



Environmental Planning Committee



Agenda

Monday 10 May 2021

6.00pm

Compliance with social distancing requirements to limit the spread of COVID-19 virus at Council and Committee Meetings:

Amendments have been made to the *Local Government Act 1993* to allow councils to meet remotely to reduce the risk of COVID-19 and ensure compliance with the Public Health Order.

In line with social distancing requirements to limit the spread of the COVID-19 virus Woollahra Council will be webcasting Council (i.e. Ordinary and Extraordinary) and Committee meetings (i.e. Environmental Planning (EP), Finance, Community & Services (FC&S) and Strategic & Corporate (S&C) (until further notice).

The Mayor, Councillors and staff will be participating in meetings by **attending in person**, however given social distancing requirements members of the public are unable to attend meetings in person. Members of the public are invited to watch and/or listen to Council meetings live by either using conferencing technology or by teleconference. Public participation online or by phone will be managed in accordance with meeting procedures.

Meetings will be webcast and member of the public can watch and listen to meetings live (via Council's website) or dial in to listen to the meetings using a telephone.

You may also submit late correspondence. Instructions on how to do this are provided below:

- **To watch the meeting live (from 6.00pm)**
Details on how to watch the meeting live will be available at Environmental Planning Committee Agendas, Audio Recordings and Minutes – https://www.woollahra.nsw.gov.au/council/meetings_and_committees/committees/environmental_planning_committee_ep/ep_agendas_and_minutes
- **To submit late written correspondence (submit by 12noon on the day of the meeting)**
Members of the public may submit late written correspondence on an agenda item being considered at the Council meeting. If you wish to make a written submission on an item on the agenda, please email your submission to records@woollahra.nsw.gov.au by 12noon on the day of the meeting.
- **To register to address the meeting (submit by 12noon on the day of the meeting)**
Members of the public may register to speak on an agenda item being considered at the Finance, Community & Services Committee meeting, by registering via email records@woollahra.nsw.gov.au by 12noon on the day of the meeting. Following your registration you will be emailed the details and instructions on how to join the meeting.

If you are experiencing any issues in joining the meeting please call (02) 9391 7001.

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

Disclaimer:

By using conferencing technology or by teleconference, listening and/or speaking at Council or Committee Meeting members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website. Councillors, staff and members of the public are advised that meeting are being lived streamed, accessible via a link from Council's website.

By addressing and/or listening to a Council or Committee meeting, members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website.

Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council or Committee meeting.

Any part of the meeting that is held in closed session will not be recorded.

People connecting to this meeting by conferencing technology or teleconference are reminded that under the *Local Government Act 1993*, the recording of meetings by a member of the public using any electronic recording device including a mobile phone or video camera is not permitted. Any person found recording without the permission of Council may be expelled from the meeting.

The audio recording of each meeting will be retained on Council's website for a minimum period of 6 months. After that period has passed, recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

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For further information please visit www.woollahra.nsw.gov.au

Recommendation only to the Full Council ("R" Items):

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic planning matters including those initiated at State and Federal Government level.
- Urban design studies.
- Planning proposals and local environment plans.
- Development control plans and guidelines.
- Development contribution plans.
- Heritage conservation studies, assessments and controls.
- Commercial centres' studies.
- Residential studies and strategies.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Flood Management Strategies.
- Recreation Policies and Strategies.
- Sustainability Policies and Strategies.
- Transport Strategies.
- Tree Policies and Strategies.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters requiring supplementary votes to Budget.
- Matters not within the specified functions of the Committee.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes

Delegated Authority to be determined at Committee level ("D" Items):

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of the Minutes of its Meetings.
- Statutory reviews of Council's Delivery Program and Operational Plan.
- Any other matter falling within the responsibility of the Environmental Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

Environmental Planning Committee Membership:

7 Councillors

Quorum:

The quorum for Committee meeting is 4 Councillors

Woollahra Municipal Council

Notice of Meeting

5 May 2021

To: Her Worship the Mayor, Councillor Susan Wynne, ex-officio
Councillors Mary-Lou Jarvis (Chair)
Nick Maxwell (Deputy Chair)
Luise Elsing
Matthew Robertson
Isabelle Shapiro
Mark Silcocks
Toni Zeltzer

Dear Councillors,

Environmental Planning Committee – 10 May 2021

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Environmental Planning Committee** meeting to be held in the **Thornton Room (Committee Room), 536 New South Head Road, Double Bay, on Monday 10 May 2021 at 6.00pm.**

Members of the public are advised that you may watch the meeting live via Council's website using conferencing technology. If you would like to register to address the Environmental Planning Committee meeting please email records@woollahra.nsw.gov.au by 12noon on the day of the meeting.

Watch live via Council's website:

https://www.woollahra.nsw.gov.au/council/meetings_and_committees/committees/environmental_planning_committee_ep/ep_agendas_and_minutes

A audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

The safety of our community, Councillors and our staff is Council's number one priority and we thank you for your patience and understanding at this time.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Craig Swift-McNair
General Manager

Meeting Agenda

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3.	Declarations of Interest	

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Note: Confidential Annexures Circulated Under Separate Cover

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Request for a Planning Proposal - Heritage Listing of Sunny Brae at 40 Fitzwilliam Road, Vacluse - 21/74156.....	31
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Item No: D1 Delegated to Committee
Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 12 APRIL 2021**
Author: Sue O'Connor, Governance Officer
File No: 21/72296
Reason for Report: The Unconfirmed Minutes of the Environmental Planning Committee of 12 April 2021 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

THAT the Minutes of the Environmental Planning Committee Meeting of 12 April 2021 be taken as read and confirmed.

Annexures

1. Unconfirmed Minutes – EP Committee - 12 April 2021 [↓](#) 



Environmental Planning Committee



Minutes

Monday 12 April 2021

Woollahra Municipal Council
Environmental Planning Committee Minutes

12 April 2021

Environmental Planning Committee Minutes

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**Minutes of the Meeting held on
12 April 2021 at 6.00pm.**

Present:	Councillors:	Mary-Lou Jarvis	(Chair)
		Luise Elsing	
		Matthew Robertson	(Items D1, D4 (in part), R1(in part) & R4)
		Isabelle Shapiro	(Items D1 to D4 (R1, R2 & R4 (in part))
		Mark Silcocks	
		Toni Zeltzer	(Item D2 (in part) to D4 (via zoom for R1to R4)
Staff:	Jacquelyn Del Bosca	(Executive Planner) – via zoom	
	George Fotis	(Acting Manager – Development Control)	
	Nick Economou	(Acting Director – Planning & Development)	
	Matthew Gollan	(Manager – Placemaking)	
	Robert Lam	(Team Leader Development Engineering) – via zoom	
	Kelly McKellar	(Team Leader – Strategic Planning)	
	Sue O’Connor	(Governance Officer)	
	Flavia Scardamaglia	(Strategic Heritage Officer)	
	Helen Tola	(Manager – Governance & Council Support)	
	Neda Vandchali	(Strategic Planner) – via zoom	
Anne White	(Manager – Strategic Planning)		
Also in Attendance:	Kim Chan	(Council Consultant - GHD) – via zoom	
	Bosco Poon	(Council Consultant - GHD) – via zoom	

Leave of Absence and Apologies

An apology was received and accepted from Councillor Nick Maxwell and leave of absence granted.

Late Correspondence

Nil

Declarations of Interest

Nil

Unconfirmed

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Items to be Decided by this Committee using its Delegated Authority

Item No: D1 Delegated to Committee
Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 8 MARCH 2021**
Author: Sue O'Connor, Governance Officer
File No: 21/45190
Reason for Report: The Minutes of the Environmental Planning Committee of 8 March 2021 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

(Elsing/Silcocks)

Resolved:

THAT the Minutes of the Environmental Planning Committee Meeting of 8 March 2021 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **REGISTER OF CURRENT LAND AND ENVIRONMENT COURT MATTERS FOR DEVELOPMENT APPLICATIONS AND REGISTER FOR COURT PROCEEDINGS FOR BUILDING, ENVIRONMENTAL AND HEALTH CONTROL MATTERS**
Authors: George Fotis, Acting Manager Development Control
Tim Tuxford, Manager - Compliance
Approver: Nick Economou, Acting Director Planning & Development
File No: 21/42285
Reason for Report: To provide the EPC with an update of all legal matters.

(Zeltzer/Elsing)

Resolved:

- A. THAT the attached register of current Land and Environment Court matters for Development Applications and for Court proceedings for Building, Environmental and Health Control matters for the period 2 September 2020 to 31 March 2021 be received and noted.
- B. THAT a further report be prepared to a future Environmental Planning Committee highlighting the case details and how we resolved the matter in relation to 20 The Crescent, Vacluse.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Councillor Elsing
Councillor Jarvis
Councillor Shapiro
Councillor Silcocks
Councillor Zeltzer

5/0

Against the Motion

Nil

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Item No: D3 Delegated to Committee
Subject: **WOOLLAHRA LOCAL PLANNING PANEL REGISTER OF PLANNING DECISIONS AND ANALYSIS**
Authors: Helen Tola, Manager - Governance & Council Support
George Fotis, Acting Manager Development Control
Approver: Nick Economou, Acting Director Planning & Development
File No: 21/42738
Reason for Report: Woollahra Local Planning Panel - Register of Planning Decisions and Analysis - Period 7 August 2020 to 18 March 2021.
(Shapiro/Zeltzer)

Resolved:

THAT the register of planning decisions for matters determined by the Woollahra Local Planning Panel (WLPP) for the period 7 August 2020 to 18 March 2021 be received and noted.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Elsing
Councillor Jarvis
Councillor Shapiro
Councillor Silcocks
Councillor Zeltzer

Nil

5/0

Item No: D4 Delegated to Committee
Subject: **PADDINGTON MARKETING STRATEGY**
Author: Kate Burgess, Temp Coordinator Placemaking
Approvers: Matthew Gollan, Manager - Placemaking
Craig Swift-McNair, General Manager
File No: 21/54783
Reason for Report: To report the 2020 Paddington Marketing Strategy prepared for Council by the Sparrowly Group.
(Elsing/Shapiro)

Resolved:

THAT the Paddington Marketing Strategy be deferred to a future meeting of the Environmental Planning Committee for the purpose of providing Councillors with a report that outlines the Paddington Marketing Campaign initiatives and associated costs proposed to be advanced, as recommended by the Paddington Marketing Strategy.

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Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Elsing
Councillor Jarvis
Councillor Shapiro
Councillor Silcocks
Councillor Zeltzer

Nil

5/0

Items to be Submitted to the Council for Decision with Recommendations from this Committee

Item No: R1 Recommendation to Council
Subject: **DOUBLE BAY - HYDROGEOLOGICAL GEOTECHNICAL IMPACTS - GROUNDWATER AND GEOTECHNICAL ASSESSMENT REPORT**
Author: Neda Vandchali, Strategic Planner
Approvers: Kelly McKellar, Team Leader Strategic Planning
Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Development
File No: 21/42641
Reason for Report: To present the Double Bay – Hydrogeological Geotechnical Impacts Groundwater and Geotechnical Assessment Report prepared by GHD Pty Ltd.
To obtain Council's approval to prepare a planning proposal to amend the Woollahra Local Environmental Plan 2014 and refer it to the Woollahra Local Planning Panel for advice.
To obtain Council's approval to prepare and exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015.

(Shapiro/Silcocks)

Recommendation:

- A. THAT a planning proposal be prepared to amend the Woollahra Local Environmental Plan 2014 consistent with the staff recommendations identified in Table 1 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to a future meeting of the Environmental Planning Committee.
- D. THAT a draft development control plan is prepared and publicly exhibited to amend the Woollahra Development Control Plan 2015, consistent with the staff recommendations identified in Table 2 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.

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- E. THAT staff review the proposed controls in the draft development control plan to identify if these can be applied to Rose Bay and Bellevue Hill, and that this review is reported to a future meeting of the Environmental Planning Committee.
- F. THAT staff implement a condition of consent which ensures that, where relevant, the applicant has an appropriate current insurance policy to cover the reinstatement/repair of damages to surrounding properties as a result of the subject DA.
- G. THAT staff prepare a report which advises on mechanisms that can be utilised to prohibit excavation and dewatering in the most impacted zones in the Double Bay Floodplain (see the Double Bay Settlement zones in Figure 2 of the report to the Environmental Planning committee of 12 April 2021) including investigating:
- Amending the Local Environmental Plan (LEP),
 - Amending the Development Control Plan (DCP), and
 - Rezoning.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Elsing
Councillor Jarvis
Councillor Robertson
Councillor Shapiro
Councillor Silcocks

Nil

5/0

Item No:	R2 Recommendation to Council
Subject:	REVIEW OF PLANNING CONTROLS TO ADDRESS THE VISUAL IMPACTS OF FIRE HYDRANT AND BOOSTER INSTALLATIONS
Author:	Jacquelyne Della Bosca, Executive Planner
Approvers:	Kelly McKellar, Team Leader Strategic Planning Anne White, Manager - Strategic Planning Nick Economou, Acting Director Planning & Development
File No:	21/40991
Reason for Report:	To respond to a Notice of Motion adopted by Council on 26 October 2020 requesting a review of planning controls to address fire hydrants and boosters so that these installations are not visible in the streetscape. To obtain Council's approval to exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015.

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(Elsing/Silcocks)

Recommendation:

- A. THAT the report on the review of planning provisions for hydraulic fire services such as fire hydrant and booster installations be received and noted.
- B. THAT Council resolve to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No 17)* as contained in **Annexure 1** of the report to the Environmental Planning Committee on 12 April 2021.
- C. THAT staff prepare late correspondence to the Council meeting of 26 April 2021 to identify further amendments in response to the issues raised regarding site facilities.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Elsing
Councillor Jarvis
Councillor Robertson
Councillor Shapiro
Councillor Silcocks

Nil

5/0

Item No: R3 Recommendation to Council
Subject: **DRAFT DCP CONTROLS FOR MULTI-STOREY DEVELOPMENT IN THE PADDINGTON HERITAGE CONSERVATION AREA**
Author: Flavia Scardamaglia, Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Development
File No: 21/50900
Reason for Report: To respond to two Council resolutions requesting a review of Chapter C1 with a view to providing numerical controls for multi-storey development.
To obtain Council's approval to exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015.

Note: Flavia Scardamaglia, Council's Strategic Heritage Officer thanked the Paddington Society and particularly Esther Hayter for their contribution.

(Robertson/Silcocks)

Recommendation:

- A. THAT the report on the review of the controls for Chapter C1 Paddington Heritage Conservation Area in the Woollahra Development Control Plan 2015 be received and noted.

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- B. THAT Council resolves to exhibit the *Draft Woollahra Development Control Plan 2015 (Amendment No.16)* as contained in **Annexure 1** of the report to the Environmental Planning Committee on 12 April 2021.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Elsing
Councillor Jarvis
Councillor Robertson
Councillor Silcocks

Nil

4/0

Item No: R4 Recommendation to Council
Subject: **SUBMISSION ON THE PROPOSED DESIGN AND PLACE STATE ENVIRONMENTAL PLANNING POLICY**
Authors: Kelly McKellar, Team Leader Strategic Planning
Emma Williamson, Strategic Planner
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Development
File No: 21/60498
Reason for Report: To report to Council on the submission to the proposed Design and Place State Environmental Planning Policy.

(Silcocks/Elsing)

Recommendation:

- A. THAT the report on the proposed Design and Place State Environmental Planning Policy be received and noted.
- B. THAT Council endorse the draft submission to the Department of Planning, Industry and Environment as attached at **Annexure 1** of the report to the Environmental Planning Committee of 12 April 2021.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Elsing
Councillor Jarvis
Councillor Shapiro
Councillor Silcocks

Councillor Robertson

4/1

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There being no further business the meeting concluded at 8.05pm.

**We certify that the pages numbered 133 to 142 inclusive are the Minutes of the
Environmental Planning Committee Meeting held on 12 April 2021 and confirmed by the
Environmental Planning Committee on 10 May 2021 as correct.**

Chairperson

Secretary of Committee

Unconfirmed

Item No: D2 Delegated to Committee

Subject: **RECOGNITION FOR BUSINESS SUSTAINABILITY IN WOOLLAHRA**

Author: Micaela Hopkins, Team Leader Environment & Sustainability

Approvers: Paul Fraser, Manager - Open Space & Trees
Tom O'Hanlon, Director - Technical Services

File No: 21/52679

Reason for Report: To report to Council about the development of a recognition program for businesses taking sustainability action in Woollahra.

Recommendation:

THAT the report about the development of a recognition program for business sustainability in Woollahra be received and noted.

Background:

In February 2020 a Notice of Motion was adopted by Council:

THAT staff prepare a report which looks into how Woollahra Council can have an endorsement or recognition system supporting business within our Municipality who are taking steps to reduce waste and have sustainability practices in place. This could allow Council to actively promote and/or acknowledge our local businesses who have invested in changing the way in which they operate such as removing straws, encouraging bringing your own cup, have a documented recycling system and utilising solar power.

Following discussion with Council's Placemaking Team, the Environment and Sustainability Team developed a business sustainability program including recognition for businesses that have implemented actions to improve their sustainability.

The *Our Environment Our Business* program was developed in response to the Notice of Motion and in recognition of the important role local businesses can play in reducing emissions and protecting our environment. The Program supports and showcases local businesses and not-for-profits who are leading the way with sustainability action.

A *Business Sustainability Action Pack* (Annexure 1) has been developed to provide guidance and assistance to businesses, addressing key sustainability aspects including:

- Saving energy
- Reducing waste
- Sustainable procurement, packaging and avoiding single use plastics
- Reducing water use

Businesses are encouraged to download the *Business Sustainability Action Pack* from Council's website, then contact Council's Environment and Sustainability team to discuss opportunities to implement sustainability actions.

Businesses are invited to make a sustainability action pledge and share their story with Council. They will then be eligible for a certificate detailing their pledge, and businesses confirmed to have taken action can be added to the sustainable business map. Examples of pledges include:

- Replacing old lighting with energy-efficient LEDs.
- Switching from plastic to paper straws and bamboo cutlery.
- Encouraging staff to walk and cycle to work.
- Using paper products certified by the Forest Stewardship Council.
- Upgrading to water efficient appliances and fixtures.

Businesses that have completed sustainability pledges will be eligible for:

- A tailored sustainability pledge certificate for display in the shopfront
- A sharable social media tile to highlight the actions taken
- Inclusion on the business sustainability action map
- Profiling business sustainability actions in Woollahra Council's e-newsletters and social media.


The program has been promoted through an article in the Environmental E-news, which featured several businesses in Double Bay that have implemented sustainability initiatives. The Environment and Sustainability team have commenced in person meetings with interested businesses. Requests were sent to Visit Paddington and Sydney East Business Chamber to promote the program in their communications with members. Ongoing promotion is planned through the Environmental E-news.

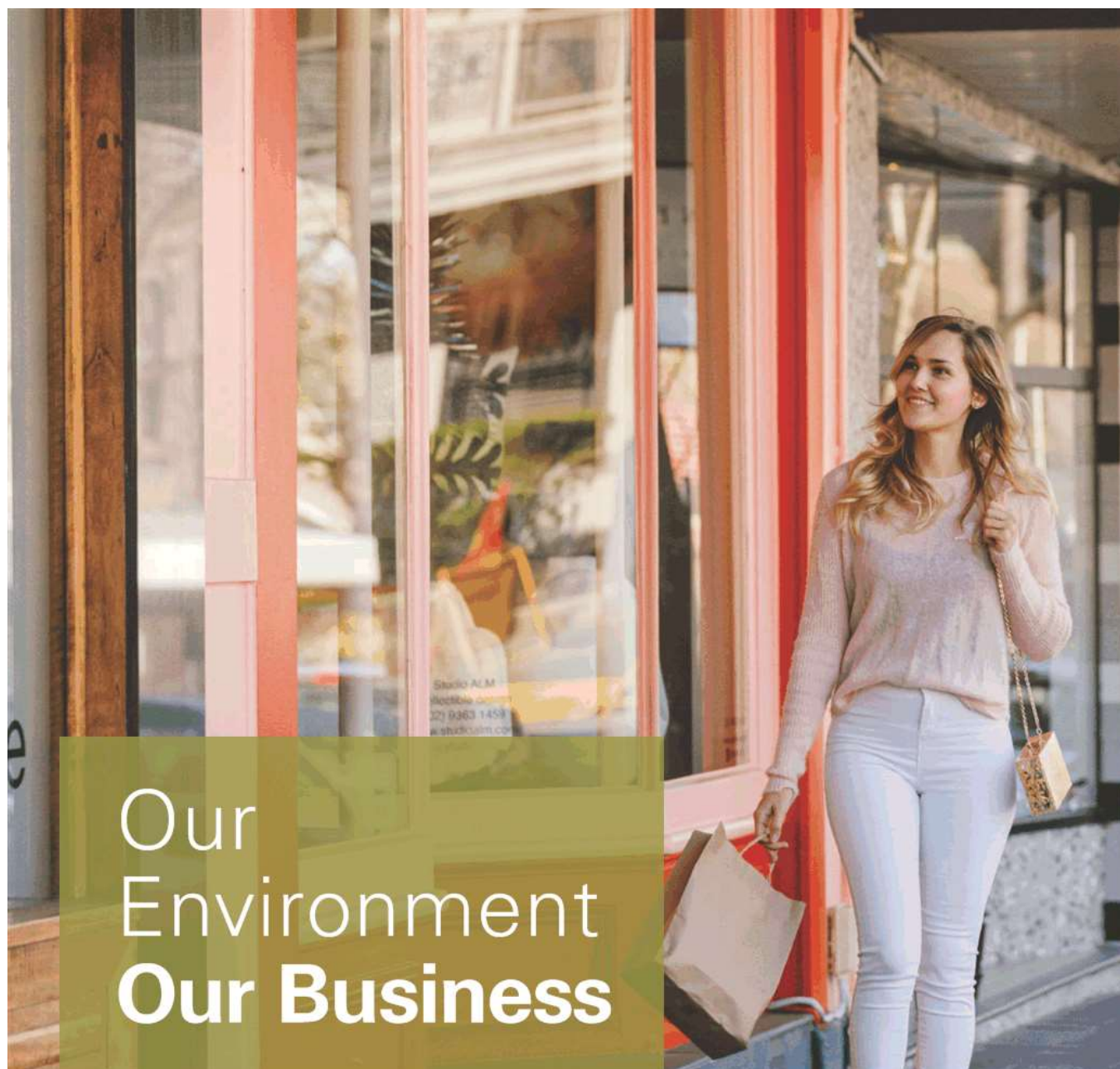
Local businesses involved in the program so far include Mud Australia, Naked Foods and Woolworths at Double Bay, Ekoluv fashion at Paddington and the Cruising Yacht Club of Australia at Rushcutters Bay. Local businesses who are part of the Sustainable Salons program and Responsible Cafes program will also be featured.

Detailed information about the program is available on Council's website:

https://www.woollahra.nsw.gov.au/environment/education_programs_and_events/business_sustainability

Annexures

1. Business Sustainability Action Pack [↓](#) 



Our Environment Our Business

**Tips and Tools for Sustainability
Action for Local Business Leaders.**



Woollahra Council's sustainability program, **Our Environment Our Business** supports and showcases local businesses and not-for-profits who are leading the way with sustainability action.

Does your business already promote sustainability?

Would you like support to make your business more sustainable?

Get involved.

Share your story.

Share and promote your sustainability projects with the local community & inspire others to take action.



Learn simple steps.

Your business can save money while reducing your impact on the environment, get top tips & share your learnings.



Get access to resources.

Get discounts, services, mentoring & info to help you reduce energy bills, avoid single-use plastics, manage waste & more.



Be more visible.

We'll help you to showcase your business and the sustainability steps you're taking, to make your efforts & actions more visible.



Get started.

This booklet will help support and boost your sustainability actions, voice and advocacy now and into the future...

“ How can I save energy & reduce CO₂ emissions? ”

“ How can we be more water efficient? ”

Get started.

Talk to Council's sustainability team on **02 9391 7000** or email sustainability@woollahra.nsw.gov.au



Why get involved?

1. We'll link you with discounts, services, mentoring and information to help you reduce your energy bills, manage your waste, select sustainable products and reduce your water consumption.
2. We'll help make your sustainability actions more visible by providing opportunities to showcase your business and the steps you're taking.

How will we share your story?

We'll help you get the word out about your sustainability action by:

1. Creating a tailored sustainability pledge certificate for display at your shopfront
2. Creating a sharable social media tile that highlights the actions you've taken
3. Adding your business or organisation to our sustainability action map
4. Profiling your business's sustainability actions in Woollahra Council's newsletters and social media.

“

What can we do to **reduce waste & single-use plastics?** ”

“ How can I **select more sustainable products?** ”

How do I get started?

STEP ONE

Review the material in this booklet and discuss your situation with our team to consider your current sustainability actions, your future plans and resources available to support you.

STEP TWO

Make a sustainability action pledge and share your story with us so we can print your certificate, create your social media tile and add you to the sustainability action map.

Your pledge might include actions such as:

- We've replaced our old lighting with energy-efficient LEDs.
- We've switched to paper straws and bamboo cutlery.
- Our staff are walking and cycling to work.
- All our paper products are certified by the Forest Stewardship Council.
- We've upgraded to water efficient appliances.

STEP THREE

Make your actions more visible by sharing them through your own social media, shop displays and business profile.



Energy saving.



How can I save energy and reduce CO₂ emissions?

Switch to GreenPower

Over 25,000 Australian businesses have chosen GreenPower as an effective way to reduce their environmental impact and support Australia's emerging renewable energy sector. The GreenPower website provides information to help businesses make the switch.

www.greenpower.gov.au/Business

Check out the Energy Saver program for small business

The NSW Government Energy Saver program provides information on energy management, as well as access to offers that will help you upgrade your equipment at a lower cost.

Access advice, discounts & incentives:

Install LED lighting

to replace your old lights, this can reduce your electricity bill by hundreds of dollars a year.

Install new refrigeration

equipment or modify your current system. This can make it more energy efficient and make a difference to your bottom line.

Upgrade heating, ventilation & air conditioning (HVAC)

in commercial buildings, HVAC systems are often the biggest energy guzzlers.

www.energysaver.nsw.gov.au/business

Develop a Clean Energy Strategy

More and more NSW businesses are taking action to develop a clean energy strategy. A clean energy strategy can help you understand your energy profile, identify where your energy costs come from, and develop a roadmap to improve competitiveness, reduce costs and build the reputation of your business.

www.energy.nsw.gov.au/media/1531/download

Install Solar Panels

By installing a solar panel system on your office or warehouse rooftop you can reduce the greenhouse gas impact of your business and save money too.

www.energy.nsw.gov.au/media/1461/download



Sample pledges.

We've switched to 30% green energy

We've replaced our old lighting with energy-efficient LEDs

We've installed solar panels

We've developed a clean energy strategy

We've upgraded to more energy efficient air-conditioning

Reduce waste.



What can I
do to reduce
waste?

Participate in Bin Trim

The Bin Trim program is here to provide free help and support for NSW businesses to maximise recycling and minimise waste to landfill. It also helps save time and money, while caring for the environment.

www.epa.nsw.gov.au/bintrim

Join Responsible Cafes

Responsible Cafes supports cafes and catering businesses to reduce single use plastics and stop plastic ending up in landfill, littering our oceans and neighbourhoods.

www.responsiblecafes.org



Join Sustainable Salons

Sustainable Salons is the first comprehensive resource recovery program designed for the salon environment that rewards salons and gives back to the community. How?

Explore below to find out!

www.sustainablesalons.org



Increase recycling

Access the War on Waste Toolkit for Business and search for business recycling services and equipment for around 90 different materials.

www.businessrecycling.com.au

Access Environmental Action Guides

The NSW Environment Action Authority has several industry specific guides to help manage waste and environmental impacts of businesses including automotive service, smash repairs and printers.

www.epa.nsw.gov.au

Search for

'Environmental Action Guide'



Sample pledges.

We send 80% of waste to recycling

We're committed to reducing single-use plastics by...

We've reduced our waste by...

Our organic waste goes to...

We have a worm farm for waste from our staff

Sourcing sustainably.

How can I reduce single use plastics and select more sustainable products?

Look for ways to reduce plastic packaging

Getting rid of plastics from your business's everyday practices can make a big impact. For tips on how to refuse single-use plastic products and packaging in your business see Plastic Free July.

www.plasticfreejuly.org

Check suppliers in the Bye Bye Plastic Sustainable Suppliers Guide

Bye Bye Plastic Hello BYO encourages businesses and shoppers to replace single use plastic items like bags and straws with reusable items. The suppliers guide lists a range of suppliers for alternate products.

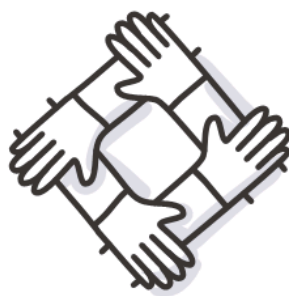
www.byebyeplastic.org.au/sustainable-supplier-guide

Review the Sustainable Procurement Guide

Sustainable purchasing looks at the life cycle of the goods and services, taking into account associated costs, environmental and social risks and benefits, and broader social and environmental implications.

www.environment.gov.au

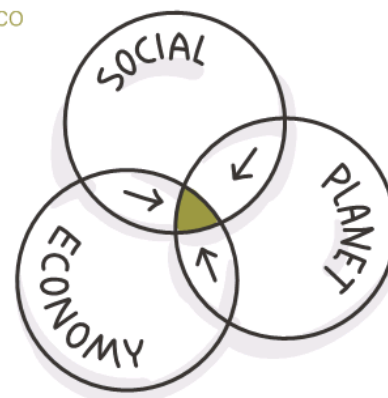
Search for
'Sustainable
Procurement Guide'



Select products recognised by Good Environmental Choice Australia

GECA's Product Database is a tool to help you choose goods and services that are better for the environment.

www.geca.eco



Sample pledges.

We're committed to reducing single-use plastics by switching to paper straws

Our paper/bamboo/timber products are certified by the Forest Stewardship Council (FSC)

The packaging we select can be recycled within Australia

We assess the environmental and social impact of products including...

We buy products that use recycled materials including...

Water wise.



How can
we be
more water
efficient?

Review Sydney Water's water efficiency tips for business

Saving water makes good business sense as you save money, reduce demand for water from dams and improve your business reputation. Even small businesses with limited water use can do their bit by upgrading basic items such as taps, showers or toilets, to WELS- rated water efficient models.

www.sydneywater.com.au/businessstips

Compare your water use to similar businesses

Sydney Water has benchmarks to help you easily compare your water use with other businesses like yours.

www.sydneywater.com.au

Search for
'Benchmarks'



Check water efficiency rating labels

Look for the water rating label or text advice on all products regulated under the Water Efficiency Labelling and Standards (WELS) scheme. The label is designed to help you make informed choices about the water efficiency of products you are buying.

www.waterrating.gov.au/



Sample pledges.

We've upgraded to water efficient dishwashers

We've installed a smart watering system to minimise use of water on our garden

We've planted natives in the garden

We've installed water tanks



Our
Environment
Our business

Woollahra Council
536 New South Head Road
Double Bay
NSW 2028
02 9391 7000

sustainability@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au
facebook.com/woollahracouncil
twitter.com/woollahramc

Item No: D3 Delegated to Committee

Subject: **REGISTER OF CURRENT LAND AND ENVIRONMENT COURT MATTERS - DETAILS OF THE APPEALS RELATING TO 20 THE CRESCENT, VAUCLUSE**

Author: George Fotis, Acting Manager Development Control

Approver: Nick Economou, Acting Director Planning & Place

File No: 21/81872

Reason for Report: To respond to a resolution adopted by Council's Environmental Planning Committee (EPC) on 12 April 2021 which required a further report highlighting the Appeal details relating to 20 The Crescent, Vacluse

Recommendation:

THAT the report highlighting the Appeal details relating to 20 The Crescent, Vacluse be received and noted.

Background:

On 12 April 2021, Council's Environmental Planning Committee (EPC) resolved (in part) as follows:

- A. *THAT a further report be prepared to a future Environmental Planning Committee highlighting the case details and how we resolved the matter in relation to 20 The Crescent, Vacluse.*

On 9 March 2018, Council commenced Class 4 proceedings (Case No: 2018/77193) against the Applicant for breaching section 4.2 of the Environmental Planning & Assessment Act, 1979 in carrying out development on the subject property without obtaining the required development consent. The extent of unauthorised works included the excavation and construction of a lower ground floor level.

On 13 September 2018, a Development Application (DA No 398/2018) for alterations and additions to the existing dwelling and the use of the lower ground floor level was lodged with Council.

On 4 October 2018, a Building Information Certificate (BIC No 46/2018) seeking to regularise nominated unauthorised works was lodged with Council.

On 8 November 2018, the Applicant filed a Class 1 Appeal (Case No: 2018/343459) to the Development Application on the grounds of deemed refusal.

On 16 January 2019, the Applicant filed a Class 1 Appeal (Case No: 2019/158663) to the Building Information Certificate on the grounds of deemed refusal.

Relevant Information/Documentation:

Attached as Confidential Annexures are the following:

- a) Council's filed Statement of Facts and Contentions to the Class 1 DA proceedings;
- b) the L&E judgement for both Class 1 matters (DA & BIC), including the approved BIC plans, the approved DA plans and DA conditions of consent.

Case Outcomes:

Attached as Confidential Annexure (c) is the "Report on outcomes in the litigation" provided by Council's solicitor Peter Rigg.

Annexures

- 1. Council's filed Statement of Facts and Contentions to the Class 1 DA proceedings
(*circulated under separate cover*) - **Confidential**
- 2. LEC Judgement for both Class 1 matters (DA & BIC), approved BIC & DA plans and DA conditions of consent (*circulated under separate cover*) - **Confidential**
- 3. Report on outcomes in the litigation, provided by Council's solicitor Peter Rigg
(*circulated under separate cover*) - **Confidential**

Item No:	R1 Recommendation to Council
Subject:	REQUEST FOR A PLANNING PROPOSAL - HERITAGE LISTING OF SUNNY BRAE AT 40 FITZWILLIAM ROAD, VAUCLUSE
Author:	Flavia Scardamaglia, Strategic Heritage Officer
Approvers:	Anne White, Manager - Strategic Planning Nick Economou, Acting Director Planning & Place
File No:	21/74156
Reason for Report:	To present the heritage significance assessment prepared by GBA Heritage for Sunny Brae at 40 Fitzwilliam Road, Vacluse. To recommend that Council resolves to prepare a planning proposal to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.

Recommendation:

- A. THAT a planning proposal be prepared to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.

1. Background

This request for a planning proposal is a proactive approach to heritage listing, facilitated by the owners of the site at 40 Fitzwilliam Road, Vacluse (the subject site).

On 24 February 2021, a pre-application meeting was held at the subject site with the owners, heritage consultant Graham Brooks and staff from the Strategic Planning Team. A pre-application consultation response was sent to the Applicant on 11 March 2021 (see **Annexure 3**).

On 28 April 2021, a request for a planning proposal was lodged by the Applicant team to list Sunny Brae, including interiors as a heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). The request for a planning proposal was accompanied by a Heritage Assessment prepared by GBA Heritage.

2. The Site

The subject site is described as 40 Fitzwilliam Road, Vacluse (Lot 1 DP 1112583 and Lot 2 DP 1254483). The subject site is located on the western side of Fitzwilliam Road in a battle-axe allotment, and the property on the site is accessed via a gate leading to a driveway which runs along the northern boundary of 40A Fitzwilliam Road. It has an irregular shape with an area of 1,078m² and a frontage of approximately 5m to Fitzwilliam Road.

The site is located on the top of a ridge, and the site slopes significantly (by approximately 10m) from the northern to the eastern corner.

The site contains a single storey dwelling with a pitched roof known as Sunny Brae built in the Federation Queen Anne style. The main features of the Federation Queen Anne style are:

- An asymmetrical form,
- Wraparound verandah with ornamental timber brackets,
- Complex roof form with timber gable ends and tall chimneys, and
- Leadlight doors and windows with coloured glass.

In the 1950s, an unsympathetic two-storey addition was built to the rear of Sunny Brae. This addition was demolished via approved development application 182/2019 and a two-storey contemporary addition was built to the design of David White Architects. The project won the Mayor's Award in the Woollahra Design Excellence Awards 2019.

3. Assessment of heritage significance

The assessment of heritage significance was undertaken in accordance with the document *Assessing heritage significance*, published by the NSW Heritage Office in 2001 by *GBA Heritage*. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance.

Criterion (a)

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)

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)

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

Criterion (d)

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)

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)

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

Criterion (g)

An item is important in demonstrating the principal characteristics of a class 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. Meeting one of the criteria at State level makes an item eligible for nomination on the State Heritage Register (SHR).

A copy of the assessment report prepared by GBA Heritage dated 27 April 2021 is at **Annexure 1**. The assessment report concludes that the property meets six of the seven criteria for heritage listing at the local level and five of the seven criteria for listing at the State level. Accordingly, and consistent with this recommendation, GBA Heritage have prepared a heritage inventory sheet for listing Sunny Brae, including interiors on the Woollahra LEP 2014 (see **Annexure 2**).

Table 1 below provides a summary of the assessment of the heritage significance of 40 Fitzwilliam Road, Vaucluse, including interiors, against the seven criteria at the local and State levels.

Table 1: NSW Heritage Assessment criteria summary

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
(a)	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).	√	√
(b)	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).	√	√
(c)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).	√	√
(d)	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.	√	√
(e)	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).	x	x
(f)	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).	√	x
(g)	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> • 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). 	√	√

The following statement of significance was provided for 40 Fitzwilliam Road, Vacluse:

“Sunny Brae”, the fine Federation house at 40 Fitzwilliam Road, Vacluse, designed by W Friederich and erected in 1910, has a high level of historic significance in Woollahra, as one of the first houses built high on the Vacluse headland, following the late 19th century subdivision of the expansive, early 19th century Wentworth Estate. It demonstrates a very specific aspect of the general subdivision and suburbanisation of the broader Vacluse locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay. Fitzwilliam Road is named after the son of William Charles Wentworth and reflects his role in the subdivision of the Vacluse portion of the family estate.

Compared with the more enclosed low level foreshore topography in which Vacluse House is sited, the ridgeline on which “Sunny Brae” is located was a favourite elevated lookout for William Charles Wentworth called “Parsley Hill” where he wanted to be buried. Once subdivided, the site was deliberately chosen by John Taylor Cooke for its fine and expansive outlook over Watsons Bay, the Gap, Manly and the nearby dynamic topography that characterises the southern shores of the outer Harbour. Cooke was a keen sailor, as were his descendants, and views from their house gave them a ready appreciation of their favourite recreation. Cooke’s newly married daughter, Lily and her husband Henry Pfeiffer, moved into the freshly constructed house, with her parents. Successive members of the Pfeiffer family continued to live in the house for almost a century.

The highly complex architectural composition of the two storey Federation Queen Anne “Sunny Brae” house has a high level of aesthetic significance in Woollahra, for its deliberate north-east orientation and asymmetrical composition designed to capture the remarkable views from its elevated ridgeline site. Both internally and externally, the original components of the house, demonstrate a high degree of design and craftsmanship, which are strongly expressed in its complex roof composition, wrap-around front verandah, bay windows, fine joinery, dramatic main staircase and finely detailed plaster ceilings and spatial composition. Recent alterations and additions have replaced an unsympathetic wing (on the north-west side of the building) from the 1950s with carefully designed, complementary two-storey extension that extends the original architectural language, enhances family amenity and responds to its expansive visual curtilage.

The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, provided an extensive harbour views and made the original house visible from Fitzwilliam Road. Despite the progressive subdivision of its original site and the erection of surrounding residential buildings, “Sunny Brae” retains the qualities of its expansive early hill-top setting, qualities that are reflected in the origins of its Scottish Gaelic name.

The ridge-top location and subsequent housing development on surrounding lots meant that “Sunny Brae” has almost become imperceptible to the general public from the surrounding streetscape in Fitzwilliam Road and from further afield.

“Sunny Brae” has rarity value as one of a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra. Its finely executed and complex architectural design places the original house as a significant representative example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney’s Eastern Suburbs.

The contemporary additions to 'Sunny Brae', designed by David White Architects, have added to the significance of the building by applying a traditional style of architecture, compatible with the Federation style of the original house.

(GBA Heritage: Heritage Assessment report, 27 April 2021, p. 50)

4. Recommendations of the Assessment of Heritage Significance report

The Heritage Assessment report recommends the listing of:

- Sunny Brae, including interiors be listed as an item of local heritage significance in Schedule 5 of the Woollahra LEP 2014;
- Sunny Brae, including interiors be nominated for inclusion on the State Heritage Register (SHR) as an item of State significance;
- The curtilage of the item is Lot 2 DP 1254483 and Lot 1 DP 1112583.

Council staff support the recommendation to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vaucluse as a local heritage item in the Woollahra LEP 2014.

5. Woollahra Local Planning Panel advice

Section 2.19 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out the functions of local planning panels. One of those functions is “to advise the council on any planning proposal that has been prepared or is to be prepared by the council under section 3.33 and that is referred to the panel by the council”.

Additionally, the *Local Planning Panel Direction – Planning Proposals* which was issued by the Minister for Planning on 27 September 2018 identifies the types of planning proposals that are to be referred to a local planning panel for advice prior to a planning proposal being sent to the *Department of Planning, Industry and Environment* for a gateway determination.

Under the terms of the Direction, the planning proposal to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vaucluse, as a local heritage item must be referred to the Woollahra LPP for advice. This step will be undertaken at the next available meeting of the Woollahra LPP should the Council decide to prepare a planning proposal.

6. Next steps

If Council supports the recommendation of this report, the next steps in the listing process are to:

- Prepare a planning proposal under section 3.33 of the Act to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vaucluse as an item of local heritage significance in the Woollahra LEP 2014.
- Refer the draft planning proposal to the Woollahra LPP for advice.
- Report the advice received from the Woollahra LPP to the Environmental Planning Committee.

With regards to the State Listing, as this is a proactive owner initiated heritage listing, we recommend that the Applicant progresses this element and is responsible for making a SHR nomination to *Heritage NSW*.




7. Conclusion

The heritage significance of Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse, has been assessed by GBA Heritage in accordance with the NSW Heritage guidelines. The assessment concludes that the subject site at 40 Fitzwilliam Road, Vacluse has local and State heritage significance and it should be listed in Schedule 5 of the Woollahra LEP 2014 and on the SHR.

It is therefore recommended that Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse, is listed as a heritage item in Schedule 5 of the Woollahra LEP 2014.

To facilitate the listing at the local level, a planning proposal should be prepared to amend Schedule 5 of the Woollahra LEP 2014 by adding Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a local heritage item. The planning proposal should be referred to the Woollahra LPP for advice.

Annexures

1. Heritage Assessment by GBA Heritage dated 27 April 2021 [↓](#) 
2. Heritage Inventory Sheet by GBA Heritage - 27 April 2021 [↓](#) 
3. Pre-application response - 11 March 2021 [↓](#) 

HERITAGE ASSESSMENT REPORT

"Sunny Brae" - 40 Fitzwilliam Road, Vaucluse

April 2021



Cover Image: Looking to front (main) elevation of "Sunny Brae" at 40 Fitzwilliam Road, Vaucluse, c.1920s.
Source: Prof. G. Murrell.

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1.0

INTRODUCTION

1.1 BACKGROUND

This Heritage Assessment for 'Sunny Brae', at 40 Fitzwilliam Road, Vaucluse has been prepared for the property's owners, professor George and Deirdre Murrell, in response to their requested heritage listing of the property.

1.2 REPORT OBJECTIVES

The objective of this report is to evaluate the heritage significance of the subject property.

1.3 REPORT STRUCTURE

The report outlines the historical development of the property, describes its physical condition and assesses its significance.

This assessment follows guidelines set out in the NSW Heritage Manual. The aim of these documents is to assist with the identification of items of heritage significance. This assessment assists in providing guidance on substance, structure and methodology for the determination of heritage significance.

This report is divided into sections, dealing with the history of the building and its immediate area, the physical description of the building, and the assessment of the building's significance.

1.4 SITE IDENTIFICATION

The subject site at 40 Fitzwilliam Road, Vaucluse is located on the south-western side of Fitzwilliam Road, near the intersection of Wentworth Road and Fitzwilliam Road. The land currently comprises three lots which are described by NSW Land Registry Services (LRS) as:

- Lot 2, DP 1254483.
- Lot 1, DP 1112583
- Lot 1, DP 115069



Figure 1.1
Location map showing the subject site shaded in yellow and outlined in red.

Source: NSW LRS SIX Maps website

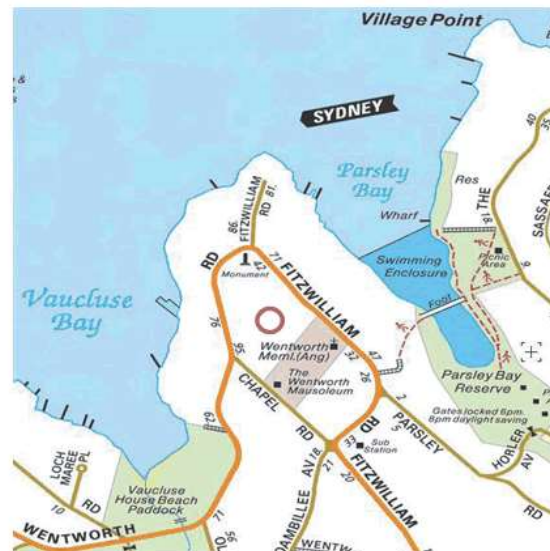


Figure 1.2
Location Map, showing the subject site circled in pink.

Source: Street Directory, <http://www.street-directory.com.au/nsw/vaucluse>.

The subject site is in the vicinity of the following heritage listed items (Figure 1.3), the closest being:

1. Item 352 (32A) - Wentworth Memorial Church
2. Item 351 (32B) - Grounds and Native Vegetation of Wentworth Memorial Church
3. Item 356 - West Parsley Bay obelisk
4. Item 349 - War Memorial Bus Stop and Shelter
5. Item 355 - Forest Red Gum
6. Item 354 - Tuckeroo
7. Item 353 - Forest Red Gum
8. Item 341 - Wentworth Mausoleum and site

1.5 AUTHORSHIP

This report has been prepared by Dr Shabnam Yazdani Mehr, Heritage Consultant, of GBA Heritage and has been reviewed by the Director, Graham Brooks. Unless otherwise noted, all of the photographs and drawings in this report are by GBA Heritage.

