

## Heritage Referral Response

<b>Application Number:</b>	DA2025/0939
<b>Proposed Development:</b>	Alterations and additions to a dwelling house
<b>Date:</b>	28/07/2025
<b>To:</b>	Dean Pattalis
<b>Land to be developed (Address):</b>	Lot 28 DP 262862 , 1 James Wheeler Place WHEELER HEIGHTS NSW 2097

### Officer comments

HERITAGE COMMENTS		
Discussion of reason for referral		
This proposal has been referred to heritage as a heritage item is located within the subject site. The heritage item being; <b>I33 - James Wheeler Grave</b> - 1 James Wheeler Place, Wheeler Heights.		
Details of heritage items affected		
<p><u>Statement of Significance</u> A rare surviving grave of one of Warringah's earliest land holders. James Wheeler &amp; his family first settled in this area in 1842. The grave formed part of the site of Wheeler's South Creek farm of which there is also some evidence surviving.</p> <p><u>Physical Condition</u> Item consists of a large grave plot with stone kerbing &amp; the remains of the original ornate timber picket fence (mostly destroyed by bushfire). Main monument consists of a 3 course high stone vault with a horizontal marble slab with lead lettering.</p>		
Other relevant heritage listings		
SEPP (Biodiversity and Conservation) 2021	No	
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register	No	
RAIA Register of 20th Century Buildings of Significance	No	
Other	No	
Consideration of Application		

The proposal is for alterations and additions to an existing dwelling. The proposed works include the realignment of the existing driveway, the construction of a swimming pool, tennis pavilion, carport and undercroft office. The proposal also includes associated landscaping works including new pavements and hardstand areas, exterior pathways, garden beds, planting and lawns. The heritage item is located within the subject site and consists of the grave of James Wheeler, one of Warringah's earliest land holders. The grave is located to the north-east of the subject property. As there is a degree of physical separation between the bulk of the proposed works and the heritage item, heritage considers the impact of the proposed additions to be of an acceptable nature. However, the proximity between the heritage item and the proposed driveway, which will be realigned at a distance of 2.5 metres from the heritage item, does necessitate a high degree of care and caution for the heritage item during construction works. As a condition of consent, Heritage requires that the structural and visual integrity of the heritage item, in particular the headstone and wrought iron fence, is protected throughout the duration of the works. Construction activity must be undertaken in a manner which prevents any material impact on the heritage item, and must mitigate the impacts of vibration during construction works.

As such, Heritage supports the proposal, subject to one condition.

Consider against the provisions of CL5.10 of WLEP.

Is a Conservation Management Plan (CMP) Required? No

Has a CMP been provided? No

Is a Heritage Impact Statement required? Yes

Has a Heritage Impact Statement been provided? Yes - Statement of Heritage Impact prepared by Michael Fountain Architects.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

#### **Recommended Heritage Advisor Conditions:**

### **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

#### **Protection of Heritage Item During Construction Works**

Given the proximity of the heritage item to the proposed works and in particular the proposed driveway realignment, care must be taken to ensure that the structural and visual integrity of the heritage item is protected throughout the duration of the works. All construction activity must be undertaken in a manner that prevents any direct or indirect impact on the heritage-listed grave, including its associated fence and setting. A protection barrier around the heritage-listed grave should be erected for the duration of the construction works and efforts must be undertaken to mitigate the impacts of vibration during works.

Reason: To ensure the appropriate care of the heritage listed grave during construction works.