architectural branch during the post-World War II period for buildings fulfilling a responsible social agenda.

The building is notable for the modulation of the building mass, disposition of fenestration and roof overhangs to emphasise entry and to control sun ingress, as well as provide thermal comfort through shading and cross ventilation.

Criterion (d) Social: There is some evidence that the John Carroll Kindergarten has social significance. A community celebration was held at the 60th anniversary of the kindergarten's opening in August 2014.29 It continues to fulfil an important role within the local community. Further research may confirm this level of heritage significance.

Criterion (g) Representativeness: 2-14 Phelps Street is representative of the kindergartens designed by the City of Sydney during the post-World War II period. This is because of its architectural design, planning and selection of materials. It is also representative more generally of kindergartens designed by architects in private practice for community groups in other parts of metropolitan Sydney.

The heritage assessment concludes that the building at 2-14 Phelps Street, Surry Hills meets the threshold for local heritage significance for its historical associations, aesthetic and representative significance at a local level and warrants potential listing as a heritage item on the SLEP 2012. The assessment also concludes that 2-14 Phelps Street may meet the threshold for social significance at a local level.

17 Riley Street, Woolloomooloo – Former Phillip Park Cleansing Depot

The heritage assessment concludes that Former Phillip Park Cleansing Depot meets the threshold for local significance in terms of:

Criterion (b) Historical associations: 13-17 Riley Street is associated with Albert Alexander Smillie, who joined the Sydney Municipal Council's Architectural Branch as an architectural draftsman around 1924, registered as an architect in April 1926 and in September 1936 was promoted to the position of architectural assistant to the City Building Surveyor. In November 1949 Smillie was appointed the City of Sydney's Chief Architect and was responsible for the City's architectural branch. Smillie was involved with numerous Council projects, which included a number of cleansing depots. His signature appears on several architectural drawings related to the site, indicating his involvement in the building's design.

Criterion (c): Aesthetic: 13-17 Riley Street is a restrained and assured example of the Inter War Functionalist style. Its architectural form and use of dichromatic brickwork relieved by expressed horizontal coursing are significant aesthetic contributors to the locality. The building appears to have retained a high level of external and internal integrity.

The building demonstrates a high quality of architectural resolution and form when compared to other cleansing depots designed by Council between the late 1930s and late 1950s.

Criterion (d) Social: As the Firstdraft Gallery, 13-17 Riley may have significance to Sydney's artistic community. Firstdraft, initially established as an artist-run-initiative, has been supporting emerging and early-career artists and bringing experimental practices to

audiences since 1986. It converted 13-17 Riley Street to a complex of exhibition and studio spaces and collaborative workspaces to accommodate the development and presentation of contemporary arts practice.

Criterion (e) Research potential: Because of its integrity, 13-17 Riley Street has the potential to demonstrate the functions and operations of the City of Sydney's cleansing depots, which performed an important role in the management of the sanitation and hygiene of city and suburban streets. The building has research potential because it incorporated an air raid shelter during World War II, evidence of which still survives.

Criterion (f) Rarity: 13-17 Riley Street may be considered rare, as a surviving example of a purpose designed cleansing depot in the City of Sydney that demonstrates a high level of aesthetic significance. Although its use has changed, its high level of integrity allows early functions to be interpreted. Many other cleaning depots have been demolished and their sites redeveloped or turned over to other uses. The building also has rarity because it contains evidence of a World War II air raid shelter.

Criterion (g) Representative: 13-17 Riley Street may be considered representative of the cleansing depots designed by the City of Sydney in the years before and after World War II, although its architectural quality was much higher than others that were designed and actually constructed.

The heritage study concluded that the building at 13-17 Riley Street, Woolloomooloo meets the threshold for local heritage significance for its historical association, aesthetic significance, rarity and representativeness. The site may also have potential social and research significance. It warrants potential listing as a heritage item on the SLEP 2012.