1.6 REPORT LIMITATIONS

While this report is limited to the investigation of European cultural heritage values, GBA Heritage recognises that for over forty thousand years or more Aboriginal people occupied the land that was later to be claimed as a European settlement.

Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric.

Archaeological assessment of the subject site is outside the scope of this report.

1.7 COPYRIGHT

Copyright of this report remains with GBA Heritage.

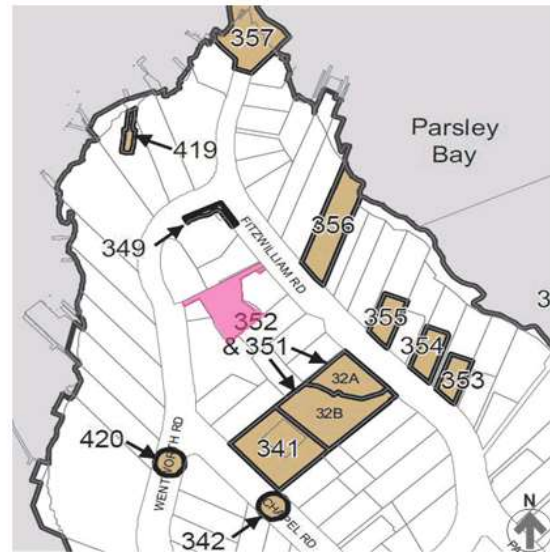


Figure 1.3
Extract from the Woollahra LEP Heritage Map 004, showing the subject site, shaded in pink, and heritage items in the vicinity.
Source: Woollahra LEP 2014

2.0

HISTORICAL SUMMARY

2.1 BRIEF HISTORY OF THE LOCALITY

Vaucluse is a mainly residential suburb, located 8 kilometres north-east of the Sydney CBD. Vaucluse is located on the South Head peninsula, with Sydney Harbour on the north and west and the Tasman Sea to the east. It takes its name from the original Vaucluse house that was built and named by Irish convict, Sir Henry Brown Hayes, who purchased the Laycock's 80 acre grant in 1803.¹ Sir Henry Brown Hayes was an avid admirer of the 14th century poet Petrarch, and the name was chosen after Petrarch's poem about the famous Fontaine de Vaucluse, which is currently in the Department of Vaucluse in southern France.² There is a Petrarch Avenue and Petrarch Lane at the rear of Vaucluse House, to the south. The house was acquired by Captain John Piper in 1822, and then taken over by William Charles Wentworth in 1827.³

The Crown of Vaucluse Estate was described as capturing a view of the harbour on one side and the ocean on the other, which cannot be excelled for healthy and desirable situation, traffic facilities, or for prospects of increase in value. The peninsula located between Sydney Harbour and the Pacific, extending from South Head to Rose Bay, has always been considered as one of the choicest of metropolitan residential areas.⁴

William Charles Wentworth made the name of Vaucluse memorable and resided in the oldest house in the borough which appears to be the oldest in all the suburbs.⁵

The establishment of the tram changed Vaucluse, resulting in the growth of development in the area. Accordingly, the unoccupied land was rapidly covered with beautiful residences. This probably resulted in the population growth, in which according to the Crown of Vaucluse Estate described in subdivision plans c.1900, the population of Vaucluse increased 40 percent during the past 10 years (probably from c.1890 to c.1900). Consequently, land values have increased at a much more rapid rate.⁵

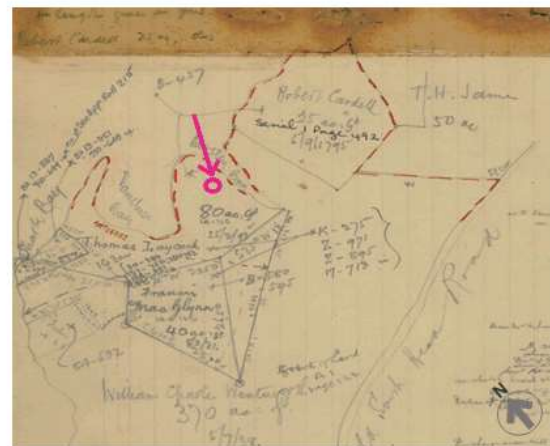


Figure 2.1
Location map showing Laycock's 80 acre grant, and W. C. Wentworth 370 acre grant. The approximate location of the subject site is circled in pink and shown by a pink arrow.
Source: NSW Land Registry Services, Primary Application: 10187



Figure 2.2
Location map showing part of the estate of Vaucluse belonged to W. C. Wentworth in 1840. The approximate location of the subject site is circled in red.
Source: The Dictionary of Sydney. SLNSW_c017250001h

- 1 J. Lawrence and A Sharp, Pictorial History of the Eastern Suburbs, p.49
- 2 Macmillan Company, The Heritage of Australia, 1981.
- 3 The book of Sydney suburbs. Angus & Robertson, 1988
- 4 SLNSW. Vaucluse subdivision plans, 1902-1940. 040 - Z/SP/V1/44b - Crown of Vaucluse Estate - No boundaries shown
- 5 SLNSW. Vaucluse subdivision plans, 1902-1940. 040 - Z/SP/V1/44b -

Vaucluse was considered a desirable destination for pleasure seekers through its parks, the pleasure grounds, and the coigns of vantage from which magnificent views of harbour and ocean, and also yacht races could be obtained. Of these the following could be mentioned: Clovelly Park (Watson's Bay), the reserve at the head of Parsley Bay, with the designed 'Suspension Bridge', Vaucluse Park, which, with Wentworth's residence and grounds reminds one of the Botanic Gardens.⁶

In 1928, Vaucluse was described in the Daily Telegraph newspaper as the most progressive suburb for some time past. This was evident from the many fine, high-class residences which were constructed in the locality, and the pleasant approach from the city.⁶

The Book of Sydney Suburbs in 1988 described Vaucluse as a pleasant suburb comprising Nielsen Park, Parsley Bay, and Vaucluse Bay, which had fine houses, beautiful gardens and charming views toward the harbour.⁷

2.2 EARLY OWNERSHIP OF THE SITE

The original overall site at 40 Fitzwilliam Road was part of an 80-acre Crown Grant at Parsley Bay issued to Thomas Laycock in 1793. Thomas Laycock was a quartermaster who arrived in Sydney in 1791, and eventually became appointed as Deputy-Commissary in 1794 by Lieutenant - Governor Francis Grose. In the early 1800s, Laycock had a substantial land holding of 1,655 acres.⁸

In 1803, Laycock sold 80 acres, known as Woodmancote, to Irish convict Sir Henry Brown Hayes who renamed it Vaucluse. The property was purchased by Captain John Piper who sold the estate to William Charles Wentworth following financial hardship in 1827. At this time, Wentworth established himself in the area, around Shark Bay, Vaucluse Bay and Parsley Bay. Wentworth further purchased 40 acres from Francis McGlynn on which Vaucluse House was located.⁹

In 1836, Wentworth applied for further acres to increase his holding. Consequently, in 1838, his request was accepted and his holdings increased to 515 acres.¹⁰

Fitzwilliam Wentworth, second son of William Charles Wentworth, married in 1868. William Charles Wentworth adopted a policy of subdividing key portions of his property on behalf of his sons and daughters upon their marriage. Based on this policy, a portion of land comprising the subject site, was transferred to Fitzwilliam and the road was probably named during this time as it appeared on the plan of village of Vaucluse in 1876.¹¹

In the late 1830s, William Charles Wentworth commenced subdividing parts of his estate for sale; however, the land did not sell mainly due to the unreliable road and poor access to the area until the 1850s.⁹

In 1854, William Charles Wentworth left for England and never returned. Accordingly, he left the estate to the hands of his wife, Sarah, and his oldest son, Fitzwilliam. In 1872, W. C. Wentworth died and in 1896, Fitzwilliam Wentworth inherited the remaining 345 acres of the estate.¹⁰

The roads had significantly improved over time, and since 1880 a tramcar had been operating along part of the way from the city, which was gradually extended and by 1903 it reached as far as Watsons Bay. The establishment and extension of the tramline facilitated and improved transport in this area, resulted in the subdivision and sell of land. The new taxation laws passed in 1895 on unimproved land (previously not taxed), made it financially necessary for further subdividing and selling.⁹

In 1898, Fitzwilliam brought in two accountant partners, James Clegg Taylor and Daniel McAllister, to facilitate the selling and subdividing of the land. The first lot was sold in 1902 and shortly after J. C. Taylor sold his share to Rouland Smith Hill.⁹

According to title deeds in 1906, the joint tenants of the land comprising the subject site, were Fitzwilliam Wentworth, Daniel McAllister, and Rouland Smith Hill (Figure 2.4).¹²

During the 1900s and 1910s, land along the waterfront and landward parts was gradually subdivided. Further subdivision was made in the hinterland of Vaucluse Bay which was bounded by Wentworth Road, Chapel Road, Fitzwilliam Road, Hopetoun Avenue and Oloa Avenue.¹¹ In the early 1914, sections of this subdivision were offered for sale. Although sales were rapid at first, they petered out until the mid 1920s when all the lots were sold.⁹

6 Crown of Vaucluse Estate - No boundaries shown

6 Trove, Daily Telegraph (Sydney, NSW: 1883 - 1930), Saturday 10 March 1928, P 26, "Crest of Vaucluse Estate".

7 The book of Sydney suburbs. Angus & Robertson, 1988

8 'Laycock, Thomas (1756-1809)', Australian Dictionary of Biography, National Centre of Biography, Australian National University.

9 J. Lawrence and A Sharp, Pictorial History of the Eastern Suburbs.

10 Statement of Heritage Impact for 40 Fitzwilliam Road, Vaucluse, prepared by Graham Brooks and Associates (now GBA Heritage) in 2012.

11 NSW Land Registry Services, Vol. 1254 Fol. 98

12 NSW Land Registry Services, Vol. 1730 Fol. 42

On 27 April 1907, the sixth subdivision of the Vacluse Estate was auctioned. At this time, John Taylor Cooke who was a civil servant, purchased lots 15, 16, 19 and 20 (Figure 2.5)¹³, forming the overall site. Sunny Brae was constructed on the south side of the overall site, on lots 15 and 20. The land was in the possession of Cooke until 1948, when the overall site at 40 Fitzwilliam Road was subdivided into three lots, and transferred to his grandchildren Harry and John Pfeiffer as tenants in common (Lot A), Majorie Kingston (Lot C), and his daughter Lily Pfeiffer (Lot B).¹⁴ The subject building was located on Lot B (Figure 2.7). Two mortgages were contracted on the property in 1952 and 1958, respectively.

In 1973, Lily died and consequently in 1976, 40 Fitzwilliam Road (Lot B) was transferred to Harry Edmund Pfeiffer who remained the owner of the property for the remainder of the 20th century. In 2004, T & P Pfeiffer registered an objection to a Development Application relating to 38 Fitzwilliam Road.⁹

The subject site at 40 Fitzwilliam Road was listed for auction through January - March 2012, and sold to Professor George and Deirdre (Dedee) Murrell, the current owners of the subject site.

2.3 EARLY USE OF THE SITE

In 1831, William Charles Wentworth planned to build a family vault at Vacluse. Although this did not eventuate during his lifetime, he had informed his family that he wished to be buried near a rocky outcrop on the hill above Parsley Bay which was visible from the front verandah of the Vacluse house, overlooking both the harbour and the estate. To the west of this rock formation, agricultural clearing happened and coastal forest was replaced by open grassland. The site was considered favourable by the Wentworth family in which it appeared in their correspondence as 'Parsley Hill'. It was W. C. Wentworth's favourite place to view Sydney Harbour during his residence at Vacluse. A letter from Sara Wentworth in 1831, mentioning the family's desire to construct a vault at Vacluse, shows a burial site at Vacluse had been selected many years earlier. Based on the early map of the area (Figure 2.3 and 2.4) which shows the existence of a Vault in a close proximity to the subject site, it appears that the Vault was constructed in c.1830s. The Vault was replaced by the Wentworth Mausoleum which was designed and constructed in 1872-1874.¹⁵

¹³ NSW Land Registry Services, Vol. 3194 Fol. 202.

¹⁴ NSW Land Registry Services, Vol. 6196 Fol. 32..

¹⁵ Heritage NSW. Wentworth Mausoleum and site. <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5045532>



Figure 2.3
Parish of Alexandria, County of Cumberland, showing Wentworth's grants in 1898. The subject site is circled in pink. The Wentworth family vault is outlined in black and shown by a black arrow. It is currently listed in the Woollahra LEP 2014 as Item 341 - Wentworth Mausoleum and site.

Source: NSW Land Registry Services, Vol. 1254 Fol. 98

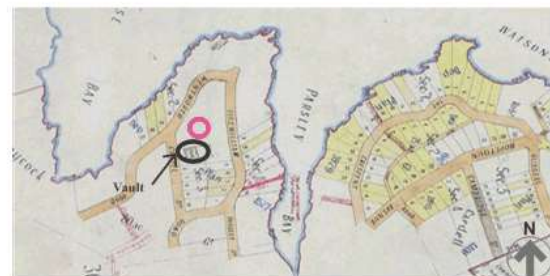


Figure 2.4
Parish of Alexandria, County of Cumberland, showing the subdivision of land in 1906. The subject site is circled in pink. The Wentworth family vault is outlined in black and shown by a black arrow.

Source: NSW Land Registry Services, Vol. 1730 Fol. 42



Figure 2.5
Auction sale poster in 1907, showing the subdivision of land along Fitzwilliam Road. Lots 15, 16, 19, and 20 were sold to John Taylor Cooke, shaded in pink. As it can be seen, a portion of land in which a Vault was located on, remained unsubdivided.

Source: SLNSW. Vacluse subdivision plans, 1902-1940.

As it can be seen from the historical maps of the area (Figures 2.3 - 2.7), the land comprising the subject site was not subdivided until around 1907 when it was auctioned. The subdivision of land in this area was probably followed by the establishment and extension of a tramcar that reached as far as Watsons Bay in 1903.

2.4 INITIAL CONSTRUCTION OF THE BUILDING - 1909-1910

In 1861, John Cooke emigrated to Australia from England and took the position of the Assistant Under-Secretary in the NSW Department of Lands. He asked North Sydney architect Ferdinand Wilhelm Friederich to design a building (The architect and his works are further discussed in the following section). The plans were approved by local Mayor William Giliver in September 1909. It appears that the construction of the building commenced shortly thereafter, as the 1909 Rates Books show the undeveloped land, while in 1910 it is shown as having a 'House & land', with an unimproved value of £300 and an improved value of £1,800.¹⁶ In the subsequent Rates Books, the dwelling is described as a brick cottage, comprising eight rooms.¹⁷ However, the property was not listed in the Sands Sydney Directory until 1911, when the building was occupied by both John Cooke and Henry Pfeiffer until 1932-33.¹⁸ Henry Pfeiffer was Cooke's son-in-law, who married his daughter, Lily, in 1910.¹⁹ Accordingly, the newlyweds took up residence with her parents in the newly constructed dwelling. After Henry Pfeiffer's death in 1930, Lily and her children, Harry and Jack, remained in the property.¹⁹

The location of the site was considered favourable, as both John Cooke and his grandson Harry Pfeiffer were keen sailors and the location provided easy access to the waterfront. The family kept a skiff moored off the Wentworth Road side of the site which proved providential on occasion, as when in 1950 an 18-foot launch capsized in the harbour, Harry heard the cry for help and used to skiff to reach the vessel and tow it towards Watsons Bay.²⁰

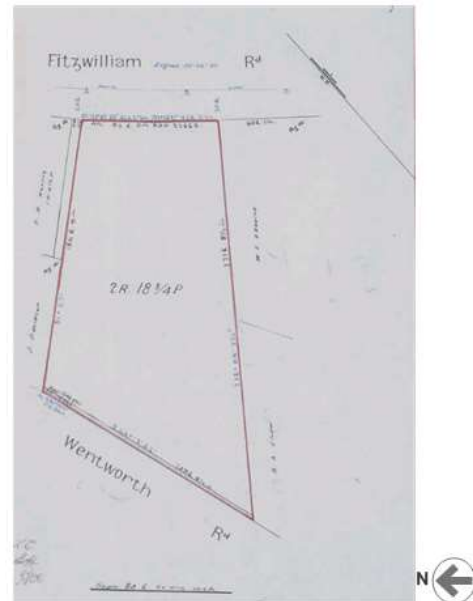


Figure 2.6

The land was further subdivided and in 1907 John Taylor Cooke purchased four allotments, comprising two roods, eighteen and three quarter perches. These allotments were amalgamated in 1921 and formed the overall site. The subject site is part of this land.
Source: NSW Land Registry Services, Vol. 3194 Fol. 202



Figure 2.7

The land was subdivided and in 1950 the ownership of the subject site (lot B) was transferred to Lily Pfeiffer, daughter of John Taylor Cooke.

Source: NSW Land Registry Services, Vol. 6196 Fol. 32

¹⁶ Municipality of Vaucluse Rates Books, 1909; 1910, Woollahra Local Studies Library.

¹⁷ Municipality of Vaucluse Rates Book, 1923, Woollahra Local Studies Library.

¹⁸ No.2390/10. NSW Registry of Births, Deaths and Marriages.

¹⁹ Sydney Morning Herald, 30 May, 1930.

²⁰ "Three Sailors Saved from Capsized Launch after Night Ordeal in Harbour," Sydney Morning Herald, 22 May, 1950.

The subject site was adjacent to the Wentworth Vault (now Wentworth Mausoleum which is a heritage listed item in the Woollahra LEP 2014), part of a rocky outcrop on the hill above Parsley Bay. This site was popular with Wentworth family and was called 'Parsley Hill'. The site had an important role in vistas to and from Vaucluse House. Its hilltop location made it visible from the front verandah of the Vaucluse House and had views to both the harbour and the estate.

The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, provided extensive harbour views and made the building visible from Fitzwilliam Road. This shows and confirms the significant siting, setting, and views of the original house. Furthermore, as it can be seen from Figure 2.8, the location of the original house on the subject site provided ample open space/garden around the house.

The architectural elevation (Figure 2.11) unusually includes scenery backdrops to the distant opposite shore line behind the house. This graphic illustration emphasises the importance of the significant elevated setting and views to the first owners.

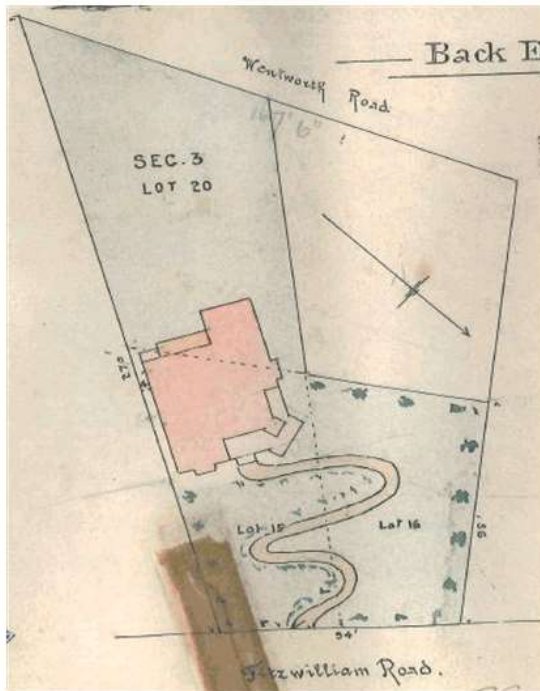


Figure 2.8
Site plan of the proposed residence, 1909
Source: Prof. G. Murrell

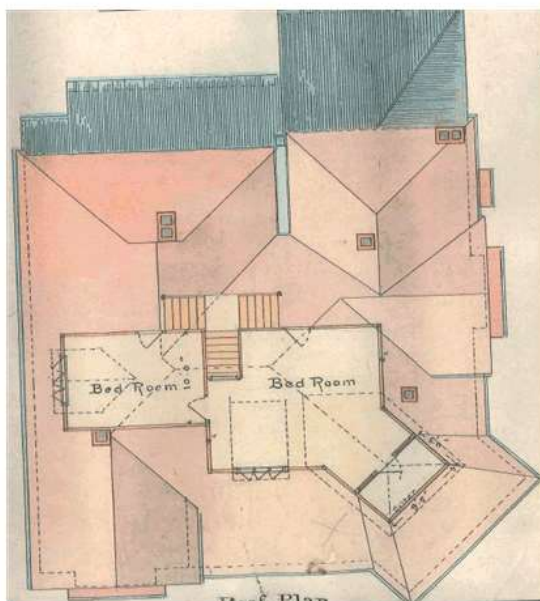


Figure 2.9
Roof plan of the proposed residence, 1909
Source: Prof. G. Murrell

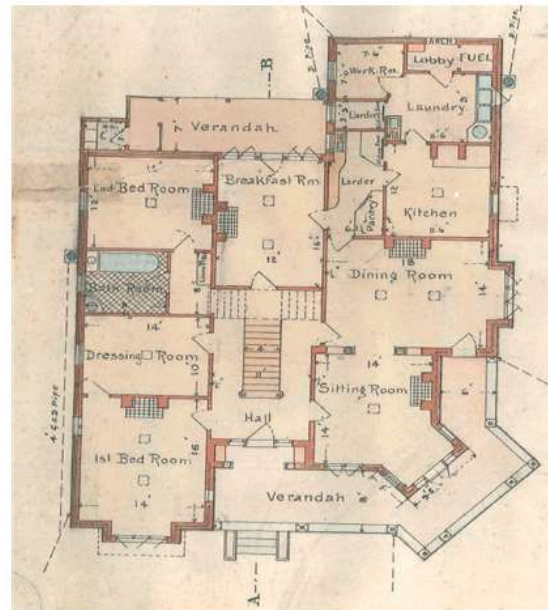


Figure 2.10
Ground floor plan of the proposed residence, 1909.
Source: Prof. G. Murrell



Figure 2.11
Front elevation of the proposed residence to Fitzwilliam Road, 1909, showing the scenery backdrops to the distant opposite shore line and gap behind the house.
Source: Prof. G. Murrell

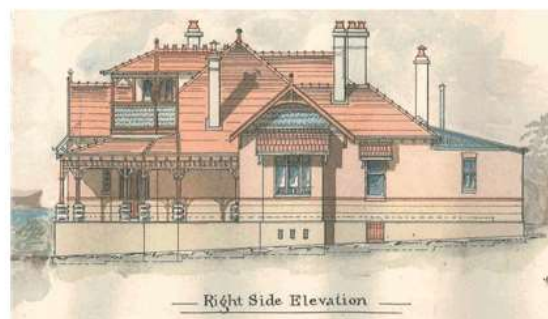


Figure 2.12
Side elevation of the proposed residence, 1909.
Source: Prof. G. Murrell



Figure 2.13
c. 1920s photograph of 40 Fitzwilliam Road residence, showing the hilltop location of the house and landscape/garden around the house.
Source: Prof. G. Murrell



Figure 2.14
Rear (west) garden, c. 1920s, looking west to Wentworth Road, showing the subject building was located on the highest part of the overall site to enjoy the pleasant outlook.
Source: Prof. G. Murrell



Figure 2.15
Breakfast room, c. 1920s
Source: Prof. G. Murrell



Figure 2.16
Informal sitting room, c.1920s
Source: Prof. G. Murrell



Figure 2.17
View of central stair leading from the entry foyer up to the first floor, c.1920s
Source: Prof. G. Murrell

2.5 FERDINAND WILHELM FRIEDERICH (W. FRIEDERICH)

Ferdinand Wilhelm Friederich was born in Germany in 1851 and arrived in Australia in 1881. Although he was mainly involved in projects located in North Sydney, he also designed several buildings in various suburbs of Sydney, mainly from 1907 to 1915. Friederich is assumed to be of limited local prominence as an architect during the 20th century.

According to the Department of Public Works record, Friederich was employed as a draftsman in the Railway and Tramway Construction Branch from 1882. Friederich was a draughtsman until mid 1908 when he started working as an architect. However, he was never registered with the Board of Architects, given that in 1923 when the registration began, he was in his early 70s and it appears that he may have retired during this time.²¹

In 1886, Friederich became Australian citizen, enabling him to buy properties in NSW. Accordingly, he purchased in North Sydney, Wahroonga, Pymble, Turramurra and Lindfield, most of which appear to be investment properties.²²

From 1915, there are no records of his works, which could be due to the anti-German sentiment brought about by WWI. It is also assumed that during this time he was 64, at his retirement age, so he was not working as an architect.²² F. W. Friederich died in Chatswood in 1929.²²

Some of Friederich's works are listed in the following table:^{22, 23}

1907	Warrawee – Erection of a cottage residence.
1908	Randwick - W.B. (Congregational) Church at St. Paul's Street.
	West Ryde - Presbyterian (Congregational) Church at Macpherson Street.
	Turramurra - Dwelling house at 5 Warrangi Street.
1909	Turramurra - Brick Cottage at 55 Bellevue Street..
	Additions and alterations to the Congregational Sunday School.

1910	Little Coogee - Cottage residence.
	Vaucluse - Sunny Brae at 40 Fitzwilliam Road.
1911	Killara - A residence.
	Randwick - 2 S.D. Brick Cottages.
1912	Lindfield - Shop and dwelling – Killara
	Roseville - Residence
1913	Turramurra - Weatherboard cottage
1914	Turramurra - Brick cottage (tenders accepted).
	North Sydney - Brick Cottage – Toongarah Road (tenders accepted).
	Killara - Cottage at Wattle-Street.
	Killara - Cottage in Woolwich Road
	Turramurra - Brick Cottage at Bobbin Head Road.
	Turramurra - Brick cottage in Gilroy Road.
	Turramurra - Brick cottage at Hastings Road.
1915	Wahroonga - erection of a brick residence (for plans and specification apply to Friederich).
	Killara - Weatherboard Cottage at Grassmere Road.
	Hunters Hill - Brick cottage at Woolwich Road.
	Wahroonga - Brick residence at Hilda Street.
	Gordon - Brick cottage

From the above list of his works, only the following buildings have been identified as heritage listed; however, the residence at 55 Bellevue Street, Turramurra, is also another surviving example of his work which is not listed.

²¹ Rieth, Kathie, Wilhelm Friederich. Draft article for *The Historian*, KHS 2011

²² <https://www.nsw.gov.au/births-deaths-marriages>

²³ Trove. National Library of Australia, <https://trove.nla.gov.au/>

Dwelling House

5 Warrangi Street, Turramurra

Construction year: c.1908

The building was designed by Friederich in c.1906 when the site was transferred to him. The building first appeared in the 1908 Sands' Directories under the name 'Warro'. From 1908, the building was occupied by Robert Thorburn and his family until c.1954. It appears that the building was constructed by Robert Thorburn.

The following information is sourced from the Heritage Impact Statement 2020 prepared by Weir Phillips Heritage and Planning:

No. 5 Warrangi Street is a single-storey (with attic) Federation style dwelling constructed from face brick in contrasting tones of red and brown and sits on a sandstone base. It has a hipped roof clad in terracotta tiles and several tall chimneys clad in roughcast render with terracotta pots. There is a timber-framed dormer at the rear.

The front elevation has a verandah that wraps around halfway along the northern elevation. It has a brick balustrade with timber posts and a timber ceiling and floor. The entry is on the northern elevation via set of stairs with treads clad in slate. The entry is a timber door with a glazed opening and top light and side lights. Window openings are timber-framed casements with multi-paned highlight openings.

The rear elevation comprises an enclosed verandah with timber-framed window openings that conceal the original brick elevation. The rear wing extends from the southern side of the dwelling. It is constructed from weatherboard and has a hipped roof clad in terracotta tiles. A covered patio with a tiled floor and timber posts runs along the northern and eastern elevations. Window and door openings are timber-framed and glazed.

Statement of Significance

No. 5 Warrangi Street was constructed c. 1907-1908 by Robert Thorburn, who also constructed the State heritage listed dwelling 'Meerogal' at Nowra. Thorburn was a farmer, goldminer and coachman in the Shoalhaven area before retiring to Sydney and can be considered to be of local prominence.

The subject dwelling, 'Warro', forms part of a pattern of large dwellings constructed in this part of Turramurra during the early 20th century. It was likely designed by Wilhelm Friederich, a German-born architect who designed several other dwellings in the North Shore around this time.

No. 5 Warrangi Street is a good example of a Federation dwelling and retains many of the characteristics that demonstrate the style. Its position within a garden setting that includes significant established vegetation such as a Chinese elm ensures it stands out and can be considered to have local significance.

The building is listed as item of local heritage significance on Schedule 5 of the Ku-ring-gai LEP 2015 (I801).



Figure 2.18
Thorburn family members on the front verandah of Warro, 5 Warrangi Street, Turramurra, Around 1908.
Source: Sydney Living Museum; Caroline Simpson Library & Research Collection



Figure 2.19
Warro, 5 Warrangi Street, Turramurra in 2019.
Source: realestate.com.au

**Presbyterian, Congregational Church (former);
Temple Society Church**
7-9 Macpherson Street, West Ryde
Construction year: 1907-1908

The NSW Heritage Database provides the following information for the church, Database No. 2340075:

Statement of Significance

The church is of historical significance for its history as a Presbyterian church operating from 1919 to 1924, subsequently as a Presbyterian Sunday School, and thereafter as a church for the Temple Society (a German Church Society). The church is of aesthetic significance as a highly intact, simplified Federation Gothic style building of domestic scale, representative of early 20th century church buildings built for protestant denominations.

Physical description

The church site has frontages to both Macpherson Street and Forsyth Street West Ryde. The church is set in landscaped grounds on the south-eastern side of a double block bordered by a wire fence.

The church is a dark brick structure in a simplified Federation Gothic style, comprising a gabled nave with gabled front porch and featuring a belfry or fleche. The building has a sandstone base, dark brick walls with upper wall surfaces finished in rough cast render. Timber-framed windows are set into Gothic arched openings, and the gable end features a circular ventilator. The gabled roofs of the building are clad in unglazed terracotta tiling.

The church is listed as an item of local heritage significance on Schedule 5 of the Ryde LEP 20154 (I64).



Figure 2.20
Temple Society Church, West Ryde, 2020
Source: Google Map

2.6 COMPARISON BETWEEN SUNNY BRAE AND WARRO

Warro and Sunny Brae were designed between c.1907 and c.1910, in Federation architectural style which was the dominant domestic architecture in Australia during the late 19th and early 20th century. Warro is a single storey dwelling, while Sunny Brae was designed and constructed as a single storey residential building with an attic. Both buildings were constructed with specific features of the style including red-brown face brickwork, one room at the front projecting forward towards the street, and tall chimneys. Warro is listed as an item of local heritage significance.

In the design of Sunny Brae, the hilltop location of the overall site was thoroughly considered with the building was designed on the highest part of the site. In order to capture the view, the veranda extends around the house and an upper floor dormer window is diagonally placed which is an unusual feature, making the building a rare example of Federation style and confirming the specific design of the house to capture the extensive harbour views.

Both buildings were originally designed to be centrally located on their sites, where Warro is set amongst large and mature trees, the landscape around Sunny Brae has changed as a result of later subdivision and development. Accordingly, views to both buildings have been mainly blocked from the street. However, the hilltop location of Sunny Brae makes it visible from the long distance.

Both Warro and Sunny Brae have experienced alterations and additions over time. Alterations to Warro include the installation of a rear dormer and the enclosure of the rear verandah had changed the principal building form. Sunny Brae was restored to its original early condition in 2012, while contemporary sympathetic additions were constructed on the north-west side of the building, reflecting the original design philosophy and adding to its significance.

Sunny Brae is a good example in showing how the architect thoughtfully considered the important features of the site in terms of location and view, to design a building that captures the extensive harbour views.

2.7 SUBSEQUENT MAJOR PHASES OF DEVELOPMENT - 1950s

The original house (Sunny Brae) experienced minimal changes until 1952, when new two storey unsympathetic additions were constructed at the rear (north-west side) of the building.

The following information is taken from the 2012 SHI:⁶

In 1951, Lily Pfeiffer commissioned architect Lionel Barton to prepare plans for a proposed conversion of 40 Fitzwilliam Road into four flats. This required the removal of the verandah and a large extension made to the original building.

These plans were evidently abandoned by late 1951, with Peter Priestly revising drawings under Barton, this time for alterations and additions to the building in December 1952. This work entailed partial demolition of roofing to facilitate the new, substantial addition, with removal of an original chimney and the enclosure of selected windows. The ground floor was to be designated as Flat 1, while the first floor room was to be Flat 2. While the rear part of the house, comprising the laundry, fuel store, larder and work room were demolished to make way for the rear addition, and much of the alterations and additions were carried out. However, there is no evidence that there was a formal flat separation, and the rear addition was likely occupied by a member of the Pfeiffer family, with Lily continuing to reside in the main part of the house.

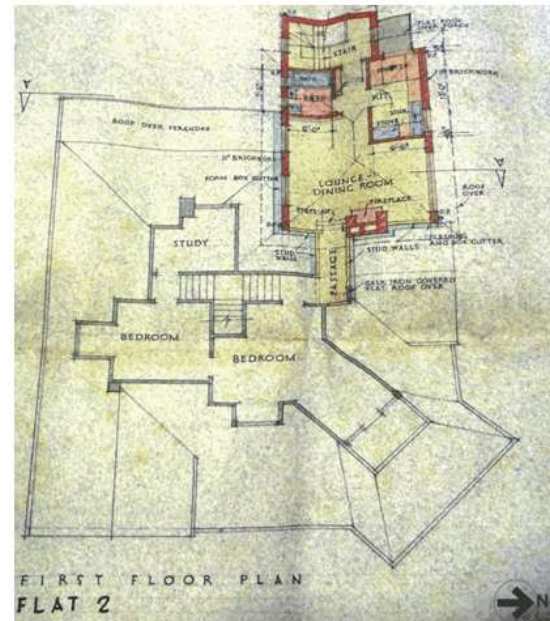


Figure 2.22
Proposed changes to the first floor, December 1952, showing Flat 2 situated in the new rear (north-west) addition and connected via a passageway.
Source: Woollahra Council.

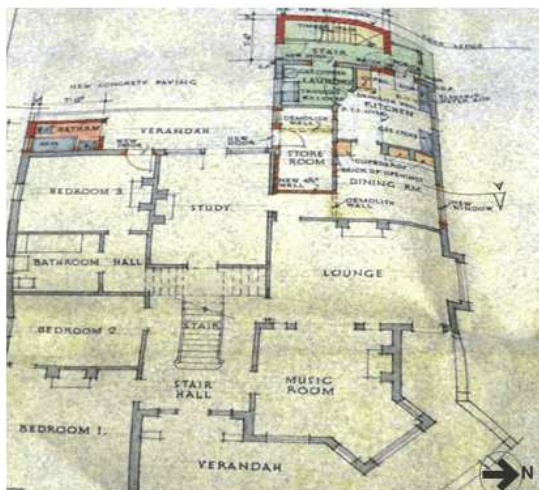


Figure 2.21
Proposed changes to the ground floor, December 1952.
Source: Woollahra Council.



Figure 2.23
West elevation, showing proposed works, December 1952.
Source: Woollahra Council.

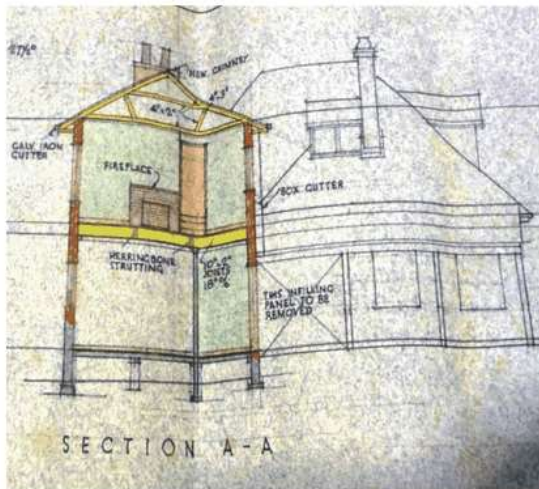


Figure 2.24
Section drawing, showing proposed works, December 1952.
Source: Woollahra Council.



Figure 2.26
Upper Floor plan in 2012. The 1950s alterations and additions to Sunny Brae are shown shaded.
Source: David White Architects, 2020.



Figure 2.25
Ground Floor Plan in 2012. The 1950s alterations and additions to Sunny Brae are shown shaded.
Source: David White Architects, 2020.



Figure 2.27
Looking south to Sunny Brae, showing the 1950s unsympathetic additions at the rear (north-west side) of the building (on right).
Source: Graham Brooks And Associates (now GBA Heritage), 2012

2.8 MAJOR ALTERATIONS AND ADDITIONS - 2011-2020

As the result of land subdivision, there was no driveway access to the subject building until 2011. The subject site had two strips of land which gave it small frontages to both Fitzwilliam Road and Wentworth Road. The Wentworth Road frontage is elevated well above the road level, so there has been no access to the subject building from this strip. The Fitzwilliam Road frontage provided only pedestrian access to the property. In 2011, it was approved by Council to provide a driveway access and an excavated parking area to the subject site on the Fitzwilliam Road frontage (DA 437/2011/1).²⁴

In 2012, upon the purchase of the original house (Sunny Brae) by George and Dedee Murrell, they saw the potential of the original house to be restored, retained, and extended. The desire of the current owners to preserve the original house, with no statutory heritage constraint on the property, resulted in the demolition of unsympathetic 1950s additions, restoration of the original house to its previous early condition, and construction of contemporary sympathetic additions, referencing the Federation detail of the old house.

David White Architects designed the new addition. Their design focused on restoring and preserving the existing house with its fine decorative features, whilst at the same time incorporating a significant sympathetic addition. For the design of the extension, a traditional style of architecture, compatible with the Federation style of the original house, was applied. David White Architects thoughtfully considered the location of additions on the north-west side of the original house, retaining and respecting its extensive harbour views.

The work comprised the restoration of the original house (Sunny Brae) and its fine decorative features, the removal of the unsympathetic 1952 addition at the rear (north-west side) of the building, and the construction of a sympathetic addition. A hexagonal Belvedere was constructed, which is a pivotal element of the new design that delineates the junction between the new and the old. The Belvedere has a typical architectural feature of the federation period. The Belvedere and roof terrace provide the house with expansive harbour views, as the original design intent. As such, the restoration of Sunny Brae and its new additions embrace a sympathetic union of the original architecture with contemporary practicalities within a traditional guise.²⁵

As it can be seen from the architectural drawings, the new additions to the original house retain, conserve, and integrate all those components of the house that are regarded as significant and that have retained their original integrity. As such, the retained and restored part of the original house continues to present its original and complex Federation architectural composition within the total project.

Preservation and restoration of the majority of the surviving portions of the original house was a priority in designing new additions, informed and infused the siting and composition of the new additions on the northern side of the original house. New additions have complemented the strong Federation architectural style of the original house (Sunny Brae), by extending a compatible language and imagery, whilst they form a distinguishable new wing.

David White Architects was the winner of the 2019 Mayor's Award of the Woollahra Design Excellence Awards, for designing the alterations and additions to Sunny Brae. This award is only once every 5 years:²⁶

The new additions have been sympathetically designed to continue the tradition of the original house whilst celebrating its increased scale with carefully modulated elements.

Restoration of the original interiors were made by referencing original glass negative photos of the house interiors found in the attic by our client. The original photographs now befittingly line the walls of the restored Entrance hall. The original formal rooms are decorated using rich period colours and William Morris wallpaper. The original hand painted ceilings, featuring medallions of red roses and bluebirds, have been carefully and traditionally restored.

The restoration and conservation work was carried out by ICS (International Conservation Services) that is Australia's largest private fine art and heritage conservation practice, providing a comprehensive cultural heritage services, ranging from hands on conservation to advice and planning for the care of collections. The project was supervised by Adam Godjin, who is a senior paintings conservator and Head of Conservation for Fine & Decorative Arts.

²⁴ Statement of Environmental Effects for proposed alterations and additions to existing house at 40 Fitzwilliam Road Vaucluse prepared by David White Architects Pty Ltd, 2012.

²⁵ Woollahra Design Excellence Awards 2019. https://www.woollahra.nsw.gov.au/designawards/nominations/david_white_architects_-_sunny_brae

²⁶ Woollahra Design Excellence Awards 2019. David White Architects. Sunny Brae. https://www.woollahra.nsw.gov.au/designawards/nominations/david_white_architects_-_sunny_brae

The restoration of Sunny Brae and its new additions embrace a sympathetic union of the original architecture with contemporary functionality. Today, Sunny Brae is a celebration of the conversation between the old and the new and the continuance of tradition.²⁶

The quality of the work is reflected in the following awards:

- 2017 Roofing Industry Association of NSW - "Master Tradesman to the Industry" Award of Excellence to MLR Slate Roofing for Outstanding Craftsmanship in Best Slate Roofing.

- Master Builders Association of New South Wales: Award 2018 Excellence in Housing Awards. HiPAC Corporation - Winner Alteration and Additions, External Over 5 Million.

In August 2018, the National Trust of Australia (NSW) selected Sunny Brae as one of the properties to be open to the public. Over 500 people came to visit the building, which resulted in Sunny Brae receiving the National Trust (NSW) medal. The high number of visitors shows the importance of Sunny Brae to the community.

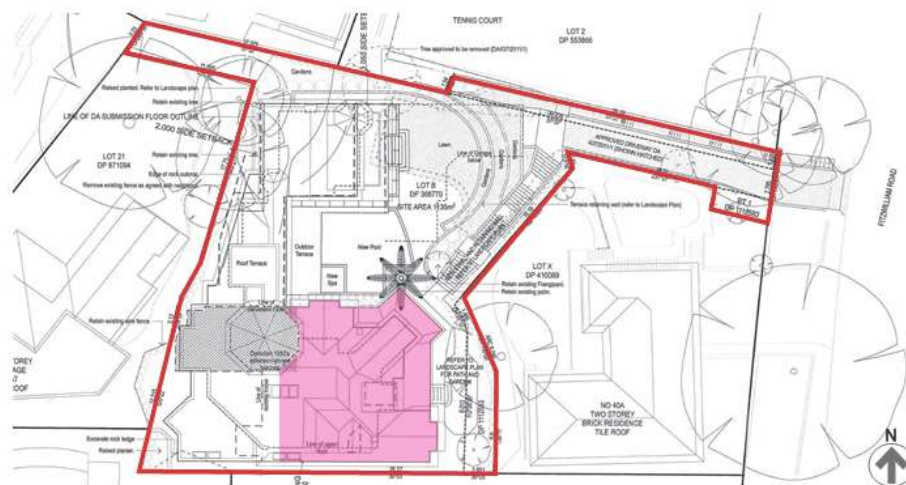


Figure 2.28
Site plan showing Sunny Brae, shaded in pink, within the subject site, outlined in red.
Source: David White Architects, 2020.

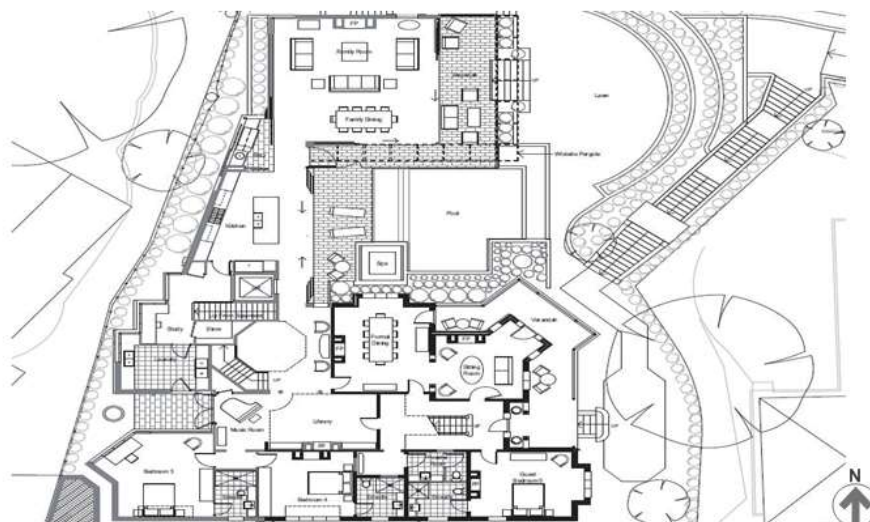


Figure 2.29
Ground Floor Plan. The original walls of Sunny Brae are shown in black.
Source: David White Architects, 2020.

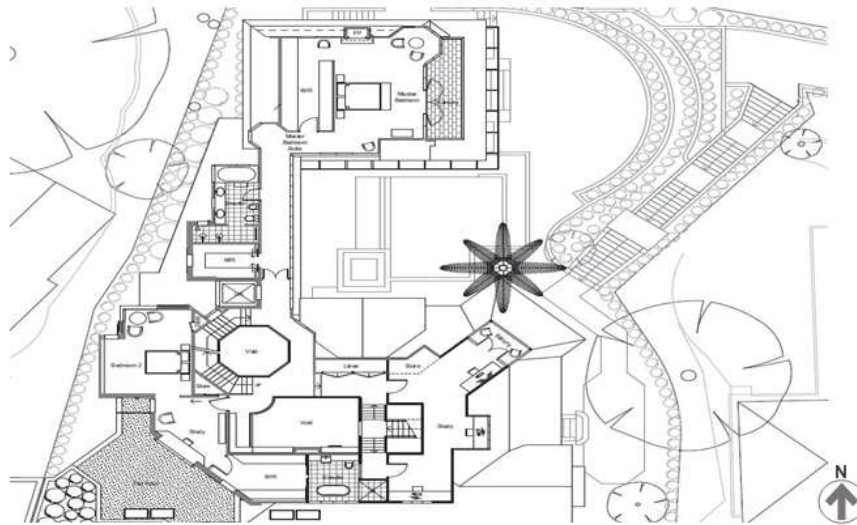


Figure 2.30
Upper Floor Plan. The original walls of Sunny Brae are shown in black.
Source: David White Architects, 2020.



Figure 2.31
Looking to Sunny Brae showing sympathetic contemporary additions are integrated into the original house, forming a union.

2.9 DAVID WHITE ARCHITECTS PTY LTD

The current alterations and additions were designed by David White Architects, an Architectural practice specialising in the restoration and adaptive reuse of heritage listed properties with over 30 years experience.

David White, the principal director, is a member of the Hornsby Council Heritage Advisory Committee, an active member of the NSW National Trust, and deputy chair of the Friends of Ahimsa Committee, being constantly involved in heritage issues.

The work of David White Architects has been predominantly located in the North Shore of Sydney; however, it also extends to the City, Eastern suburbs, the Blue Mountains, and the Southern Highlands. The high quality work of David White Architects is reflected in awards it has won with Woollahra Council, Ku-ring-gai Council, Hornsby Council, and the AIA SPUN Awards for the following projects:

- 'Coppins' 29 Telegraph Road, Pymble (Griffin designed Pratten House) (State Heritage Listed).
- 42 Greengate Road, Killara
- 118 Beecroft Road, Beecroft
- 24 The Boulevard Cheltenham

David White Architects, an experienced and well-known practice in the adaptive reuse and restoration of heritage buildings, thoughtfully restored Sunny Brae by referencing original glass negative photos of the house interior. They also designed sympathetic additions, applying the same architectural language as the original house, forming a unity.

3.0

SITE DESCRIPTION

3.1 URBAN CONTEXT

The subject building is located at 40 Fitzwilliam Road, on the top of a hill situated between the junction of Fitzwilliam Road and Wentworth Road, Vaucluse, on part of the original Wentworth Estate called "Parsley Hill".

The neighbourhood around the subject site is mostly residential. Fitzwilliam Road is a tree-lined wide street which slopes away northward. This part of Vaucluse was established in the early 20th century. Accordingly, The majority of original buildings dates from this period; however, in recent years a number of early original houses have been replaced with new buildings.

3.2 VIEWS TO AND FROM THE SITE

The original house (Sunny Brae) was constructed on a large allotment of land fronting Fitzwilliam Road to the east and Wentworth Road to the west. At that time, the land was in the ownership of John Taylor Cooke until 1948, when the land was further subdivided to form the three separate allotments of 40A, 40, and 40B Fitzwilliam Road. These subdivisions have resulted in the loss of views to Sunny Brae from the public domains of both Wentworth Road and Fitzwilliam Road.

Although the original house (Sunny Brae) is not easily visible from Fitzwilliam Road and Wentworth Road, it has panoramic harbour views. Due to an elevated topography of the site and hilltop location of the subject building, it has extensive views across Parsley Bay and Watsons Bay, as well as views from secondary elevations of the building to Vaucluse Bay and also to the 'Gap'. The subject building is partially visible from Parsley Bay.

The topography of the subject site and its panoramic harbour views have been always considered favourably from the early ownership of the site by William Charles Wentworth. The rocky outcrop site, was popular with the Wentworth family, and was addressed as 'Parsley Hill' due to its extensive views to the harbour and the Vaucluse Estate.¹

¹ Heritage NSW, Wentworth Mausoleum and site, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails>.



Figure 3.1
Looking to the subject site, showing elevated topography of the overall site.



Figure 3.2
View looking south along Fitzwilliam Road.



Figure 3.3
View looking north along Fitzwilliam Road. Drive access to the subject building is on the right, shown by a red arrow.

The subject site was considered favourably by the Cooke family in terms of location and view. As stated by Mr. Pfeiffer, "As a wedding present, my great-grandfather (John Taylor Cooke) gave his daughter (Lily Pfeiffer) a choice of buying a home on the waterfront in the Crescent, or building her a home on top of the hill on Fitzwilliam Road. For her it was an easy choice. She chose this spot."² Furthermore, the location of the subject site provided easy access to the waterfront, that was a privilege for John Cooke who was a keen sailor.

The original building was constructed in 1911, when it was listed in the Sands Sydney Directory. The subject building was called "Sunny Brae".³ Brae is translated by Oxford Dictionary as 'a steep slope or hill'.⁴ Brae is a Scottish word. In Gaelic (Scottish Gaelic) the word 'Brae' is usually translated as 'hill', and interpreted as 'a slope to the sea'.⁵ Accordingly, the name of 'Sunny Brae' was chosen for the original house due to its location on a hillside near water in Vaucluse.

The hilltop location of the site, as well as the thoughtful design and construction of the original house on the highest part of the overall site, provided extensive harbour views and made the original house visible from Fitzwilliam Road. The imposition of a restrictive height covenant for 40A Fitzwilliam Road in 1957 indicates the enduring importance of long distant views from the house. As stated in the Memorandum of Transfer (1957):

No building or structure or other erection or any part thereof which may be erected upon the said Lot X as shown on the said plan annexed hereto shall exceed in height at any point forty (40) feet above the level of the intersection of the formation of Fitzwilliam Road as shown on the said plan and the prolongation of the south-eastern boundary of Lot X being a point bearing 38 degrees 6 minutes 30 feet 0 inches from the eastern corner of the said Lot X.

Lot X is a reference to No. 40A Fitzwilliam Road.

It appears that when John and Harry Pfeiffer sold their lot (40A Fitzwilliam Road) in 1957, they imposed this covenant to protect the extensive harbour views of Sunny Brae, confirming the visual significance of the house.

A comprehensive Visual impact and view sharing assessment report for 40A Fitzwilliam Road Vaucluse prepared by Richard Lamb and Associates has identified and analysed five positions for the existing views as follows:

1. The view from the ground floor (doorstep of the original house) looking approximately east-north-east.
2. The view from the ground floor (doorstep of the sitting room, original house). This view has a lower viewing level, while the expanse of water is reduced.
3. The view from the top floor (bedroom at upper floor level) diagonally located above the front door of the original house. Views are available through any of the three windows.
4. The view from the second step on front stair of the original house, which includes views across Parsley Bay, part of South Head and Gap Park.
5. The view from the ground floor bedroom on the south side of the original house, looking east-north-east.



Figure 3.4
View of properties opposite the subject site, at 40 Fitzwilliam Road.



Figure 3.5
Looking west to the original house, Sunny Brae, from Fitzwilliam Road. The original house is not visible from the street.

aspx?ID=5045532
2 Sivric, Helena. 40 Fitzwilliam Rd, Vaucluse. Wentworth courier. 2012.
3 City of Sydney. Archives & History Resources. Sands' Sydney, Suburban and Country Commercial Directory 1911.
4 Oxford University Press, 2020. <https://www.oxfordlearnersdictionaries.com/definition/english/brae>
5 The festive town of Brae, 1995-2020. <https://www.scotland.com/regions/shetland/brae/>



Figure 3.6
Looking east to Parsley Bay and Watsons Bay from front door on the ground floor verandah.



Figure 3.7
Panorama photo, looking north to Middle Head and Georges Head and looking north-east to Manly.
Source: Images For Business, 2020.



Figure 3.8
Looking to harbour bridge from the west side of the building.

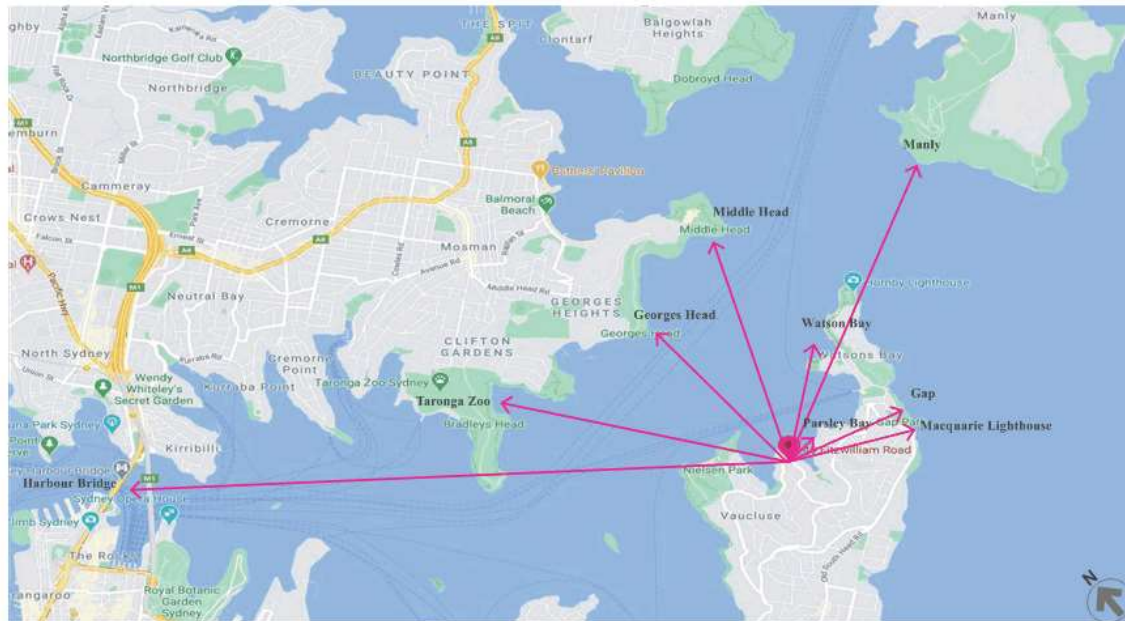


Figure 3.9
Aerial photo showing visual curtilage of the subject site. The subject site is shown in red, sited on a hilltop location with an extensive views to Parsley Bay, the Gap, Macquarie Lighthouse, Manly, Taronga zoo, and Harbour Bridge, shown by pink arrows.
Source: Google Map.

3.3 DESCRIPTION OF THE BUILDING EXTERIOR

Sunny Brae is a two storey house that was designed in the Federation Queen Anne style constructed in 1909-1910. Federation Queen Anne style was the dominant style in Australian domestic architecture in the 1900s. The house has asymmetrical form and has been a fine and dramatic example of the style internally and externally. The house was built with specific features to capture views from its hilltop location including one room at the front projecting forward towards Fitzwilliam Road, Parsley Bay, and the Gap, as well as verandah extending over the remainder of the frontage, providing expansive panoramic harbour views.

The central position of the original house on the overall site, provided ample open space/garden around the house (Figure 2.8). Although the subdivision of the overall site in 1948 resulted in a reduced open space around the house, its eastern garden is significant as a remnant original landscape and adds to the overall significance of the original house.

The original house almost remained intact until 1952, when the building underwent alterations and additions to provide an independent flat at the rear (north-west side). These additions were unsympathetic in terms of architectural style of the original house. In 2012, these unsympathetic additions were demolished to give way for the construction of sympathetic new additions.

The current contemporary addition on the north-west side of the original house (Sunny Brae) comprises the hexagonal Belvedere that reflects a typical architectural feature of the federation period and is an important element of the new design. The new extension is compatible with and continues the tradition of the original house in its detail, while it also incorporates contemporary design elements. The contemporary distinguishable additions enable the original building to be read and interpreted without compromising its fine and dramatic Federation Queen Anne architectural style.

Sunny Brae underwent restoration and refurbishment in 2012. Accordingly, the building exterior is in excellent condition. The building has a painted brick exterior, being compatible with the red-brown face brickwork feature of the Federation Queen Anne style. The prominent exterior features of the building, reflecting Federation Queen Anne architectural style, have remained intact including exterior timber detailing, complex gable roofs with slate tiles and timber gable ends, tall chimneys, connecting wraparound verandah featured timber post and ornamental brackets, exposed eaves batons, as well as leadlight windows with displayed coloured glass.



Figure 3.10
Stairs leading to the original house, showing the hill top location of the house.



Figure 3.11
Looking south to the original house.



Figure 3.12
Front elevation of the original house.
Source: Images For Business, 2020.



Figure 3.13
Looking north to the original house.
Source: Images For Business, 2020.



Figure 3.14
Looking to the original house, showing the sympathetic connection between the old and the new. The hexagonal Belvedere is visible on the right.
Source: Images For Business, 2020.



Figure 3.15
Front entrance, with original arch, columns and windows.



Figure 3.16
Looking to the ground floor verandah.

3.4 DESCRIPTION OF THE BUILDING INTERIOR

The original 1909 interior component and features of the existing building has high integrity. Internal key features of the building include the original internal layout and circulation spaces, decorative ceilings, staircases, fireplaces, windows and joinery. Principal rooms of the original building remain intact; however, bathrooms and kitchens have been upgraded as needed.

As the original house underwent restoration and refurbishment in 2012, consequently the building interior is in excellent condition. The design focused on restoring and preserving the existing house with its fine decorative features, while at the same time incorporating a significant sympathetic addition. Restoration of the original interiors were made by referencing original glass negative photos of the house interiors found in the attic by the children of the current owner of the house. The original photographs befittingly line the walls of the restored Entrance Hall. The original formal rooms were decorated using rich period colours and William Morris wallpaper. The original hand painted ceilings, featuring medallions of red roses and bluebirds, were carefully and traditionally restored and re-gilded by International Conservations Services (ICS).

The 1950s additions on the north-west side of the original house were demolished and replaced with new sympathetic additions. Although current additions are simpler in design, they continue the tradition of the original house. The key internal features of the original house have been mainly restored and preserved.



Figure 3.17
Original stairs leading to upper level.
Source: Images For Business, 2020.



Figure 3.18
Interior view of the original dining room, showing original arch, columns, decorative hand painted ceilings, as well as leadlight windows and doors. The original arch separates the dining room from the front sitting room.
Source: Images For Business, 2020.

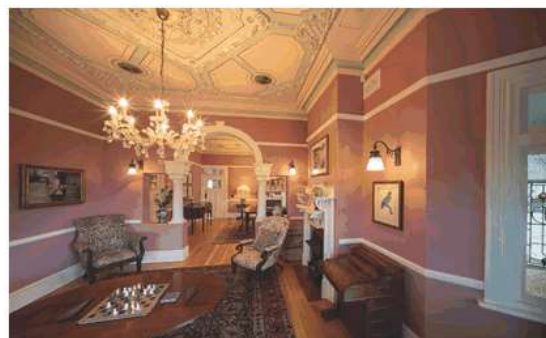


Figure 3.19
View of the entry hall (the original reception room), showing the original interior components of the building.
Source: Images For Business, 2020.



Figure 3.20
Entry hall (sitting room), with original ceiling and windows.



Figure 3.21
View from the room at the front projecting forward towards Parsley Bay, and the Gap. This photo shows leadlight window displayed coloured glass in flowering patterns, one of the significant features of Federation Queen Anne style.



Figure 3.22
Bedroom interior showing original layout, window fabric, and restored ceiling.
Source: Images For Business, 2020.



Figure 3.23
Interior showing original room layout, fabric, fireplace and surrounds, as well as original window.



Figure 3.24
Restored decorative hand painted ceiling, featuring medallions of red roses.
Source: Images For Business, 2020.



Figure 3.25
Original glass skylight and decorative hand painted ceiling above the stairs, which was uncovered by the heritage painter.
Source: Images For Business, 2020.



Figure 3.26
Looking to the gallery, hexagonal Belvedere, and the original house from the master bedroom on the second floor.



Figure 3.27
Looking to the original house from the master bedroom on the second floor.



Figure 3.28
The two storey library, connects the original house to the new additions. A large antique painted glass skylight was sourced from the Beecham family residence in the London, UK.



Figure 3.29
The contemporary kitchen and hallway fronting the pool, connecting the original house with the new addition.



Figure 3.30
Contemporary bathroom fitout on the first floor of new additions.



Figure 3.31
Contemporary living room which is part of the new additions. Large glazed openings create a seamless transition between indoors and outdoors.

3.5 CONDITION AND INTEGRITY

The building underwent two major alterations/additions in the 1950s and 2012; however, both additions were mainly focused on north-west side of the building. The unsympathetic 1950s additions were demolished as part of the 2012 sympathetic alterations and additions, continuing the tradition of the original house. Although the new additions have been well integrated into the original house, there is a well defined separation between the original architecture and the contemporary functionality. The original photos of the house, found in the attic by the current owner, guided the restoration of 'Sunny Brae'.

The following figures provide a comparison between the original and the existing restored house. Following recent conservation works, it is observed that the building is in excellent condition and has a high level of integrity externally and internally. Sunny Brae has retained its important Federation Queen Anne architectural style externally and internally.



Figure 3.32
Dining room, c.1920s
Source: Prof. G. Murrell.



Figure 3.33
Dining room, 2020
Source: Images For Business, 2020.



Figure 3.34
Guest bedroom, c.1920s
Source: Prof. G. Murrell.



Figure 3.35
Guest bedroom, 2020
Source: Images For Business, 2020.



Figure 3.36
Reception room, c.1920s
Source: Prof. G. Murrell.

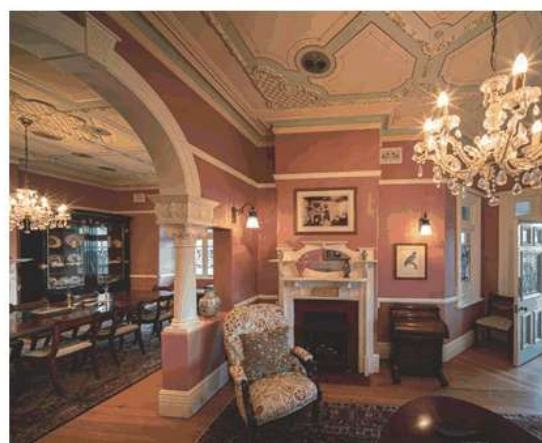


Figure 3.37
Reception room, 2020
Source: Images For Business, 2020.



Figure 3.38
Stairs leading to the first floor, c.1920s
Source: Prof. G. Murrell.



Figure 3.39
Stairs leading to the first floor, 2020.
Source: Images For Business, 2020.



Figure 3.40
Breakfast room, c.1920s
Source: Prof. G. Murrell.



Figure 3.41
Breakfast room was repurposed to a double vaulted library during the 2020 renovations. The original fireplace remains intact.
Source: Images For Business, 2020.



Figure 3.42
Front garden looking north, showing the hilltop location of the building and its extensive harbour views. The building had views to and from Fitzwilliam Road. c.1920s
Source: Prof. G. Murrell.



Figure 3.43
Front garden looking north in 2020. The building has still extensive harbour views. However, due to the growth of vegetation, as well as the later subdivision and development in front of the original house, it is not visible from Fitzwilliam Road.
Source: Images For Business, 2020.

4.0

ASSESSMENT OF CULTURAL SIGNIFICANCE

4.1 INTRODUCTION

Heritage, or “cultural” value, is a term used to describe an item’s value or importance to our current society and is defined as follows in *The Australia ICOMOS Burra Charter*, 2013, published by Australia ICOMOS (Article 1.0):

Cultural significance means **aesthetic, historic, scientific or social or spiritual value** for past, present or future generations.¹

This section establishes the criteria which are used to understand significance and identifies the reasons for the cultural value of the site and its components.

The NSW Heritage Office (now Heritage NSW of the NSW Department of Premier and Cabinet) evaluation criteria for potential LEP heritage listing set a high threshold for entry. Terminology such as “important”, “special” and “strong” establish the need for a property to be more than just average in its heritage values if it is to be listed.

4.2 COMPARATIVE ANALYSIS

Assessment of the subject site has included comparison with, but was not limited to, the following buildings constructed in the same period and architectural style located in Woollahra LGA.

House

13 Ian Street, Rose Bay, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2711241:

Statement of Significance

No 13 is a representative Federation style house in Rose Bay built in the early part of the 20th century which has aesthetic and historical connections.

The house has historical significance through the association with the prominent local architect E. Lindsay Thompson who designed the house in 1910 - 1911, for Mrs L.E. White, the wife of Henry Hunter White of Havilah, Mudgee.

Although the house has been modified, the original pictorial Federation character survives. 13 Ian Street is a brick and sandstone house in reasonable original condition.



Figure 4.1
House at 13 Ian Street, Rose Bay.
Source: Google Map

¹ *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013, p.2

House and grounds

28 Darling Point Road, Darling Point, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2711207:

Statement of Significance

The house and the subdivision demonstrate a major historical phase in the development of Darling Point as a residential suburb in the late 19th century and the early 20th century. This phase saw the breaking up of the early large land grants and estates, in this case the Mona Estate, and the closer subdivision and development of the peninsular for good quality upper middle class housing.

The building, built c.1910, is a good representative example of a house in the Federation Queen Anne style popular for good quality houses at the time and provides evidence of contemporary aesthetic tastes. The house demonstrates key characteristics of the style including its informal picturesque composition of projecting square and faceted wings, gables, bays, verandahs and other elements, semi-octagonal corner bay with its pyramidal 'candle snuffer' roof, large two storey verandah with turned posts and arched verandah beams facing Mona Road and decorative elements such as half timbering and decorative stucco elements, curved timber eaves brackets, timber sill brackets and the semi circular rusticated sandstone arch supported by dressed sandstone pilasters flanking the entrance porch.

The garden appears to retain a great deal of its early layout and features, including a number of very large trees, asphalt paths and paved areas with brick edging, crazy paving to a terrace at the north of the house and at southeast of the house, bush rock terracing and edging to garden beds and other plantings. The garden to the north of the house contains two very large trees. Together with very large street trees in the vicinity, these give the corner a distinctive landmark quality.

Together with the street trees and the trees within the site, the house forms part of a group with St Marks Church and Manse and houses at Nos 3 and 5 Green oaks Avenue.



Figure 4.2

House and grounds at 28 Darling Point Road, Darling Point.
Source: Google Map

House, outbuildings, front garden, Norfolk island Pine

629 New South Head Road, Rose Bay, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2710108:

Statement of Significance

The site was part of the original grant to Daniel Cooper and Solomon Levey in 1830. The building at 629 New South Head Road, Rose Bay was constructed in 1904 for Francis Tessertand has aesthetic significance for its style and detailing even though the building appears to have been modified with a roof extension. The building retains relatively intact with the timber detailing of the two storey verandahs at the front elevation. The building also has aesthetic significance for the contribution it makes to the character of the immediate area. The building has social significance for its association with the Tessert family for a number of years.



Figure 4.3
House at 629 New South Head Road, Rose Bay
Source: NSW Heritage Inventory sheet, Database No. 2710108.

Mindarraba - house, grounds and sandstone retaining wall to Mona La
16 Mona Road, Darling Point, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2711530:

Statement of Significance

The subdivision and the house demonstrate a major historical phase in the development of Darling Point as a residential suburb in the early part of the 20th century. This phase saw the breaking up of the early large land grants and estates, in this case the Mona Estate, and the closer subdivision and development of the southern part of the peninsular for good quality upper middle class investment housing, principally for the rental market. The house also demonstrates the trend in the area to higher residential densities commencing in the 1920s with the widespread conversion of houses to duplexes and flats.

The house is a fine representative example of good quality upper middle class investment housing built in the Federation Queen Anne style popular at the time, and provides evidence of the aesthetic tastes of the period. The building demonstrates many of the key characteristics of the style and a range of characteristic formal and decorative elements and finishes including an extensive use of decorative timber work in various forms such as half-timbered gable ends, turned timber verandah posts with timber capitals, balustrades and friezes and elaborate curved and turned brackets.

The house is a significant component of the distinctive streetscape of the locality in both Mona Road (including the characteristic street trees) and in Mona Lane. The sandstone retaining wall to Mona Lane continues the sandstone wall of the neighbouring properties and the relationship of the building with the land form and its neighbours are all characteristic of the streetscape of this locality.



Figure 4.4
Mindarraba house at 16 Mona Road, Darling Point.
Source: NSW Heritage Inventory sheet, Database No. 2711530.

Brereton - former house, grounds and sandstone retaining wall to Mona La
18 Mona Road, Darling Point, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2711513:

Statement of Significance

The subdivision and the house demonstrate a major historical phase in the development of Darling Point as a residential suburb in the early part of the 20th century. This phase saw the breaking up of the early large land grants and estates, in this case the Mona Estate, and the closer subdivision and development of the southern part of the peninsular for good quality upper middle class investment housing, principally for the rental market. The house demonstrates the nature of upper middle class investment housing built in the area at the time and the trend in the area to higher residential densities commencing in the 1920s with the widespread conversion of houses to duplexes and flats.

One of three originally identical adjoining houses, the building is a fine representative example of good quality investment housing built in a restrained version of the Federation Queen Anne style popular at the time, and provides evidence of the aesthetic tastes of the period. The building demonstrates many of the key characteristics of the style and a range of characteristic formal and decorative elements and finishes including an extensive use of decorative timber work in various forms such as the Art Nouveau curved timber arch to the entrance porch, fretwork gable end detailing, turned timber verandah posts, fretwork beam ends and fretwork and spindle work friezes.

The three buildings are part of group of houses in Mona Road of similar scale, form and character all built within the first decade of the 20th century and later converted to duplexes. In combination, the winding alignment of Mona Road, the large ficus hillii street trees and the group of buildings form a distinctive streetscape characteristic of Mona Road. The sandstone retaining wall to Mona Lane continues the sandstone wall of the neighbouring properties and contributes to its distinctive character. Significant views of the rear of the group, to which their designs are generally orientated, are available from Mona Lane, New Beach Road and Rushcutters Bay Park.



Figure 4.5
Brereton House at 18 Mona Road, Darling Point.
Source: NSW Heritage Inventory sheet, Database No. 2711513.

Balgowan - house and grounds

8 Annadale Street, Darling Point, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2711214:

Statement of Significance

The house and the subdivision demonstrate a major historical phase in the development of Darling Point as a residential suburb in the late 19th century and the early 20th century. This phase saw the breaking up of the large early land grants and estates, in this case the grounds of the 19th century house 'Como', and the closer subdivision and development of the peninsular for good quality upper middle class housing.

Built c.1906, the house is a fine representative example of cottage built in the Federation Queen Anne style, a popular style for good quality homes in the early years of the 20th century. It demonstrates key characteristics of the style including its picturesque asymmetrical composition, dominant hipped roof forms, prominent chimneys, projecting two storey semi-octagonal balcony with pyramidal 'candle snuffer' roof, turned verandah posts, balusters and spindle work frieze.



Figure 4.6
Balgowan House at 8 Annadale Street, Darling Point.
Source: NSW Heritage Inventory sheet, Database No. 2711214.

House

142 Wolseley Road, Point Piper, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2710168:

Statement of Significance

The property forms part of the original grant to John Piper in 1820. The building named 'Notrella' at 142 Wolseley Road Point Piper has aesthetic significance as a fine and largely intact example of the Federation Queen Anne style. The two storey red brick building on its prominent location also has aesthetic significance for the strong contribution it makes to the character of the immediate area. The building has social significance for its association with the parliamentarian, the Hon. Bruce Smith, M. P. and for its long association with the Gisbone family from the early 20th. century until 1977. The mature hedges and trees are contributory to the aesthetic significance of the building.



Figure 4.7
House at 142 Wolseley Road, Point Piper.
Source: NSW Heritage Inventory sheet, Database No. 2710168.

Residential flat building front garden and retaining wall

33-34 New Beach Road, Darling Point, Woollahra

The NSW Heritage Database provides the following information for House, Woollahra Database No. 2710100:

Statement of Significance

The site formed part of the original grant to Arthur Frederick Smart in 1888. This group of twelve residential buildings have aesthetic significance as a largely intact grouping of Federation Queen Anne style buildings which were constructed as a group for John Cameron in 1911. Although the buildings were modified as flats in the 1930s, they have retained their style, form and scale of the exterior and are a rare cohesive group of buildings in identical styling to remain intact in the district. The buildings have high aesthetic significance as a group for the strong contribution they make to the streetscape of the immediate area even though they have undergone some modification throughout the years. The building has social significance for their association with the Cameron family throughout the twentieth century.



Figure 4.8
Group of houses at 33-34 New Beach Road, Darling Point.
Source: Google Map

Glasson House - house

19 Wentworth Road, Vaucluse, Woollahra

The NSW Heritage Database provides the following information for Glasson House, Woollahra Database No. 2710157:

Statement of Significance:

The house named Glasson House at 19 Wentworth Road, Vaucluse originally formed part of the Crown Grant to Thomas MacGlynn in 1831 and William Charles Wentworth in 1838. The house in a Federation Queen Anne style has aesthetic significance as a large and prominent example of the style. The building is significant as a largely intact example of the style still retaining its original red face brick facades and dominant roofscape. The building has historic and social significance for its association with a number of prominent persons in the district.



Figure 4.9
Glasson House at 19 Wentworth Road, Vaucluse.
Source: Google Map

4.2.1 CONCLUSION

All comparable buildings are listed as heritage items in Schedule 5 of Woollahra LEP 2014. They are either one or two storey buildings which were constructed between 1904 - 1911, in a Federation Queen Anne architectural style.

Most of selected buildings are representative of the breaking up of the early large grants and estates. All selected buildings are good representative examples of the Federation Queen Anne style. Although all selected buildings have undergone several alterations and additions over time, the key characteristics of style have largely remained intact, contributing to their aesthetic significance.

'Brereton' has experienced 8 phases alterations and additions over time; however, it still demonstrates many of the key characteristics of the Federation Queen Anne style, and is a fine representative example of this style. 'Mindarraba' and 'Balgowan' have undergone 5 phases and 4 phases alterations and additions respectively, but they are still fine representative examples of housing in the Federation Queen Anne style.

4.3 ANALYSIS OF CULTURAL SIGNIFICANCE

The following commentary discusses how each of the criteria established by the NSW Heritage Office (now Heritage NSW of the NSW Department of Premier and Cabinet) relate to the subject site.

Criterion (a) – 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)

Guidelines for Inclusion: When the item shows evidence of a significant human activity or is associated with a significant activity of historical phase. When it maintains or shows the continuity of a historical process or activity.

Guidelines for Exclusion: When the item has incidental or unsubstantiated connections with historically important activities or processes. When it provides evidence of activities or processes that are of dubious historical importance or has been so altered that it can no longer provide evidence of a particular association

Land along the waterfront and landward sections of Vaucluse were gradually subdivided during the 1900s and 1910s. Sunny Brae occupies one of the peak elevated properties formed following the initial 1890s subdivision. The subject site was considered favourably in terms of location and view by the Cooke family. Lily Pfeiffer, daughter of John Taylor Cooke and wife of Henry Pfeiffer, chose this spot as a wedding present rather than a home on the waterfront in the Crescent. Furthermore, the location of the subject site provided easy access to the waterfront, that was a privilege for John Cooke who was a keen sailor. From the construction of the original house in c.1910, the building was named 'Sunny Brae', indicating and emphasising its hilltop location, and sunrise feature of the geographical position which renders the Old Norse origin of 'Sunny Brae'. Therefore, Sunny Brae has constantly had an outstanding setting.

The overall site demonstrates a very specific aspect of the general subdivision and suburbanisation of the broader Vaucluse locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay.

The site was an important component of the early 1890s subdivision of the expansive Wentworth family Estate that had survived relatively intact until the late 1820s. The land that comprises the subject site was popular with Wentworth family and was addressed as 'Parsley Hill', indicating its hilltop location and extensive panoramic harbour views.

Criterion (b) - 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)

Guidelines for Inclusion: When an item shows evidence of a significant human occupation or is associated with a significant event, person or group of persons.

Guidelines for Exclusion: When an item has incidental or unsubstantiated connections with historically important people or events. When it provides evidence of people or events that are of dubious historical importance or has been so altered that it can no longer provide evidence of a particular association.

The house is strongly associated with North Sydney architect, Ferdinand Wilhelm Friederich who thoughtfully designed the building in c.1909 to capture extensive harbour views. A comparison between Sunny Brae and Warro (another surviving work of the architect) confirms the subject building is a substantial surviving work in the career of the architect.

The subject site was part of the Crown Grant to Thomas Laycock in 1793, which was sold to William Charles Wentworth in 1827. William Charles Wentworth (1790-1872) was born in Sydney. He was sent to England for education. He returned to Sydney in 1810, keen to explore. As such, he joined Blaxland and William Lawson in finding a way across the Blue Mountains, then went on to explore the South Pacific. He was also one of Australia's prominent politicians, a strong proponent of free press and the constitution, and with an associate found the 'Australian newspaper'.

The land comprising the subject site is strongly associated with William Charles Wentworth, a prominent person who was an explorer, barrister, statesman, landowner, and author. He owned the land from 1827, was planned to be eventually consecrated for the Wentworth family Vault. William Charles Wentworth intended to be buried within the rock outcrop which comprises the subject site.

Although John Taylor Cooke was a civil servant, he does not appear to have had a high profile within the community. However, John Taylor Cooke Memorial Trophy was presented by Harry Edward Pfeiffer at the Sydney Amateur Sailing Club for the winner of the Classic Division. This has been donated annually by the Pfeiffer family since the 1930s, in the memory of John Taylor Cooke who was a keen sailor.

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

Guidelines for Inclusion: When an item shows or is associated with, creative or technical innovation or achievement. When it is the inspiration for a creative or technical innovation or achievement, is aesthetically distinctive, has landmark qualities or exemplifies a particular taste, style or technology.

Guidelines for Exclusion: When an item is not a major work by an important designer or artist, has lost its design or technical integrity. When an item's positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded or has only a loose association with a creative or technical achievement

Sunny Brae demonstrates a high degree of design and craftsmanship, which are strongly expressed in its complex roof composition, bay windows, fine joinery, dramatic main staircase, finely detailed plaster ceilings, wrap-around front verandah, and spatial composition. The original house experienced minor changes until 1952 when a new two storey unsympathetic additions were constructed on the north-west side of the building and did not impact on the substantive part of the original dwelling. These additions were demolished when a new contemporary wing with sympathetic architectural character was constructed in 2018-2020. In conjunction with the construction of the new wing, the original house was carefully restored and renovated. It is in excellent condition, and the original extravagant Federation Queen Anne character is retained. Sunny Brae is a fine representative of the Federation Queen Anne style. The key characteristics of the style have mainly remained intact or have been restored, externally and internally, contributing to the aesthetic significance of the original house.

The highly complex architectural composition of the two storey Federation Queen Anne "Sunny Brae" house has a high level of aesthetic significance in Woollahra, for its deliberate north-east orientation and asymmetrical composition designed to capture the remarkable views from its elevated ridgeline site. The unusual diagonal wraparound verandah and upper floor dormer window confirm that the original house was specifically designed to capture the fine, expansive views provided by its hilltop location.

The building exterior demonstrates many of the key characteristics of the style including exterior timber detailing, complex gable roofs, slate tiles and timber gable ends, tall chimneys, connecting wraparound verandah featured timber post with ornamental brackets, exposed eaves batons, as well as leadlight windows with display coloured glass. The building interior also comprises many of the key characteristics of the style as well as a range of characteristic decorative elements and finishes including original interior layout and circulation spaces, fireplaces, hand painted and gilded decorative ceilings, stairs, as well as windows and joinery. Accordingly, the building has aesthetic significance as a good example of the Federation Queen Anne style house, internally and externally.

Given that in recent years, a number of early houses in the immediate locality have been replaced with new buildings, Sunny Brae is one of the surviving houses in Federation Queen Anne style from the early development of the area as a residential suburb mainly in the first decades of the 20th century. Accordingly, the original house contributes to the character of the immediate area for the relative intactness and integrity of the original fabric, internally and externally.

For design of sympathetic additions, a traditional style of the original house, compatible with the Federation style was applied, integrating all those components of the old house that are regarded as significant and that have retained their original integrity. David White Architects thoughtfully considered the location of additions on the north-west side of the original house, respecting and retaining its extensive harbour views. Accordingly, new additions have added to the aesthetic significance of the original house, forming a union.

Criterion (d) - 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

Guidelines for Inclusion: When an item is important for its association with an identifiable group or is important to a community's sense of place.

Guidelines for Exclusion: When an item is only important to the community for amenity reasons or is retained only in preference to a proposed alternative.

David White Architects, who have extensive experience in the restoration and adaptive reuse of heritage buildings in Sydney's North Shore, designed the new additions, applying a traditional style of architecture, compatible with the Federation style of the original house. The qualities of the additions are reflected in the work being awarded 2017 for outstanding craftsmanship in best Slate Roofing of the year, 2018 Master Builders Association of New South Wales award for alterations and additions, and 2019 winner of the Mayor's Award of the Woollahra Design Excellence for the design of alterations and additions. Furthermore, in 2018, Sunny Brae received the National Trust (NSW) medal for the high number of visitors in 'Open Day', showing the importance of the house to the community. Accordingly, it is reasonable to conclude that the recent alterations and additions have added social significance to Sunny Brae.

Criterion (e) - 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)

Guidelines for Inclusion: When an item has the potential to yield new or further substantial scientific and/or archaeological information. When it is an important benchmark or reference site or type or provides evidence of past human cultures that is unavailable elsewhere.

Guidelines for Exclusion: When the knowledge gained would be irrelevant on science, human history or culture. When the item has little archaeological or research potential or only contains information that is readily available from other resources or archaeological sites. Where the knowledge gained would be irrelevant to research on science, human history or culture.

As Sunny Brae was the first building to be constructed on the subject site, it is considered that there may be little potential for the site to yield information that may contribute to a greater understanding of the history of Vaucluse area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion: Where an item provides evidence of a defunct custom, way of life or process or demonstrates a process, custom or other human activity that is in danger of being lost. Where it shows unusually accurate evidence of a significant human activity or is the only example of its type. When an item demonstrates designs or techniques of exceptional interest or shows rare evidence of a significant human activity important to a community.

Guidelines for Exclusion: When an item is not rare or is numerous and not under threat.

As Federation Queen Anne style was a common architectural style in the early 20th century, the building is not considered rare, uncommon or endangered. However, regarding the recent replacement of early houses with new buildings, Sunny Brae is considered as only a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra from the early development of the area as a residential suburb in the first decades of the 20th century. Therefore, Sunny Brae may be considered rare within the neighbourhood.

Its finely executed and complex architectural design places the original house as a rare example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney's Eastern Suburbs.

The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, made the building visible from Fitzwilliam Road and the water. Although subsequent subdivision and recent development of the area, especially on 40A Fitzwilliam Road, has mainly blocked views to the building, it is still partially visible from Watson Bay, and retains the qualities of its expansive early hill-top setting (Figure 3.10).

The latest sympathetic alterations and additions to Sunny Brae continued the tradition and architectural language of the original house. It is unusual and commendable that the house has been sympathetically restored due solely to the desire of the owners without a statutory constraint (heritage listing). The choice of a traditional approach in the new design, which references the Federation detail of the old house into the new addition, while being a contemporary distinguishably addition, adds to the rare aspect of the building.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class 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)

Guidelines for Inclusion: When an item is a fine example of its type or has the principal characteristics of an important class or group of items. When an item has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity or is a significant variation to a class of items. Where it is outstanding because of its setting, condition or size or may be part of a group, which collectively illustrates a representative type. When an item is outstanding because of its integrity of the esteem in which it is held.

Guidelines for Exclusion: When an item is a poor example of its type or does not include or has lost the range of characteristics of a type. An item that does not represent well the characteristics that constitutes a type or variation from it.

The two storey residence is an excellent representative example of the Federation Queen Anne architectural style. Unsympathetic additions on the north-west side of the original house were recently demolished and replaced with sympathetic contemporary additions which continue the architectural design traditions of the original house. The original house underwent restoration based on the original photographs of the house, that resulted in the preservation of key characteristics of the style.

Although the building has undergone alterations and additions over time, the original structure and internal layout retain their legibility and contribute to the aesthetic significance of the house for its style and detailing. The additions have been well integrated into the original house, while there is a well defined separation between the original house and the contemporary additions. Following recent conservation works, it is observed that Sunny Brae is in excellent condition and has a high level of integrity and intactness internally and externally.

4.3.1 NSW HERITAGE ASSESSMENT CRITERIA SUMMARY (LOCAL LEVEL)

The following table provides a summary of the assessment of the heritage significance of 40 Fitzwilliam Road, Vaucluse against the seven criteria, at the local level, demonstrating that the subject house meets six of the seven criteria for local listing.

Criteria	Meets criteria for heritage listing and grading of significance			
	Guidelines for Inclusion		Guidelines for Exclusion	
(a) An item is important in the course, or pattern, of the cultural or natural history of the local area	• shows evidence of a significant human activity		• has incidental or unsubstantiated connections with historically important activities or processes	
	• is associated with a significant activity or historical phase	✓	• Provides evidence of activities or processes that are of dubious historical importance	
	• maintains or shows the continuity of a historical process or activity	✓	• has been so altered that it can no longer provide evidence of a particular association	
(b) An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of the local area	• shows evidence of a significant human occupation		• has incidental or unsubstantiated connections with historically important people or events	
	• is associated with a significant event, person, or group of persons.	✓	• Provides evidence of people or events that are of dubious historical importance	
			• has been so altered that it can no longer provide evidence of a particular association	

(c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area	• shows or is associated with, creative or technical innovation or achievement	✓	• is not a major work by an important designer or artist	
	• is the inspiration for a creative or technical innovation or achievement		• has lost its design or technical integrity	
	• is aesthetically distinctive	✓	• its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded	
	• has landmark qualities		• has only a loose association with a creative or technical achievement	
	• exemplifies a particular taste, style or technology	✓		
(d) An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons	• is important for its associations with an identifiable group	✓	• is only important to the community for amenity reasons	
	• is important to community's sense of place	✓	• is retained only in preference to a proposed alternative	
(e) An item has potential to yield information that will contribute to an understanding of the cultural or natural history of the local area	• has the potential to yield new or further substantial scientific and/or archaeological information		• the knowledge gained would be irrelevant to research on science, human history or culture	
	• has an important benchmark or reference site or type		• has little archaeological or research potential	✓
	• provides evidence of past human cultures that is unavailable elsewhere		• only contains information that is readily available from other resources or archaeological sites	

(f) An item possesses uncommon, rare or endangered aspects the cultural or natural history of the local area	• provides evidence of a defunct custom, way of life or process		• is not rare	
	• demonstrates a process, custom or other human activity that is in danger of being lost		• is numerous but under threat	
	• shows unusually accurate evidence of a significant human activity			
	• is the only example of its type			
	• demonstrates design or techniques of exceptional interest	✓		
	• shows rare evidence of a significant human activity important to a community	✓		
(g) An item is important in demonstrating the principal characteristics of a class of the local area's: • cultural or natural places; or • cultural or natural environments.	• is a fine example of its type	✓	• is a poor example of its type	
	• has the principal characteristics of an important class or group of items	✓	• does not include or has lost the range of characteristics of a type	
	• has attributes typical of a particular way of life, philosophy, custom, significant process, design, techniques or activity	✓	• does not represent well the characteristics that make up a significant variation of a type	
	• is a significant variation to a class of items	✓		
	• is part of a group which collectively illustrates a representative type	✓		
	• is outstanding because of its setting, condition or size	✓		
	• is outstanding because of its integrity or the esteem in which it is held	✓		

4.3.2 NSW HERITAGE ASSESSMENT CRITERIA SUMMARY (STATE LEVEL)

The following table provides a summary of the assessment of the heritage significance of 40 Fitzwilliam Road, Vaucluse against the seven criteria, at the State level, demonstrating that the subject house meets five of the seven criteria for State listing.

Criteria	Meets criteria for heritage listing and grading of significance			
	Guidelines for Inclusion		Guidelines for Exclusion	
(a) An item is important in the course, or pattern, of NSW's cultural or natural history	• shows evidence of a significant human activity		• has incidental or unsubstantiated connections with historically important activities or processes	
	• is associated with a significant activity or historical phase	✓	• Provides evidence of activities or processes that are of dubious historical importance	
	• maintains or shows the continuity of a historical process or activity		• has been so altered that it can no longer provide evidence of a particular association	
(b) 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 of the local area	• shows evidence of a significant human occupation		• has incidental or unsubstantiated connections with historically important people or events	
	• is associated with a significant event, person, or group of persons.	✓	• Provides evidence of people or events that are of dubious historical importance	
			• has been so altered that it can no longer provide evidence of a particular association	

(c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW	• shows or is associated with, creative or technical innovation or achievement	✓	• is not a major work by an important designer or artist	
	• is the inspiration for a creative or technical innovation or achievement		• has lost its design or technical integrity	
	• is aesthetically distinctive	✓	• its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded	
	• has landmark qualities		• has only a loose association with a creative or technical achievement	
	• exemplifies a particular taste, style or technology	✓		
(d) An item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons	• is important for its associations with an identifiable group	✓	• is only important to the community for amenity reasons	
	• is important to community's sense of place		• is retained only in preference to a proposed alternative	
(e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history	• has the potential to yield new or further substantial scientific and/or archaeological information		• the knowledge gained would be irrelevant to research on science, human history or culture	
	• has an important benchmark or reference site or type		• has little archaeological or research potential	
	• provides evidence of past human cultures that is unavailable elsewhere		• only contains information that is readily available from other resources or archaeological sites	

(f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history	• provides evidence of a defunct custom, way of life or process		• is not rare	
	• demonstrates a process, custom or other human activity that is in danger of being lost		• is numerous but under threat	
	• shows unusually accurate evidence of a significant human activity			
	• is the only example of its type			
	• demonstrates design or techniques of exceptional interest			
	• shows rare evidence of a significant human activity important to a community			
(g) An item is important in demonstrating the principal characteristics of a class of NSW's: • cultural or natural places; or • cultural or natural environments.	• is a fine example of its type	✓	• is a poor example of its type	
	• has the principal characteristics of an important class or group of items	✓	• does not include or has lost the range of characteristics of a type	
	• has attributes typical of a particular way of life, philosophy, custom, significant process, design, techniques or activity	✓	• does not represent well the characteristics that make up a significant variation of a type	
	• is a significant variation to a class of items	✓		
	• is part of a group which collectively illustrates a representative type	✓		
	• is outstanding because of its setting, condition or size	✓		
	• is outstanding because of its integrity or the esteem in which it is held	✓		

4.4 INTEGRITY/ INTACTNESS

Following recent conservation works, it is observed that the building is in excellent condition and has a high level of integrity/intactness externally and internally. Sunny Brae has retained its important /key Federation Queen Anne architectural style features externally and internally.

4.5 STATEMENT OF SIGNIFICANCE

"Sunny Brae", the fine Federation house at 40 Fitzwilliam Road, Vaucluse, designed by W Friederich and erected in 1910, has a high level of historic significance in Woollahra, as one of the first houses built high on the Vaucluse headland, following the late 19th century subdivision of the expansive, early 19th century Wentworth Estate. It demonstrates a very specific aspect of the general subdivision and suburbanisation of the broader Vaucluse locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay. Fitzwilliam Road is named after the son of William Charles Wentworth and reflects his role in the subdivision of the Vaucluse portion of the family estate.

Compared with the more enclosed low level foreshore topography in which Vaucluse House is sited, the ridgeline on which "Sunny Brae" is located was a favourite elevated lookout for William Charles Wentworth called "Parsley Hill" where he wanted to be buried. Once subdivided, the site was deliberately chosen by John Taylor Cooke for its fine and expansive outlook over Watsons Bay, the Gap, Manly and the nearby dynamic topography that characterises the southern shores of the outer Harbour. Cooke was a keen sailor, as were his descendants, and views from the house gave them a ready appreciation of their favourite recreation. Cooke's newly married daughter, Lily and her husband Henry Pfeiffer, moved into the freshly constructed house, with her parents. Successive members of the Pfeiffer family continued to live in the house for almost a century.