1A Billyard Avenue, Elizabeth Bay - Arthur McElhone Reserve

The heritage assessment concludes that Arthur McElhone Reserve meets the threshold for local significance in terms of:

Criterion (a) Historic significance: The Arthur McElhone Reserve is significant for its location within the visual curtilage of Elizabeth Bay House and the sensitive demonstration of modernist landscape design principles within that curtilage, which reflect a respect and understanding of historic landscapes. The site was extensively developed to meet contemporary recreation needs. It is significant as a seminal park development initiated, designed and executed by the City of Sydney in the immediate Post World War II period in the City of Sydney.

Criterion (b) Historical associations: The site of the Arthur McElhone Reserve is associated with Alexander Macleay, being part of the grounds of Elizabeth Bay House. It was subsequently formed as a public park that in its name commemorates Arthur McElhone, a long serving alderman of the City of Sydney.

The Reserve is associated with the landscape architect Berzins, reputedly the first professional landscape architect to be engaged by a municipal council in Australia. It is amongst the earliest works by Berzins while employed by the City of Sydney, demonstrating at a high level of sensitivity to the broader setting of Elizabeth Bay House and the creation of a park that incorporates modernist concepts of landscape design.

Criterion (c): Aesthetic: The Arthur McElhone Reserve is a rare intact landscape design of Ilmar Berzins that encompasses a number of significant features. It incorporates topographic changes of level, and its detailed design features a water feature and stone bridge and varied planting. The landscape design has a reliance on the underlying architectural layout of the Reserve that provides an integrity and structure to the modulation of the park as a whole. The park design respects the original setting of Elizabeth Bay House by ensuring that the relationship of the house and broader setting to the harbour is respected and enhanced while

providing a high level of detailed landscape design and amenity to the park itself. International design ideas of the time by leading landscape architects such as Christopher Tunnard and others were applied by Berzins.

The Reserve's location to the formal axis of Elizabeth Bay House forms an important interpretative tool in the understanding of the setting of the house and its relationship to its harbour setting. The Reserve demonstrates a sensitivity to this significant colonial setting by reinforcing Elizabeth Bay House's views to and from the harbour while recognising the park's role as an important public amenity in the provision of much needed open green space.

The park demonstrates important landscape concepts of park design taking in modernist ideas of providing an internal setting of green spaces for the use and enjoyment for the public, the formation of access pathways, water feature and a pedestrian bridge over this water feature. The hard landscape elements are carefully detailed and constructed in sandstone, resulting in a long-lasting legacy for the form and shapes designed by Berzins. It is considered his most significant work for the City of Sydney.

The planting character reflects a broad diversity and horticultural interest, consistent both with Alexander Macleay's broad and diverse interests in horticultural specimens, both Australian and exotic and Berzins intent of a horticulturally diverse planting scheme.

Criterion (d) Social: The Arthur McElhone Reserve is understood to have great significance to residents and visitors to the locality because of its high level of visual amenity and as a valuable landscaped open recreational area.

Criterion (e) Research potential: The Arthur McElhone Reserve demonstrates the evolving landscape design in post-World War II Sydney that fused international design movements to a significant location within the visual curtilage of Elizabeth Bay House. The design demonstrates the intellectual approach of Berzins as a post-World War II immigrant and his training as a landscape designer that reflected international design trends of the day.

Criterion (f) Rarity: The Arthur McElhone Reserve is a rare intact design of the significant landscape architect Ilmar Berzins and a rare intact example of advanced mid twentieth century landscape design in the City of Sydney.

Criterion (g) Representative: The Arthur McElhone Reserve is representative of mid twentieth century landscape design expressed in the use of detailed sandstone walling and plant types. The design responds to the immediate visual curtilage of a significant colonial house by maintaining the prospect and views to the harbour from the house.

The heritage study concluded that 1A Billyard Avenue, Elizabeth Bay (Arthur McElhone Reserve) meets the threshold for local heritage significance for its historical, historical association, aesthetics, social significance, research significance, rarity and representativeness and warrants potential listing as a heritage item on the SLEP 2012.