The highly complex architectural composition of the two storey Federation Queen Anne "Sunny Brae" house has a high level of aesthetic significance in Woollahra, for its deliberate north-east orientation and asymmetrical composition designed to capture the remarkable views from its elevated ridgeline site. Both internally and externally, the original components of the house, demonstrate a high degree of design and craftsmanship, which are strongly expressed in its complex roof composition, wrap-around front verandah, bay windows, fine joinery, dramatic main staircase and finely detailed plaster ceilings and spatial composition. Recent alterations and additions

have replaced an unsympathetic wing (on the north-west side of the building) from the 1950s with carefully designed, complementary two-storey extension that extends the original architectural language, enhances family amenity and responds to its expansive visual curtilage.

The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, provided an extensive harbour views and made the original house visible from Fitzwilliam Road. Despite the progressive subdivision of its original site and the erection of surrounding residential buildings, "Sunny Brae" retains the qualities of its expansive early hill-top setting, qualities that are reflected in the origins of its Scottish Gaelic name.

The ridge-top location and subsequent housing development on surrounding lots meant that "Sunny Brae" has almost become imperceptible to the general public from the surrounding streetscape in Fitzwilliam Road and from further afield.

"Sunny Brae" has rarity value as one of a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra. Its finely executed and complex architectural design places the original house as a significant representative example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney's Eastern Suburbs.

The contemporary additions to 'Sunny Brae', designed by David White Architects, have added to the significance of the building by applying a traditional style of architecture, compatible with the Federation style of the original house.

4.6 CURTILAGE ANALYSIS

The NSW Heritage Office (now Heritage NSW of the NSW Department of Premier and Cabinet) publication *Heritage Curtilages*² defines “heritage curtilage” as the area of land surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. Heritage curtilage can be classified as one of four types:

- **Lot Boundary Heritage Curtilage:** for places where the legal boundary of the allotment is defined as the heritage curtilage. The allotment should, in general, contain all significant related features, for example outbuildings and gardens, within its boundaries.
- **Reduced Heritage Curtilage:** for places where an area less than the total allotment is defined as the heritage curtilage. Applicable where not all parts of a property contain places associated with its significance.
- **Expanded Heritage Curtilage:** for places where the heritage curtilage is larger than the allotment. Particularly relevant where views to and/or from a place are of significance.
- **Composite Heritage Curtilage:** for larger areas that include a number of separate related places, such as heritage conservation areas based on a block, precinct or whole village.

Part of the land comprising the subject site was not subdivided until 1907, when the sixth subdivision of the Vaucluse Estate was auctioned. During this time, the overall site was subdivided into four lots of 15, 16, 19, and 20. In 1921, all four lots were amalgamated and reformed as one allotment (the overall site) (Figure 4.10) until 1948, when the overall site subdivided again into three separate allotments of A, B, and C. Accordingly, the heritage curtilage for the subject site is a Reduced Heritage Curtilage. The Reduced Heritage Curtilage is shown in Figure 4.10 (shaded in yellow), which comprises three lots, described by NSW Land Registry Services (LRS) as:

- Lot 2, DP 1254483
- Lot 1, DP 1112583



Figure 4.10
Aerial view showing the whole lot boundary that was subdivided and sold in 1948, outlined in pink. The Reduced Heritage Curtilage is outlined in yellow.
source: maps.au.nearmap.com

4.6.1 VISUAL CURTILAGE

Regarding the views to and from the subject site, the heritage curtilage for the subject site is an Expanded Heritage Curtilage. The subject site was deliberately selected for its hill top location and extensive harbour views. The original design of the house confirms the intention of the architect in taking the advantage of elevated site, capturing the extensive harbour views. The visual curtilage of the subject site is shown in Figure 4.11.

The architectural elevation (Figure 4.18) unusually includes scenery backdrops to the distant opposite shore line and gap behind the house. This graphic illustration emphasises the importance of the significant elevated setting and views to the first owners.

² Warwick Mayne-Wilson, *Heritage Curtilages*, NSW Heritage Office and the Department of Urban Affairs and Planning, NSW, 1996

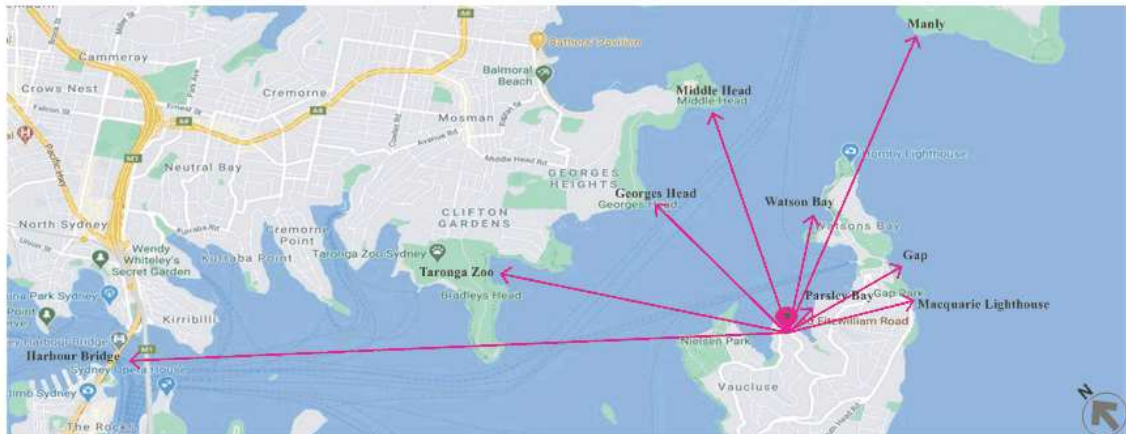


Figure 4.11

Aerial photo showing visual curtilage of the subject site. The subject site is shown in red, sited on a hilltop location with an extensive views to Parsley Bay, the Gap, Macquarie Lighthouse, Manly, Taronga zoo, and Harbour Bridge, shown by pink arrows.

Source: Google Map.



Figure 4.12

Looking east from the ground floor front verandah to Parsley Bay, Watson Bay, the Gap, Macquarie Lighthouse, Manly.

Source: Images For Business, 2020.



Figure 4.13

Looking north and north-east from the ground floor verandah to Middle Head, Georges Head, and Manly.
Source: Images For Business, 2020.



Figure 4.14

Looking east from the ground floor verandah to the Gap, Parsley Bay, Watson Bay, Macquarie Lighthouse.
Source: Images For Business, 2020.



Figure 4.15
Looking east from the first floor verandah to the Gap, Parsley Bay, Watson Bay, Macquarie Lighthouse, and Manly.
Source: Images For Business, 2020.



Figure 4.16
Looking north and north-east from the first floor verandah to Middle Head, Georges Head, Manly, Watson Bay, Parsley Bay, the Gap, Macquarie Lighthouse, and Manly.
Source: Images For Business, 2020.



Figure 4.17
Looking east from the study room to Watson Bay, Parsley Bay, the Gap, and Macquarie Lighthouse.

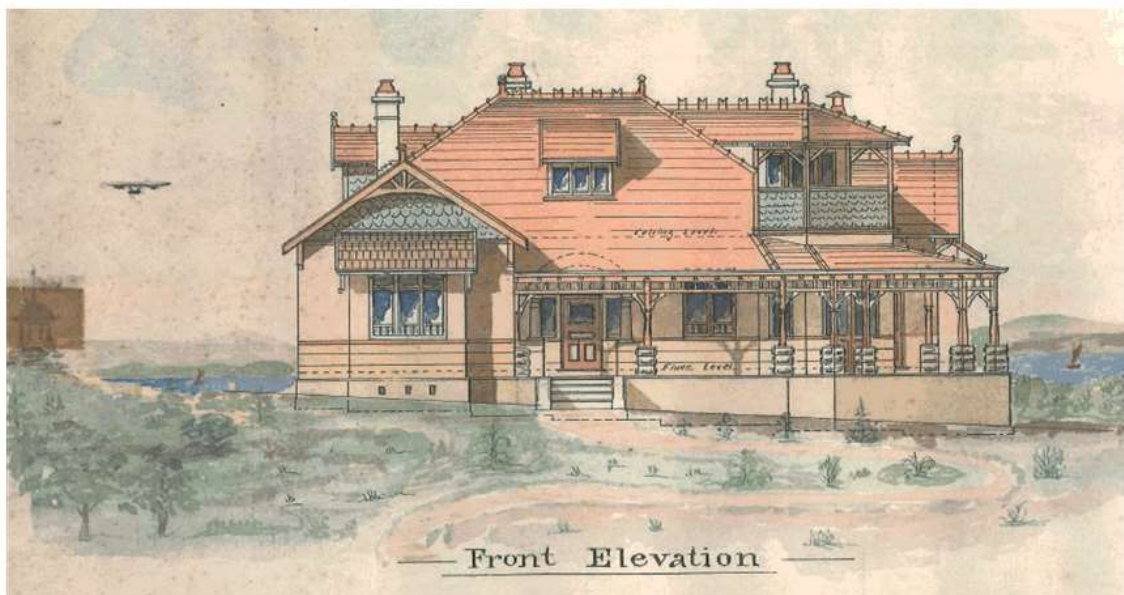


Figure 4.18
Front elevation of the proposed residence to Fitzwilliam Road, 1909, showing the scenery backdrops to the distant opposite shore line and gap behind the house.
Source: Prof. G. Murrell

4.7 RECOMMENDATIONS

It is recommended that 'Sunny Brae' to be listed as an item of local heritage significance on Schedule 5 of the Woollahra LEP 2014, and to be nominated for NSW State Heritage Register listing. The heritage listing is recommended to apply to:

- "Sunny Brae" - House and interiors.

The following lots should be included as part of the curtilage of the heritage item:

- Lot 2, DP 1254483
- Lot 1, DP 1112583

4.8 CONCLUSION

Given the recent development of the area and the replacement of early houses with new buildings, Sunny Brae in the Federation Queen Anne style has aesthetic significance as a prominent example of the style in Fitzwilliam Road from the first decades of the 20th century. The original building is significant as a relatively intact example of Federation Queen Anne style, as the key characteristics of the style have been restored and retained, externally and internally.

Sunny Brae has a significant setting and an extensive panoramic Harbour view due to its hill top location, adding to its significance. Accordingly, we have no hesitation in recommending to Council that it proceeds with the heritage listing of 'Sunny Brae' at 40 Fitzwilliam Road, Vaucluse.

5.0

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APPENDIX ONE: PHOTOGRAPHS OF SUNNY BRAE -2020



Figure 3
Looking east and north-east from the upper floor verandah to Watson Bay, Parsley Bay, Gap, Manly, and Macquarie Lighthouse.
Source: *Images For Business*, 2020.



Figure 1
Looking north, showing the original house on the left and the landscape/garden in front of the house.
Source: *Images For Business*, 2020.



Figure 4
Looking east from the ground floor verandah.
Source: *Images For Business*, 2020.



Figure 2
Looking out from the front (main) entry.
Source: *Images For Business*, 2020.



Figure 5
Looking east and south-east from the ground floor verandah.
Source: *Images For Business*, 2020.

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Based on the NSW Heritage Office State Heritage Inventory sheet

ITEM DETAILS			
Name of Item	Sunny Brae		
Former name	Sunny Brae		
Item type	Residential		
Address	Number 40	Street Fitzwilliam Road	Suburb Vaucluse
Property description	Lot 2	DP 1254483	
Owner	Name Mr & Mrs Murrell	Address 40 Fitzwilliam Road, Vaucluse	
Use	Current Residential	Former Residential	

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Statement of significance	<p>"Sunny Brae", the fine Federation house at 40 Fitzwilliam Road, Vaucluse, designed by W Friederich and erected in 1910, has a high level of historic significance in Woollahra, as one of the first houses built high on the Vaucluse headland, following the late 19th century subdivision of the expansive, early 19th century Wentworth Estate. It demonstrates a very specific aspect of the general subdivision and suburbanisation of the broader Vaucluse locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay. Fitzwilliam Road is named after the son of William Charles Wentworth and reflects his role in the subdivision of the Vaucluse portion of the family estate.</p> <p>Compared with the more enclosed low level foreshore topography in which Vaucluse House is sited, the ridgeline on which "Sunny Brae" is located was a favourite elevated lookout for William Charles Wentworth called "Parsley Bay" where he wanted to be buried. Once subdivided, the site was deliberately chosen by John Taylor Cooke for its fine and expansive outlook over Watsons Bay, the Gap, Manly and the nearby dynamic topography that characterises the southern shores of the outer Harbour. Cooke was a keen sailor, as were his descendants, and views from the house gave them a ready appreciation of their favourite recreation. Cooke's newly married daughter, Lily and her husband Henry Pfeiffer, moved into the freshly constructed house, with her parents. Successive members of the Pfeiffer family continued to live in the house for almost a century.</p> <p>The highly complex architectural composition of the two storey Federation Queen Anne "Sunny Brae" house has a high level of aesthetic significance in Woollahra, for its deliberate north-east orientation and asymmetrical composition designed to capture the remarkable views from its elevated ridgeline site. Both internally and externally, the original components of the house, demonstrate a high degree of design and craftsmanship, which are strongly expressed in its complex roof composition, wrap-around front verandah, bay windows, fine joinery, dramatic main staircase and finely detailed plaster ceilings and spatial composition. Recent alterations and additions have replaced an unsympathetic wing (on the north-west side of the building) from the 1950s with carefully designed, complementary two-storey extension that extends the original architectural language, enhances family amenity and responds to its expansive visual curtilage.</p> <p>The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, provided an extensive harbour views and made the original house visible from Fitzwilliam Road. Despite the progressive subdivision of its original site and the erection of surrounding residential buildings, "Sunny Brae" retains the qualities of its expansive early hill-top setting, qualities that are reflected in the origins of its Scottish Gaelic name.</p> <p>The ridge-top location and subsequent housing development on surrounding lots meant that "Sunny Brae" has almost become imperceptible to the general public from the surrounding streetscape in Fitzwilliam Road and from further afield.</p>
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	<p>"Sunny Brae" has rarity value as one of a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra. Its finely executed and complex architectural design places the original house as a significant representative example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney's Eastern Suburbs.</p> <p>The contemporary additions to 'Sunny Brae', designed by David White Architects, have added to the significance of the building by applying a traditional style of architecture, compatible with the Federation style of the original house.</p>		
Level of significance	State: Yes	Local: Yes	
Heritage listings			
DESCRIPTION			
Designer	Ferdinand Wilhelm Friederich (W. Friederich)		
Builder			
Construction years	c.1909-1910		

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Physical Description	<p>Sunny Brae is a two storey house that was designed in the Federation Queen Anne style constructed in 1909- 1910. Federation Queen Anne style was the dominant style in Australian domestic architecture in the 1900s. The house has asymmetrical form and has been a fine and dramatic example of the style internally and externally.</p> <p>The central position of the original house on what was, at the time of construction, the overall site, provided ample open space/garden around the house. Although the subdivision of the overall site in 1948 resulted in a reduced open space around the house, its eastern garden is significant as a remnant original landscape and adds to the overall significance of the original house.</p> <p>The original house almost remained intact until 1952, when the building underwent alterations and additions to provide an independent flat at the rear (north-west side). These additions were unsympathetic in terms of architectural style of the original house. In 2012, these unsympathetic additions were demolished to give way for the construction of sympathetic new additions.</p> <p>The current contemporary additions on the north-west side of the original house (Sunny Brae) comprises the hexagonal Belvedere that reflects a typical architectural feature of the federation period and is an important element of the new design. The new extension is compatible with and continues the tradition of the original house in its detail, while it also incorporates contemporary design elements. The contemporary distinguishable additions enable the original building to be read and interpreted without compromising its fine and dramatic Federation Queen Anne architectural style.</p> <p>Sunny Brae underwent restoration and refurbishment in 2012. Accordingly, the building exterior is in excellent condition. The building has a painted brick exterior, being compatible with the red-brown face brickwork feature of the Federation Queen Anne style. The prominent exterior features of the building, reflecting Federation Queen Anne architectural style, have remained intact including exterior timber detailing, complex gable roofs with slate tiles and timber gable ends, tall chimneys, connecting wraparound verandah featured timber post and ornamental brackets, exposed eaves batons, as well as leadlight windows with displayed coloured glass.</p> <p>The original 1909 interior component, with numerous features of the existing building, has high integrity. Internal key features of the building include the original internal layout and circulation spaces, decorative ceilings, staircases, fireplaces, windows and joinery. Principal rooms of the original building remain intact; however, bathrooms and kitchens have been upgraded as needed.</p> <p>As the original house underwent restoration and refurbishment in 2012, consequently the building interior is in excellent condition. The design focused on restoring and preserving the existing house with its fine decorative features, while at the same time incorporating a significant sympathetic addition. Restoration of the original interiors were made by referencing original glass negative photos of the house interiors found in the attic by the children of the current owner of the house. The original photographs befittingly line the walls of the restored Entrance Hall. The original formal rooms were decorated using rich period colours and William Morris wallpaper. The original hand painted ceilings, featuring medallions of red roses and bluebirds, were carefully and traditionally restored and re-gilded by International Conservations Services (ICS).</p>
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Physical condition	Following recent conservation works, the building is in excellent condition and has a high level of internal and external integrity. Sunny Brae has retained and recaptured its important/key features of Federation Queen Anne architectural style externally and internally.
Modification and Dates	<p>1952 – New two storey unsympathetic additions were constructed on the north-west side of the building (since demolished).</p> <p>2012 – Demolition of the 1950s additions, restoration of Sunny Brae and its fine decorative features, and the construction of a sympathetic addition.</p> <p>Architect: David White Architects Restoration of the original house: ICS (International Conservation Services)</p>
Archaeological potential	As Sunny Brae was the first building to be constructed on the subject site, it is considered that there may be little potential for the site to yield information that may contribute to a greater understanding of the history of Vaucluse area.
HISTORY	
<p>The original overall site at 40 Fitzwilliam Road was part of an 80-acre Crown Grant at Parsley Bay issued to Thomas Laycock in 1793. Thomas Laycock (1756-1809) was a quartermaster who arrived in Sydney in 1791, and eventually became appointed as Deputy-Commissary in 1794 by Lieutenant -Governor Francis Grose. In the early 1800s, Laycock had a substantial land holding of 1,655 acres.</p> <p>In 1803, Laycock sold 80 acres, known as Woodmancote, to Irish convict Sir Henry Brown Hayes who renamed it Vaucluse. The property was purchased by Captain John Piper who sold the estate to William Charles Wentworth following financial hardship in 1827. At this time, Wentworth established himself in the area, around Shark Bay, Vaucluse Bay and Parsley Bay. Wentworth further purchased 40 acres from Francis McGlynn on which Vaucluse House was located.</p> <p>In 1836, Wentworth applied for further acres to increase his holding. Consequently, in 1838, his request was accepted, and his holdings increased to 515 acres.</p> <p>Fitzwilliam Wentworth, second son of William Charles Wentworth, married in 1868. William Charles Wentworth adopted a policy of subdividing key portions of his property on behalf of his sons and daughters upon their marriage. Based on this policy, a portion of land comprising the subject site, was transferred to Fitzwilliam and the road was probably named during this time as it appeared on the plan of village of Vaucluse in 1876.</p> <p>In the late 1830s, William Charles Wentworth commenced subdividing parts of his estate for sale; however, the land did not sell mainly due to the unreliable road and poor access to the area until the 1850s.</p> <p>In 1854, William Charles Wentworth left for England and never returned. Accordingly, he left the estate to the hands of his wife, Sarah, and his oldest son, Fitzwilliam. In 1872 W. C. Wentworth died and in 1896, Fitzwilliam Wentworth inherited the remaining 345 acres of the estate.</p> <p>The roads had significantly improved over time, and since 1880 a tramcar had been operating along part of the way from the city, which was gradually extended and by 1903 it reached as far as Watsons Bay. The establishment and extension of the tramline facilitated and improved transport in this area, resulted in the subdivision and sell of land. The new taxation laws passed in 1895 on unimproved land (previously not taxed), made it financially necessary for further selling and subdividing.</p> <p>In 1898, Fitzwilliam brought in two accountant partners, James Clegg Taylor and Daniel McAllister, to facilitate the selling and subdividing of the land. The first lot was sold in 1902 and shortly after J. C. Taylor sold his share to Rouland Smith Hill.</p>	

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According to title records in 1906, the joint tenants of the land comprising the subject site, were Fitzwilliam Wentworth, Daniel McAllister, and Rouland Smith Hill.

During the 1900s and 1910s, land along the waterfront and landward parts was gradually subdivided. Further subdivision was made in the hinterland of Vaucluse Bay, which was bounded by Wentworth Road, Chapel Road, Fitzwilliam Road, Hopetoun Avenue and Oloa Avenue. In the early 1914, sections of this subdivision were offered for sale. Although sales were rapid at first, they petered out until the mid-1920s when all the lots were sold.

On 27 April 1907, the sixth subdivision of the Vaucluse Estate was auctioned. At this time, John Taylor Cook who was a civil servant, purchased four lots (15, 16, 19 and 20), forming the overall site. Sunny Brae was constructed on the south side of the overall site, on lots 15 and 20. The land was in the possession of Cook until 1948, when the overall site at 40 Fitzwilliam Road was subdivided into three lots and transferred to his grandchildren Harry and John Pfeiffer as tenants in common (Lot A), Marjorie Kingston (Lot C), and his daughter Lily Pfeiffer (Lot B). Two mortgages were contracted on the property in 1952 and 1958, respectively.

In 1973, Lily died and consequently in 1976, 40 Fitzwilliam Road (Lot B) was transferred to Harry Edmund Pfeiffer who remained the owner of the property for the remainder of the 20th century.

The subject site at 40 Fitzwilliam Road was listed for auction through January - March 2012, and sold to Professors George and Deirdre (Dedee) Murrell, the current owners of the subject site.

HISTORICAL THEMES		
Australian Theme	NSW Theme	Local Theme
4 Building settlements, towns and cities	Land tenure	Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal Comment: The subject site demonstrates a very specific aspect of the general subdivision and suburbanization of the broader Harbourside locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay.

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8 Developing Australia's cultural life	Creative endeavour	<p>Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p> <p>Comment: Sunny Brae is one of a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra. Its finely executed and complex architectural design places the original house as a significant representative example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney's Eastern suburbs.</p>
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HERITAGE SIGNIFICANCE ASSESSMENT	
<p>Historical significance SHR criteria (a)</p>	<p>Land along the waterfront and landward sections of Vaucluse were gradually subdivided during the 1900s and 1910s. Sunny Brae occupies one of the peak elevated properties formed following the initial 1890s subdivision. The subject site was considered favourably in terms of location and view by the Cooke family. Lily Pfeiffer, daughter of John Taylor Cooke and wife of Henry Pfeiffer, chose this spot as a wedding present rather than a home on the waterfront in the Crescent. Furthermore, the location of the subject site provided easy access to the waterfront, that was a privilege for John Cooke who was a keen sailor. From the construction of the original house in c.1910, the building was named 'Sunny Brae', indicating and emphasising its hilltop location, and sunrise feature of the geographical position which renders the Old Norse origin of 'Sunny Brae'. Therefore, Sunny Brae has constantly had an outstanding setting.</p> <p>The overall site demonstrates a very specific aspect of the general subdivision and suburbanisation of the broader Vaucluse locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay.</p> <p>The site was an important component of the early 1890s subdivision of the expansive Wentworth family Estate that had survived relatively intact until the late 1820s. The land that comprises the subject site was popular with Wentworth family and was addressed as 'Parsley Hill', indicating its hilltop location and extensive panoramic harbour views.</p>

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Historical association significance SHR criteria (b)	<p>The house is strongly associated with North Sydney architect, Ferdinand Wilhelm Friederich who thoughtfully designed the building in c.1909 to capture extensive harbour views. A comparison between Sunny Brae and Warro (another surviving work of the architect) confirms the subject building is a substantial surviving work in the career of the architect.</p> <p>The subject site was part of the Crown Grant to Thomas Laycock in 1793, which was sold to William Charles Wentworth in 1827. William Charles Wentworth was William Charles Wentworth (1790-1872) was born in Sydney. He was sent to England for education. He returned to Sydney in 1810, keen to explore. As such, he joined Blaxland and William Lawson in finding a way across the Blue Mountains, then went on to explore the South Pacific. He was also one of Australia's prominent politicians, a strong proponent of free press and the constitution, and with an associate found the 'Australian newspaper'.</p> <p>The land comprising the subject site is strongly associated with William Charles Wentworth, a prominent person who was an explorer, barrister, statesman, landowner, and author. He owned the land from 1827, was planned to be eventually consecrated for the Wentworth family Vault. William Charles Wentworth intended to be buried within the rock outcrop which comprises the subject site.</p> <p>Although John Taylor Cooke was a civil servant, he does not appear to have had a high profile within the community. However, John Taylor Cooke Memorial Trophy was presented by Harry Edward Pfeiffer at the Sydney Amateur Sailing Club for the winner of the Classic Division. This has been donated annually by the Pfeiffer family since the 1930s, in the memory of John Taylor Cooke who was a keen sailor.</p>
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<p>Aesthetic significance SHR criteria (c)</p>	<p>Sunny Brae demonstrates a high degree of design and craftsmanship, which are strongly expressed in its complex roof composition, bay windows, fine joinery, dramatic main staircase, finely detailed plaster ceilings, wrap-around front verandah, and spatial composition. The original house experienced minor changes until 1952 when a new two storey unsympathetic additions were constructed on the north-west side of the building and did not impact on the substantive part of the original dwelling. These additions were demolished when a new contemporary wing with sympathetic architectural character was constructed in 2018-2020. In conjunction with the construction of the new wing, the original house was carefully restored and renovated. It is in excellent condition, and the original extravagant Federation Queen Anne character is retained. Sunny Brae is a fine representative of the Federation Queen Anne style. The key characteristics of the style have mainly remained intact or have been restored, externally and internally, contributing to the aesthetic significance of the original house.</p> <p>The highly complex architectural composition of the two storey Federation Queen Anne "Sunny Brae" house has a high level of aesthetic significance in Woollahra, for its deliberate north-east orientation and asymmetrical composition designed to capture the remarkable views from its elevated ridgeline site. The unusual diagonal wraparound verandah and upper floor dormer window confirm that the original house was specifically designed to capture the fine, expansive views provided by its hilltop location.</p> <p>The building exterior demonstrates many of the key characteristics of the style including exterior timber detailing, complex gable roofs, slate tiles and timber gable ends, tall chimneys, connecting wraparound verandah featured timber post with ornamental brackets, exposed eaves batons, as well as leadlight windows with display coloured glass. The building interior also comprises many of the key characteristics of the style as well as a range of characteristic decorative elements and finishes including original interior layout and circulation spaces, fireplaces, hand painted and gilded decorative ceilings, stairs, as well as windows and joinery. Accordingly, the building has aesthetic significance as a good example of the Federation Queen Anne style house, internally and externally.</p> <p>Given that in recent years, a number of early houses in the immediate locality have been replaced with new buildings, Sunny Brae is one of the surviving houses in Federation Queen Anne style from the early development of the area as a residential suburb mainly in the first decades of the 20th century. Accordingly, the original house contributes to the character of the immediate area for the relative intactness and integrity of the original fabric, internally and externally.</p> <p>For design of sympathetic additions, a traditional style of the original house, compatible with the Federation style was applied, integrating all those components of the old house that are regarded as significant and that have retained their original integrity. David White Architects thoughtfully considered the location of additions on the north-west side of the original house, respecting and retaining its extensive harbour views. Accordingly,</p>
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	new additions have added to the aesthetic significance of the original house, forming a union.
Social significance SHR criteria (d)	David White Architects, who have extensive experience in the restoration and adaptive reuse of heritage buildings in Sydney's North Shore, designed the new additions, applying a traditional style of architecture, compatible with the Federation style of the original house. The qualities of the additions are reflected in the work being awarded 2017 for outstanding craftsmanship in best Slate Roofing of the year, 2018 Master Builders Association of New South Wales award for alterations and additions, and 2019 winner of the Mayor's Award of the Woollahra Design Excellence for the design of alterations and additions. Furthermore, in 2018, Sunny Brae received the National Trust (NSW) medal for the high number of visitors in 'Open Day', showing the importance of the house to the community. Accordingly, it is reasonable to conclude that the recent alterations and additions have added social significance to Sunny Brae.
Technical/Research significance SHR criteria (e)	As Sunny Brae was the first building to be constructed on the subject site, it is considered that there may be little potential for the site to yield information that may contribute to a greater understanding of the history of Vaucluse area.
Rarity SHR criteria (f)	<p>As Federation Queen Anne style was a common architectural style in the early 20th century, the building is not considered rare, uncommon or endangered. However, regarding the recent replacement of early houses with new buildings, Sunny Brae is considered as only a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra from the early development of the area as a residential suburb in the first decades of the 20th century. Therefore, Sunny Brae may be considered rare within the neighbourhood.</p> <p>Its finely executed and complex architectural design places the original house as a rare example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney's Eastern Suburbs.</p> <p>The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, made the building visible from Fitzwilliam Road and the water. Although subsequent subdivision and recent development of the area, especially on 40A Fitzwilliam Road, has mainly blocked views to the building, it is still partially visible from Watson Bay, and retains the qualities of its expansive early hill-top setting.</p> <p>The latest sympathetic alterations and additions to Sunny Brae continued the tradition and architectural language of the original house. It is unusual and commendable that the house has been sympathetically restored due solely to the desire of the owners without a statutory constraint (heritage listing). The choice of a traditional approach in the new design, which references the Federation detail of the old house into the new addition, while being a contemporary distinguishably addition, adds to the rare aspect of the building.</p>

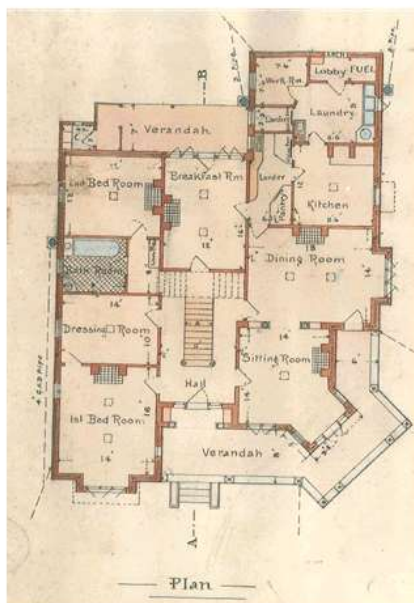
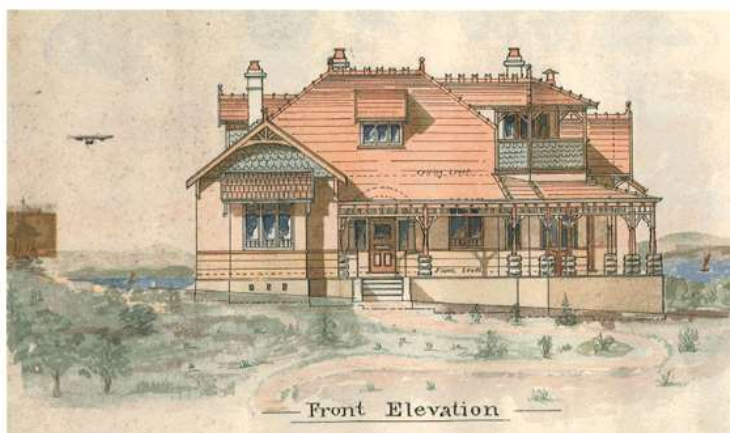
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Representativeness SHR criteria (g)	<p>The two storey residence is an excellent representative example of the Federation Queen Anne architectural style. Unsympathetic additions on the north-west side of the original house were recently demolished and replaced with sympathetic contemporary additions which continue the architectural design traditions of the original house. The original house underwent restoration based on the original photographs of the house, that resulted in the preservation of key characteristics of the style.</p> <p>Although the building has undergone alterations and additions over time, the original structure and internal layout retain their legibility and contribute to the aesthetic significance of the house for its style and detailing. The additions have been well integrated into the original house, while there is a well defined separation between the original house and the contemporary additions. Following recent conservation works, it is observed that Sunny Brae is in excellent condition and has a high level of integrity and intactness internally and externally.</p>			
Integrity	<p>Following recent conservation works, the building is in excellent condition and has a high level of integrity/intactness externally and internally. Sunny Brae has retained its important/ key Federation Queen Anne architectural style features externally and internally.</p>			
RECOMMENDATIONS				
Recommendations	<p>Sunny Brae has a significant setting and an extensive panoramic Harbour view due to its hilltop location, adding to its significance. Accordingly, we have no hesitation in recommending to Council that it proceeds with the heritage listing of 'Sunny Brae' at 40 Fitzwilliam Road, Vaucluse.</p>			
INFORMATION SOURCES				
Type	Author/Client	Title	Year	Repository
Report	Dr Shabnam Yazdani Mehr/ Professors George and Deirdre Murrell	Heritage Assessment report	2021	

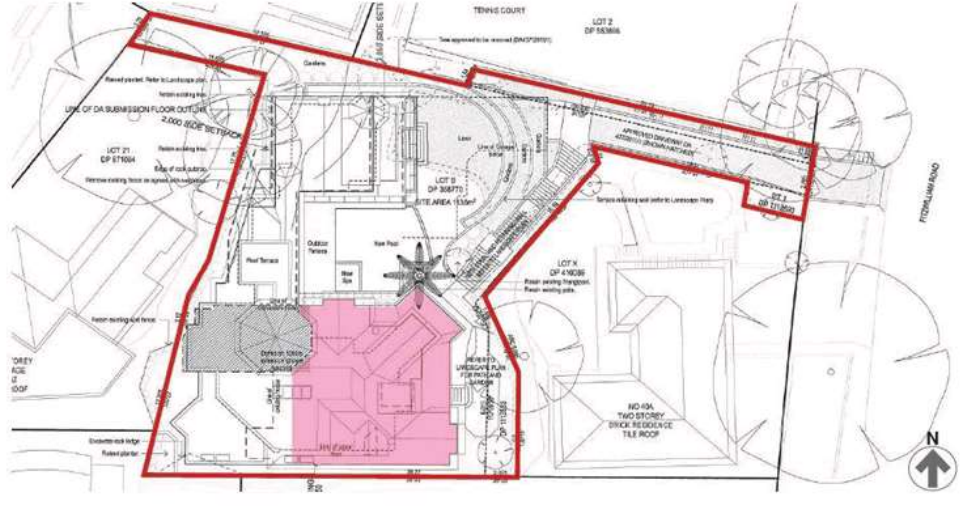

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IMAGES			
Image Caption	Ground floor plan of the proposed residence, 1909.		
			
Image Year	1909	Image author and Copyright Holder	W. Friederich Architect (Source: Prof. G. Murrell)
IMAGES			
Image Caption	Front elevation of the proposed residence to Fitzwilliam Road, 1909, showing the scenery backdrops to the distant opposite shore line and gap behind the house.		
			
Image Year	1909	Image author and Copyright Holder	W. Friederich Architect (Source: Prof. G. Murrell)



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IMAGES			
Image Caption	Site plan showing Sunny Brae, shaded in pink, within the subject site, outlined in red.		
			
Image Year	2020	Image author and Copyright Holder	David White Architects
IMAGES			
Image Caption	Front elevation of the original house.		
			
Image Year	2020	Image author and Copyright Holder	Images For Business



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IMAGES			
Image Caption	Looking north, showing the original house on the left and the landscape/garden in front of the house.		
			
Image Year	2020	Image author and Copyright Holder	Images For Business
IMAGES			
Image Caption	Stairs leading to the original house, showing the hill top location of the house.		
			
Image Year	2020	Image author and Copyright Holder	Images For Business


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IMAGES			
Image Caption		View of the entry hall (the original reception room) and dining room, showing the restored original interior components of the building.	
			
Image Year	2020	Image author and Copyright Holder	Images For Business
IMAGES			
Image Caption		Original stairs leading to upper level, showing the restored original interior components of the building.	
			
Image Year	2020	Image author and Copyright Holder	Images For Business

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IMAGES			
Image Caption	Looking east from the first floor verandah to the Gap, Parsley Bay, Watson Bay, Macquarie Lighthouse, and Manly.		
			
Image Year	2020	Image author and Copyright Holder	Images For Business

IMAGES			
Image Caption	Looking east from the ground floor front verandah to Parsley Bay, Watson Bay, the Gap, Macquarie Lighthouse, Manly.		
			
Image Year	2020	Image author and Copyright Holder	Images For Business

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IMAGES			
Image Caption	Looking south to the original house, showing the sympathetic addition compatible with the Federation style of the original house, forming a union.		
			
Image Year	2020	Image author and Copyright Holder	Images For Business
IMAGES			
Image Caption	Looking north to the 2020 sympathetic additions		
			
Image Year	2020	Image author and Copyright Holder	Images For Business
AUTHOR OF THIS REPORT			
Dr Shabnam Yazdani Mehr		Name	Date
			23/04/2021

Woollahra
Municipal
Council



Council Ref:
21/34195

11 March 2021

Mr & Mrs George & Deirdre Murrell
C/- Planning Ingenuity
Suite 210, 531-533 Kingsway
MIRANDA NSW 2228

Dear Mr & Mrs Murrell

Pre-application consultation response

Meeting No: 1/2021
Meeting date: 24 February 2021
Property: 40 Fitzwilliam Road, Vacluse
Applicant: David Waghorn c/- Planning Ingenuity

Thank you for meeting with us on site on 24 February 2021 to discuss your intention to lodge a request for a planning proposal for 40 Fitzwilliam Road, Vacluse (the site).

Attached are our responses to the information you submitted prior to the meeting, and key issues discussed at the meeting. We hope that these will be of assistance should you proceed to lodge a request to prepare a planning proposal.

The comments provided in this letter and the attached response are made in regard to a pre-application for a planning proposal request. These comments do not represent a notification under clause 10A of the *Environmental Planning and Assessment Regulation 2000*. The pre-application consultation aims to identify issues that need to be addressed prior to requesting Council to prepare a planning proposal. However, it is only after a detailed assessment of a request that all issues can be identified and fully considered. Please note the disclaimer at the end of the response.

In summary, the applicant is seeking to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to include 40 Fitzwilliam Road Vacluse as a local heritage item in *Schedule 5 Environmental Heritage*.

Having reviewed the recommendations of the report prepared by *GBA Heritage* (dated November 2020), Council staff support a request for a planning proposal to list 40 Fitzwilliam Road as a local heritage item. However, staff recommend minor changes to the heritage assessment report which are detailed in the attachment to this letter. Should you proceed to lodge a request to prepare a planning proposal, this updated document should accompany the request. To facilitate the preparation of a request for a planning proposal document, Council's project officer can provide you with a recent example/template.

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028

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PO Box 61
Double Bay NSW 1360

t: (02) 9391 7000
f: (02) 9391 7044
e: records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au

DX 3607 Double Bay
ABN 32 218 483 245

An application form and information to guide your application are available on Council's website:

www.woollahra.nsw.gov.au/building_and_development/development_rules/requests_for_planning_proposals.

If you lodge a request for a planning proposal, indicate on the form that you had a pre-application meeting and include the reference provided at the top of this letter.

I hope this service has been of use to you. Please contact Flavia Scardamaglia if you require any further assistance on (02) 9391 7084.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'Anne White', written in a cursive style.

Anne White
Manager Strategic Planning

40 Fitzwilliam Road Vacluse
Pre-application consultation - Response to applicant [21/34119]

24 February 2021

PRE -APPLICATION CONSULTATION RESPONSE

Reference no.	Pre-application 1/2021
Address	40 Fitzwilliam Road Vacluse
Meeting date	24 February 2021
Pre-application officer	Flavia Scardamaglia
Applicant	Mr & Mrs George & Deirdre Murrell – C/- David Waghorn, Planning Ingenuity
Present at meeting	Woollahra Council Anne White – Manager- Strategic Planning Flavia Scardamaglia – Strategic Heritage Officer Charlotte Simons – Heritage Officer Applicant Mr George Murrell & Mrs Deirdre Murrell – Owners Graham Brooks – Heritage Consultant

1 Information submitted

On 11 January 2021, the Applicant submitted the following material for staff consideration:

- Completed pre-application consultation form dated 4 January 2021.
- Heritage Assessment report prepared by *GBA Heritage* dated November 2020.

2 Site and context

The site is described as 40 Fitzwilliam Road, Vacluse (Lot 1 DP 1112583 and Lot 2 DP 1254483). The site is located on the western side of Fitzwilliam Road in a battle-axe allotment, and the property on the site is accessed via a gate leading to a driveway which runs along the northern boundary of 40A Fitzwilliam Road. It has an irregular shape with an area of 1,078m² and a frontage of approximately 5m to Fitzwilliam Road.

The site is located on the top of a ridge, and the site slopes significantly (by approximately 10m) from the northern to the eastern corner.

The site contains a single storey dwelling with a pitched roof known as 'Sunny Brae' built in the Federation Queen Anne style. The main features of the Federation Queen Anne style are:

- An asymmetrical form,
- Wraparound verandah with ornamental timber brackets,
- Complex roof form with timber gable ends and tall chimneys, and
- Leadlight doors and windows with coloured glass.

In the 1950s, an unsympathetic two-storey addition was built to the rear of Sunny Brae. In 2018/2019 this addition was demolished and a new two storey contemporary addition was built to the design of David White Architects. The addition won the Mayor's Award in the Woollahra Design Excellence Awards 2019.

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The existing context of the site consists of the following:

- The site is zoned R2 Low Density Residential under the *Woollahra local Environmental Plan 2014* (Woollahra LEP 2014).
- Immediately to the north of the site is a tennis court that forms part of the property at 101 Wentworth Road, Vacluse.
- To the east at 40A Fitzwilliam Road, Vacluse there is a three storey brick dwelling.
- To the south and the south east respectively there is a four storey dwelling (95 Wentworth Road, Vacluse) and a three storey dwelling (38 Fitzwilliam Road, Vacluse).
- To the west is a single storey dwelling at 97 Wentworth Road, Vacluse.
- To the north-west is a three-storey dwelling at 99 Wentworth Road, Vacluse.

3 Description of the planning proposal request

A request for a planning proposal would involve the following changes to the Woollahra LEP 2014:

- Amendment to Schedule 5 of the Woollahra LEP 2014 to include the house at 40 Fitzwilliam Road,¹ Vacluse as a local² heritage item.
- Amendment to the heritage map 004 to identify 40 Fitzwilliam Road as a heritage item.

4 State legislation

4.1 Greater Sydney Regional Plan: A Metropolis of Three Cities (2018)

The *Greater Sydney Regional Plan: A Metropolis of Three Cities* (2018) (the Regional Plan), is built on a vision of three cities. The vision is that most residents live within 30 minutes of their jobs, education and health facilities, services and great places. Ten directions are set out within the Regional plan which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Regional Plan's performance.

A request for a planning proposal must demonstrate full compliance with relevant directions and actions of the Regional Plan.

4.2 Eastern City District Plan (2018)

The *Eastern City District Plan* (2018) (the District Plan) is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It contains the planning priorities and actions for implementing the Regional Plan at a district level and is a bridge between regional and local planning. The priorities include objectives and actions to respect, identify and enhance the District's heritage, including engaging with the community and managing and monitoring the cumulative impact of development on the heritage values and character of places.

A request for a planning proposal must demonstrate full compliance with the vision and relevant priorities and actions of the District Plan.

4.3 Environmental Planning and Assessment Act 1979

Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out what information a planning proposal is to include when submitted for a gateway determination. The

¹ In preparing a request for a planning proposal, GBA Heritage must confirm which Lots and DPs the proposed listing will apply to.

² As part of this response, GBA Heritage have been asked to consider whether the subject site would also meet the criteria for State Heritage Listing.

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former Department of Planning and Environment prepared two documents titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018) to help applicants meet the requirements of the Act.

5 Woollahra Local Environmental Plan 2014

Heritage

Once a property is listed as either a heritage item or it forms part of a heritage conservation area, it would be subject to *Clause 5.10 Heritage conservation. Schedule 5 Environmental Heritage* includes a list of heritage listed sites, including heritage items, heritage conservation areas, and archaeological items. Items identified on the Environmental Heritage Schedule are also identified on the Heritage Maps.

6 Woollahra Development Control Plan 2015

Chapters B1.10: Vacluse West Precinct

The site is located in the Vacluse West residential precinct, which is addressed in Chapter B1.10 of Woollahra DCP 2015.

A request for a planning proposal must have regard to the desired future character of the precinct, as described in Chapter B1.10.

7 Referral officers comments

Heritage

The draft report prepared by GBA Heritage dated November 2020 provides a comprehensive assessment of 40 Fitzwilliam Road, Vacluse. However, consistent with the Heritage NSW guidelines, staff recommend the following amendments are made:

Recommended amendments

Section	Commentary
2.0 Historical Summary	<p>Section 2.0 should be based on research of primary evidence. In the absence of this, it should summarise information, avoiding full copy and paste. Full reference from all sources is necessary.</p> <p>A commentary on architect W Friederich, his life and career should be included in the history. Having been shown the original plans of Sunny Brae during the site visit, it is recommended that these are incorporated in the Appendix in a larger size and source referenced.</p> <p>Please include additional properties by Architect W Friederich to inform the assessment of significance.</p>
4.0 Assessment of Cultural Significance	
- Historic Criterion	<p>The relevance of the house providing evidence of one of the initial phases of the development of the Wentworth Estate is more important than the commentary about picnics. The statement should be reviewed accordingly.</p>

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Section	Commentary
- Associative Criterion	Is this dwelling a substantial work in the career of Architect W Friederich? A comparative analysis of other works by the same architect would inform the assessment.
- Aesthetic Criterion	The dwelling demonstrates creative and technical innovation as an example of a Federation Queen Anne house. If the argument for aesthetic significance is that it has landmark qualities, this needs to be demonstrated in views from the public domain and/or from the water. The rarity and intactness of this building in the local area needs to be moved into the response to the Rarity criterion.
- Social Criterion	Whilst a comprehensive social assessment may be beyond the scope of this heritage assessment, the fact that this dwelling has won awards/recognition is an indication of its social significance.
- Rarity Criterion	We question the statement that “no other Federation Queen Anne style houses are heritage listed in Vaucluse” as this is not based on evidence. We note that whilst there was no statutory constraint on this property, the owners willingly chose a traditional approach in the new design, referencing the Federation detail of the old house into the new addition. GBA Heritage may wish to include this in response to this criterion.
- Research Potential Criterion	Please remove any “limitations”, as these should not be used to identify how the property meets this criterion. Relocate the story of the photographs found in the attic into the History.
- Representativeness Criterion	Remove any reference to the awards which should be moved from this commentary and added in response to the social significance criterion.
Guidelines for inclusion/exclusion	In response to each heritage criterion, please include a summary table which identifies how the site meets (or otherwise) the guidelines for inclusion. Consistent with our usual template, this should include ticks/crosses and the justification in bullet points. A template can be provided.
Integrity/Intactness	After the criteria assessment, include a statement on the integrity and intactness of the site (currently included in 3.5).
Statement of Significance	Summarise all information in response to the criteria assessment in the statement of significance. This section is not the area to introduce new information. The references to the lack of inclusion in a previous heritage study is not an assessment, but a commentary. This should be removed.
Curtilage Analysis	The curtilage for listing in the LEP must be clearly identified in the report. The current document does not define the proposed Lots/DPs that will be included in Schedule 5 of the Woollahra LEP 2014.
Grading of Significance	There is no need to include grading of significance in the heritage assessment report. Should this site be the subject of a Development Application, this will be managed accordingly.