Quarry Green Reserve, Ultimo - Landscaping

The heritage assessment concludes that Landscaping in the Quarry Green Reserve meets the threshold for local significance in terms of:

Criterion (a) Historical significance: Quarry Green Reserve is one of a relatively large number of landscaped street closures resulting from the implementation of the 1971 City of Sydney 'Strategic Plan in Central Sydney and inner-city suburbs within the local government area. It is historically important as one of a group of landscaped street closures providing evidence of the "greening" of Sydney that came out of the Strategic Plan.

Criterion (b) Historical associations: Quarry Green Reserve is associated with Ilmar Berzins, the City of Sydney's landscape architect who oversaw extensive development of green open

spaces throughout the city. Quarry Green Reserve is representative of the parks and open spaces that Berzins was associated with. It is a fine and attractive example of landscaping, but may not have been wholly the work of by Berzins.

Criterion (c): Aesthetic: Quarry Green Reserve is representative of a number of open space improvements through the Ultimo area that were inspired by the Sydney Bush School aesthetic through the use of Australian native planting as its main structural form with Sydney School detailing of brick paving and sandstone. The planting has matured to form an attractive landscape and provide an attractive recreational precinct in Ultimo.

Criterion (d) Social: It has not been determined whether Quarry Green Reserve has strong or special associations with the local community, although evidence indicates it is a focus of regular community activities and celebrations.

Criterion (g) Representative: Quarry Green Reserve is representative of the street closures and attendant landscaping designed by Ilmar Berzins and others and constructed across the City of Sydney during the 1970s and 1980s. It is also representative of the greening cities movement and social change taking place as evidenced by the gentrification of inner city suburbs.

The heritage study concluded that the building at Quarry Green Reserve, Ultimo meets the threshold for local heritage significance for its historical significance, historical associations, aesthetics and representativeness at a local level. It is also likely to fulfil the criterion for social significance. It warrants potential listing as a heritage item on the SLEP 2012.

Ulster Street, Paddington - Landscaping

The heritage assessment concludes that Landscaping in Ulster Street, Paddington meets the threshold for local significance in terms of:

Criterion (a) Historical significance: Ulster Street, Paddington, is part of a series of street closures from the 1970s that continued into the 1980s to pedestrianise urban precincts as part of the City Council's "Greening Sydney" policy, formalised in the 1971 City of Sydney Strategic Plan and its attendant Action Plans. It forms part of a series of contemporary landscaped road closures to the southern side of Oxford Street, Paddington.

Ulster Street Paddington has social/historical significance in relation to urban and conservation measures in Paddington. The gentrification and resultant demand for community open space is embodied through the displacement of vehicular access for communal use, and resulted from agitation from the Paddington Society during the1970s. This resulted in the closure and landscaping of Ulster, Newcombe, Stewart, Regent and Elizabeth Street, of which Ulster Street is the finest.

Criterion (b) Historical associations: Ulster Street, Paddington, is associated with Ilmar Berzins, the City of Sydney landscape architect who was responsible for extensive improvement works throughout the City of Sydney from the beginning of the 1950s to the second half of the 1980s. It is a distinctive example of his work related to street closures.

Criterion (c): Aesthetic: Ulster Street, Paddington is a formal landscape treatment informed by the so-called "Sydney School". It is representative of the application of the Sydney School aesthetic, most evidently the use of a type of clinker brick for the planter boxes and brick paving. The selection of materials brought design elements of the Sydney School into an established 19th century urban context.

Ulster Street continues the design themes exemplified in Ilmar Berzins' significant redesign of Fitzroy Gardens in Kings Cross (circa 1971), notably the use of raised planters as a solution in urban areas to raise trees above the urban floor.

Criterion (d) Social: Ulster Street, along with the other contemporary street closures in Paddington, is evidence of the gentrification of the suburb during the 1960s and 1970s. Although it may be of significance to the community, more research is required to establish this.

Criterion (e) Research potential: Ulster Street has limited research potential as a demonstration of the attitudes to, and the design and implementation of, landscaped street closures in the 1970s and 1980s in the City of Sydney. Ulster Street provides evidence of the successful implementation of Action Plan 26 South Paddington Precinct C4.

Criterion (g) Representative: Ulster Street is representative of street closures from 1970s and 1980s resulting from implementation of Action Plans associated with the 1971 City of Sydney Strategic Plan and is distinctive for its formal character established by the gridded brick paving and planter boxes.