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Section	Commentary
Archaeological Potential	Section 4.7 on archaeological potential is to be moved into the response to the research potential criterion.
Level of Significance	Whilst we note that the subject site has been assessed to meet the threshold for local listing, please address whether the subject site would also meet the criteria for State Heritage Listing

Heritage Inventory Sheet

Please prepare a heritage inventory sheet in accordance with Heritage NSW template to be attached to the amended report being prepared by *GBA Heritage*. An example was provided to *GBA Heritage* in an email dated 24 February 2021.

8 Information required with a request to prepare a planning proposal

Should you submit a request for a planning proposal, the core documents listed below are required.

Documents

- Completed application form.
- Land owner's consent.
- Request to prepare a planning proposal addressing the matters in *A guide to preparing planning proposals* (December 2018). In particular, "Chapter 2: The parts of a planning proposal" and "Attachment 1: Information checklist". (To facilitate the preparation of a request for a planning proposal document we can provide you with a recent example/template).
- Disclosure statement (relating to political donations and gifts).
- Studies, investigations and reports supporting the requested changes, including:
 - Heritage Significance Assessment as amended in response to Part 7 above.
 - Heritage Inventory Sheet using the NSW template.

Notes: Further reports, studies or documentation may be required once the request has been submitted.

9 Fees

This planning proposal request is considered to be a minor planning proposal. According to Council's 2020/2021 Fees and Charges the cost for stages 1 and 2 are:

Minor planning proposal

Stage 1 Up to gateway determination	\$17,176.00 (GST exempt)	All steps up to and including submission of planning proposal to Department of Planning & Environment for gateway determination if endorsed by Council.
Stage 2 Post gateway determination	\$8,640.00 (GST exempt)	All steps up to publication of the amending LEP subject to Council support. May include changes to Woollahra DCP 2015.

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Notes:

- *An hourly rate of \$285.00 applies to any additional unforeseen tasks and functions.*
- *The above fees are relevant for the 2020/21 financial year only. Any fees payable outside this period will be subject to the adopted fees and charges for the relevant financial year.*
- *Based on community interest and the nature of submission received during Stage 1, a planning proposal may be elevated from a minor planning proposal to a major planning proposal.*

10 Next steps

Should you choose to lodge a planning proposal, we prefer that you lodge the application together with supporting studies and information with Council's Customer Service Centre, Redleaf, 536 New South Head Road, Double Bay on 02 9391 7000. However, we suggest that you arrange a convenient time with Council's project officer so that they can facilitate this process.

Once all documentation is received, the planning proposal request will be assessed and reported to Council's Environmental Planning Committee (EPC). If the EPC supports the planning proposal, it will be referred to the Woollahra Local Planning Panel (LPP) for advice. The advice of the Woollahra LPP will then be reported back to the EPC for consideration.

11 Conclusion

The pre-application submission seeks to identify 40 Fitzwilliam Road, Vaucluse as a heritage item in Woollahra LEP 2014.

As identified above, Council staff would support the subject planning proposal, subject to some amendments to the documentation.

12 Disclaimer

The aim of a pre-application meeting is to provide a service to people who wish to obtain the comments of Council staff about the various aspects of a planning proposal request, prior to lodging an application. The advice can then be addressed or at least known, prior to lodging an application. This has the following benefits:

- It allows a more informed decision about whether to proceed with a request for a planning proposal; and
- It allows issues to be addressed, especially issues of concern, prior to requesting Council to prepare a planning proposal. This could then save time and money once the request for a planning proposal is lodged.

All efforts are made to identify issues of relevance and likely concern with the preliminary request. However, the comments in this response are based on the information submitted for preliminary assessment and discussion at the pre-application meeting.

You are advised that:

- The comments expressed may vary once detailed information is submitted and formally assessed, or as a result of issues contained in submissions by interested parties if a planning proposal is exhibited.

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Pre-application consultation - Response to applicant [21/34119]

24 February 2021

- If a request to prepare a planning proposal is received by Council, nothing contained in a pre-application response binds Council staff, the elected Council members, or other bodies beyond Council in any way.

The comments provided in this response are made in regard to a pre-application for a request for a planning proposal. The comments do not represent a notification under clause 10A of the *Environmental Planning and Assessment Regulation 2000*.

We hope that this advice assists you. If you have any further enquires please contact Flavia Scardamaglia – Strategic Heritage Officer on (02) 9391 7084.

Anne White
Manager - Strategic Planning

Flavia Scardamaglia
Strategic Heritage Officer

Item No: R2 Recommendation to Council

Subject: **REVIEW OF PLANNING CONTROLS TO ADDRESS
HYDROGEOLOGICAL AND GEOTECHNICAL IMPACTS**

Author: Neda Vandchali, Strategic Planner

Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place

File No: 21/73541

Reason for Report: To respond to a Council resolution from 26 April 2021 to expand the application of draft amendments to Chapter E2 Stormwater and Flood Risk Management of the Woollahra DCP 2015.
To obtain Council's approval to exhibit a draft development control plan to amend the Woollahra DCP 2015.

Recommendation:

- A. THAT the report on the review to expand the application of draft amendments to Chapter E2 Stormwater and Flood Risk Management of the Woollahra Development Control Plan 2015 be received and noted.
- B. THAT Council resolve to exhibit Draft Woollahra Development Control Plan 2015 (**Amendment No 18**) as contained in **Annexure 2** of the report to the Environmental Planning Committee on 10 May 2021.

1. Background

On 25 February 2019, Council considered a Notice of Motion relating to concerns raised by residents about cracking and structural movement in houses in Double Bay. Subsequently, on 25 February 2019 Council resolved:

THAT Council:

- A. *Staff meet with concerned Double Bay residents and outline the approval process that was undertaken in relation to the DA and dewatering of 4-8 Patterson Street, Double Bay and other sites that have been approved for dewatering in Double Bay.*
- B. *Follow up with the NSW Department of Primary Industry to ascertain the results of their enquiries into this issue.*
- C. *Obtain a report from an expert hydro-geologist (and/or appropriate expert) informing Council as to whether there is any short, medium or long-term impacts associated with excavation, subterranean building and dewatering in the Double Bay area on the structural and geological integrity of Double Bay residential and commercial buildings, with a view to informing any amendments required to existing planning controls.*

In response to part C of Council's resolution, engineering consultants GHD Pty Ltd (GHD) were engaged in August 2019 to undertake an assessment of geotechnical and hydrogeological impacts associated with development in the Double Bay settlement area. The study area comprises land in the Double Bay Catchment and focused on development that has the capacity to intersect with the water table, including development with one or more basement levels.

The purpose of the study was to provide detailed requirements to assess and mitigate the adverse impact of groundwater drawdown as a consequence of underground structures.

On 12 April 2021, the *Double Bay Hydrogeological Geotechnical Impacts - Groundwater and Geotechnical Assessment Report* (the Report) by GHD Pty Ltd was presented to the *Environmental Planning Committee* (EPC) (see **Annexure 1**). This report included recommended amendments to *Woollahra Local Environmental Plan* (LEP) 2014, *Woollahra Development Control Plan* (DCP) 2015, and the *Development Application Guide* (DA Guide).

On 26 April 2021, Council resolved:

- A. *THAT a planning proposal be prepared to amend the Woollahra Local Environmental Plan 2014 consistent with the staff recommendations identified in Table 1 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.*
- B. *THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- C. *THAT the advice of the Woollahra Local Planning Panel be reported to a future meeting of the Environmental Planning Committee.*
- D. *THAT a draft development control plan is prepared and publicly exhibited to amend the Woollahra Development Control Plan 2015, consistent with the staff recommendations identified in Table 2 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.*
- E. *THAT staff review the proposed controls in the draft development control plan to identify if these can be applied to Rose Bay and Bellevue Hill, and that this review is reported to a future meeting of the Environmental Planning Committee.*
- F. *THAT staff implement a condition of consent which ensures that, where relevant, the applicant has an appropriate current insurance policy to cover the reinstatement/repair of damages to surrounding properties as a result of the subject DA.*
- G. *THAT staff prepare a report which advises on mechanisms that can be utilised to prohibit excavation and dewatering in the most impacted zones in the Double Bay Floodplain (see the Double Bay Settlement zones in Figure 2 of the report to the Environmental Planning committee of 12 April 2021) including investigating:*
 - *Amending the Local Environmental Plan (LEP),*
 - *Amending the Development Control Plan (DCP), and*
 - *Rezoning.*

2. Staff response to Council resolution from 26 April 2021

In response to the Council resolution from 26 April 2021, staff can advise the following:

- Parts A, B & C Staff are currently preparing a planning proposal to amend the Woollahra LEP 2014 to be referred to the *Woollahra Local Planning Panel* (WLPP) for advice. Staff will report the advice of the WLPP to a future meeting of the EPC.
- Parts D & E These two parts are the subject of this report.
- Part F Staff have amended Council's standard development application (DA) conditions of consent to require the application to have an appropriate current insurance policy. Where relevant, this condition will be applied to development with below ground structures.
- Part G Staff have commenced investigating mechanisms to prohibit excavation in the Double Bay settlement area. Staff will report the outcomes of this work to a future meeting of the EPC.

3. Expanded application of draft amendments to Woollahra DCP 2015

In response to Part E of the Council resolution from 26 April 2021, staff have reviewed the proposed controls to amend the Woollahra DCP 2015 which were identified in Table 2 of Annexure 4 of the report to the EPC meeting of 12 April 2021. A copy of these are attached in **Annexure 1**.

In collaboration with staff from Council's Development Control and Engineering Services Teams, we have prepared *Woollahra DCP 2015 (Amendment No 18)* (see **Annexure 2**). The objectives of the plan are to:

- a) Strengthen the existing objectives and controls to minimise the impacts of groundwater drawdown as a consequence of underground structures.
- b) Ensure there are no adverse hydrogeological impacts on any surrounding properties and infrastructure, both during and after construction.
- c) Apply additional technical requirements to the Double Bay settlement area based on the analysis provided by GHD Pty Ltd.

It is noted that the Council resolution from 26 April 2021 requested staff to review which of these controls could be applied to Rose Bay and Bellevue Hill. However, we are recommending that the proposed controls are applied to the whole LGA, and not only selected suburbs. Based on the recommendations from GHD, this will include a more detailed section on lands within the Double Bay settlement area.

The table below summarises the proposed amendments to Woollahra DCP 2015 identified in **Annexure 2**, and comments in the right hand column contain a brief explanation of the proposed provisions.

Chapter and section	Summary of proposed amendments
Chapter D5 - Double Bay Centre <i>Section D5.6.7 Geotechnology and hydrogeology</i>	<ul style="list-style-type: none"> Delete section and incorporate into E2.2.10 to strengthen the existing controls in section E2.2.10 to apply to the entire LGA, including the lands in the Double Bay settlement area.
Chapter E2 - Stormwater and Flood Risk Management <i>Section E2.2.10 Groundwater (hydrogeology)</i>	<ul style="list-style-type: none"> Insert introductory paragraph from section D5.6.7 to include general information regarding the technical requirements of below ground structures to minimise the adverse geotechnical and hydrogeological impacts. Insert objective O3 to strengthen the existing objectives to minimise the impacts of below ground structures. Insert objectives O4-O6 from section D5.6.7 to strengthen the objectives and apply them to the entire LGA. Insert controls to minimise the hydrogeological impacts of below ground structures across the LGA. Enhance C2 to prevent the disposal of subsoil/seepage from the below-ground structure to the kerb and gutter. Insert a map to introduce the sensitive lands in the Double Bay settlement area. Insert a control for lands in the Double Bay settlement area to minimise the hydrogeological impacts of below ground structures.

4. Next Steps:

If Council supports the proposed amendments to Woollahra DCP 2015, the next step is exhibit the draft DCP. The process for exhibiting a DCP is set out in the EP&A Act 1979, the *Environmental Planning and Assessment Regulation 2000*, and the *Woollahra Community Participation Plan 2019*.



The draft DCP must be publicly exhibited for a minimum of 28 days. Public notice will be given in the Wentworth Courier each week of the exhibition and on Council's website. The outcome of the public exhibition will be reported to a future Committee meeting.

5. Conclusion:

In response to the Council resolution from 26 April 2021, staff have prepared amendments to Woollahra DCP 2015 to strengthen the existing objectives and controls to minimise the impacts of groundwater drawdown as a consequence of underground structures. By including these in Chapter E2 - Stormwater and Flood Risk Management of Woollahra DCP 2015 these controls will apply across the LGA (including Rose Bay and Bellevue Hill), with more detailed controls applying to lands in the Double Bay settlement area.

Staff recommend that Council resolve to exhibit the *Draft Woollahra Development Control Plan 2015 (Amendment No 18)* as contained in **Annexure 2**.

Annexures

1. EPC Agenda 12 April 2021- Double Bay – Hydrogeological Geotechnical Impacts – Groundwater and Geotechnical Assessment report (Annexures removed except Annexure 4) [↓](#) 
2. Draft Woollahra Development Control Plan – (Amendment No 18) [↓](#) 

Woollahra Municipal Council
Environmental Planning Committee Agenda

12 April 2021

Item No: R1 Recommendation to Council
Subject: **DOUBLE BAY - HYDROGEOLOGICAL GEOTECHNICAL IMPACTS - GROUNDWATER AND GEOTECHNICAL ASSESSMENT REPORT**
Author: Neda Vandchali, Strategic Planner
Approvers: Kelly McKellar, Team Leader Strategic Planning
Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Development
File No: 21/42641
Reason for Report: To present the Double Bay – Hydrogeological Geotechnical Impacts Groundwater and Geotechnical Assessment Report prepared by GHD Pty Ltd.

To obtain Council's approval to prepare a planning proposal to amend the Woollahra Local Environmental Plan 2014 and refer it to the Woollahra Local Planning Panel for advice.

To obtain Council's approval to prepare and exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015.

Recommendation

- A. THAT a planning proposal be prepared to amend the *Woollahra Local Environmental Plan 2014* consistent with the staff recommendations identified in **Table 1** of **Annexure 4** of the report to the Environmental Planning Committee meeting on 12 April 2021.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to a future meeting of the Environmental Planning Committee.
- D. THAT a draft development control plan is prepared and publicly exhibited to amend the *Woollahra Development Control Plan 2015*, consistent with the staff recommendations identified in **Table 2** of **Annexure 4** of the report to the Environmental Planning Committee meeting on 12 April 2021.

1. Background

On 25 February 2019, Council considered a Notice of Motion (see **Annexure 1**) relating to concerns raised by residents about cracking and structural movement in houses in Double Bay. Subsequently, on 25 February 2019 Council resolved:

THAT Council:

- A. *Staff meet with concerned Double Bay residents and outline the approval process that was undertaken in relation to the DA and dewatering of 4-8 Patterson Street, Double Bay and other sites that have been approved for dewatering in Double Bay.*
- B. *Follow up with the NSW Department of Primary Industry to ascertain the results of their enquiries into this issue.*

- C. Obtain a report from an expert hydro-geologist (and/or appropriate expert) informing Council as to whether there is any short, medium or long-term impacts associated with excavation, subterranean building and dewatering in the Double Bay area on the structural and geological integrity of Double Bay residential and commercial buildings, with a view to informing any amendments required to existing planning controls.

In response to part C of Council's resolution, engineering consultants GHD Pty Ltd (GHD) were engaged in August 2019 to undertake an assessment of geotechnical and hydrogeological impacts associated with development in the Double Bay area. The study area comprises land in the Double Bay Catchment (see **Figure 1** below) and focused on development that has the capacity to intersect with the water table, including development with one or more basement levels.

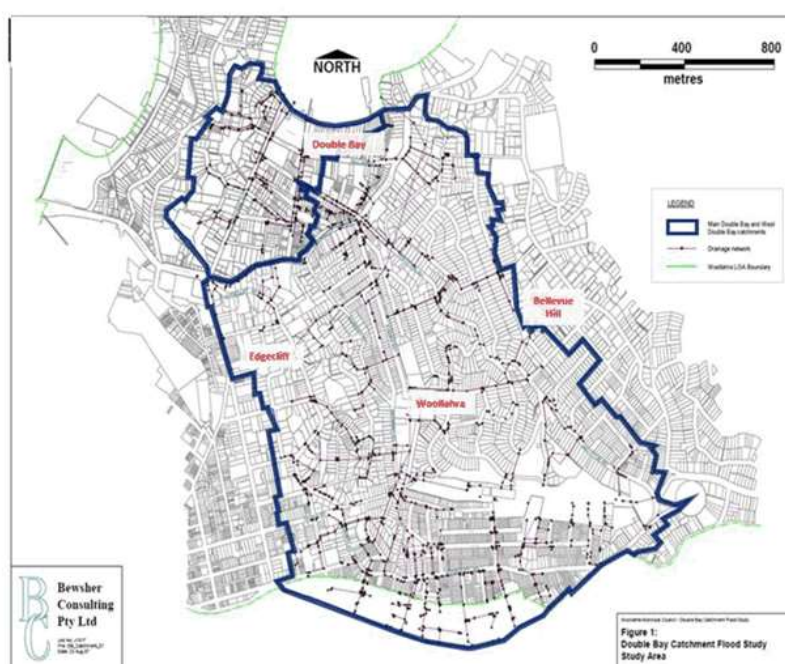


Figure 1: The study area.

(Source: Bewsher Consulting Pty Ltd – Double Bay Catchment Flood Study 2007)

A Councillor briefing was held on 26 August 2020 to present the Report, including its draft implications for the *Woollahra Local Environmental Plan (LEP) 2014*, *Woollahra Development Control Plan (DCP) 2015*, and *Development Application Guide (DA Guide)*.

2. Double Bay – Hydrogeological Geotechnical Impacts Groundwater and Geotechnical Assessment Report by GHD

GHD identified the following objectives to guide their work:

- i. assess potential cumulative impact of future developments on long-term groundwater change
- ii. assess short term construction risk from dewatering damaging adjacent buildings
- iii. identify any required amendments to the existing planning controls.

To meet these objectives, the project was carried out in four stages:

- Stage 1 Identification of the groundwater catchment and establishment of the project study area
- Stage 2 Desktop review
- Stage 3 Assessment of impacts
- Stage 4 Review of Council's planning framework.

The finalisation of this work consists of two documents being:

- *Double Bay Hydrogeological Geotechnical Impacts - Groundwater and Geotechnical Assessment Report* (the Report) (see **Annexure 2**).
- *Double Bay Hydrogeological Geotechnical Impacts - Proposed Modifications to LEP, DCP and DA Guidelines* (the Recommendations) (see **Annexure 3**).

2.1. Double Bay Hydrogeological Geotechnical Impacts - Groundwater and Geotechnical Assessment Report

This report (at **Annexure 2**) summarises Stages 1 to 3 of the project. It discusses GHD's findings regarding short-term and cumulative long-term impacts associated with excavation, subterranean building and dewatering on the structural and geological integrity of existing development in the Double Bay catchment.

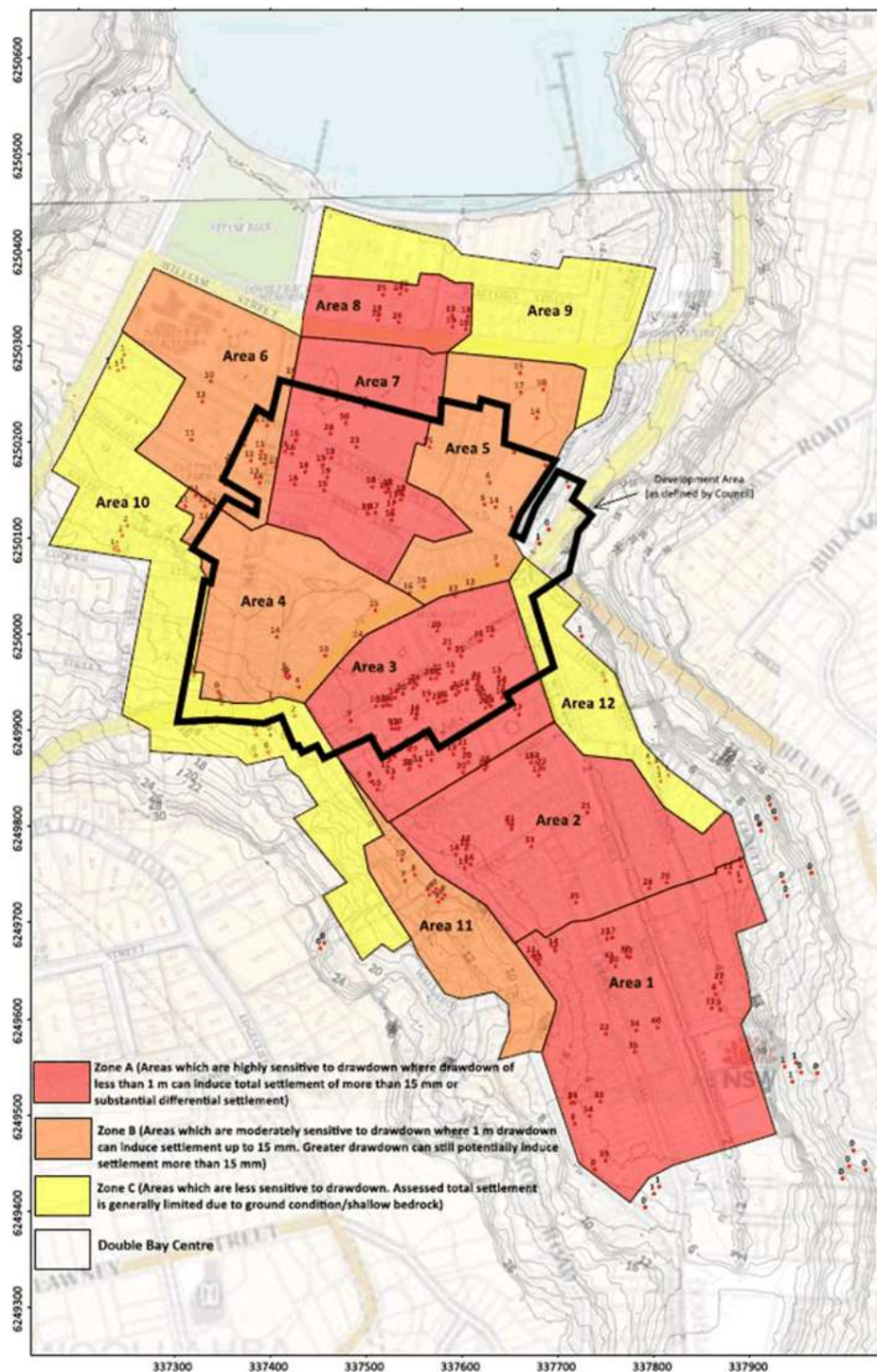
The assessment report comprises three components:

- i. identification of groundwater study area and its groundwater setting
- ii. assessment of potential cumulative impact of future developments on long-term groundwater change
- iii. assessment of short-term construction dewatering on risks of damage of adjacent buildings.

Importantly, the Report has classified parts of the Double Bay Catchment into different Settlement Zones as shown in **Figure 2** below. These zones are more susceptible to having a shallow water table (close to the ground surface) following wet periods. An explanation of the differences between the three zones is summarised in **Table 1**.

Table 1: Settlement Zones in the Double Bay Catchment

Zone Assignment	Description	Typical Settlement for given Drawdown Levels
A	Areas which are highly sensitive to drawdown due to the ground conditions. Consequently, higher settlement magnitude can likely occur and adversely impact adjacent properties.	<ul style="list-style-type: none"> • Settlement of more than 15 mm for 1 m drawdown depth • Differential settlement which can exceed 15 mm for drawdown up to 4 – 5 m
B	Areas which are moderately sensitive to drawdown due to the ground conditions. Although the assessed settlement was generally less than Zone A, this zone can continue settling with the increase in drawdown due to thicker soil profile or compressible layer located at deeper strata.	<ul style="list-style-type: none"> • Settlement of up to 15 mm for 1 m drawdown depth • Settlement can exceed 15 mm for excessive drawdown up to about 4 – 5 m
C	Areas which are less sensitive to drawdown due to ground condition (e.g. shallow bedrock, lower original water table with respect to soil layers)	<ul style="list-style-type: none"> • Settlement of less than 5 mm for 1 m drawdown depth • Settlement is likely to be limited with the increase in drawdown depth due to shallow rock profile



*Figure 2: Settlement Zones in the Double Bay Catchment Area, as identified by GHD
Source: the Report by GHD*

Based on GHD's comprehensive analysis, the report has identified new threshold/control measures for mounding and drawdown of the water table to minimise the potential short and long-term impacts of basement construction in these Settlement Zones.

The proposed analysis, limits and control measures identified in the report have been used to recommend amendments to Woollahra LEP 2014, Woollahra DCP 2015 and the DA Guide.

2.2. Double Bay Hydrogeological Geotechnical Impacts - Proposed Modifications to LEP, DCP and DA Guidelines

This document (at **Annexure 3**) addresses Stage 4 of the project. It sets out GHD's assessment of Council's existing planning controls and guidelines based on the findings of the assessment report. It recommends amendments to the following:

- Woollahra LEP 2014
Cl. 1.2 Aims of the plan
Cl 6.2 Earthworks
- Woollahra DCP 2015: Ch D5 Double Bay Centre
Chapter D5.6.7 Geotechnology and hydrogeology
D5.6.7 Geotechnology and hydrogeology
- Council's DA Guide
Attachment 6 - Geotechnical and Hydrogeological Reports.

The proposed amendments to the Woollahra LEP 2014 put a greater emphasis on the consideration of groundwater dewatering as part of the development assessment process. It provides an overarching statement on the requirement to assess and mitigate the adverse impact of groundwater drawdown.

The proposed amendments to the Woollahra DCP 2015 and DA Guide provide further guidelines and technical advice to support the objective in the Woollahra LEP 2014 and to indicate the requirements to minimise the impacts of groundwater drawdown as a consequence of underground structures.

3. Recommendations¹

Council Staff have reviewed the amendments recommended by GHD, consulted with staff from the *Department of Planning, Industry and Environment*, Council's Development Control and Engineering Services Teams. Council staff generally support the recommendations from GHD, subject to modifications. The table in **Annexure 4** contains the recommendations from GHD and a response from staff which includes a commentary on whether staff support the recommendation with or without modification.

¹ Note: To undertake construction dewatering in NSW, additional approvals must be obtained from WaterNSW, and this forms part of the *integrated development application process* under *Section 4.46 of the Environmental Planning and Assessment Act 1979*. GHD and Council Staff have considered these requirements in the preparation of both the assessment report and the proposed amendments to Council's planning controls and guidelines.

Overall, Staff support the proposed amendments to Woollahra LEP 2014, Woollahra DCP 2015 and the DA Guide, including the technical information which has resulted from the extensive context analysis by GHD. The proposed amendments are location based, and will enhance the existing controls by focusing on the development of subterranean structures. This will help to minimise the adverse impacts of groundwater drawdown in the Double Bay area associated with the short and long term impacts of basement construction.

However, Council staff do not support locating the amendments in Chapter D5 of the Woollahra DCP 2015. Chapter D5 only applies to the Double Bay Centre which is shown in the map above. The proposed controls should apply to the Zone A, B and C Settlement Zones which includes land zoned R2 Low Density Residential and R3 Medium Density Residential. As such, the controls should be inserted into *Chapter E2 Stormwater and Flood Risk Management* which would apply to all development applications in the Double Bay Area. This issue has been discussed with representatives from GHD, who agree with the staff recommendation.

In summary, staff recommend the following:

- Prepare a planning proposal to amend Clauses 1.2 and 6.2 of the Woollahra LEP 2014, subject to modifications to GHD's proposed amendments to Clause 1.2 *Aims of the plan*.
- Prepare a draft development control plan to amend *Chapter E2 Stormwater and Flood Risk Management* of the Woollahra DCP 2015 subject to the modifications recommended in **Annexure 4**. These proposed DCP controls primarily seek to elevate existing or updated guidelines which are already contained in Council's DA Guide *Attachment 6 Geotechnical and Hydrogeological Reports*.
- Make consequential amendments to Council's DA Guide *Attachment 6 - Geotechnical and Hydrogeological Reports*.

4. Next steps

If Council supports amending the Woollahra LEP 2014 and Woollahra DCP 2015, the next steps are as follows:

- Prepare a planning proposal to amend Clauses 1.2 and 6.2 of the Woollahra LEP 2014 and refer this to the Woollahra Local Planning Panel for advice. This advice will be reported to a future meeting of the Environmental Planning Committee.
- Prepare and publicly exhibit a draft development control plan to amend the Woollahra DCP 2015, consistent with **Table 1** of **Annexure 4**. Given the nature of the proposed amendments it is recommended that this process occurs separately to the planning proposal to avoid delays associated with the lengthy Gateway Determination process.

The process for exhibiting a DCP is set out in the EP&A Act 1979, the *Environmental Planning and Assessment Regulation 2000*, and the *Woollahra Community Participation Plan 2019*.

The draft DCP must be publicly exhibited for a minimum of 28 days. Public notice will be given in the Wentworth Courier each week of the exhibition and on Council's website. The outcome of the public exhibition will be reported to a future Committee meeting.

- Amendments to Council's DA Guide do not require public exhibition and can be made under instruction from Council's Director Planning and Development.

5. Conclusion





In response to part C of Council's resolution of 25 February 2019, engineering consultants GHD were engaged in August 2019 to undertake an assessment of geotechnical and hydrogeological impacts associated with future development in Double Bay.

To mitigate the potential impacts of groundwater alteration as a result of future development, the Report prepared by GHD recommends a number of amendments to the Woollahra LEP 2014, Woollahra DCP 2015 and Council's DA Guide. Staff have reviewed these recommendations and have identified in **Annexure 4** several modifications for their implementation.

Overall, staff support the proposed amendments. The proposed amendments are location based, and will enhance the existing controls by focusing on the development of subterranean structures. This will help to minimise the adverse impacts of groundwater drawdown in the Double Bay area associated with the short and long term impacts from construction.

Staff recommend that Council resolve to support the proposed amendments to Woollahra LEP 2014 and Woollahra DCP 2015, subject to the modifications recommend by Staff, consistent with **Annexure 4** of the report to the Environmental Planning Committee meeting on 12 April 2021.

Annexures

1. Council Agenda 25 February - Notice of Motion- Hydro Geological report on Double Bay Dewatering [↓](#) 
2. Double Bay - Hydrogeological Geotechnical Impacts Groundwater and Geotechnical Assessment Report [↓](#) 
3. Double Bay - Hydrogeological Geotechnical Impacts - Proposed Modifications to LEP, DCP and DA Guidelines [↓](#) 
4. Double Bay - Hydrogeological Geotechnical Impacts Report Groundwater and Geotechnical Assessment Report by GHD Pty Ltd - Proposed amendments and Staff recommendations - EPC 12 April 2021 - Annexure 4 - 7 April 2021 [↓](#) 



**Double Bay - Hydrogeological
Geotechnical Impacts Report
Groundwater and Geotechnical
Assessment Report by GHD Pty Ltd
Proposed amendments and Staff recommendations**



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GHD have recommended amendments to Council's existing planning controls and guidelines based on the findings of their assessment report. The report recommends amendments to the following:

- Woollahra Local Environmental Plan (LEP) 2014
- Woollahra Development Control Plan (DCP) 2015
- Council's DA Guide.

This document outlines the proposed amendments identified in the report and a response from Staff which includes a commentary as to whether Staff support the recommendation with or without modification.

Note:

BLUE underline is new text as proposed by GHD.

~~RED strikethrough~~ is existing text which will be deleted as proposed by GHD.

GREEN text shows the proposed modifications recommended by Council Staff.

Underline is new text.

~~Strikethrough~~ is deleted text.

Table 1: Proposed amendments to Woollahra LEP 2014

Proposed amendments	Staff recommendation
<p>Clause 1.2 Aims of Plan</p> <p>(m) to minimise excavation and manage impacts, <u>including the potential impact of the change in the groundwater regime induced by the development.</u></p> <p>Modification by Staff:</p> <p>(m) to minimise excavation and manage impacts, <u>including the potential impact of the change in the groundwater regime induced by the development.</u></p>	<p>Staff support the proposed amendment to Cl1.2(m) subject to the simplification of the wording. Proposed amendments shown in green.</p>
<p>Clause 6.2 Earthworks</p> <p>(1) The objective of this clause is to ensure that earthworks <u>and associated groundwater dewatering</u> for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>(2) Development consent is required for earthworks <u>and associated groundwater dewatering</u> unless—</p> <p>(a) the earthworks <u>and associated groundwater dewatering</u> are exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks <u>and associated groundwater dewatering</u> are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.</p> <p>(3) In deciding whether to grant development consent for earthworks <u>and associated groundwater dewatering</u> (or for development involving ancillary earthworks), the</p>	<p>Staff support the proposed amendment to Cl6.2.</p> <p>Commentary: Cl6.2 is a model local provision under the Standard Instrument which was incorporated into Woollahra LEP 2014. The GHD report recommends amending this model local provision.</p> <p>Accordingly, Staff discussed the proposed changes with DPIE to ensure there are no inconsistencies with the intent of the model clause.</p> <p>DPIE noted that the LEPs for Manly and Hunters Hill include reference to "groundwater dewatering" in their relevant clause, and the proposed wording is according to the Hunters Hill LEP 2012. Accordingly, there is a precedent for this type of amendment to place a greater emphasis on groundwater and dewatering.</p>

Proposed amendments	Staff recommendation
<p>consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining-surrounding properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>Regarding the use of the word “surrounding”, GHD notes that the potential impacts of dewatering may extend a considerable distance away from the development site and that this should be considered when designing development. Accordingly, Staff have no objection to the proposed change.</p> <p>Given the restrictions of the standard instrument, the amendments proposed by GHD are considered to be an appropriate response. Council Staff support the proposed amendment to Cl.6.2.</p>

Table 2: Proposed amendments to D2.2.11 Geotechnology and hydrogeology in the Double Bay Settlement Zones

GHD has recommended amendments to *Chapter D5 Double Bay Centre - Section D5.6.7 Geotechnology and hydrogeology* as shown in **Table 2**. Staff support the majority of the proposed recommendations with some modifications. However, Council Staff do not locating the amendments in Chapter D5 of the Woollahra DCP 2015. Chapter D5 only applies to the Double Bay Centre.

The proposed controls should apply to A, B and C Settlement Zones which includes land zoned R2 Low Density Residential and R3 Medium Density Residential (as shown in Figure 1). As such, the controls should be inserted into *Chapter E2 Stormwater and Flood Risk Management* which would apply to all development applications in the Settlement Zones. This issue has been discussed with representatives from GHD, who agree with the Staff recommendation.

Staff recommend deleting the existing section D5.6.7 Geotechnology and hydrogeology from *Chapter D5 Double Bay Centre*, and insert a new and combined section into Chapter E2 *Stormwater and Flood Risk Management* termed *D2.2.11 Geotechnology and hydrogeology in the Double Bay Settlement Zones*.

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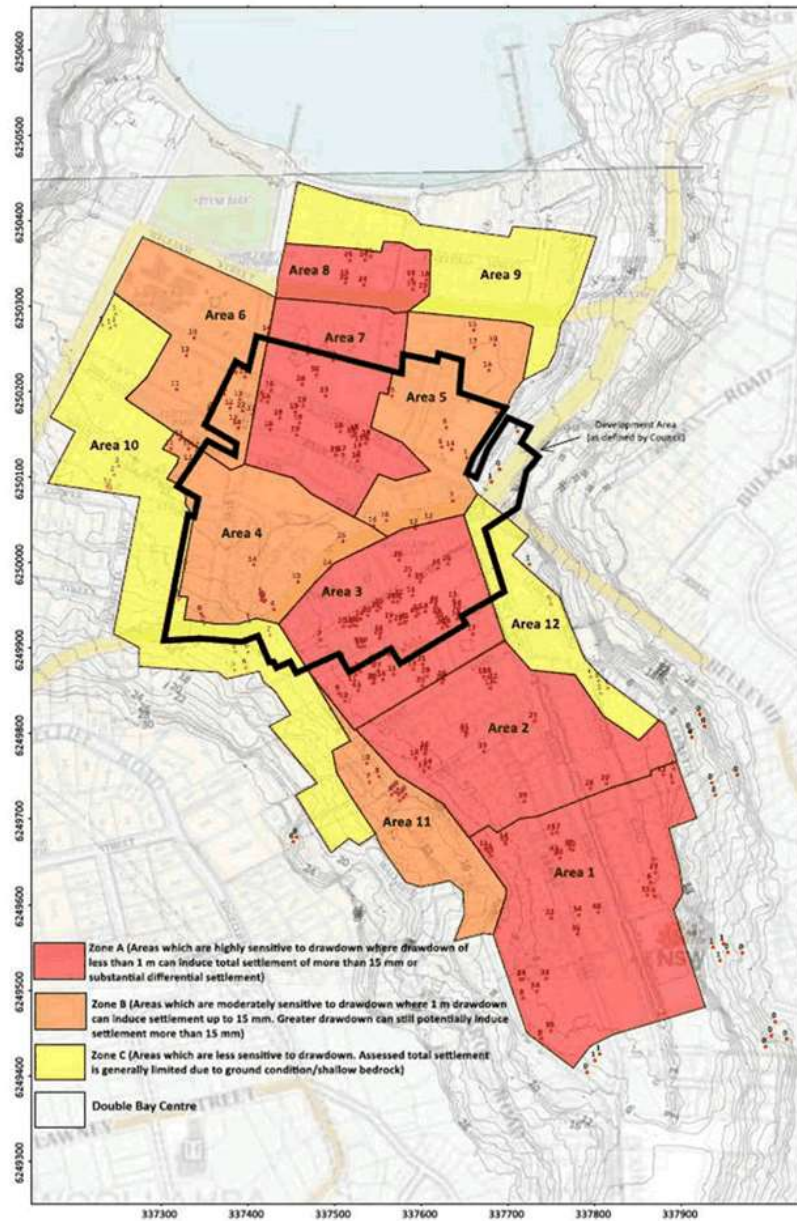


Figure 1: Settlement Zones in the Double Bay Catchment Area, as identified by GHD

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Proposed amendments	Staff recommendation
<p>Staff modification:</p> <p>Delete: <u>D5.6.7 Geotechnology and hydrogeology in Chapter D5: Double Bay Centre</u></p> <p>Replace in: <u>Chapter E2: Stormwater and Flood Risk Management in D2.2.11 Geotechnology and hydrogeology in the Double Bay Settlement Zones</u></p>	<p>Delete section <i>D5.6.7 Geotechnology and hydrogeology</i> from Chapter D5 Double Bay Centre, and insert a new and combined section into Chapter E2 Stormwater and Flood Risk Management termed <i>D2.2.11 Geotechnology and hydrogeology in the Double Bay Settlement Zones</i>.</p>
<p>D5.6.7 Geotechnology and hydrogeology</p> <p>Introduction Council will normally require geotechnical and hydrogeological reports for development applications which include below ground structures.</p> <p>This is because the subsurface conditions within the Double Bay <u>Settlement Zones Commercial Centre</u> generally comprise water charged alluvial sediments to great depth. The alluvium is predominantly sand which is typically loose near the surface but may at some locations be interlayered with soft compressible clay or peat bands at depth.</p> <p><u>The groundwater level in the valley area is generally high and varies between RL 1.0 and RL 2.5. The groundwater level generally varies throughout the Double Bay area and fluctuates with the seasons.</u></p> <p>Any proposed development with below ground structures must consider the sub-surface conditions and the effects of construction on adjacent surrounding properties. In addition, those which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the effect of any changes induced in the sub-surface water levels and the groundwater flow patterns on adjacent surrounding properties. Unless site specific information exists to the contrary, excavations deeper than 1m must be assumed to have this potential to intersect the groundwater level <u>and shall be considered as below ground structures.</u></p> <p>Council's principal objective is to ensure there are no adverse geotechnical and hydrogeological impacts on any surrounding property properties and infrastructure as a result of development, during and after construction. Typically, adverse geotechnical impacts may include vibration induced settlements from construction methods and equipment and inadequate support of adjacent land during and after construction. Typically adverse hydrogeological impacts may include settlement induced by changes in the groundwater level and seepage problems.</p>	<p>Staff support the proposed amendments (with some minor modifications).</p> <p>Commentary: Staff support enhancing the introduction to this section, to recognise the unique characteristics that exist in the Double Bay catchment, and using the word "surrounding" to recognise that the potential impacts of dewatering may extend a considerable distance away from the development site. The introduction has amended to clarify that this section applies to the whole of the Double Bay Settlement Zones (not just the Double Bay Centre).</p>

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Proposed amendments	Staff recommendation
<p>Objective O1: O1 There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on adjoining <u>surrounding</u> properties and infrastructure.</p>	<p>Staff support the proposed amendment to the objective.</p> <p>Commentary: Staff support using the word “surrounding” to recognise that the potential impacts of dewatering may extend a considerable distance away from the development site.</p>
<p>Insert new control <u>C1 All development must satisfy the above design objectives.</u></p>	<p>Staff do not support the new Control proposed by GHD.</p> <p>Commentary: All development must respond to the objectives of Woollahra DCP 2015 and this does not need to be stated as a control.</p> <p>Staff do not recommend that the proposed C1 is included in amendments to the Woollahra DCP 2015.</p>
<p>Delete existing control and replace with new controls</p> <p>C1: Excavation below 1m is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighboring structures.</p> <p><u>C2: Development applications must include a design statement and supporting drawings that show the design measures proposed to minimise risks and to ensure that no adverse impacts will occur.</u></p> <p><u>C3: Geotechnical and hydrogeological reports with supporting design statements must be submitted with all development applications which include below ground structures.</u></p> <p>Staff modification: <u>C2 Development applications which include below ground structures must include the following documents:</u></p> <ul style="list-style-type: none"> <u>Structural report</u> <u>Geotechnical and hydrogeological reports</u> <u>Design statement and supporting drawings that show the design measures proposed to minimise risks and to ensure that no adverse impacts will occur.</u> 	<p>Staff support the new controls subject to them being combined due to their similar nature. Modified text is identified in <u>green</u>.</p> <p>Commentary: The proposed controls have strengthened the requirement for an applicant to provide additional consultant reports. Currently these are only required if excavation is proposed below 1m. GHD are recommending that this requirement is applied to all development.</p> <p>However, Staff recommend that the controls specify that only development applications which include below ground structures must include these technical documents. This will prevent the unnecessary burden or confusion for applicants proposing minor works that do not involve below-ground structures.</p> <p>In addition, GHD have not explained why the requirement for a ‘structural report’ has been removed. Council’s Drainage Engineer has advised that issues relating to structure are not always adequately address in the geotechnical and hydrogeological report. Accordingly, and for abundant certainty, Staff recommend retaining the requirement for a structural report.</p>

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Proposed amendments	Staff recommendation
<p>Insert new control</p> <p><u>C4 A qualified and experienced geotechnical and/or hydrogeological engineer must prepare the reports.</u></p> <p><u>The reports must include a site-specific risk assessment matrix with appropriate definitions for qualitative measures of likelihood and consequences for assessing the risk of damage to existing developments by the new development.</u></p>	<p>Staff support the proposed control.</p> <p>Commentary: This matter is currently addressed in Council's DA Guide, Attachment 6 (pages 3 and 10). Staff support elevating this guideline into a new control in the DCP.</p>
<p>Insert Control C5</p> <p><u>C5 Where groundwater is present and dewatering is likely to occur on the site the following measures must be implemented:</u></p> <ul style="list-style-type: none"> <u>A minimum of two piezometers must be located within the site or in close proximity to it</u> <u>Where piezometers are established in the footpath area a permanent installation with a cast iron cover and concrete surround must be provided</u> <u>Existing piezometers must be used where they are available</u> <u>The groundwater level monitoring must be undertaken using either electronic data loggers, or manual monitoring on regular time intervals commensurate with the expected groundwater level fluctuations. This will allow fluctuations in the site groundwater level to be calibrated against natural fluctuations in the groundwater level.</u> <p>Staff modification:</p> <p><u>C5: Where groundwater is present and dewatering is likely to occur on the site, the requirements of Council's DA Guide under the 'Investigations' section must be implemented.</u></p>	<p>Staff do not support the proposed Control C5.</p> <p>Commentary: The proposed controls, except for the third bullet point highlighted, are currently included in Council's DA Guide, Attachment 6 (page 4).</p> <p>These are highly detailed technical matters which are not appropriate for inclusion in the DCP.</p> <p>However, to ensure that these matters are addressed during the DA process, Staff recommend that this matter is included in the DA Guide and a cross-reference is included in the DCP control. (Recommended text is shown in green).</p>
<p>Proposed new control C6</p> <p><u>C6 Temporary changes to the groundwater level, due to construction, must not exceed 0.2 m from the average monitored pre-construction groundwater level unless calculations using the results of specific field testing, support a greater change and demonstrate that the change will not induce settlement greater than the characteristic surface movement of a Class S site as defined in Table 2.3 of Australian Standard AS2870-2011.</u></p>	<p>Staff support the proposed control to ensure that the impacts of construction are appropriately considered during the DA assessment process.</p>
<p>Proposed new Control C7</p> <p><u>C7 As required by Council's Guidelines, geotechnical and hydrogeological reports must contain an Implementation Plan, including a Monitoring Program, Contingency Plan and Construction Methodology.</u></p> <p><u>The applicant is advised to have an appropriate current insurance policy to cover the reinstatement/repair of damages to surrounding properties as a result of new development.</u></p>	<p>Staff generally support the proposed Control C7, subject to its simplification. However, Staff do not support the proposed additional text which relates to highly detailed technical matters which are not appropriate for inclusion in the DCP (and would not form part of the assessment process).</p> <p>Commentary: The proposed control is currently contained in Council's DA Guide, Attachment 6</p>

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Proposed amendments	Staff recommendation
<p><u>In addition, statements for the design and construction of the below ground structures must be supplied from a suitably qualified and experienced geotechnical or hydrogeological engineer. The design statement must confirm that the design of the below ground structures has been undertaken in accordance with approved standards (such as Australian or British Standards, etc.) where applicable. The engineer must also provide a certificate to confirm that the completed structure conforms to the design.</u></p> <p>Staff modification: <u>C7: Any geotechnical and hydrogeological reports must contain an Implementation Plan, including a Monitoring Program, Contingency Plan and Construction Methodology.</u></p> <p><u>Note: All reports and requirements must be prepared in accordance with Council's DA Guide. Geotechnical reports must be prepared by an appropriately qualified Geotechnical Engineer who is NER registered with a minimum of 10 years practice in the geotechnical field in the last 15 years.</u></p>	<p>(page 7). Staff have no objection to elevating this requirement to the DCP. However, we recommend simplifying the control as shown in green.</p> <p>In addition, Council's Drainage Engineer has advised that a note should be included to ensure that all reports are prepared consistent with the DA Guide and by an appropriately qualified consultant.</p> <p>(Recommended text is shown in green).</p>
<p><i>Note: Section, objective and control numbers will be amended so that these are consequential, should Council endorse the changes for public exhibition.</i></p>	

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Table 3: Proposed amendments to Attachment 6: Geotechnical and Hydrogeological Reports Council's DA Guide

Proposed amendments	Staff recommendation
Design Principles (P 2) Amend text in point one: <ul style="list-style-type: none"> There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on adjoining <u>surrounding</u> properties and infrastructure. 	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: Staff support enhancing the design principle to recognise that the potential impacts of dewatering may extend a considerable distance away from the development site.</p>
Adverse Impact Definition (P 3) Amend text for Adverse Impact Definition Generally, an adverse impact can be assumed to be any damage caused to the improvements on adjoining <u>surrounding</u> properties by the demolition, excavation or construction on the development site.	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: Staff support amending the definition to recognise that the potential impacts of dewatering may extend a considerable distance away from the development site.</p>
Development Application – Report Requirements Investigations (P 3-4) Amend dot point three under Investigations <ul style="list-style-type: none"> If below ground structure is proposed, the investigation should also target at least one continuous strength log of the subsurface soils by Cone Penetrometer Testing (CPT) to supplement the information from the boreholes. As a guide, the following tests can be considered for the continuous strength log: <ul style="list-style-type: none"> Cone Penetration Test (CPT) where the soil strata as proven during the borehole investigation shows the presence of compressible soil (soft to firm clay/clayey soil; soft to firm peat/peaty soil) or where the soil strata has a total thickness of greater than 3 m. Dynamic Cone Penetration (DCP) where the soil strata as proven during the borehole investigation, comprises soil with a total thickness of no more than 3 m and without compressible soil layers. 	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: This detailed technical information is based on GHD's analysis and assessment. Staff have no objection to revising and enhancing the existing guidelines based on GHD's updated analysis.</p>
Amend dot point four under Investigations <ul style="list-style-type: none"> that the presence of groundwater has been investigated. Where present, the <u>pre-construction</u> groundwater level must be measured and monitored. (A longer historical record of natural groundwater fluctuations will be valuable as part of the implementation program. A minimum monitoring period of six months is recommended). 	<p>Staff support the proposed amendment to this part of the Guide to clarify that the groundwater level must be measured pre-construction.</p>
Amend dot point four under Investigations <ul style="list-style-type: none"> that where groundwater is present and dewatering is likely to occur on the site, the following measures will be implemented: <u>the piezometric monitoring of the groundwater will be required as per the requirements given in Clause D5.6.7 of the Development Control Plan.</u> <ul style="list-style-type: none"> a minimum of two piezometers will be located within the site or in close proximity to it. 	<p>Staff do not support removing the existing technical requirement from this guideline to Chapter D5.6.7, new Control C5 of Woollahra DCP 2015.</p> <p>Commentary: Due to the detailed and highly technical nature of this control, Staff recommend that the requirements for the new Control C5 in Chapter D5.6.7 of Woollahra DCP</p>

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Proposed amendments	Staff recommendation
<ul style="list-style-type: none"> a minimum of 2 piezometers will be located off site, as close to the site as possible, but outside the zone of influence of groundwater level disturbance by the new development. where established in the footpath area a permanent installation with a cast iron cover and concrete surround is required. <p>The groundwater level monitoring must be undertaken using either electronic data loggers, or manual monitoring on regular time intervals commensurate with the expected groundwater level fluctuations. This will allow fluctuations in the site groundwater level to be calibrated against natural fluctuations in the groundwater level.</p> <p>Staff modification:</p> <ul style="list-style-type: none"> that where groundwater is present and dewatering is likely to occur on the site, the following measures <u>must</u> be implemented: <ul style="list-style-type: none"> A minimum of two piezometers must be located within the site or in close proximity to it Where piezometers are established in the footpath area a permanent installation with a cast iron cover and concrete surround must be provided Existing piezometers must be used where they are available The groundwater level monitoring must be undertaken using either electronic data loggers, or manual monitoring on regular time intervals commensurate with the expected groundwater level fluctuations. This will allow fluctuations in the site groundwater level to be calibrated against natural fluctuations in the groundwater level. 	<p>2015 are retained in this section of the Guide and not included as a DCP control.</p> <p>The proposed inclusion in the DA Guide which incorporates the advice from GHD is identified in the Staff modification.</p>
<p>Development Application – Report Requirements: Support and Retention (P 5) Amend last dot point</p> <ul style="list-style-type: none"> It may be possible for a new development to be built up to the boundary on a merit- based assessment of the development. This assessment will require the geotechnical/hydrogeological report to confirm the structural adequacy of any adjacent structure including any necessary additional support for the structure as well as suitable groundwater drainage systems as outlined in Hydrogeology. 	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: GHD have identified that this is unnecessary text which can be removed, as it is implied by the earlier text.</p>
<p>Development Application – Report Requirements: Hydrogeology (P 5) Amend dot point two under Hydrogeology</p> <ul style="list-style-type: none"> that there will be no adverse impact on surrounding property and infrastructure as a result of changes in local hydrogeology (behaviour of groundwater) created by the method of construction. This includes the short-term effects resulting from construction practices, including the method and rate of dewatering and the long-term effects resulting from the <u>impediment of the</u> 	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: The proposed amendment clarifies the technical nature of the requirement to ensure its consistent interpretation.</p>

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Proposed amendments	Staff recommendation
<p><u>critical groundwater flow path due to</u> support and retention of property and infrastructure after construction has been completed.</p>	
<p>Amend dot point three under Hydrogeology that temporary changes to the groundwater level, during construction, will be kept within the <u>limits as specified in Clause D5.6.7 of the Development Control Plan</u> historical range of natural groundwater fluctuations. Where data is limited or unavailable, reports must demonstrate that changes in the level of the natural water table, due to construction, will not exceed 0.3m unless calculations using the results of the site specific field testing, supporting a greater change can be provided and can demonstrate no adverse impact to surrounding properties and infrastructure.</p> <p>Staff modification: that temporary changes to the groundwater level, during construction, will be kept within the <u>limits as specified in Chapter D5.6.7 of Woollahra DCP 2015.</u></p>	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: Staff support the deletion of this element, as this has been included as a control in Chapter D5.6.7, of the Woollahra DCP 2015. However, Staff recommend simplifying the cross reference.</p>
<p>Development Application – Report Requirements: Hydrogeology (P 5) Delete dot points four to seven</p> <p>— that in areas where the construction affects existing development within a shadow zone of an earlier construction, temporary changes in the level of the water table during construction will not exceed 0.15m, unless calculations using the results of the site specific field testing, supporting a greater change are provided and demonstrate no adverse impact to surrounding properties and infrastructure. The temporary shadow zone during dewatering should be taken as an area within 20m of the earlier construction, unless site specific calculations can demonstrate that a different lateral extent should be adopted.</p> <p>— that where data is limited or unavailable, the permanent change in the level of the natural water table due to the carrying out of the development will not exceed 0.2m unless calculations using the results of the site specific field testing, supporting a greater change can be provided and can demonstrate no adverse impact to surrounding property and infrastructure.</p> <p>— that in areas where the construction affects existing development within a shadow zone of an earlier construction, the permanent change in the water table due to the carrying out of the development will not exceed 0.1m. The permanent shadow zone of an earlier construction with full penetrating cut-off walls but without appropriate subsurface drainage should be taken as a distance equal to one building width along the groundwater flow path both in front and behind the earlier construction, unless site specific calculations can demonstrate that a different lateral extent should be adopted.</p>	<p>Staff support the proposed amendment to this part of the Guide.</p> <p>Commentary: The three thresholds have been summarised into a single threshold which has been elevated into the DCP. This simplified, and strengthened approach is supported by Staff.</p> <p>The final bullet point refers to groundwater drainage systems. However, Council's Drainage Engineer has identified that our preferred approach is to tank basements, and therefore a reference to a groundwater drainage system is not required.</p>

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Proposed amendments	Staff recommendation
<p>that groundwater drainage systems have been designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations.</p> <p>Development Application – Report Requirements: Hydrogeology (P 6) Amend from second paragraph on page 6 Where an impediment to the <u>critical natural groundwater</u> flow path is created as a result of the nature of the construction methods utilised and/or the bulk of the below ground structure, artificial drains such as perimeter drains and through drainage may be utilised. These systems may only be utilised where <u>it</u> can be demonstrated that the natural ground<u>water</u> flow regime is re-established both upstream and downstream of the site without any adverse effects on surrounding property or infrastructure.</p> <ul style="list-style-type: none"> that groundwater drainage systems are designed for a design life of 100 years. that the groundwater drainage system is designed to be easily maintained. Council will require a positive covenant to ensure the continued functioning and maintenance of the approved groundwater system. Laboratory tests to approved standards should be carried out to determine the clogging potential of any proposed filters used in the design of the drainage system for the new development. that where there is the potential for a damming effect created by several consecutive below ground structures, this potential impact has been the subject of hydrogeological modelling to demonstrate no adverse impact on the surrounding property or infrastructure. The extent of modelling must consider the potential for future development to extend the damming effect and must, as a minimum, extend between street blocks. that where below ground structures are in close proximity to each other (typically less than 3m) no allowance for natural groundwater flow through these narrow corridors has been included in the design of perimeter or through drainage. <p>Staff modification: Where an impediment to the <u>critical natural groundwater</u> flow path is created as a result of the nature of the construction methods utilised and/or the bulk of the below ground structure, artificial drains such as perimeter drains and through drainage may be utilised. These systems may only be utilised where <u>it</u> can be demonstrated that the natural ground<u>water</u> flow regime is re-established both upstream and downstream of the site without any adverse effects on surrounding property or infrastructure. <u>The groundwater drainage systems must be designed for a design life of 100 years.</u></p>	<p>Staff support the deletion of four of the bullet points. However, the top one relating to a design life of 100 years should be retained.</p> <p>The Staff modification shows our recommendation, with the amendments shown in <u>green</u>.</p> <p>Commentary: Staff do not support removing the first bullet point, which refers to:</p> <p><i>'that groundwater drainage systems are designed for a design life of 100 years'.</i></p> <p>As all groundwater drainage systems should be designed to operate for 100 years.</p> <p>The top four bullets can be deleted as these refer to groundwater drainage systems. However, Council's Drainage Engineer has identified that our preferred approach is to tank basements, and therefore a reference to a groundwater drainage system is not required.</p>

Double Bay – Hydrogeological Geotechnical Impacts report by GHD - proposed ~ 31
march 2021
EPC - 12 April 2021 - Annexure 4

21/59559

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Woollahra Development Control Plan 2015 (Amendment 18)

Prepared Date:	May 2021
Adopted:	TBC
Commenced:	TBC
Division/Department:	Strategic Planning
HPE CM Record Number:	21/75045

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Woollahra Development Control Plan 2015 (Amendment No 18)

Part 1 Preliminary

1.1 Background

Draft Woollahra DCP 2015 (Amendment No 18) contains amendments to Chapter *D5 Double Bay Centre* related to section *D5.6.7 Geotechnology and hydrogeology* and Chapter *E2 Stormwater and Flood Risk Management* related to section *E2.2.10 Groundwater (hydrogeology)*.

On 25 February 2019 Council resolved:

THAT Council:

- A. Staff meet with concerned Double Bay residents and outline the approval process that was undertaken in relation to the DA and dewatering of 4-8 Patterson Street, Double Bay and other sites that have been approved for dewatering in Double Bay.*
- B. Follow up with the NSW Department of Primary Industry to ascertain the results of their enquiries into this issue.*
- C. Obtain a report from an expert hydro-geologist (and/or appropriate expert) informing Council as to whether there is any short, medium or long-term impacts associated with excavation, subterranean building and dewatering in the Double Bay area on the structural and geological integrity of Double Bay residential and commercial buildings, with a view to informing any amendments required to existing planning controls.*

In response to part C of Council's resolution, engineering consultants GHD Pty Ltd (GHD) were engaged in August 2019 to undertake an assessment of geotechnical and hydrogeological impacts associated with development in the Double Bay area.

On 12 April 2021, the *Double Bay – Hydrogeological Geotechnical Impacts Groundwater and Geotechnical Assessment Report* by GHD Pty Ltd, including implications on the planning controls was presented to the Environmental Planning Committee (EPC).

On 26 April 2021, Council resolved:

- A. THAT a planning proposal be prepared to amend the Woollahra Local Environmental Plan 2014 consistent with the staff recommendations identified in Table 1 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.*
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- C. THAT the advice of the Woollahra Local Planning Panel be reported to a future meeting of the Environmental Planning Committee.*
- D. THAT a draft development control plan is prepared and publicly exhibited to amend the Woollahra Development Control Plan 2015, consistent with the staff recommendations identified in Table 2 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.*

- E. THAT staff review the proposed controls in the draft development control plan to identify if these can be applied to Rose Bay and Bellevue Hill, and that this review is reported to a future meeting of the Environmental Planning Committee.
- F. THAT staff implement a condition of consent which ensures that, where relevant, the applicant has an appropriate current insurance policy to cover the reinstatement/repair of damages to surrounding properties as a result of the subject DA.
- G. THAT staff prepare a report which advises on mechanisms that can be utilised to prohibit excavation and dewatering in the most impacted zones in the Double Bay Floodplain (see the Double Bay Settlement zones in Figure 2 of the report to the Environmental Planning committee of 12 April 2021) including investigating:
- Amending the Local Environmental Plan (LEP),
 - Amending the Development Control Plan (DCP), and
 - Rezoning.

This draft DCP has been prepared in response to Parts D and E of the Council resolution of 26 April 2021.

1.2 Name of plan

This plan is the *Woollahra Development Control Plan 2015 (Amendment No 18)*.

1.3 Objectives of the plan

The objectives of the plan are to:

- a) Strengthen the existing objectives and controls to minimise the impacts of groundwater drawdown as a consequence of underground structures.
- b) Ensure there are no adverse hydrogeological impacts on any surrounding properties and infrastructure, both during and after construction.
- c) Apply additional technical requirements to the Double Bay settlement area based on the analysis provided by GHD Pty Ltd.

1.4 Land to which this plan applies

This plan applies to all land within the Woollahra Municipality.

1.5 Relationship of this plan to the Act, Regulation and other plans or environmental planning instruments

This plan has been prepared under Division 3.6 of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2000*.

Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) applies to the land to which this plan applies. In the event of an inconsistency between this plan and the Woollahra LEP 2014, the Woollahra LEP 2014 prevails.

1.6 Approval and commencement of this plan

This plan was approved by Woollahra Council on TBC and came into effect on TBC.

1.7 How this plan amends Woollahra DCP 2015

This plan amends Woollahra Development Control Plan 2015 in the manner set out in Part 2 of this plan.

Part 2 Amendments to Woollahra Development Control Plan 2015

This plan amends Woollahra DCP 2015 in the following manner:

Insertions – identified in blue and underlined

Deletions – identified in red and strikethrough

Notes in the right hand margin of each section provide further explanation on the proposed amendments.

Chapter A1 Introduction

2.1 Amendments to clause A1.1.9 Savings and transitional provisions relating to development applications

2.1.1 Insert at the end of the clause

This DCP (as commenced on TBC) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 18 to this DCP.

2.2 Amendments to clause A1.4 List of amendments

2.2.1 Insert at the end of the clause

Amendment	Date of approval and Commencement	Description of amendment
<u>No 18</u>	<u>Date approved – TBC</u> <u>Date commenced - TBC</u>	<u>Amend Chapter D5 Double Bay Centre, section D5.6.7 Geotechnology and hydrogeology by deleting this section and combine with Chapter E2 Stormwater and Flood Risk Management section E2.2.10 Groundwater (hydrogeology).</u> <u>Amend Chapter E2 Stormwater and Flood Risk Management, section E2.2.10 Groundwater (hydrogeology).</u>

Chapter D5 Double Bay Centre

2.3 ~~Amendments~~ to section D5.6.7 Geotechnology and hydrogeology

2.3.1 Delete the introductory note, as they are included in the section E2.2.10.

~~Council will normally require geotechnical and hydrogeological reports for development applications which include below ground structures.~~

~~This is because the subsurface conditions within the Double Bay Commercial Centre generally comprise water charged alluvial sediments to great depth. The alluvium is predominantly sand which is typically loose near the surface but may at some locations be interlayered with soft compressible clay or peat bands at depth.~~

~~The groundwater level in the valley area is generally high and varies between RL 1.0 and RL 2.5.~~

~~Any proposed development with below ground structures must consider the sub-surface conditions and the effects of construction on adjacent properties. In addition, those which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the effect of any changes induced in the sub-surface water levels and the groundwater flow patterns on adjacent properties. Unless site specific information exists to the contrary, excavations deeper than 1m must be assumed to have this potential to intersect the groundwater level.~~

~~Council's principal objective is to ensure there are no adverse geotechnical and hydrogeological impacts on any surrounding property and infrastructure as a result of development, during and after construction. Typically, adverse geotechnical impacts may include vibration induced settlements from construction methods and equipment and inadequate support of adjacent land during and after construction. Typically, adverse hydrogeological impacts may include settlement induced by changes in the groundwater level and seepage problems.~~

2.3.2 Delete objectives O1 to O4, as they will be included in section E2.2.10, objectives O3-O6.

~~Objectives~~

~~Buildings must be designed and constructed with appropriate support and retention systems to ensure that:~~

- ~~O1 — There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on adjoining properties and infrastructure.~~
- ~~O2 — There will be no change to the ground water level, during and after construction, sufficient to cause an adverse impact on surrounding properties and infrastructure.~~
- ~~O3 — Vibration during construction is minimised or eliminated to ensure no adverse impact on surrounding properties and infrastructure.~~
- ~~O4 — The risk of damage to adjacent existing property and infrastructure by the new development will be reduced to a level no greater than that from an event with an "unlikely" likelihood of occurrence and "minor" consequence.~~

~~Note: "adverse impact" means any damage caused to the improvements on adjoining properties by the demolition, excavation or construction on the development site.~~

Commented [DCP1]: Consolidate with E2.2.10 to strengthen the existing controls in E2.2.10 to apply to the entire LGA.

2.3.3 Remove C1 and its associated notes, as it will be included in section E2.2.10, C4.

~~Controls-~~

~~C1-Excavation below 1m is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures.-~~

~~Note:- Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development.-~~

~~Development applications include a design statement and supporting drawings (if necessary) that show the proposed design measures minimise risk and ensure that no adverse impacts will occur.-~~

Chapter E2 Stormwater and Flood Risk Management

2.4 Amendments to section E2.2.10 Groundwater (hydrogeology)

- 2.3.4 Insert introductory paragraph related to the geotechnical and hydrogeological requirements for development of below ground structures.

Introduction

Council will require geotechnical and hydrogeological reports for development applications, which include below ground structures.

Any proposed development with below ground structures must consider the sub-surface conditions and the effects of construction on surrounding properties. In addition, those which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the effect of any changes induced in the sub-surface water levels and the groundwater flow patterns on surrounding properties. Unless site specific information exists to the contrary, excavations deeper than 1m must be assumed to have this potential to intersect the groundwater level and shall be considered as below ground structures.

Council's principal objective is to ensure there are no adverse geotechnical and hydrogeological impacts on any surrounding properties and infrastructure as a result of development, during and after construction. Typically, adverse geotechnical impacts may include vibration induced settlements from construction methods and equipment and inadequate support of adjacent land during and after construction. Typically, adverse hydrogeological impacts may include settlement induced by changes in the groundwater level and seepage problems.

- 2.3.5 Insert new objectives O3 – O6 to strengthen the existing objectives of this section.

Objectives

- O1 To ensure that there are no adverse hydrogeological impacts on any surrounding properties and infrastructure, both during and after construction.

- O2 To maintain the existing groundwater level, both during and after construction.

- O3 To minimise changes in groundwater level to protect surrounding property and infrastructure from damage

Buildings must be designed and constructed with appropriate support and retention systems to ensure that:

- O4 There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on surrounding properties and infrastructure.

- O5 Vibration during construction is minimised or eliminated to ensure no adverse impact on surrounding properties and infrastructure.

- O6 The risk of damage to adjacent existing property and infrastructure by the new development will be reduced to a level no greater than that from an event with an "unlikely" likelihood of occurrence and "minor" consequence.

Note: "adverse impact" means any damage caused to the improvements on adjoining properties by the demolition, excavation or construction on the development site.

Commented [DCP2]: Insert introductory paragraph from section D5.6.7 to include technical requirements of the below ground structure to minimise the adverse geotechnical and hydrogeological impacts.

Commented [DCP3]: Insert a new objective to strengthen the existing objectives to minimise the impacts of below ground structures.

Commented [DCP4]: Insert objectives O4-O6 from section D5.6.7 to strengthen the objectives and apply them to the entire LGA.

2.3.6 Insert a note to identify which area this section apply to.

Controls

General controls that apply to the entire LGA.

Commented [DCP5]: Insert a note to introduce general controls that apply to the entire LGA.

2.3.7 Amend the wording of C1 to further strengthen this control to cover a larger impacted area.

Where this applies

Commented [DCP6]: Delete this note to avoid repetition.

- C1 Unless site specific information exists to the contrary, excavations deeper than 1m are assumed to have a potential impact on groundwater.

Note: Where the groundwater level is high, any proposed development with below-ground structures must consider the sub-surface conditions and the impacts of construction on adjacent surrounding properties.

Below-ground structures which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the impact of any changes induced in the sub-surface water levels and the groundwater flow patterns on adjacent surrounding properties.

Commented [DCP7]: Delete the word 'adjacent' and replace with the word 'surrounding' to ensure that a larger area will be considered during the development assessment process.

The potential impacts of dewatering may extend a considerable distance away from the development site and this should be considered when designing development.

2.3.8 Amend the wording of C1 to further strengthen this control.

- C2 All below-ground structures are fully waterproofed and "tanked". These type of structures must not collect and dispose of subsoil/seepage to kerb and gutter.

Commented [DCP8]: Enhance C2 to prevent the disposal of subsoil/seepage from the below ground structure to the kerb and gutter.

2.3.9 Remove notes of C3 as they will be included in C4 and C5.

- C3 Groundwater does not discharged to Council's stormwater network, including stormwater pipes, pits and/or kerb and gutter.

Commented [DCP9]: Delete notes under C3 to avoid repetition. C4 and C5 include these notes and strengthen them as new controls.

Notes:

~~The hydrogeological report must include a site specific risk assessment matrix with appropriate definitions for qualitative measures of likelihood and consequences for assessing the risk of damage to existing developments by the new development.~~

All below-ground works must also comply with the requirements of the NSW Department of Primary Industries Office of Water.

~~A positive covenant will be required for the maintenance of any approved groundwater drainage system.~~

~~DAs must include a hydrogeological report, a design statement and supporting drawings (if required) that detail the measures proposed to ensure that there will be no adverse hydrogeological impacts. The report must be prepared by an experienced hydrogeological engineer, in accordance with Council's Guide for preparing Geotechnical and Hydrogeological Reports. The design statement must confirm that the design of the belowground structure has been undertaken in accordance with the relevant Australian Standards where applicable.~~

2.3.10 Insert new C4 - C6 to strengthen the existing controls.

C4 Development applications which include below ground structures must include the following documents:

- i. Structural report
- ii. Geotechnical and hydrogeological reports
- iii. Design statement and supporting drawings that show the design measures proposed to minimise risks and to ensure that no adverse impacts will occur.

Commented [DCP10]: Insert new controls C4-C7 to strengthen the existing controls and to further minimise the hydrogeological impacts of the potential development with below ground structure.

Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development.

- C5 A qualified and experienced geotechnical and/or hydrogeological engineer must prepare the reports.

The reports must include a site-specific risk assessment matrix with appropriate definitions for qualitative measures of likelihood and consequences for assessing the risk of damage to existing developments by the new development.

- C6 Where groundwater is present and dewatering is likely to occur on the site, the requirements of Council's DA Guide under the 'Investigations' section must be implemented.

- C7 Any geotechnical and hydrogeological reports must contain an Implementation Plan, including a Monitoring Program, Contingency Plan and Construction Methodology.

Note: All reports and requirements must be prepared in accordance with Council's DA Guide. Geotechnical reports must be prepared by an appropriately qualified Geotechnical Engineer who is NER registered with a minimum of 10 years practice in the geotechnical field in the last 15 years.

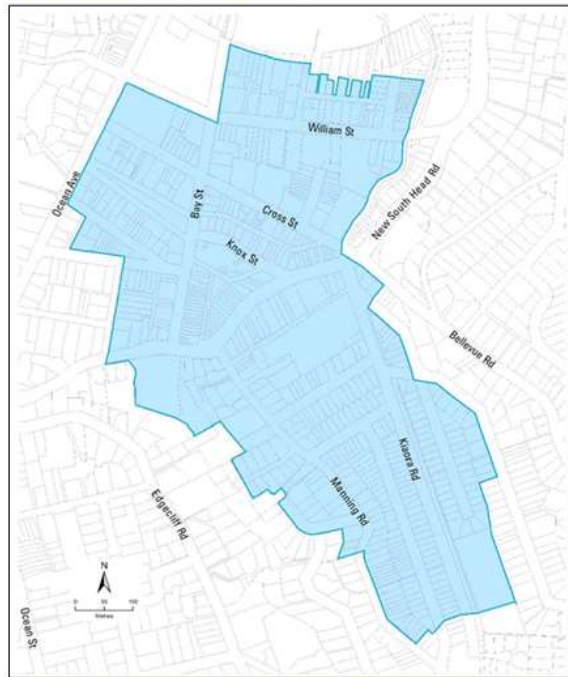
2.3.11 **Insert** the Double Bay settlement map.

Land in the Double Bay settlement area.

In addition to the general controls in this section, the following applies to the land in the Double Bay settlement area, as shown below.

Commented [DCP11]: Insert a note and a map to introduce the sensitive lands in the Double Bay settlement area.

FIGURE 1: Double Bay settlement area



2.3.12 Insert a new **C8** which applies to the Double Bay settlement area.

C8 Temporary changes to the groundwater level, due to construction, must not exceed 0.2 m from the average monitored pre-construction groundwater level unless calculations using the results of specific field testing, support a greater change and demonstrate that the change will not induce settlement greater than the characteristic surface movement of a Class 5 site as defined in Table 2.3 of Australian Standard AS2870-2011.

Commented [DCP12]: Insert a Control to specify the required limits and measurements for the below ground structure in the Double Bay settlement area to minimise the hydrogeological impacts of below ground structures.

Item No: R3 Recommendation to Council
Subject: **RESPONSE TO NOTICE OF MOTION - SINGLE USE PLASTICS**
Author: Micaela Hopkins, Team Leader Environment & Sustainability
Approvers: Paul Fraser, Manager - Open Space & Trees
Tom O'Hanlon, Director - Technical Services
File No: 21/52543
Reason for Report: To update Council about the review of the Single Use Plastics Policy.

Recommendation:

- A. THAT the report on the review of the Single Use Plastics Policy be received and noted.
- B. THAT the revised Single Use Plastics Policy be adopted by Council.

Background:

At the Ecological Sustainability Taskforce meeting on 15 February 2021, Councillors requested a report to Council to inform the Councillors about the response to the Notice of Motion regarding Single Use Plastics.

On 12 March 2018 Council adopted the following Notice of Motion regarding single use plastics.

THAT Council:

1. *Notes the public forum presentation at the Council meeting of 26 February 2018, made by Climate Action Eastern Suburbs on the impacts of single-use plastics and marine pollution.*
2. *Notes progress in the United Kingdom towards reducing single-use plastics, in particular the advocacy of Her Majesty the Queen, His Royal Highness the Prince of Wales and Sir David Attenborough.*
3. *Adopts as Council policy that all local festivals and events that Council sponsors, endorses and/or participates in, be free of single-use plastic.*
4. *Request staff to prepare guidelines for event organisers around what constitutes single use plastic items, including but not limited to plastic drink bottles, glasses, cutlery and plastic bags.*
5. *Request staff to investigate and implement at all appropriate Council assets and properties a receptacle or depot, for the collection of single use plastic and investigates means by which this plastic can be forwarded to those companies or organisations who recycle it.*

Subsequently, in November 2018 a Single Use Plastics Policy was adopted (attached as Annexure 1).

On 10 February 2020 a further Notice of Motion was adopted by Council. Council resolved:

THAT staff review our Single Use Plastics Policy and ensure that we have implemented the changes as outlined in the policy. In addition the policy is reviewed in conjunction with councils in the immediate area (North Sydney has an excellent policy) with a mind to ensuring Woollahra Council's policy is best practice.

A review was undertaken in 2020 in response to the Notice of Motion. The policy review involved:

- Meetings with key staff, including staff involved with place making, community development, waste management, property management, venue hire and environmental education.
- Review of the policy against policies of other Councils, including North Sydney and Ku-Ring-Gai.
- Review of the guidelines for event organisers, which can be found on Council's website: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0011/198353/Quick_Guide_-_Alternatives_to_Single_Use_Plastics.pdf
- Revised policy circulated to key staff for comment and reported to the Ecological Sustainability Taskforce for input.

The revised policy is attached as Annexure 2. A number of changes were made, the main change being that the policy will apply to users of Council venues. Booking forms have been updated to reflect this.

Feedback from the Ecological Sustainability Taskforce requested insertion of a statement about compliance. This has been added in section 2: Application. Regarding compliance of venue users with the Policy, as with any condition of venue hire, failure to comply will result in users being unable to rent the venue again in the future. This is detailed in the venue hire conditions.

The Ecological Sustainability Taskforce also requested that reference be made to the 2020 Notice of Motion. This has been included in the revised Policy.

In relation to Item 5 of the 2018 Notice of Motion, containers to collect soft plastics have been supplied in staff kitchens since 2018. The recent kitchen upgrades in the Redleaf offices have included a single use plastic collection receptacle alongside recycling and composting receptacles. Staff take items collected to the Woolworths RedCycle for recycling.

To complement the roll out of the Single Use Plastics Policy, a number of initiatives were put in place to reduce single use plastics used by staff, including providing all new staff with a reusable water bottle or coffee cup, replacing disposable plastic cutlery with reusable cutlery.

Community education has been undertaken, including development of an educational video with students from Double Bay Public School which was distributed via Council's e-news and can be viewed at <https://vimeo.com/369697215>. Information has been added to Council's website about reducing single use plastics:



https://www.woollahra.nsw.gov.au/services/rubbish_and_recycling/initiatives_and_events

This educational content is being communicated to Woollahra's business community via the 'Our Environment Our Business' program. More information can be found at: https://www.woollahra.nsw.gov.au/environment/education_programs_and_events/business_sustainability . Council has also worked with schools through the Eastern Suburbs Schools Sustainability Network.

Conclusion:

The review of the implementation of Council's Single Use Plastics Policy has found that it is being implemented as intended. The review of the policy content enabled expansion of its applicability to include users of Council venues. Staff will continue to ensure that the Policy is implemented and it will be complemented by continued environmental education initiatives to raise awareness in the local community.

Annexures

1. Single Use Plastics Policy - 2018 [↓](#) 
2. Single Use Plastics Policy - Revised Version - 2021 [↓](#) 



Single Use Plastics Policy

Adoption Date:	29 November 2018 by Approval of the General Manager
Review Date:	29 November 2020
Version:	1
Division/Department:	Technical Services/Open Space & Trees
Responsible Officer:	Team Leader – Environmental Sustainability
HPE CM Record Number:	18/196581

1 Policy Statement

Woollahra Municipal Council is committed to eliminating the use of single use plastics. It is our policy that local festivals and events that Council runs be free of single use plastics except where there is no viable alternative.

2 Application

This Policy will apply to all events run by Council. This Policy does not apply to community-run events, however guidelines for reducing single use plastics will be provided with hiring agreements and event management documents.

3 Definitions

Single use plastic is defined as any disposable plastic material that is used once and discarded. This includes plastics that can be recycled. Single use plastic items include:

- plastic packaging e.g. take-away food containers, plastic bags, plastic wrap
- disposable coffee cups
- plastic water, soft-drink & juice bottles
- plastic cups, plates & cutlery
- plastic straws and stirrers
- balloons

4 Community Strategic Plan, Delivery Program and Operational Plan

This Policy relates to Themes, Goals and Strategies outlined in Council's Community Strategic Plan Woollahra 2030 and Priorities outlined in Council's Delivery Program and Operational Plan, specifically:

Theme:	A Healthy Environment
Goal:	Protecting our environment
Strategy:	Sustainable use of resources
Priority:	Encourage and assist our community to be leaders in waste management and resource recycling.

5 Relevant Legislation

Local Government Act 1993:	Section 8A (2) (d) requires Council to consider the principles of ecologically sustainable development when making decisions.
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6 Single Use Plastics

Council acknowledges that single use plastics are a major environmental issue, with pollution caused by plastics being a serious threat to both aquatic and terrestrial ecosystems. Single use plastics comprise a significant portion of the waste stream and are a large contributor to litter. Council is committed to eliminating single use plastics.

On 12 March 2018 Council adopted a Notice of Motion regarding single use plastics.

THAT Council:

1. Notes the public forum presentation at the Council meeting of 26 February 2018, made by Climate Action Eastern Suburbs on the impacts of single-use plastics and marine pollution.
2. Notes progress in the United Kingdom towards reducing single-use plastics, in particular the advocacy of Her Majesty the Queen, His Royal Highness the Prince of Wales and Sir David Attenborough.
3. Adopts as Council policy that all local festivals and events that Council sponsors, endorses and/or participates in, be free of single-use plastic.
4. Request staff to prepare guidelines for event organisers around what constitutes single use plastic items, including but not limited to plastic drink bottles, glasses, cutlery and plastic bags.
5. Request staff to investigate and implement at all appropriate Council assets and properties a receptacle or depot, for the collection of single use plastic and investigates means by which this plastic can be forwarded to those companies or organisations who recycle it.

7 Alternatives to Single Use Plastics

There are many alternatives to single use plastic items. In the first instance, single use plastic items should be avoided (for example plastic straws, balloons). Where this is not possible, a reusable product should be provided or patrons encouraged to bring their own reusable item (for example coffee cup, water bottle). If that is not an option, a biodegradable or recyclable option should be chosen with care to avoid using other non-recyclable products, including polystyrene, waxed products and foil lined products.

Plastic Item	Alternative Option
Plastic take-away food container	Bamboo tray, cardboard box
Plastic bag	Paper bag, no bag
Plastic wrap	Paper wrap, foil wrap
Plastic bottle	Glass, other re-usable bottle
Plastic cup	Paper cup
Plastic plate	Paper or bamboo plate, serviette
Plastic cutlery	Bamboo cutlery
Plastic straws	No straw, paper straw, pasta straw, metal straw
Plastic stirrer	Wooden stirrer
Plastic lined coffee cup	Crockery or other reusable coffee cup

Single Use Plastics Policy

An area where Council can have an influence over the amount of single use plastic waste generated is event management. Council coordinates, delivers and supports many events. To reduce single use plastics, Council staff will provide guidelines to event organisers, covering both internal and external events.

8 Waste Management

Recycling bins are provided at Council events for recyclable plastics. It should be noted that many single use plastics are unable to be recycled, and those that are recyclable are often highly contaminated with food waste. The lack of opportunity to recycle single use plastics further highlights the need to eliminate their usage. Care should be taken at events to ensure that recycling bins are clearly sign-posted showing what can be collected for recycling.

9 Documentation/References

	HPECM Reference
Woollahra – 2030: Our Community, Our Place, Our Plan	18/139909
Woollahra Municipal Council Environmental Sustainability Action Plan 2013-2025	14/2435

10 Related Policies and Procedures

	HPECM Reference
Woollahra Business Chambers – Guidelines for Funding Requests	18/108998
Placemaking Grants Program	18/105739
Woollahra Municipal Council Events Policy	17/129380
Events Management Plan Template - Supporting Document - Events Policy	17/136327

This Policy will be reviewed every two years or as required in the event of legislative changes. This Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy.

Any amendment to this Policy must be by way of the approval of the General Manager.

Policy Amendments

Date	Responsible Officer	Description



Single Use Plastics Policy

Adoption Date:	29 November 2018 by Approval of the General Manager
Review Date:	22 March 2021
Version:	2
Division/Department:	Technical Services/Open Space & Trees
Responsible Officer:	Team Leader – Environment & Sustainability
HPE CM Record Number:	18/196581

1 Policy Statement

Woollahra Municipal Council is committed to eliminating the use of single use plastics. It is our policy that Council operations, Council owned / controlled properties, local festivals and events that Council runs or are held at Council venues be free of single use plastics except where there is no viable alternative or where there is the need for an exemption due to health or safety.

2 Application

This Policy will apply to all activities conducted at Council owned / controlled venues, including but not limited to:

- Events run by Council and the community such as festivals, fairs, markets
- Operations of commercial tenants
- Hirers of Council venues including halls and parks.

Where a provider, supplier, tenant, hirer, or stall holder is unable to commit to avoidance of single use plastics, Council will, where possible, use an alternative provider or refuse venue hire.

If a provider, supplier, tenant, hirer, or stall holder is found to be operating in breach of Council's Single Use Plastics Policy their application for future hire, tenancy, or provision of service may be refused.

3 Definitions

Single use plastic is defined as any disposable plastic material that is designed to be used once and then discarded. This includes plastics that can be recycled. Single use plastic items include:

- plastic packaging e.g. take-away food containers, plastic bags, plastic wrap
- disposable coffee cups
- plastic water, soft-drink & juice bottles
- plastic cups, plates & cutlery
- plastic straws and stirrers
- balloons
- polystyrene.

4 Community Strategic Plan, Delivery Program and Operational Plan

This Policy relates to Themes, Goals and Strategies outlined in Council's Community Strategic Plan Woollahra 2030 and Priorities outlined in Council's Delivery Program and Operational Plan, specifically:

Theme: A Healthy Environment
Goal: Protecting our environment

Single Use Plastics Policy

Strategy: Sustainable use of resources
Priority: Encourage and assist our community to be leaders in waste management and resource recycling.

5 Relevant Legislation

Local Government Act 1993: Section 8A (2) (d) requires Council to consider the principles of ecologically sustainable development when making decisions.

6 Single Use Plastics

Council acknowledges that single use plastics are a major environmental issue, with pollution caused by plastics being a serious threat to both aquatic and terrestrial ecosystems. Single use plastics comprise a significant portion of the waste stream and are a large contributor to litter. Council is committed to eliminating single use plastics.

On 12 March 2018 Council adopted a Notice of Motion regarding single use plastics.

THAT Council:

1. Notes the public forum presentation at the Council meeting of 26 February 2018, made by Climate Action Eastern Suburbs on the impacts of single-use plastics and marine pollution.
2. Notes progress in the United Kingdom towards reducing single-use plastics, in particular the advocacy of Her Majesty the Queen, His Royal Highness the Prince of Wales and Sir David Attenborough.
3. Adopts as Council policy that all local festivals and events that Council sponsors, endorses and/or participates in, be free of single-use plastic.
4. Request staff to prepare guidelines for event organisers around what constitutes single use plastic items, including but not limited to plastic drink bottles, glasses, cutlery and plastic bags.
5. Request staff to investigate and implement at all appropriate Council assets and properties a receptacle or depot, for the collection of single use plastic and investigates means by which this plastic can be forwarded to those companies or organisations who recycle it.

Further, on 10 February 2020 Council resolved:

THAT staff review our Single Use Plastics Policy and ensure that we have implemented the changes as outlined in the policy. In addition the policy is review in conjunction with councils in the immediate area (North Sydney has an excellent policy) with a mind to ensuring Woollahra Council's policy is best practice.

The policy has been reviewed accordingly.

This policy is consistent with the Australian Packaging Covenant and demonstrates commitment to the 2025 National Packaging Targets.

The 2025 National Packaging Targets are:

Single Use Plastics Policy

- 100% of all Australia's packaging will be reusable, recyclable or compostable by 2025 or earlier;
- 70% of Australia's plastic packaging will be recycled or composted by 2025;
- 30% average recycled content will be included across all packaging by 2025; and
- Problematic and unnecessary single-use plastic packaging will be phased out through design, innovation or introduction of alternatives.

7 Alternatives to Single Use Plastics

There are many alternatives to single use plastic items. In the first instance, single use plastic items should be avoided (for example plastic straws, balloons). Where this is not possible, a reusable product should be provided or patrons encouraged to bring their own reusable item (for example coffee cup, water bottle). If that is not an option, a biodegradable or recyclable option should be chosen with care to avoid using other non-recyclable products, including polystyrene, waxed products and foil lined products.

Plastic Item	Alternative Option
Plastic take-away food container	Bamboo tray, cardboard box
Plastic bag	Paper bag, no bag
Plastic wrap	Paper wrap, foil wrap
Plastic bottle	Glass, other re-usable bottle
Plastic cup	Paper cup
Plastic plate	Paper or bamboo plate, serviette
Plastic cutlery	Bamboo cutlery
Plastic straws	No straw, paper straw, pasta straw, metal straw
Plastic stirrer	Wooden stirrer
Plastic lined coffee cup	Crockery or other reusable coffee cup

An area where Council can have an influence over the amount of single use plastic waste generated is event management. Council coordinates, delivers and supports many events. To reduce single use plastics, Council staff will provide guidelines to event organisers, covering both internal and external events.

8 Waste Management

Where plastics are unable to be avoided, responsible disposal must be practiced and recyclable plastics collected for recycling where possible. Recycling bins are provided at Council events for recyclable plastics. It should be noted that many single use plastics are unable to be recycled, and those that are recyclable are often highly contaminated with food waste. The lack of opportunity to recycle single use plastics further highlights the need to eliminate their usage. Care should be taken at venues and events to ensure that recycling bins are clearly sign-posted showing what can be collected for recycling.

9 Documentation/References

	HPECM Reference
Woollahra – 2030: Our Community, Our Place, Our Plan	18/139909
Woollahra Municipal Council Environmental Sustainability Action Plan 2013-2025	14/2435
Notice of Motion – Single Use Plastics	18/35365
Notice of Motion – Single Use Plastics	20/18185

10 Related Policies and Procedures

	HPECM Reference
Woollahra Business Chambers – Guidelines for Funding Requests	18/108998
Placemaking Grants Program	18/105739
Woollahra Municipal Council Events Policy	17/129380
Events Management Plan Template - Supporting Document - Events Policy	17/136327

This Policy will be reviewed every two years or as required in the event of legislative changes. This Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy.

Any amendment to this Policy must be by way of the approval of the General Manager.

Policy Amendments

Date	Responsible Officer	Description
26 February 2021	Team Leader – Environment & Sustainability	Extension of policy to apply to Council owned or controlled properties.

Item No: R4 Recommendation to Council

Subject: **DRAFT WOOLLAHRA SECTION 7.12 DEVELOPMENT CONTRIBUTIONS PLAN 2021**

Author: Anne White, Manager - Strategic Planning

Approver: Nick Economou, Acting Director Planning & Place

File No: 21/77927

Reason for Report: To propose a new Section 7.12 Development Contributions Plan to reflect updates to the Environmental Planning and Assessment Act 1979, an updated schedule and indexing.
To obtain Councils approval to exhibit a draft development contributions plan.

Recommendation:

- A. THAT the report on the *Draft Woollahra Section 7.12 Development Contributions Plan 2021* be received and noted.
- B. THAT Council resolve to exhibit the *Draft Woollahra Section 7.12 Development Contributions Plan 2021* as contained in **Annexure 2** of the report to the Environmental Planning Committee of 10 May 2021.

1. Background

Section 7.12 (previously 94A) of the *Environmental Planning and Assessment Act 1979* (the Act) allows councils to impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage of the proposed cost of carrying out the development.

For Council to impose a condition under 7.12 a contributions plan, that complies with the requirements of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), must be in place.

Council approved the *Woollahra Section 94A Development Contributions Plan 2011* on 22 August 2011 (the 2011 Plan) and it commenced on 31 August 2011 (see **Annexure 1**). The 2011 Plan authorises Council to impose conditions on development consents, which requires the applicant to pay Council a maximum levy of 1% of the proposed cost of carrying out the development.

A Minister Direction under (the then) section 94E of the Act (10 November 2006) directs the maximum percentage of the levy, based on the range of the development cost:

- up to \$100,000 the maximum percentage of the levy is Nil
- \$100,001 - \$200,000 the maximum percentage of the levy is 0.5%
- more than \$200,001 the maximum percentage of the levy is 1.0%

These limitations are set down in the Regulation.

Funds obtained through the section 7.12 levy are applied towards the provision, extension or augmentation of public amenities or public services or towards recouping the costs in providing, extending or augmenting those amenities or services.

In preparing a Section 7.12 Plan, Council must show the public amenities or public services in a schedule and also on a map. The funds from levies paid may be pooled and used progressively, and indicative priorities for expenditure should be set out in the Plan.