The heritage study concluded that the building at 13-17 Riley Street, Woolloomooloo meets the threshold for local heritage significance for its historical association, aesthetics, research potential and representativeness at a local level. It is also likely to fulfil the criterion for social significance. It warrants potential listing as a heritage item on the SLEP 2012.

Conclusion

Based on these conclusions, progressing local heritage listing for each proposed heritage item will ensure the significance of each site is appropriately recognised, considered and managed in the context of any future plans or redevelopment.

2. Objectives and intended outcomes

The objectives of this planning proposal are to recognise the heritage significance of the 6 sites in by listing them as individual heritage items under Schedule 5, Part 1 of SLEP 2012.

3. Explanation of provisions

To achieve the proposed outcomes, this planning proposal includes amendments to the SLEP 2012.

3.1. SLEP 2012 Heritage Schedule Amendments

The planning proposal seeks to amend the SLEP 2012, Schedule 5, Part 1 by inserting the following items as shown below in **Table 2.** Text to insert is shown as **bold underline**.

Table 2: Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items.

Locality	Item Name	Address	Property Description	Significance	Item no.
Alexandria	**Former Baby Health Centre**	**12 A Dadley Street**	**Lot 6 Sec A DP 2307, Lot 7 Sec A DP 2307**	**Local**	TBC post-exhibition
Elizabeth Bay	**Arthur McElhone Reserve**	**1A Billyard Avenue**	**Lot 4 DP 15713, Lot 5 DP 15713, Lot 1 DP 1080048**	**Local**	TBC post-exhibition
Paddington	**Ulster Street Landscaping**	**Ulster Street, between Oxford Street & Church Place**		**Local**	TBC post-exhibition

Locality	Item Name	Address	Property Description	Significance	Item no.
Surry Hills	**Former John Carroll Kindergarten**	**2-14 Phelps Street**	**Lot 1 DP 50102**	**Local**	TBC post-exhibition
Ultimo	**Quarry Green**	**Quarry Street, between Jones Street & Bulwara Road**		**Local**	TBC post-exhibition
Woolloomooloo	**Former Cleansing Depot**	**13-17 Riley Street**	**Lot 1 DP 83649**	**Local**	TBC post-exhibition

The name of each heritage item has been developed in accordance with the directions contained in the *Standard Instrument (Local Environmental Plans) Order 2006*, which require that an item name briefly describe those things that are part of its heritage significance.

The items are described further in the supporting information contained in the Albert Smillie and Ilmar Berzins City Architect and City Landscape Architect Heritage Study included at **Appendix B** and the heritage assessments and draft inventory sheets for each at **Appendices C-N.**

4. Justification

Section A – Need for the planning proposal

Q.1 Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is a result of a heritage assessment of each site completed as part of a broader heritage study investigating projects liked to Smillie, City Architect and Berzins, City Landscape Architect. The heritage study was prepared by TKD Architects in 2023 and is available at **Appendix B**.

Preparation of the report was linked to a resolution of Council available at **Appendix O**.

The proposed items identified in this planning proposal were recommended for listing in the TKD report as they met one or more of the NSW Heritage Council's (2025) criteria for local significance.

A summary of each building's significance as assessed by TKD Architects is presented Section 1.5 of this planning proposal.

Detailed heritage assessments demonstrating the significance of each building and landscape are available in Appendix **C, E, G, I, K** and **M** and draft inventory sheets at Appendix **D, F, H, J, L** and **N**.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Appropriate heritage protection is best achieved through the identification of each building proposed for listing as local heritage items in an environmental planning instrument. The buildings proposed for heritage listing in each amendment currently have no statutory protection as individually listed heritage items on the SLEP 2012 or under the *NSW Heritage Act 1977*.

Progressing local heritage listings for each proposed heritage item will ensure that their local heritage significance is appropriately recognised and managed into the future. It will also ensure formal consultation with landowners and broader community prior to any future change or development to the items. These outcomes are only achieved in the longer term through protection under Schedule 5, Part 1 of the SLEP 2012.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes. See comments below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan, completed in March 2018, is the Greater Sydney Commission's vision for a Greater Sydney of three cities where most residents live within 30 minutes of their jobs and services. City of Sydney is situated within the Eastern Harbour City.

This plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. This sets out how the State Government's 10 directions for a Greater Sydney are to be implemented through

integrated planning. These 10 directions, with 40 supporting objectives, address infrastructure, liveability, productivity and sustainability. This planning proposal is consistent with these high level directions and objectives. In particular it addresses the liveability great places direction objective:

Objective 13: Environmental heritage is identified conserved and enhanced

By listing each building on the SLEP 2012, this planning proposal will fulfill this objective.

Eastern City District Plan

The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20-year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage Action 26 - Identify, conserve and enhance environmental heritage by:

> *(a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
>
> *(b) applying adaptive re-use and interpreting heritage to foster distinctive local places*
>
> *(c) managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This priority seeks to enhance the district's liveability by identifying, conserving and enhancing the heritage of local centres and neighbourhoods. It notes that built heritage contributes to an area's sense of place, its distinctive character and diversity of built form and uses and brings people together.

By consulting with the community to consider amending and listing these items as having local heritage significance, this planning proposal will address the district plan by respecting the City of Sydney's diverse heritage and fostering great places to bring people together.

The retention, conservation and revised acknowledgement of each site will contribute the character and sense of our local government area.

Q4. Is the planning proposal consistent with council's local strategy or other local strategic plan?

Yes.

Sustainable Sydney 2030 – 2050 Community Strategic Plan

The City of Sydney's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2050 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with the key directions of Sustainable Sydney 2030 – 2050, particularly Direction 4 'Design excellence and sustainable development.'

Local strategic planning statement

The City Plan 2036 Local Strategic Planning Statement was completed in March 2020. This statement is the 20-year vision for land use planning in the city. It aims to link the NSW State Government's strategic plans and the community strategic plans with the city's planning controls. This plan highlights that the unique heritage character of Sydney is a strong focus for local communities.

The planning proposal identifies the following sites as heritage items, thereby facilitating their conservation and allowing future generations to understand the historical development of the City. The heritage listing will ensure future development considers and maintains the heritage significance of each site.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

This planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as summarised in Table 4 and detailed in the following section. In this table, consistent means that the planning proposal does not contradict of hinder the application of the relevant state environmental planning policy.

Table 4: Consistency with State Environmental Planning Policies.

State Environmental Planning Policy	Comment
SEPP (Biodiversity and Conservation) 2021	Consistent - amendments in this planning proposal will continue to support the biodiversity and conservation in the local government area
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Housing) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Industry and Employment) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Planning Systems) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Central River City) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Eastern Harbour City) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Regional) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Western Parkland City) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Primary Production) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Resilience and Hazards) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Resources and Energy) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP No 65 - Design Quality of Residential Flat Development	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Transport and Infrastructure) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Housing) Amendment (Transport Oriented Development) 2024	Consistent - no amendments in this proposal will hinder the application of this SEPP.

Q6. Is the planning proposal consistent with applicable ministerial directions?

This planning proposal is consistent with all Ministerial Directions issued under section 9.1 of the *Environmental Planning and Assessment Act 1979*, as summarised in Table 5.

Table 5: Consistency of the planning proposal with ministerial directions**.**

Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent. No amendments in this proposal will hinder the implementation of Regional Plans
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	Consistent. No amendment includes concurrence, consultation or referral provisions or identify any designated development.
1.4 Site Specific Provisions	Consistent – see discussion below.
1.4A Exclusion of Development Standards from Variation	Consistent. This planning proposal does not propose to exclude a development standard from variation under clause 4.6
Focus area 1: Planning Systems – Place-based	
1.6 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.11 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.12 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.13 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.14 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.15 Implementation of Greater Macarthur 2040	Not applicable
1.16 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable
1.17 North West Rail Link Corridor Strategy	Not applicable
Focus area 2: Design and Place	No directions in place
Focus area 3: Biodiversity and Conservation	