Section 7.12 funds are only one source of revenue available to Council for expenditure on projects. As such, the Section 7.12 plan is not the mechanism for approving expenditure on projects, nor does it approve the carrying out of the works. Expenditure of Section 7.12 funds is facilitated through the approval of Council's annual budget which is contained in Council's annual operational plan.

2. Current Woollahra Section 94A Contributions Plan 2011

Section 7.12 levies acquired by condition of consent under the 2011 Plan are applied to the provision, extension or augmentation of public facilities or towards recouping the cost of their provision, extension or augmentation.

The demand for public facilities is related to expected residential, commercial, retail and other non-residential development across the Municipality. The schedule of works included in the current plan is now ten years old, and some projects have been completed and additional projects have been identified.

3. Draft Woollahra Section 7.12 Contributions Plan 2021

The *Draft Woollahra Section 7.12 Contributions Plan 2021* (Draft Plan) has been prepared to replace the 2011 Plan. The Draft Plan introduces substantial changes including updating class references to the Act¹, the indexation method, and updating the associated works schedule. The Draft Plan is provided at **Annexure 2**. The Draft Plan will repeal the 2011 Plan.

3.1. Consumer Price Index

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation, the 2011 Plan authorises that contributions will be adjusted over time. In this way, the contribution will accurately reflect the actual cost of the proposed development at the time of construction,

Since the adoption of the 2011 Plan, Council has used the Building Price Index (BPI) issued initially by the NSW Department of Commerce. However, the BPI has been discontinued so another mechanism to index payments is required for the Draft Plan.

In preparing this report, staff have reviewed best practice for indexation including legislation, Ministerial directions, practice notes and other Sydney Council contributions plans. In the examples used, all Council's index their contributions plans using the *Consumer Price Index (CPI) Sydney - All Groups* as published by the Australian Bureau of Statistics (ABS). The index is freely available and referenced in the Regulation as "readily accessible". Therefore, it is recommended that Council also adopt the use of the CPI Sydney – All Groups as published by the ABS as the method of indexing Section 7.12 development contributions.

¹ In March 2018, the Act was updated to make it easier to navigate and understand. References in the Act were updated, including an update to the references for and associated with development contributions. These changes have been reflected in the Draft Plan.

3.2. Works Schedule

It is noted that the Draft Plan is shorter than the 2011 Plan. This is because the Draft Plan has been prepared as an interim measure to update the 2011 Plan, and the works schedule has been based on the works identified in the 2021/22 draft budget. The location of individual public facility works are shown on the accompanying map.

As Council prepares its new draft budget for 2022/2023, a corresponding (and longer term) Section 7.12 Plan will be prepared which will identify short term (1-2 years), medium term (3-5 years) and long term (5-10 years) projects.

3.3. Timing of deferred or periodic payments

The Draft Plan requires that, as a condition of accepting a deferred or periodic contribution payment, Council requires a bank guarantee in which the bank unconditionally agrees to pay the contribution to Council on completion of the development. The 2011 Plan requires that this payment must be made on completion of the development, or no earlier than 12 months from the provision of the guarantee whichever occurs first. However, due to the difficulty in managing the 12 month deferral, we recommend the removal of this element in the Draft Plan.

4. Infrastructure Contributions Review

In April 2020, the Minister for Planning and Public Spaces requested the NSW Productivity Commissioner undertake a review of the infrastructure contributions system in New South Wales.

The Final Report was released on 3 December 2020 and it contained a series of recommendations for review. Priority recommended reforms include:

- amending the local government rate peg to reflect population growth
- cost reflective section 7.11 contributions based on efficient costs
- requiring infrastructure contributions plans to be developed upfront prior to rezoning
- retaining the simplicity of section 7.12 levies but with a higher maximum rate for residential development
- restoring water charges for Sydney Water and Hunter Water, which are currently set at zero.

In March 2021, the Government accepted all 29 recommendations in the Final Report. Over the coming months. The Department of Planning, Industry and Environment (DPIE) have identified that they will progress the Review's recommendations in line with a project roadmap. Council staff will monitor the roll out of the recommendations and the potential implications to Woollahra and report back to Council as required.

5. Next Steps

If Council supports the Draft Plan, the next step is to exhibit the Draft Plan. The process for exhibiting a contributions plan is set out in the EP&A Act 1979, the *Environmental Planning and Assessment Regulation 2000*, and the *Woollahra Community Participation Plan 2019*.

The Draft Plan must be publicly exhibited for a minimum of 28 days. Public notice will be given in the Wentworth Courier each week of the exhibition and on Council's website. The outcome of the public exhibition will be reported to a future Committee meeting.

6. Conclusion

The current Section 94A Contributions Plan is now 10 years old, and requires updating to identify new projects that have been identified for completion in the 2021/2022 budget. Staff have prepared a Draft Plan which if adopted by Council, will repeal the 2011 Plan.

Staff recommend that Council resolve to exhibit the *Draft Woollahra Section 7.12 Contributions Plan 2021* as contained in **Annexure 2**.

Annexures

1. Woollahra Section 94A Development Contributions Plan 2011 [↓](#) 
2. Draft Woollahra Section 7.12 Development Contributions Plan 2021 [↓](#) 

Woollahra Municipal Council

Woollahra Section 94A Development Contributions Plan 2011

31 August 2011

Woollahra Section 94A Development Contributions Plan 2011

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Woollahra Section 94A Development Contributions Plan 2011

1.0 Introduction

Section 94A of the *Environmental Planning and Assessment Act 1979* [the Act] contains provisions that allow the Council to impose, as a condition of development consent or as a condition of a complying development certificate, a requirement that the applicant pay a levy of the percentage of the proposed cost of carry out the development.

For Council to impose a condition under section 94A, a contributions plan that complies with clause 27(1) of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) must be in place.

The *Woollahra Section 94A Development Contributions Plan 2011* authorises a condition of development consent or a complying development certificate to require the payment of a fixed levy.

The quantity of the levy and the types of development application which attract the levy are set out in other clauses of this plan.

Levies paid to the Council will be applied towards the provision, extension or augmentation of public facilities, or towards recouping the cost of their provision, extension or augmentation.

Nothing in this Plan is intended to limit the Council's power to impose a condition under section 80A of the Act or section 97 of the *Local Government Act 1993*.

2.0 Summary schedules

The following summary schedules are included in this plan:

Schedule 1 Summary of levy by development type

Schedule 2 Summary of works schedule for which levies are required. The schedule was adopted in 2011 and provides an estimated cost of works and the estimated time frame for their implementation.

Woollahra Section 94A Development Contributions Plan 2011

Schedule 1: Summary of section 94A levies by development type

Development		Levy (percentage of proposed cost of carry out the development) ²
Type	Area	
All development ^{3 and 4}	All Municipality	1% ^{3 and 4}

Notes:

1. Clause 25K of the Regulation sets the maximum percentage of a section 94A levy as 1% of the proposed cost of carrying out the development.
2. Clause 25J of the Regulation provides the method for determining the proposed cost of development. Sub-clause 25J(2) provides that the Council may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the Council to provide such estimates. Refer to clause 3.8 of this Plan.
3. Refer to clause 3.4 of this Plan for applicable changes to the section 94A levy arising from any Ministerial direction under section 94E of the Act.
4. Refer to the Attachment at the end of this Plan for the content of relevant Ministerial directions. Copies or extracts from relevant Ministerial directions may be attached from time to time as administrative steps to assist with the interpretation and operation of this Plan.

Schedule 2: Summary of works schedule

This schedule is provided after annexure 2.

Woollahra Section 94A Development Contributions Plan 2011

3.0 Administration and operation

3.1 Name of plan

This plan is called the *Woollahra Section 94A Development Contributions Plan 2011* (the Plan).

3.2 Purposes of plan

The purposes of the Plan are:

- (a) To authorise the imposition of conditions on development consents, and complying development certificates, requiring that the applicant pay to the Council a levy determined in accordance with this Plan.
- (b) To ensure that adequate public facilities are provided to meet the demand created by development.
- (c) To assist the Council in the provision, extension or augmentation of public facilities.
- (d) To provide a comprehensive framework for the assessment, collection, expenditure, accounting and indexing of development contributions on an equitable basis.
- (e) To enable the Council to be both publicly and financially accountable in its assessment and administration of this Plan.

3.3 Land and development to which plan applies

3.3.1 Land to which plan applies

This Plan applies to all land within the Municipality of Woollahra.

3.3.2 Development to which plan applies

This Plan applies to all development applications and applications for complying development certificates in respect of development on land to which this Plan applies, other than applications made by or on behalf of the Council.

3.3.3 Transitional provision

This Plan applies to an application for development or a complying development certificate which is made on or after the date on which this Plan was first publicly exhibited.

3.4 What this Plan authorises

This Plan authorises the Council to impose conditions on development consents granted to development to which this Plan applies requiring the applicant to pay to the Council a levy of 1% of the proposed cost of carrying out the development, provided that the Council does not also impose on the consent a condition pursuant to section 94 of the Act.

This Plan requires a certifying authority to impose a condition on a complying development certificate for development to which this Plan applies, requiring the applicant to pay to the Council a levy of 1% of the proposed cost of carrying out the development.

Conditions authorised by this Plan are subject to any direction given by the Minister under section 94E of the Act from time to time, and this Plan authorises the imposition of conditions which are in accordance with any such direction.

Woollahra Section 94A Development Contributions Plan 2011

Any relevant Ministerial direction under section 94E of the Act which has been made and is in force from time to time is included in the Attachment to this Plan.

3.5 Relationship with relevant legislation and other plans and policies

This Plan has been prepared under the provisions of Part 4 Division 6 of the Act and Part 4 of the Regulation.

Nothing in this Plan affects the operation and application of Woollahra Section 94 Contributions Plan 2002.

A condition under section 94 of the Act may be imposed on a development consent as an alternative to imposing a condition authorised by this Plan, depending on the nature of the development and the demand for public facilities.

This plan repeals Woollahra Section 94A Development Contributions Plan 2009.

Note: Section 94A(2) prevents a condition under section 94A as well as a condition under section 94 being imposed on the same development consent.

3.6 Approval and commencement of plan

This Plan was approved by Woollahra Municipal Council on 22 August 2011 and commenced on 31 August 2011.

Note: Amendments carried out to this Plan are listed in the table contained in Annexure 2.

3.7 Calculating the levy

The levy is calculated using the percentage rate set out in the summary schedule (clause 2) and the proposed cost of development. The formula for calculating the levy is:

$$L = \%LR \times \$C$$

Where

L is the levy payable
%LR is the levy rate (see clause 2)
\$C is the proposed cost of carry out the development

3.8 Determining the proposed cost of development

A development application or an application for a complying development certificate must be accompanied by a report setting out an estimate of the proposed cost of carrying out development prepared by the following people:

- (a) the applicant of the application, or a person acting on behalf of the applicant, where the estimated cost is below \$750,000, or
- (b) a registered quantity surveyor engaged by or on behalf of the applicant, at the applicant's cost, where the estimated cost is \$750,000 and above.

Woollahra Section 94A Development Contributions Plan 2011

Upon reviewing an estimated cost that is below \$750,000, the Council may require a further estimate to be provided by a registered quantity surveyor at the applicant's cost.

Despite (a) and (b), the Council may appoint a person to review the estimate provided by a quantity surveyor who was engaged by the applicant or a person on behalf of the applicant. The review is to be undertaken at the applicant's cost.

Notes:

1. Refer to clause 3.13 for provisions relating to the adjustment of the proposed cost of development prior to the payment of a section 94A levy.
2. The quantity surveyor must be registered by the Australian Institute of Quantity Surveyors.
3. The review of a quantity surveyor's estimate also applies to an estimate provided a person of equivalent qualifications.

3.9 Payment of levy

Payment of a section 94A levy is to be made in accordance with the terms of the condition imposed on the development consent or complying development certificate. Such conditions will generally require payment in accordance with paragraphs (a) to (d) below:

- (a) in the case of consent to complying development - before the notice to commence work is submitted to the Council.
- (b) in the case of consent to development where a subdivision certificate is required - before the subdivision certificate is issued.
- (c) in the case of consent to development where a construction certificate is required - before the construction certificate is issued.
- (d) in the case of any other development - before the occupation certificate is issued.

The amount to be paid will be calculated at the indexed rate(s) applicable at the time of payment. Refer to clause 3.13.

3.10 Application of levy

Money paid to the Council under a condition authorised by this Plan is to be applied by the Council towards the cost of such of the public facilities listed in the works schedule in this Plan as the Council in its discretion may from time to time determine.

3.11 Planning agreement

The Council may enter into a planning agreement with an applicant as an alternative to imposing a condition authorised by this Plan.

Note: The planning agreement referred to in this clause is a planning agreement under section 93F of the Act.

3.12 Deferred or periodic payment

Where the applicant makes a written request supported by reasons for payment of the section 94A levy other than as required by clause 3.9, the Council may accept deferred or periodic payment. The decision to accept a deferred or periodic payment is at the sole discretion of the Council, which will consider:

- (a) the reasons given;

Woollahra Section 94A Development Contributions Plan 2011

- (b) whether any prejudice will be caused to the community deriving benefit from the public facilities;
- (c) whether any prejudice will be caused to the efficacy and operation of this Plan; and
- (d) whether the provision of public facilities in accordance with the adopted works schedule will be adversely affected.

Council may, as a condition of accepting deferred or periodic payment, require the provision of a bank guarantee where:

- (a) the guarantee is by an Australian bank for the amount of the total outstanding contribution;
- (b) the bank unconditionally agrees to pay the guaranteed sum to the Council on written request by Council on completion of the development or no earlier than 12 months from the provision of the guarantee whichever occurs first;
- (c) the bank agrees to pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent; and
- (d) the bank's obligations are discharged when payment to the Council is made in accordance with the guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

Any deferred or outstanding component of the section 94A levy will be adjusted in accordance with clause 3.13.

The applicant will be required to pay any charges associated with establishing or operating the bank guarantee. Council will not cancel the bank guarantee until the outstanding contribution as indexed and any accrued charges are paid.

Every consent issued subject to a condition requiring a section 94A levy under this Plan will include a standard condition setting out the terms of this clause.

3.13 Adjustment of levies and proposed cost of development

To ensure that the value of the proposed cost of carrying out the development is not eroded over time by increases in construction costs, including the cost of materials and labour, the proposed cost of carrying out development is indexed before payment of the section 94A levy to reflect quantity variations in the Building Price Index (Enterprise Bargaining Agreement) [BPI(EBA)] between the date the proposed cost of development was determined by the Council and the date the levy is to be paid as required by this Plan. The formula used to adjust the proposed cost of development is set out below.

$$NL = \$L_o + \frac{\$L_o \times [\text{current index} - \text{base index}]}{\text{base index}}$$

NL is the new section 94A levy

L_o is the original levy

Current index is the Building Price Index (Enterprise Bargaining Agreement) as published by the

Woollahra Section 94A Development Contributions Plan 2011

[BPI(EBA)]	NSW Department of Commerce available at the time of review of the contribution rate
Base index [BPI(EBA)]	is the Building Price Index (Enterprise Bargaining Agreement) as published by the NSW Department of Commerce at the date of approval of this Plan which is [insert index number at time of adoption]

Note: In the event that the current BPI(EBA) is less than the previous BPI(EBA), the current BPI(EBA) shall be taken as not less than the previous BPI(EBA).

This Plan authorises a condition under section 94A of the Act that contains the above formula.

3.14 Pooling of levies

This Plan authorises section 94A levies to be pooled and applied, progressively or otherwise, for the purposes set out in the works schedule in clause 2 of this Plan. The priorities for the expenditure of the levies are shown in the section 94A levy works schedule in clause 2 of this Plan.

3.15 Construction certificates and certifying authority

A certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of a section 94A levy before the work is carried out in accordance with the consent has been satisfied.

The certifying authority must ensure that the applicant provides a receipt(s) confirming that the levy has been fully paid. Where the certifying authority is not the Council, a copy of the receipt must be provided with the copies of the documentation submitted by the accredited certifier to the Council following determination of the construction certificate application.

The exception to this requirement may occur where the Council has agreed to the payment of the levy in a particular manner after a construction certificate is issued. In these cases, the accredited certifier must provide a copy of the agreement with the copies of documentation submitted to the Council following determination of the construction certificate application.

Note: An agreement referred to in this clause may or may not be a planning agreement under section 93F of the Act.

4.0 Demand for public facilities

Section 94A levies acquired by condition of consent under this Plan are to be applied to the provision, extension or augmentation of the following categories of public facilities located across the Municipality:

- Community facilities
- Environmental works
- Council property
- Public infrastructure works
- Public open space
- Business centres and harbourside works

The demand for public facilities is related to expected residential, commercial, retail and other non-residential development across the Municipality.

Woollahra Section 94A Development Contributions Plan 2011

Demand for the public facilities has been identified by a series of studies, surveys and investigations, which are listed by category in annexure 1.

4.1 Expected residential development

Residential development is expected across the Municipality in residential, commercial and special use areas. Types of residential development include dwelling-houses, dual occupancies, residential flat buildings, boarding houses, and mixed residential and non-residential buildings.

Residential development will occur in the form of new development and alterations and additions to existing development.

4.2 Expected commercial, retail and other non-residential development

The majority of commercial, retail and other non-residential development is expected mainly in the commercial centres throughout the Municipality. Major development is likely to occur in the Double Bay Commercial Centre.

Development is expected in those heritage conservation areas which include a variety of non-residential uses.

Development is also expected in the Special Use Zones, particularly those occupied by the large private schools.

Development will occur in the form of new development and alterations and additions to existing development.

Woollahra Section 94A Development Contributions Plan 2011

5.0 Definitions

<i>accredited certifier</i>	in relation to matters of a particular kind, means the holder of a certificate of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> in relation to those matters.
<i>applicant</i>	means a person, company or organisation submitting a development application or an application for a complying development certificate or a person, company or organisation authorised to act on a consent.
<i>Council</i>	means the Council of the Municipality of Woollahra.
<i>Municipality</i>	means the Municipality of Woollahra.
<i>public facilities</i>	mean public amenities or public services as referred to in section 94A of the Act.
<i>planning agreement</i>	means a voluntary agreement referred to in section 93F [of the Act] (section 93C of the Act).
<i>proposed cost of development</i>	means the cost of development proposed in a development application or a complying development application as determined by the Council under the provisions of clause 25J of the Regulation.
<i>section 94A levy</i>	means a fixed development consent levy under section 94A of the Act.
<i>the Act</i>	means the <i>Environmental Planning and Assessment Act 1979</i> as amended.
<i>the Regulation</i>	means the <i>Environmental Planning and Assessment Regulation 2000</i> as amended.

Woollahra Section 94A Development Contributions Plan 2011

Annexure 1 - Supporting documents

General

- Department of Infrastructure Planning and Natural Resources, July 2005, *Development contributions Practice Notes*
- PPK Environment and Infrastructure Pty Ltd, 1999, *Double Bay Centre Traffic and Parking Study*,
- Woollahra Council, *Woollahra Local Environmental Plan 1995*
- Woollahra Council, *Asset Management Strategy 2011-2021 (March 2011)*

Community facilities

- Australian Street Company, 2002, *Library Accommodation Review (final report)*
- Woollahra Social and Cultural Plan 2008-2013
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- Biotrack Australia Pty Ltd, 2005, *A Water Quality Monitoring Strategy for Woollahra*
- BMT WBM, *Stormwater Harvesting Options, September 2010*
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- Patterson Britton & Partners, 1992, *Cooper Park Stormwater Management Plan.*
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- Storm Consulting, 2008, *Cooper Park, Upper Pond Rehabilitation, Bellevue Hill*
- Woollahra Council, *Asset Management Plan – Infrastructure Asset – Stormwater (March 2011)*

Council property

- Property Capital Works long term budget plan
- Allen Jack and Cottier, 1997, *Redleaf Master Plan*
- Quarterly inspection reports for Council properties
- Woollahra Council Assets Working Party reports (various)
- Woollahra Council, 2003, *Lyne Park Plan of Management*
- Woollahra Council, 2001, *Street Furniture Strategy*
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- Cardno Willing Pty Ltd, April 2003, *Camp St and Victoria St, Watsons Bay - Drainage Investigation*
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- Woollahra Council, 2003, *Disability Action Plan for public ferry wharves at Rose Bay, Double Bay and Darling Point*
- Woollahra Council, 2005, *Infrastructure Renewal Strategy*
- Woollahra Council, *Asset Management Plan – Infrastructure Asset – Transport (March 2011)*

Public open space improvements

- EDAW/Recreation Planning Associates/Envirometrics, 2001, *Woollahra Municipal Council Open Space Audit*
- Manidis Roberts, 1993, *Woollahra Outdoor Recreation and Open Space Strategy*
- Environmental Partnership, 2004, *Robertson Park Plan of Management*
- Design 5 Architects Pty Ltd, 2004, *Redleaf Conservation Management Plan*
- Draft Woollahra Council, 2011, *Redleaf Plan of Management and Masterplan (under preparation)*
- StratCorp Consulting, 2006, *Woollahra Recreational Needs Assessment and Strategy*.
- Woollahra Council, 1996, *Christison Park Plan of Management*
- Woollahra Council, 1996, *McKell Park Plan of Management*
- Woollahra Council, 2001, *Harbourview Park Plan of Management*
- Woollahra Council, 2001, *Woollahra Park Plan of Management*
- Draft Woollahra Council, 2011, *Woollahra Park Plan of Management (under preparation)*
- Woollahra Council, 2002, *Lyne Park Plan of Management*
- Draft Woollahra Council, 2012, *Lyne Park Plan of Management (under preparation)*
- Woollahra Council, March 2002, *Playground Strategy*
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- Woollahra Council, 2009, *Draft Cooper Park Plan of Management*
- Woollahra Council, 2007, *Commercial Fitness Training Activities on Public Open Space*
- Woollahra Council, 2007, *Water craft storage on public land policy*
- Woollahra Council, 2008, *Community Gardens Policy*
- Woollahra Council, 2010, *Chiswick Gardens Plan of Management*
- Draft Woollahra Council, 2011, *Yarranabbe Park Plan of Management and Masterplan*

Business centre and harbourside works

- Bossley Howe Architects, 2004, *Watsons Bay Commercial Precinct (Incorporates Gap Park)*
- Cardno Willing Pty Ltd, 2004, *Hopetoun Avenue, Vauchuse - Retaining Wall Rectification Works*
- Environmental Investigations Pty Ltd, 2004, *Sir David Martin Reserve Remediation*
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- Hill Thalys and Woollahra Council, 2000, *Rose Bay Centre Development Control Plan*
 - Hill Thalys, 2001, *Double Bay Urban Design Study*, Woollahra Municipal Council
 - Woollahra Council, 2001, *Street Furniture Strategy*
 - Hill Thalys and Woollahra Council, 2002, *Double Bay Centre Development Control Plan*
 - Woollahra Council, *Asset Management Plan – Land Improvements (incorporating Harbour side structures) (March 2011)*

Woollahra Section 94A Development Contributions Plan 2011

Annexure 2 - Amendments to Plan

Amendment No.	Dates of approval and commencement	Description of amendment

Note This table of amendments does not form part of the approved Woollahra Section 94A Development Contributions Plan 2011. It is provided to assist with interpretation and will be changed from time to time as amendments are made.

Woollahra Section 94A Development Contributions Plan 2011

Schedule 2 - Summary of works schedule

Notes:

1. The works listed in this schedule are to be funded from a mix of sources, including section 94A funds.
2. Maps provided in this schedule indicate the location of works where possible. Certain services and works are to be provided across the Municipality and therefore are not shown by specific site reference on the maps. The location of certain other works and services has not been determined and therefore they are not shown on the maps. Precise locations will be identified when one or more of the following occurs: the Council locates and acquires appropriate properties; investigations confirm the exact site or location for services and works.
3. In some case works will be undertaken in stages. Where this is proposed, estimates are shown in two or more of the columns labelled short term, medium term and long term.

Woollahra Section 94A Development Contributions Plan 2011

Attachment – Ministerial directions under section 94E of the Act

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

DIRECTION UNDER SECTION 94E

I, the Minister for Planning, under section 94e of the *Environmental Planning and Assessment Act 1979* (“the Act”), direct consent authorities that:

(1) The maximum percentage of the levy for development under section 94A of the Act, having a proposed cost within the range specified in the Table to Schedule A, is to be calculated in accordance with that Table.

(2) Despite subclause (1), a levy under section 94A of the Act cannot be imposed on development:

- (a) for the purpose of disabled access,
- (b) for the sole purpose of affordable housing,
- (c) for the purpose of reducing consumption of mains-supplied potable water, or reducing the energy consumption of a building,
- (d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or
- (e) other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.

In this direction words and expressions used have the same meaning as they have in the Act. The term “item” and “environmental heritage” have the same meaning as in the *Heritage Act 1977*.

This direction does not apply to development applications and applications for complying development certificates finally determined before 1 December 2006.

FRANK SARTOR, M.P.
Minister for Planning
Sydney
[Dated 10 November 2006]

SCHEDULE A

Proposed cost of the development	Maximum percentage of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5 percent
More than \$200,000	1.0 percent

Woollahra Section 94A Development Contributions Plan 2011

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

**REVOCATION OF DIRECTION IN FORCE UNDER SECTION 94E
AND DIRECTION UNDER SECTION 94E**

I, the Minister for Planning:

1. Pursuant to sections 4(8) and 94E of the *Environmental Planning and Assessment Act 1979* ("the Act"), revoke the direction in force under section 94E of the Act made by Craig Knowles, the former Minister for Infrastructure and Planning, on 6 November 2000, in relation to development applications to carry out development under *State Environmental Planning Policy No 5 – Housing for Older People or People with a Disability* ("SEPP 5"). This revocation applies to development applications made on or after commencement of *State Environmental Planning Policy (Seniors Living) 2004 (Amendment No 2)* ("the SEPP").
2. Pursuant to section 94E of the Act, direct consent authorities that there are no public amenities or public services in relation to which a condition under Division 6 of Part 4 of the Act may be imposed on the class of development consents identified in Schedule A granted to a social housing provider as defined in the SEPP. This direction applies to development applications made by such a social housing provider on or after commencement of the SEPP.

Schedule A

Development consents to carry out development for the purposes of any form of seniors housing as defined in State Environmental Planning Policy (Seniors Living) 2004.

FRANK SARTOR

Minister for Planning

Sydney, 14 September 2007

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

DIRECTION UNDER SECTION 94E

I, the Minister for Planning ("**Minister**"), being the Minister administering the *Environmental Planning and Assessment Act 1979* ("**the Act**"), direct consent authorities that:

- (1) A condition pursuant to section 94A of the Act cannot be imposed in respect of any component of a school development that is a BER project.
- (2) There are no public amenities or public services in relation to which a condition pursuant to section 94 of the Act may be imposed in respect of any component of a school development that is a BER Project.

Notes do not form part of this Direction.

Definitions:

- (1) Words and expressions used in this Direction have the same meaning as in the Act, except where otherwise indicated.

Woollahra Section 94A Development Contributions Plan 2011

(2) The following definitions apply in this Direction:

“BER Project” means a Building the Education Revolution project undertaken pursuant to the Building the Education Revolution program and funded by the Commonwealth under the Nation Building and Jobs Plan, Appropriation (Nation Building and Jobs) Act (No.1) 2009-2008 and the Appropriation (Nation Building and Jobs) Act (No.2) 2009-2009.

“School” means a government school or non-government school within the meaning of the Education Act 1990.

KRISTINA KENEALLY
Minister for Planning
Dated 9 September 2009

Notes:

1. Section 94EC(1A) of the Act provides as follows:

The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Community facilities program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
1	Adapt Rose Bay Cottage into a multipurpose community centre with potential for child care.	Upgrade of cottage, children's toilets and facilities and outdoor play areas	\$25,000		\$25,000	
2	New central library	Construction	\$5,685,000		\$5,685,000	
3	New central library	Fitout	\$5,000,000		\$5,000,000	
4	St Brigids Library	Roof replacement	\$240,000		\$240,000	
5		Internal refurbishment including lift	\$700,000		\$700,000	
6	Sir David Martin Reserve	Drill Hall Conservation and structural repairs as required	\$100,000	\$100,000		Subject to investigation
7		RANSA External painting, internal structural repairs	\$100,000	\$100,000		
8	Hugh Latimer Centre	Replace roof and guttering	\$80,000			\$80,000
9		Install child-proof fencing	\$25,000	\$25,000		
10		Install lift	\$60,000	\$60,000		
11		Replace air conditioning	\$50,000		\$50,000	
12		Kindergarten – refurbishment of storeroom and painting of office, child proof fencing	\$22,000	\$22,000		
13	Woollahra Senior Citizens Centre	Replace roof and internal walls	\$80,000	\$80,000		
14	EJ Ward Centre	Review options (see "Central facility" investigation project below)	\$100,000	\$100,000		
15	Central facility for older persons, including food services and social activities with the redevelopment of an existing facility. To include a commercial kitchen, large hall areas (for up to 100 p), office areas, full accessibility, car parking.	Site to be determined Stage 1 – Feasibility to determine the most suitable site, considering: Woollahra Seniors, Holdsworth Street Community Centre. Stage 2 – Design Stage 3 – Construction	\$40,000 \$90,000	\$40,000 \$90,000	 Subject to outcome of stage 2	
16	Increase preschool places and long day care at existing facilities.	Stage 1 – Feasibility study of Hugh Latimer centre Stage 2 – Design Stage 3 – Construction	\$70,000	\$40,000	\$30,000	Subject to outcome of stage 2
17	Public Art throughout the municipality	Installations at locations to be identified (\$1 million over 10 years)	\$1,000,000	\$200,000	\$300,000	\$500,000

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Community facilities program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
18	Cooper Park Community Hall	Replace kitchen joinery, install roof anchors so roof maintenance can be carried out in accordance with OHS and Workcover regulations	\$12,000	\$12,000		
19	The Gunyah	Installation of RCD protection to lighting circuits, Install drainage along southern side of building, adjacent to the path, between Gunyah and Kuhli Hut	\$18,000	\$18,000		
20	Holdsworth Street Community Centre	Replace carpet in administration area	\$10,000	\$10,000		
Total			\$13,507,000	\$897,000	\$12,030,000	\$580,000

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Environmental works program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
1	Water Quality "At Source" Treatment	Rose Bay North Local Commercial Area – install pit baskets into existing stormwater drainage	\$3,000		\$3,000	
2		Rakes Gully, Vaucluse Park and Queens Avenue Reserve – Provision of stormwater pollution devices upstream	\$340,000	\$340,000		
3		Vaucluse House, Vaucluse – Install 4 Stormwater Pollutant Devices into existing stormwater drainage. Also note WQ-VEG15	\$110,000	\$110,000		
4		Gibson Beach, Watson Bay – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
5		Cliff St, Camp Cove – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
6		14 The Crescent, Vaucluse – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
7		Wilberforce St, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$40,000		\$40,000	
8		Bayview Hill Rd, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
9		Dumaresq Ave/Tivoli St, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$40,000		\$40,000	
10		Dumaresq Ave/Rawson St, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
11		Balfour Rd St, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
12		Parsley Bay Reserve, Vaucluse – Install Stormwater Pollutant net device onto end of 3 existing stormwater drainage lines	\$20,000		\$20,000	
13		Kutti Beach, Watson Bay – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
14		Camp St/Victoria St, Watson Bay – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
15		New South Head Rd/Wunulla Rd, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
16	Water Course and Bush Regeneration	Hopetoun Ave, Vaucluse – Extension of existing interallotment drainage scheme to protect Parsley Bay remnant bush areas	\$80,000		\$80,000	
17		Parsley Rd, Vaucluse – Interallotment drainage Scheme to protect Parsley Bay remnant bush areas	\$80,000		\$80,000	
18		Lynne Park, Double Bay Park, Hermitage Foreshore, Gap Park – Reestablish or establish native foreshore vegetation. Also note WQ-VEG 14,15	\$20,000		\$20,000	
19		Vaucluse House Creek stabilisation and water quality works	\$40,000		\$40,000	

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Environmental works program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
20	Water Course and Bush Regeneration	Gibson Beach, Watson Bay Interallotment drainage scheme to protect remnant foreshore area	\$15,000		\$15,000	
21		Gap Park – Bush regeneration project	\$20,000	\$20,000		
22		Parsley Bay – Bush regeneration project	\$20,000	\$20,000		
23		Trumper Park – Bush regeneration project	\$20,000	\$20,000		
24		Cooper Park – Bush regeneration project	\$60,000	\$60,000		
25	Local Flooding, Critical Pits and Overland Flow Program	Camp St and Victoria Street, Watson Bay – Upgrade and amplify existing drainage system	\$256,000		\$256,000	
26		The Crescent, Vaucluse – Upgrade upstream drainage system and adjust footpath driveway levels	\$366,899		\$366,899	
27		Dudley Rd, Vaucluse – Upgrade local drainage system and regrade footpath and road areas	\$80,000	\$80,000		
28	Water Quality "At Source" Treatment	Bellevue Rd Local Commercial Area, Bellevue Hill – Install Pit Baskets into existing stormwater drainage	\$4,000		\$4,000	
29		Rose Bay South Local Commercial Area – Install Pit Baskets into existing stormwater drainage	\$4,000		\$4,000	
30	Water Quality "End of Line" Treatment	Rose Bay Wetlands – Provision of a constructed wetland in the vicinity of Woollahra Golf Course	\$50,000		\$50,000	
31		O'Sullivan Rd/Bunyala Rd, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$80,000		\$80,000	
32		Plumer Rd, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$80,000		\$80,000	
33		Rose Bay Stormwater Channel – Install a litter boom at the outlet to the harbour	\$20,000		\$20,000	
34		Riddell St, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
35		Bellevue Rd/Kambala Rd, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
36		Warren Rd, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
37		Cooper Park Rd, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$40,000		\$40,000	
38		Bellevue Rd/Tarant St, Double Bay Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Environmental works program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
39	Water Quality "End of Line" Treatment	Suttie Rd, Bellevue Hill – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
40		Cranbrook Rd, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
41		Beresford Rd, Rose Bay – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
42	Water Course and Bush Regeneration	Bellevue Rd, Bellevue Hill – Interallotment drainage scheme to protect Cooper park remnant bush areas	\$40,000		\$40,000	
43	Local Flooding, Critical Pits and Overland Flow Program	Rose Bay Flood Relief Works, Cranbrook Rd to O'Sullivan Rd, Rose Bay – Upgrade local drainage systems and provide overland flow paths	\$200,000	\$200,000		
44	Water Quality "At Source" Treatment	Harbourview Park gross pollutant traps (GPTs)	\$30,000	\$30,000		
45	Water Quality "End of Line" Treatment	Russell St, Woollahra – Install stormwater pollutant device into existing stormwater drainage	\$68,500		\$68,500	
46		Adelaide St, Woollahra – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
47		Linden St/Edgecliff Rd, Woollahra – Install stormwater pollutant device into existing stormwater drainage	\$40,000		\$40,000	
48		Holy Cross School, Woollahra – Install stormwater pollutant device into existing stormwater drainage	\$40,000		\$40,000	
49		Wallaroy/Epping Rd, Woollahra – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
50		Milton Ave, Woollahra – Install stormwater pollutant device into existing stormwater drainage	\$30,000		\$30,000	
51	Water Course and Bush Regeneration	Harbourview Park Rock – Lining of Channels	\$15,000	\$15,000		
52		Edward St/View St, Woollahra – Interallotment drainage scheme to protect Cooper Park remnant bush areas	\$100,000		\$100,000	
53		Small Lane/Raine St/Kendall St, Woollahra – Interallotment drainage scheme to protect Cooper Park remnant bush areas	\$60,000		\$60,000	
54		Lough Playing Fields Double Bay – Interallotment drainage scheme to protect Cooper Park remnant bush areas	\$40,000		\$40,000	
55		Harbour View Park/Magney St, Woollahra – Interallotment drainage scheme to protect Cooper park remnant bush areas	\$40,000	\$40,000		

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Environmental works program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
56	Water Course and Bush Regeneration	Thorne St/Cameron St/New McLean St Paddington – Interallotment drainage scheme to protect Trumper Park remnant bush areas	\$120,000	\$120,000		
57	Local Flooding, Critical Pits and Overland Flow Program	Small St, Woollahra – Upgrade local drainage system and provide overland flow path	\$25,000	\$25,000		
58	Water Quality "End of Line" Treatment	Hampden St/Royalston St, Paddington – Install stormwater pollutant device into existing stormwater drainage	\$80,000		\$80,000	
59		New South Head Rd, Rushcutters Bay – Install stormwater pollutant device into existing stormwater drainage	\$70,000		\$70,000	
60		Moncur St/Ocean St, Edgecliff – Install stormwater pollutant device into existing stormwater drainage	\$60,000		\$60,000	
61		Neild St/Brown St, Paddington – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
62		Glenmore Rd, Paddington – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
63		Stephen St, Paddington – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
64		Comber St, Paddington – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
65		Weigall Sports Ground, Paddington – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
66	Local Flooding, Critical Pits & Overland Flow Program	Cecil St /Cecil Lane/Royalston St, Paddington provide overland flow path.	\$235,000	\$235,000		
67		Underwood St/George St/Elizabeth St, Paddington – Upgrade and amplify existing drainage system	\$400,000			\$400,000
68	Water Quality "At Source" Treatment	Seven Shillings Beach/Buckhurst Ave, Point Piper – Install pit baskets	\$4,000		\$4,000	
69		Seven Shillings Beach/Victoria Rd, Double Bay – Install pit baskets	\$6,000		\$6,000	
70		Edgecliff Rd Local Commercial Area, Woollahra – Install pit baskets into existing stormwater drainage	\$6,000		\$6,000	
71		Queen St Local Commercial Area, Woollahra – Install pit baskets into existing stormwater drainage	\$6,000		\$6,000	
72		Lynne Park, Rose Bay – Porous pavement trial	\$50,000	\$50,000		

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Environmental works program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
73	Water Quality "At Source" Treatment	Lynne Park, Rose Bay – Oil/Grit Separator and/or WSUD	\$150,000	\$150,000		
74	Water Quality "End of Line" Treatment	Edgecliff Shopping Centre, Edgecliff – Install stormwater pollutant device into existing stormwater drainage	\$50,000		\$50,000	
75		Yarranabee Rd/New Beach Rd, Darling Point – Install stormwater pollutant device and/or WSUD into existing stormwater drainage	\$40,000		\$40,000	
76		Darling Point Rd/New Beach Rd, Darling Point – Install stormwater pollutant device and/or WSUD into existing stormwater drainage	\$30,000		\$30,000	
77		Darling Point Rd, Darling Point – Install stormwater pollutant device into existing stormwater drainage	\$40,000		\$40,000	
78		Lady Martins Beach, Point Piper – Install stormwater pollutant device into existing stormwater drainage	\$20,000		\$20,000	
79		Fairfax Rd/Trahlee Rd, Double Bay – Install stormwater pollutant device or WSUD into existing stormwater drainage	\$30,000		\$30,000	
80		Forest Rd, Double Bay – Install stormwater pollutant device or WSUD into existing stormwater drainage	\$30,000		\$30,000	
81		Cross St/New South Head Rd, Double Bay – Install stormwater pollutant device or WSUD into existing stormwater drainage	\$30,000		\$30,000	
82		Bay St, Double Bay – Install stormwater pollutant device or WSUD into existing stormwater drainage	\$170,000		\$170,000	
83	Seawall Restoration Program	Darling Point Road and McKell Park, Darling Point – Various Seawall repairs and Stormwater Harvesting for irrigation	\$155,000	\$155,000		
84	Local Flooding, Critical Pits and Overland Flow Program	New South Head Rd/Victoria Rd, Double Bay – Upgrade local drainage system and regrade driveways and footpath areas	\$25,000	\$25,000		
85	Water Quality "At Source" Treatment	Development and implementation of dog management tools, e.g. signage, waste collectors etc.	\$30,000	\$30,000		
86	Water and Energy Saving Projects	Install water saving devices on Council Buildings e.g. rainwater tanks	\$100,000	\$25,000	\$25,000	\$50,000
87		Install energy saving devices on Council Buildings e.g. solar panels	\$100,000	\$100,000		
88		Design and construct stormwater harvesting systems at council parks – Yarranabee, Parsley Bay, Robertson Park	\$300,000	\$300,000		
89	Program Administration	Plan and control the Environmental Works Program	\$172,000	\$172,000		

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Environmental works program						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
90	Program Administration	Environmental Education Programs	\$100,000	\$100,000		
91		Set up a baseline databases and develop the performance measurement system	\$50,000	\$50,000		
92		Water quality treatment program – Develop database to be utilised internally and displayed on Council’s website that details device/treatment locations, maintenance, tonnage removed, material breakup.	\$50,000	\$50,000		
93		Develop and implement a community communication strategy	Ongoing			
94		Develop GPT and WSUD maintenance strategy for systems to be installed	\$50,000	\$50,000		
95		Report to the Council on progress of the Program	Ongoing			
96		Report to the community on the physical progress and financial compliance of the program	\$10,000	\$10,000		
Total			\$6,136,399	\$2,582,000	\$3,104,399	\$450,000

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Council properties program						
No	Project Title	Description	Estimate	Short term	Medium term	Long term
1	Grimley Pavilion, Woollahra Oval	Refurbishment of toilets and change rooms. External painting	\$125,000		\$125,000	
2	Woollahra Oval 2 – Colleagues	Refurbishment of toilets and change rooms	\$35,000		\$35,000	
3	Lyne Park Amenities	Upgrade to include kiosk	\$750,000	\$750,000		
4	Woollahra Golf Club	External painting and refurbishment works	\$110,000	\$110,000		
5		Re-roof above Pro-shop	\$10,000	\$10,000		
6	Rose Bay Car Parks	Mixed use redevelopment of car parks and/or landscaping and streetscape works	To be determined			To be determined
7	9A Cooper Park Road	Highly restricted access. Investigate options as part of the New LEP	\$150,000		\$150,000	To be determined
8	Cross Street Car Park	Extend 450 space carpark. Split floor extension to car parking (88 spaces)	\$9,000,000			\$9,000,000
9		Office space addition to Cross Street elevation (460sqm)	Included above			Included above
10		Remove redundant ventilation system	\$150,000	\$150,000		
11		Lift counterweight and sheave repairs	\$80,000	\$80,000		
12	Kiaora Lane Car Park	Parking equipment	\$225,000		\$225,000	
13	Quarry Street Depot	Replacement of roller shutter doors, ventilation system upgrade, internal painting	\$75,000	\$75,000		
14	Fletcher St Depot	Remove and replace infill panels around widow frames, ceiling and northern wall in managers office, northern wall and northern section of ceiling in civil works office, northern wall in lunch room, etc.	\$20,000	\$20,000		
15	Disabled Access	Upgrade access to various properties	\$125,000	\$50,000	\$75,000	
16	Essential Building Services	Upgrade various properties	\$100,000	\$50,000	\$50,000	
17	Street furniture	Upgrade all areas	\$125,000	\$50,000	\$75,000	
18	Redleaf Kiosk	Remove and replace exterior eaves and toilet cubicle walls in male and female amenities	\$5,000	\$5,000		
19	Woollahra Park Croquet Club	Remove five ceilings in clubhouse and workshop	\$15,000	\$15,000		
20	Blackburn Gardens	Remove and replace ceiling in womens toilet, refurbish mens and womens toilets	\$30,000	\$30,000		
21	Council Offices – Redleaf	Replacement of fan motors, chilled and hot water valves, pumps and other operational components of air conditioning system throughout the building	\$20,000	\$20,000		
22		Council Chambers – Carpet replacement	\$50,000	\$50,000		
23		External painting	\$60,000	\$60,000		
Total			\$11,260,000	\$1,525,000	\$735,000	\$9,000,000

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Infrastructure renewal program						
No.	Project	Description	Estimated Cost (Initial 5 Year Program)	Short term	Medium term	Long term (TBA)
Vaucluse Ward						
1	Road pavements	40647sqm	\$1,801,000	\$782,400	\$1,018,600	Further 5 year plan to be developed
2	Footpaths	5070sqm	\$788,300	\$209,600	\$578,700	Further 5 year plan to be developed
3	Kerb and guttering	4265m	\$913,400	\$261,600	\$651,800	Further 5 year plan to be developed
4	Seawalls	Includes reconstruction of Lyne Park, Gibson Beach, Parsley Bay seawalls and Watson Bay baths	\$1,650,000	\$1,050,000	\$600,000	Further 5 year plan to be developed
5	SWD	Includes flood studies and storm water upgrade works for Hopetoun Avenue, The Crescent, Victoria Street, Camp Street, Village Lower Road and the Rose Bay Floodplain Risk Management Plan	\$690,000	\$215,000	\$475,000	Further 5 year plan to be developed
6	Retaining walls	Notional amount allocated evenly across wards until works program developed	\$110,000	\$50,000	\$60,000	
Bellevue Ward						
7	Road pavements	28564sqm	\$1,576,200	\$561,500	\$1,014,700	Further 5 year plan to be developed
8	Footpaths	3750sqm	\$604,200	\$201,000	\$403,200	Further 5 year plan to be developed
9	Kerb and guttering	4281m (including 115m sandstone)	\$1,194,800	\$385,600	\$809,200	Further 5 year plan to be developed
10	Seawalls	Works include Rose Bay seawall repairs	\$970,000	\$750,000	\$220,000	Further 5 year plan to be developed
11	SWD	Includes the Rose Bay Floodplain Risk Management Plan; and storm water upgrades in Bellevue Road and Fairfax Road	\$675,000	\$100,000	\$575,000	Further 5 year plan to be developed
12	Retaining walls	Notional amount allocated evenly across wards until works program developed	\$110,000	\$50,000	\$60,000	
Cooper Ward						
13	Road pavements	32361sqm	\$1,737,900	\$707,600	\$1,030,300	Further 5 year plan to be developed
14	Footpaths	3173sqm	\$499,000	\$62,000	\$437,000	Further 5 year plan to be developed
15	Kerb and guttering	3039m (including 1020m sandstone)	\$1,097,450	\$524,000	\$573,450	Further 5 year plan to be developed
16	Seawalls	No seawalls	\$0	\$0	\$0	
17	SWD	Includes the Double Bay Floodplain Risk Management Plan and storm water upgrade works for Tara Street and Ocean Street.	\$275,000	\$200,000	\$75,000	Further 5 year plan to be developed