Ministerial Direction	Comment
3.1 Conservation Zones	Consistent. Amendments in this planning proposal will continue to support the protection and conservation of environmentally sensitive areas in the local government area
3.2 Heritage Conservation	Consistent. Amendments in this planning proposal will support the conservation of items, areas, objects and places of environmental heritage significance in the local government area
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
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.2 Coastal Management	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.3 Planning for Bushfire Protection	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.4 Remediation of Contaminated Land	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.5 Acid Sulfate Soils	Consistent. Amendments in this planning proposal are proposed for land classified as Class 5 and will not hinder the implementation of this local planning direction
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
5.2 Reserving Land for Public Purposes	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable

Ministerial Direction	Comment
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Consistent. This planning proposal supports and aligns with this local planning direction, particularly objectives (a) and (b).
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
Focus area 7: Industry and Employment	
7.1 Business and Industrial Zones	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	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

Section C – Environmental, social and economic impact

Q7. 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. The planning proposal will not adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. It is unlikely that the proposed amendments to Schedule 5, Part 1 of SLEP 2012 will result in development creating any environmental effects that cannot be readily controlled.

Q9. How has the planning proposal adequately addressed any social and economic effects?

Identification and recognition of each heritage item and its significance will facilitate retention of physical, social, cultural and historic values that may have significance to the community. No changes to current zoning controls are proposed. The merit-based heritage provisions provide capacity for Council and any proponent to consider these matters when development is proposed.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Yes. The SLEP 2012 amendment will not generate demand for infrastructure.

Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?

If required by the Gateway Determination, the Heritage Council of NSW will be consulted during the public exhibition period. The identification of this heritage item, based on a comprehensive heritage assessment, is consistent with Heritage Council of NSW standards.

5. Mapping

The Heritage Map tile HER_008, HER_010, HER_015, HER_016, HER_021 and HER_023 will be updated to shade in brown the location of the 6 new heritage items.

6. Community consultation

5.1 Public Exhibition

This planning proposal shall be exhibited in accordance with the requirements of gateway determination once issued by the Department of Planning, Housing and Infrastructure.

It is anticipated that public exhibition will be for a period of at least 20 working days, which is consistent with the *Environmental Planning and Assessment Act 1979* and the *Local Environmental Plan Making Guideline* prepared by the Department dated August 2023.

The public exhibition of the documents will be on the City of Sydney website and carried out in accordance with the City's Community Participation Plan.

Consultation with the necessary NSW agencies, authorities and other relevant organisations will be undertaken as required by the conditions contained within the Gateway Determination.

7. Project timeline+

The anticipated timeline for the completion of the planning proposal is as follows:

Stage	Timeframe
Gateway request	February 2026
Public exhibition & government agency consultation	July 2026
Consideration of submissions	September 2025
Post exhibition consideration of proposal	November 2026
Draft and finalise LEP	January 2027

Appendices

Appendix B **Albert Smillie and Ilmar Berzins City Architect and City Landscape Architect Heritage Study**

Appendix C TKD Heritage Assessment - 12A Dadley Street, Alexandria

Appendix D Draft Inventory Sheet - 12A Dadley Street, Alexandria

Appendix E TKD Heritage Assessment - 2-14 Phelps Street, Surry Hills

Appendix F Draft Inventory Sheet - 2-14 Phelps Street, Surry Hills

Appendix G TKD Heritage Assessment -13-17 Riley Street, Woolloomooloo

Appendix H Draft Inventory Sheet - 13-17 Riley Street, Woolloomooloo

Appendix I TKD Heritage Assessment - 1A Billyard Avenue, Elizabeth Bay

Appendix J Draft Inventory Sheet - 1A Billyard Avenue, Elizabeth Bay

Appendix K TKD Heritage Assessment - Quarry Street, Ultimo

Appendix L Draft Inventory Street, Quarry Street, Ultimo

Appendix M TKD Heritage Assessment - Ulster Street, Paddington

Appendix N Draft Inventory Sheet - Ulster Street, Paddington

Appendix O Council Resolution - City Architect and Landscape Architect Works Heritage Study - 9 August 2021