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Infrastructure renewal program						
No.	Project	Description	Estimated Cost (Initial 5 Year Program)	Short term	Medium term	Long term (TBA)
18	Retaining walls	Notional amount allocated evenly across wards until works program developed	\$110,000	\$50,000	\$60,000	
Paddington Ward						
19	Road pavements	19859sqm	\$1,321,580	\$430,530	\$891,050	Further 5 year plan to be developed
20	Footpaths	8796sqm	\$1,588,200	\$693,300	\$894,900	Further 5 year plan to be developed
21	Kerb and guttering	1212m (including 780m sandstone)	\$401,800	\$140,000	\$261,800	Further 5 year plan to be developed
22	Seawalls	No seawalls	\$0	\$0	\$0	
23	SWD	Includes the Rushcutters Bay Floodplain Risk Management Plan and storm water upgrade works in Cecil Lane, Kidman Lane and Harris Street.	\$610,000	\$180,000	\$430,000	Further 5 year plan to be developed
24	Retaining walls	Notional amount allocated evenly across wards until works program developed	\$110,000	\$50,000	\$60,000	
Double Bay Ward						
25	Road pavements	39329sqm	\$2,065,770	\$723,170	\$1,342,600	Further 5 year plan to be developed
26	Footpaths	1910sqm	\$328,350	\$90,750	\$237,600	Further 5 year plan to be developed
27	Kerb and guttering	2743m (including 590m sandstone)	\$944,350	\$470,950	\$473,400	Further 5 year plan to be developed
28	Seawalls	Seawall repairs	\$400,000	\$100,000	\$300,000	Further 5 year plan to be developed
29	SWD	Includes the Double Bay Floodplain Risk Management Plan and stormwater upgrade works in Forest Road and Guilfoyle Avenue.	\$150,000	\$60,000	\$90,000	Further 5 year plan to be developed
30	Retaining walls	Notional amount allocated evenly across wards until works program developed	\$110,000	\$50,000	\$60,000	
Total			\$22,832,300	\$9,149,000	\$13,683,300	\$0

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Open space improvements program						
No.	Project	Description	Estimated Cost	Short Term	Medium Term	Long Term
1	Lyne Park	Provide supplementary play equipment	\$100,000		\$100,000	
2		Install additional shading to playground	\$30,000	\$30,000		
3		Review style and placement of rubbish bins including recycling facilities	\$15,000	\$15,000		
4		Landscape treatments to formalised main entry points	\$100,000			\$100,000
5		Incorporate the section of park in front of the seaplanes into a comprehensive waterfront pedestrian promenade	\$500,000	\$500,000		
6		Extend pedestrian promenade at front of Catalinas and the sea plane jetty	\$100,000	\$100,000		
7		Reconstruction of western carpark (carpark 2)	\$490,000	\$490,000		
8		Widen footpath, including tree plantings, from Rose Bay Promenade to Catalinas	\$299,000	\$299,000		
9		Prepare and implement historical and cultural heritage interpretive plan	\$20,000			\$20,000
10		Provide interpretive signage associated with the main tree resources	\$5,000			\$5,000
11		Shade trees in Car Park 1	\$10,000.00		\$10,000.00	
12		Replace park furniture as necessary	\$50,000	\$50,000		
13		Signage locating the Harbour Walk is installed in the park	\$10,000	\$10,000		
14		Improve boat storage facilities	\$10,000	\$10,000		
15	Gap Park	Bushland regeneration	\$25,000	\$25,000		
16		Self harm minimisation initiatives	\$500,000	\$500,000		
17		Main entry and viewing area	\$155,000	\$155,000		
18		Interpretative signage	\$55,000	\$55,000		
19		Upgrade pathways	\$500,000		\$500,000	
20		Upgrade drainage	\$20,000	\$20,000		
21	Robertson Park	Interpretive strategy to provide coordination with Robertson Park, The Gap, Marine Parade etc.	\$40,000		\$40,000	
22		Military Road edge and bank planting, irrigation system	\$22,500		\$22,500	
23		Pedestrianisation of existing Military Road turning circle and relocation of turning circle	\$410,000			\$410,000
24		Irrigation projects	\$15,000	\$15,000		
25		Clovelly House interpretation	\$60,000		\$60,000	
26		Planted seating area to east edge	\$30,000		\$30,000	
27		Demolish existing toilet facilities and construct new amenities building northern boundary	\$350,000		\$350,000	
28		Marine Parade steps and path from Dunbar House – provide stepping to existing wall	\$60,000			\$60,000
29		Install pedestrian pavement to Clovelly Street adjacent to Dunbar House	\$120,000			\$120,000
30		Dunbar House interpretation and upgrade works	\$45,000			\$45,000
31		Plant more shade trees on the perimeter to provide solar protection and improve visual quality	\$5,000		\$5,000	

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Open space improvements program						
No.	Project	Description	Estimated Cost	Short Term	Medium Term	Long Term
32	Robertson Park	Provide more spectator and visitor seating (under trees)	\$5,000			\$5,000
33		Undergrounding of power cable in front of Dunbar House	\$25,000		\$25,000	
34		Provide supplementary play equipment	\$100,000.00			\$100,000.00
35		Install additional shading to playground	\$30,000.00			\$30,000.00
36		Interpretive and wayfinding signage	\$20,000.00		\$20,000.00	
37	Parsley Bay Reserve	Upgrade toilet facilities	To be determined			To be determined
38		Interpretive signage	\$20,000		\$20,000	
39		Upgrade pathways	\$50,000		\$50,000	
40		Upgrade bridges	\$50,000		\$50,000	
41		Waterfall lookout	\$40,000		\$40,000	
42		Irrigation projects	\$25,000	\$25,000		
43		Water feasibility study	\$25,000	\$25,000		
44		Provide supplementary play equipment	\$100,000			\$100,000
45		Install additional shading to playground	\$30,000			\$30,000
46		Improve boat storage facilities	\$10,000	\$10,000		
47	Christison Park	Upgrade grandstand and amenities	To be determined			To be determined
48		Replace exercise equipment	\$30,000		\$30,000	
49		Topdress sportsground	\$65,000	\$65,000		
50	Percival Park	Upgrade of lighting	\$30,000	\$30,000		
51		Pathway construction	\$20,000		\$20,000	
52	Cooper Park	Upgrade of pathways in Cooper Park	\$80,000		\$80,000	
53		Regrade sports surfaces	\$85,000	\$85,000		
54		Install irrigation system to sports surface	\$80,000		\$80,000	
55		Bush regeneration projects	\$30,000	\$30,000		
56		Realign and stabilise sandstone flagging on Rosewood Walk and eastern end of Cooper Creek path	\$70,000		\$70,000	
57		Volunteer meeting room	\$80,000	\$80,000		
58		Establish community garden	\$45,000		\$45,000	
59		Interpretive signage	\$50,000		\$50,000	
60		Major landscaping project amphitheatre area	\$200,000		\$100,000	\$100,000
61		Upgrade access to top pond area	\$50,000		\$50,000	

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Open space improvements program						
No.	Project	Description	Estimated Cost	Short Term	Medium Term	Long Term
62	Cooper Park	Provide supplementary play equipment	\$100,000			\$100,000
63		Install additional shading to playground	\$30,000			\$30,000
64	Thornton Reserve Playground	Renew stairs and pathways	\$50,000		\$50,000	
65		Provide supplementary play equipment	\$100,000			\$100,000
66		Install additional shading to playground	\$30,000			\$30,000
67	Harbourview Park	Path reconstruction between Magney Street and Russell Street	\$40,000		\$40,000	
68		Connect single property stormwater discharge pipes on southern perimeter to Magney Street drainage channel	\$5,000		\$5,000	
69		Reconstruct obsolete trash rack	\$10,000	\$10,000		
70		Repair upper section of Magney Street drainage channel	\$10,000		\$10,000	
71		Provide supplementary play equipment	\$100,000			\$100,000
72		Install additional shading to playground	\$30,000			\$30,000
73		Implement POM actions	\$50,000		\$50,000	
74		Interpretive and wayfinding signage	\$20,000		\$20,000	
75	Lower Cooper Park	Stabilise creek embankment at pipe entry at Lower Cooper Park	\$20,000		\$20,000	
76		Shade trees in Lower Cooper Park carpark	\$10,000		\$10,000	
77	Lough Playing Fields	Major upgrade to sports surface	\$105,000		\$105,000	
78		Exercise equipment	\$25,000			\$25,000
79		Vehicle entrance	\$10,000		\$10,000	
80		Perimeter fencing	\$50,000		\$50,000	
81	Gaden Reserve/ Raoul Wallenberg Garden	Consolidation of the reserve and garden into a single usable park with a childrens playground	\$500,000.00		\$500,000	
82	Chiswick Park	Upgrade park to provide disabled access	\$150,000	\$150,000		
83	Trumper Park	Upgrade grandstand and amenities	To be determined			To be determined
84		Install shade structure	\$30,000	\$30,000		
85		Install kerb, gutter, line marking, drainage to Quarry St car park	\$70,000	\$70,000		
86		Major upgrade to sports surface	\$150,000	\$150,000		
87		Provide more stairways	\$50,000		\$50,000	
88		Provide supplementary play equipment	\$100,000			\$100,000
89		Interpretive and wayfinding signage	\$20,000		\$20,000	

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Open space improvements program						
No.	Project	Description	Estimated Cost	Short Term	Medium Term	Long Term
90	Royal Hospital for Women Park Childrens Memorial	Provide a memorial to children born at the hospital	\$80,000		\$80,000	
91		Provide supplementary play equipment	\$100,000			\$100,000
92		Install additional shading to playground	\$30,000			\$30,000
93	Blackburn Gardens / Redleaf	Landscape improvements	\$45,000		\$45,000	
94		Upgrade toilet and changeroom facilities	\$45,000			\$45,000
95		Upgrade pathways	\$1,000,000		\$1,000,000	
96		Improve boat storage facilities	\$10,000	\$10,000		
97		Interpretive and wayfinding signage	\$20,000		\$20,000	
98	McKell Park	Reconstruct failed retaining wall at lower section	\$75,000	\$75,000		
99		Replace chain fence along seawall	\$45,000	\$45,000		
100		Replace dilapidated paving	\$75,000		\$75,000	
101		Install weather shelter adjacent to Canonbury Cottage	\$30,000		\$30,000	
102		Replace perimeter fencing	\$50,000		\$50,000	
103		Switchboard upgrade	\$5,000	\$5,000		
104	Darling Point Reserve	Major landscaping project	\$40,000		\$40,000	
105	Steyne Park	Relocate and replace bubbler	\$5,000	\$5,000		
106		Install new playground adjacent to kiosk	\$120,000	\$120,000		
107		Install signage indicating public transport accessibility from existing rail, bus and ferry	\$2,000		\$2,000	
108		Install signage indicating public access along foreshore	\$2,000		\$2,000	
109		Interpret maritime cultural heritage in consultation with Rushcutters Bay Maritime Reserve Trust	\$20,000			\$20,000
110		Upgrade toilet facilities	\$50,000		\$50,000	
111		Upgrade lighting	\$80,000		\$80,000	
112		Install additional shading to playground	\$30,000			\$30,000
113		Improve boat storage facilities	\$10,000	\$10,000		
114	Rushcutters Bay	Upgrade toilet facilities	To be determined			To be determined
115		Provide supplementary play equipment	\$100,000			\$100,000
116		Install additional shading to playground	\$30,000			\$30,000
117	Sir David Martin Reserve	Signage locating Harbour Walk is installed within the Reserve	\$5,000		\$5,000	

Works Schedule to accompany the Draft Woollahra Section 94A Development Contributions Plan 2011

Open space improvements program						
No.	Project	Description	Estimated Cost	Short Term	Medium Term	Long Term
118	Sir David Martin Reserve	Review existing garden bed located on the eastern side of the Parade Ground and assess potential for upgrade	\$15,000		\$15,000	
119		Furniture upgrades that capitalise on views out of the Reserve	\$6,000	\$6,000		
120		Remove Bollards	\$5,000	\$5,000		
121		Landscape around The Cottage to be improved	\$5,000		\$5,000	
122		Landscape surrounding RANSA to be improved	\$5,000		\$5,000	
123		Relocation of the waste disposal unit on the southern side of the RANSA building to a more appropriate location	\$2,000		\$2,000	
124		Review existing stormwater flow from RANSA	\$5,000		\$5,000	
125		Sayonara slipway	\$35,000		\$35,000	
126		Interpretive plan focusing on the history and other cultural heritage resources of the reserve	\$30,000		\$30,000	
127		Foreshore access pathways	\$200,000			\$200,000
128	Woollahra Park	Signage	\$50,000		\$50,000	
129		Sporting facilities	\$100,000		\$100,000	
130		Community Garden	\$50,000		\$50,000	
131		Playground	\$75,000		\$75,000	
132		Park furniture	\$50,000	\$25,000	\$25,000	
133		Waste transfer station	\$100,000		\$100,000	
134		Upgrade bridges	\$50,000		\$50,000	
135	Yarranabbe Park	Pedestrian viewing area with interpretation signage at northern end of Yarranabbe Park	\$20,000			\$20,000
136		Irrigation feasibility study	\$20,000	\$20,000		
137		Capital works improvements arising from Plan of Management review	\$2,000,000		\$1,000,000	\$1,000,000
138		Provide lighting in Yarranabbe consistent with Rushcutters Bay Harbour Walk	\$100,000		\$100,000	
139	Plantation Reserve	Enhance the landscape character of the Reserve and visual screening of the special leases	\$15,000		\$15,000	
140	Rose Bay Park	Stairways	\$50,000		\$50,000	
141		Major landscaping projects	\$50,000			\$50,000
142		Provide supplementary play equipment	\$100,000			\$100,000
143		Install additional shading to playground	\$30,000			\$30,000
144		Improve boat storage facilities	\$10,000	\$10,000		
145	Duff Reserve	Major landscaping projects	\$50,000			\$50,000
146	Euroka Reserve	Major landscaping projects	\$50,000			\$50,000
147	James Cook Reserve	Major landscaping projects	\$50,000			\$50,000

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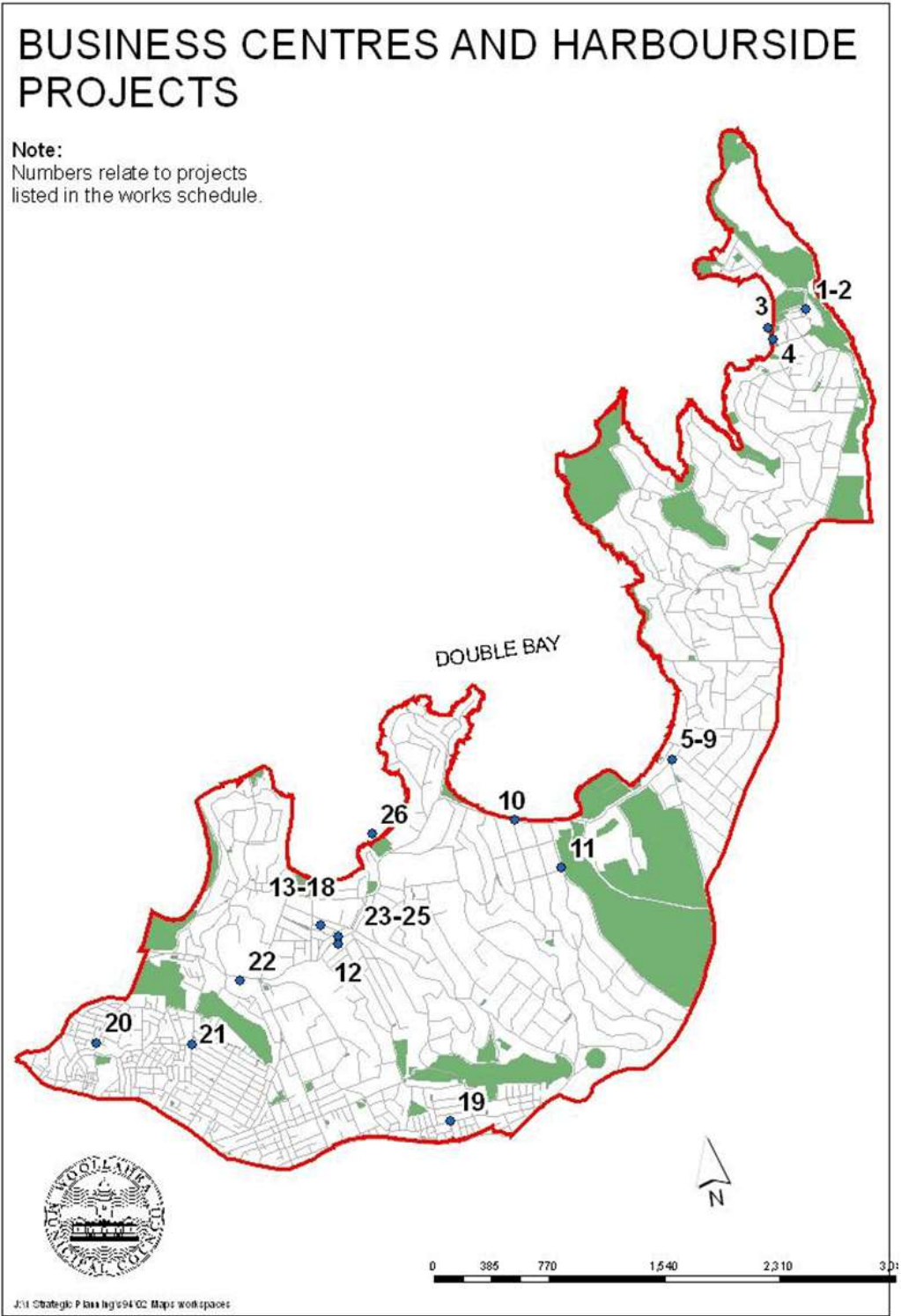
Open space improvements program						
No.	Project	Description	Estimated Cost	Short Term	Medium Term	Long Term
148	Dillon Street Reserve	Major landscaping projects	\$50,000		\$50,000	
149	Foster Park	Major landscaping projects	\$50,000		\$50,000	
150	Goomerah Reserve	Major landscaping projects	\$100,000			\$100,000
151	Guilfoyle Park	Major landscaping projects	\$150,000		\$150,000	
152	Herbert Street Reserve	Major landscaping projects	\$50,000			\$50,000
153	Johnstons Lookout	Major landscaping projects	\$50,000			\$50,000
154	Moncur Street Reserve	Major landscaping projects	\$50,000			\$50,000
155	Pannerong Reserve	Major landscaping projects	\$50,000			\$50,000
156	Soudan Street Reserve	Major landscaping projects	\$50,000			\$50,000
157		Provide supplementary play equipment	\$100,000			\$100,000
158		Install additional shading to playground	\$30,000			\$30,000
Municipality Wide						
159		Lighting upgrades	\$300,000	\$100,000	\$100,000	\$100,000
160		Toilet and amenity block upgrades	\$300,000	\$100,000	\$100,000	\$100,000
161		Major sports surface renovations	\$300,000	\$100,000	\$100,000	\$100,000
162		Park tree planting	\$120,000	\$40,000	\$40,000	\$40,000
163		Street tree planting	\$70,000	\$35,000	\$35,000	
164		Part furniture	\$60,000	\$20,000	\$20,000	\$20,000
165		Fitness stations	\$60,000	\$20,000	\$20,000	\$29,000
166	Vegetation Management Strategy	Implementation of vegetation management strategy throughout Municipality	\$100,000	\$50,000	\$50,000	
167	Drinking fountains	Drinking fountain roll out	\$40,000	\$40,000		
Total			\$15,243,500	\$3,875,000	\$6,693,500	\$4,414,000

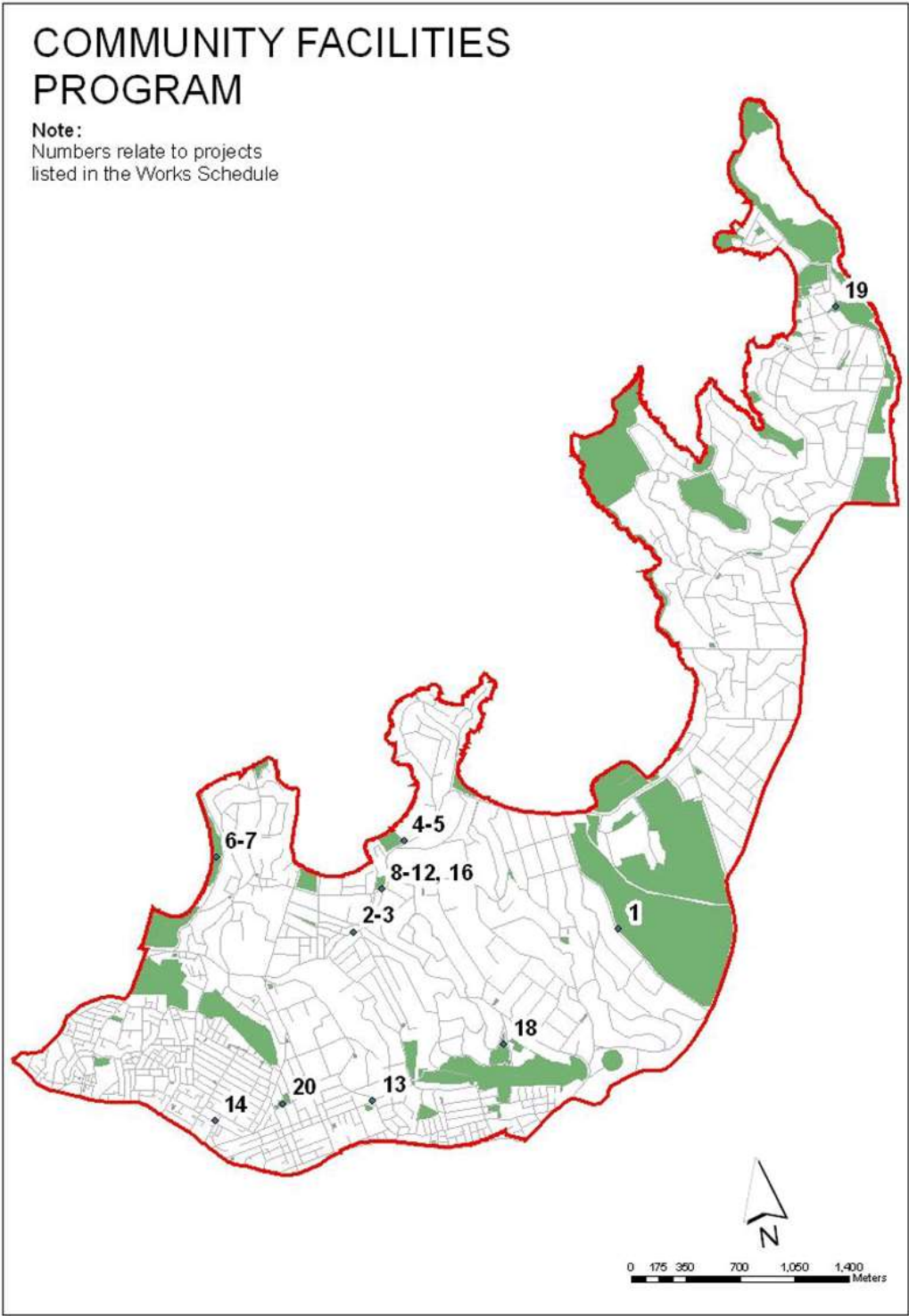
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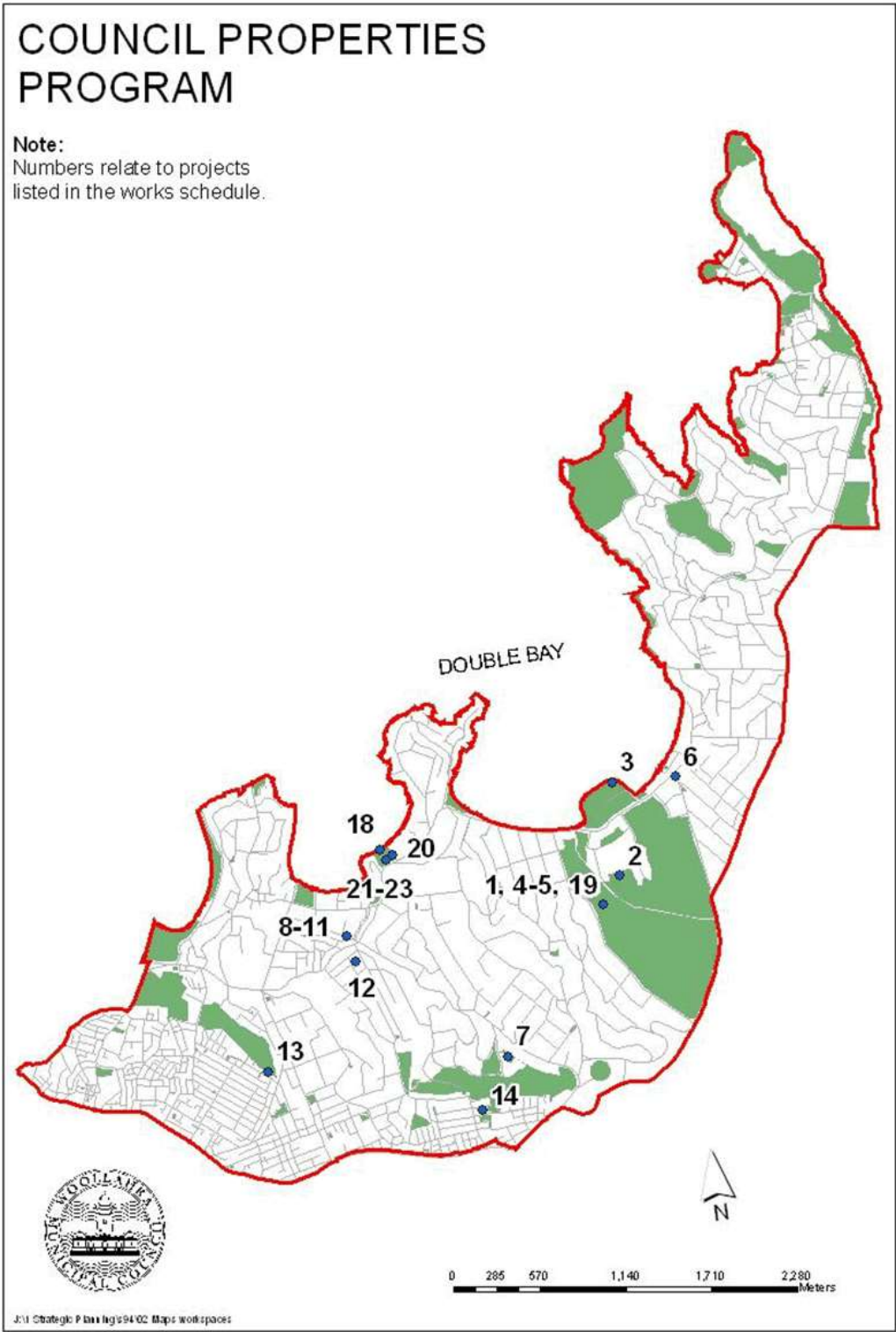
Business centres and harbourside projects						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
1	Watsons Bay Commercial Centre	Stage one works including civil, hydraulics, street lighting and underground conduits, underground electrical, landscape works	\$1,146,100	\$1,146,100		
2		Refurbish toilets and change rooms	\$210,000	\$210,000		
3	Watsons Bay Baths	Refurbish pool/new decks/stairs/ pontoon.	\$500,000	\$500,000		
4	Watsons Bay Marine Parade	Reconstruct seawall, renew footpaths, kerb and guttering and paved promenade. Install new furniture	\$590,000		\$590,000	
5	Rose Bay Shopping Centre New South Head Road	Upgrade Percival Park (included in Open Space Program)	NA			
6		New South Head Road footpath extension opposite Newcastle Street to Dover Road, tree planting and paving	\$100,000	\$100,000		
7		Upgrade New South Head Road (transition) tree planting and paving	\$75,000		\$75,000	
8		Upgrade Norwich Road tree planting and paving	\$88,000			\$88,000
9		Upgrade tree Caledonian Road planting and new decking	\$100,000		\$100,000	
10	Rose Bay Promenade	Off road bicycle path	\$1,200,000			\$1,200,000
11	Plumer Road Shopping Centre	Upgrade paving and furniture	\$100,000		\$100,000	
12	Double Bay Kiaora Lands precinct	New paving, lighting, street furniture, new public space and covered arcade. Works funded by developer. No cost to Council. (Estimated cost \$990,000)	\$0			
13	Double Bay Shopping Centre	Replace paving south of New South Head Road (adjoining Kiaora Lands site)	\$990,000	\$495,000	\$495,000	
14		Reconstruct kerb, footpath and drainage in Short Street, Gum Tree Lane and Goldman Lane. Threshold at intersection	\$250,000	\$250,000		
15		Replace paving south of New South Head Road (excluding Kiaora Lands)	\$260,000	\$260,000		
16		Gateway treatment	\$250,000	\$250,000		
17	Double Bay Shopping Centre and environs	Streetscape works Bay Street to ferry wharf and Bay Street extension	\$250,000			\$250,000
18		Jamberoo Creek upgrade. Sydney Water land (only proceed if joint funding)	NA			
19	Edgecliff Road/Grosvenor Street Shopping Centre	Modular paving and furniture	\$110,000			\$110,000
20	Brown Street/McDonald Street intersection	Realign bus lane, paving, landscaping	\$200,000		\$200,000	
21	Cascade Street/Gurner Street intersection	Realign kerb, paving, landscaping	\$200,000		\$200,000	
22	Edgecliff Shopping Centre	North side New South Head Road paving Mona Road to end of business area east of Ocean Avenue, undergrounding of electricity	\$350,000		\$175,000	\$175,000

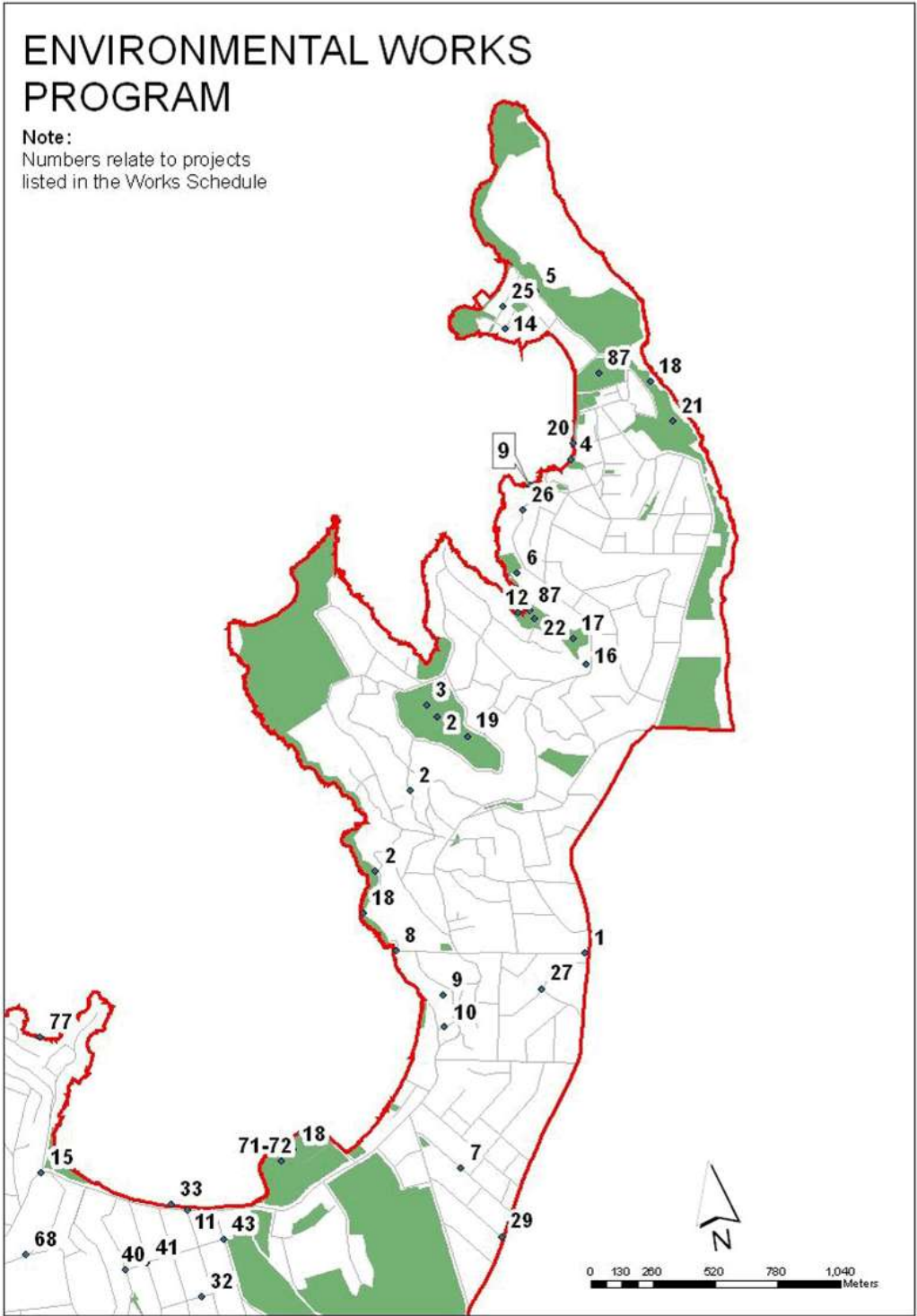
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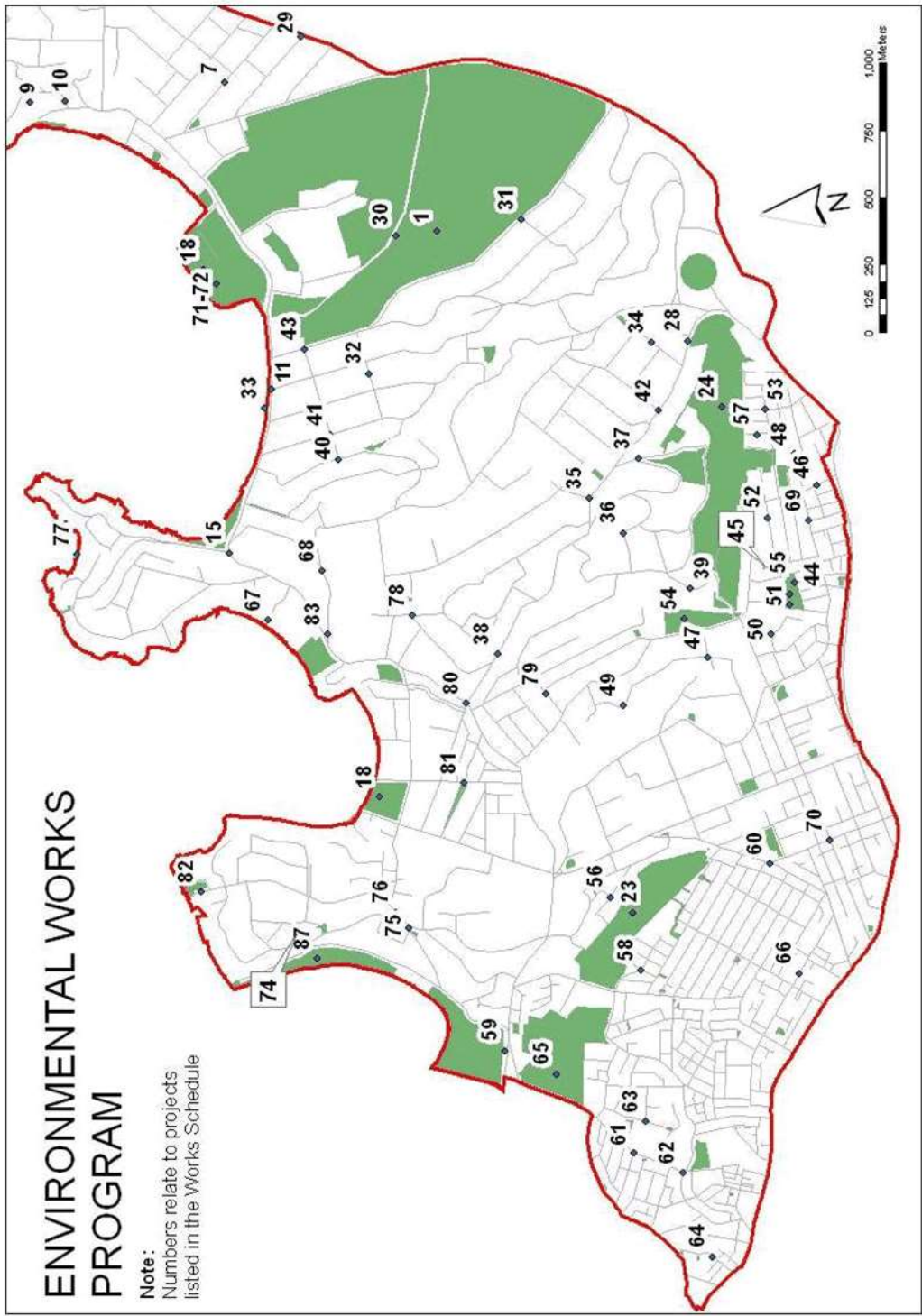
Business centres and harbourside projects						
No.	Project	Description	Estimated Cost	Short term	Medium term	Long term
23	Double Bay Westpac site	New paving. Works funded by developer. No cost to Council. (Estimated cost \$270,000)	\$0	\$0		
24	Double Bay Cosmopolitan site	New paving. Works part funded by developer Short Street/Goldman Lane (see next item). Part cost to Council Bay St, Knox St.	\$500,000	\$0	\$500,000	
25	Double Bay Cosmopolitan site	Goldman Lane shareway (works in assoc with Cosmopolitan development)	\$250,000	\$250,000		
26	Redleaf Pool	Upgrade pool structure. The works are a refurbishment of the existing structure in the same configuration as present.	\$1,500,000		\$1,500,000	
Total			\$9,219,100	\$3,461,100	\$3,935,000	\$1,823,000

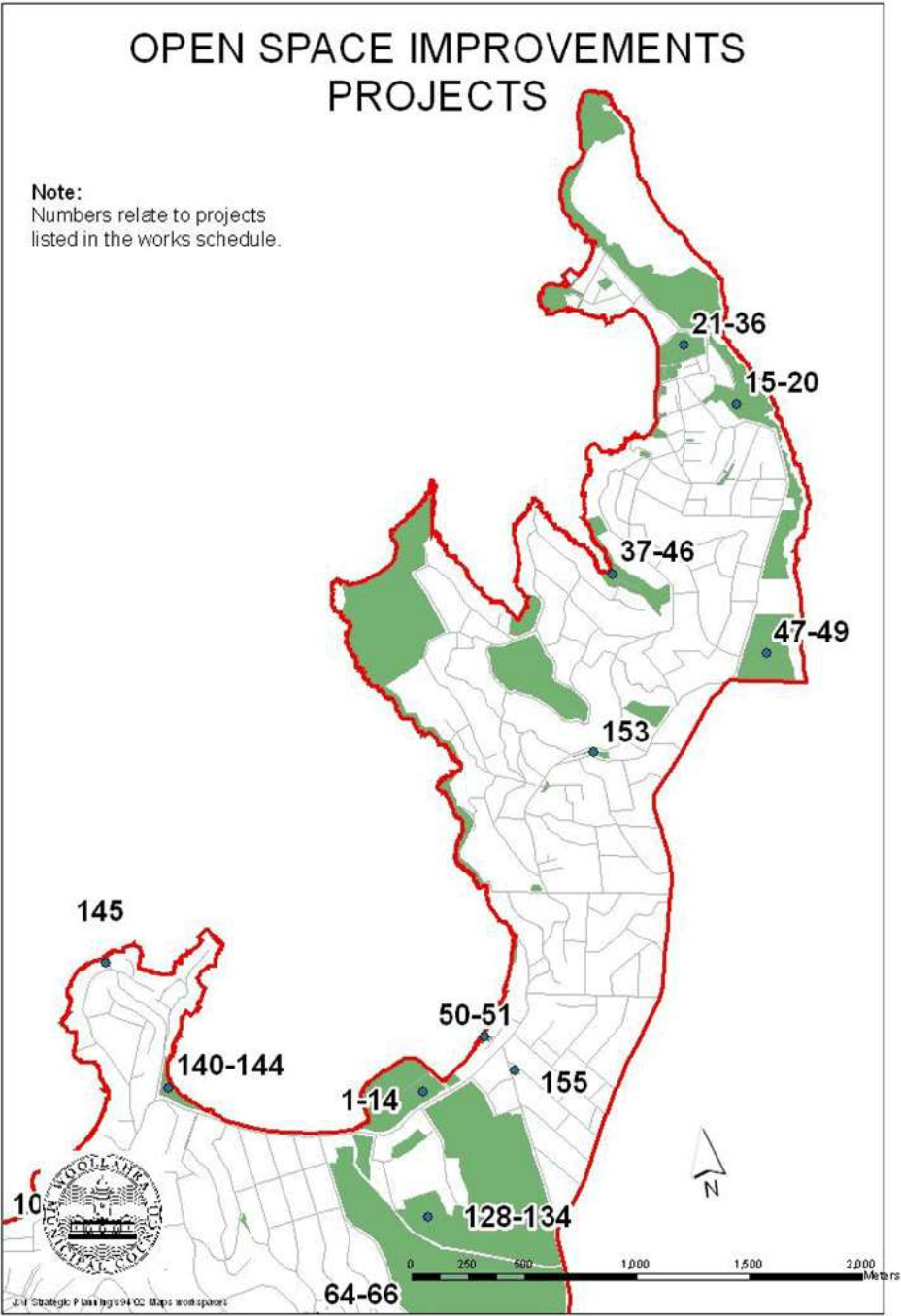


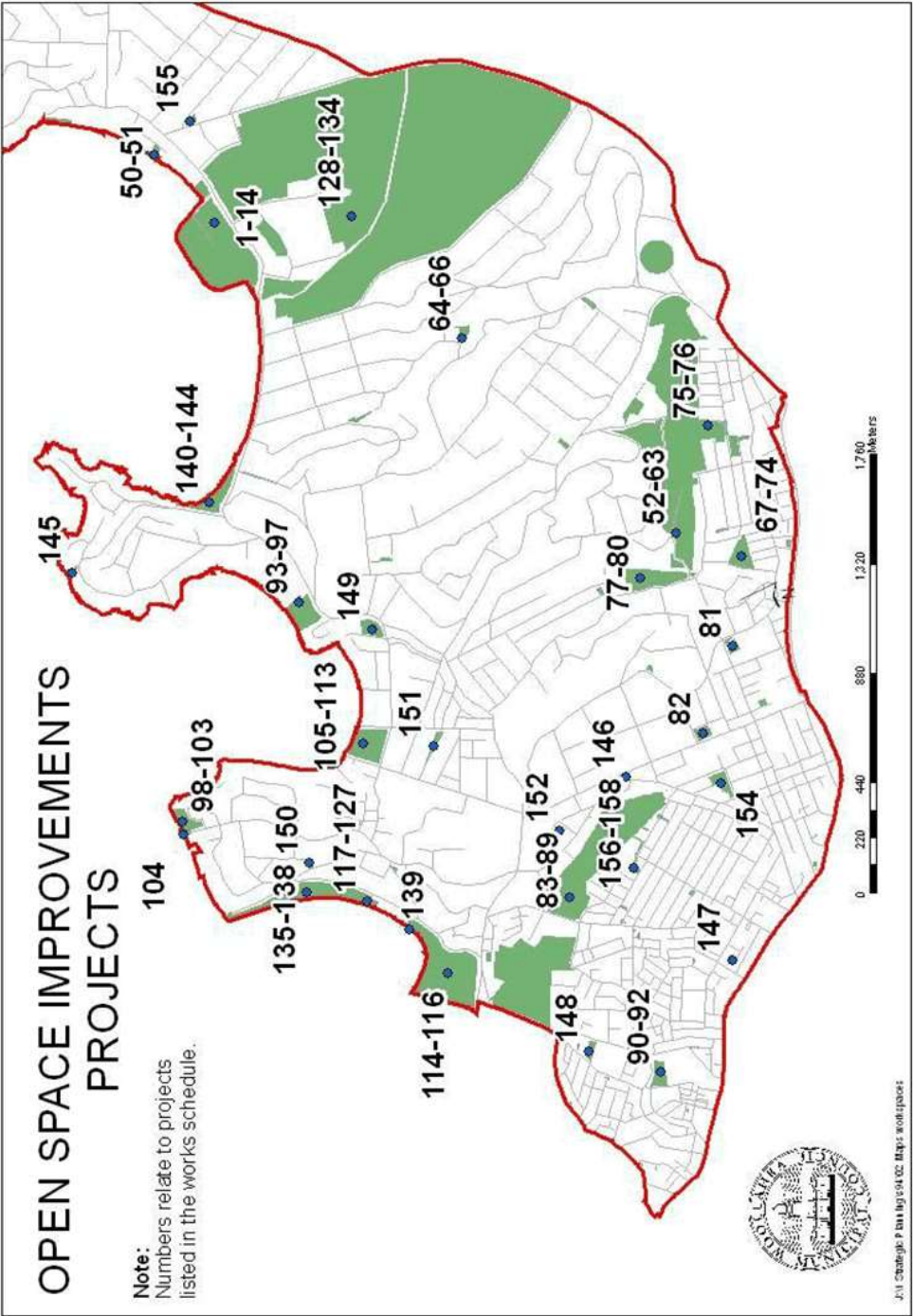














Woollahra Section 7.12 Development Contributions Plan 2021

DRAFT MAY 2021

Draft Woollahra Section 7.12 Development Contributions Plan 2021

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1. Introduction

Section 7.12 of the *Environmental Planning and Assessment Act 1979* (the Act) contains provisions that allow the Council to impose, as a condition of development consent or as a condition of a complying development certificate, a requirement that the applicant pay a levy of the percentage of the proposed cost of carry out the development.

For Council to impose a condition under section 7.12 a contributions plan, that complies with clause 27(1) of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), must be in place.

The *Woollahra Section 7.12 Development Contributions Plan 2021* (this Plan) authorises a condition of development consent or a complying development certificate to require the payment of a fixed levy.

The quantity of the levy and the types of development application which attract the levy are set out in other clauses of this plan.

Levies paid to the Council will be applied towards the provision, extension or augmentation of public facilities, or towards recouping the cost of their provision, extension or augmentation.

Nothing in this Plan is intended to limit the Council's power to impose a condition under section 4.7 of the Act or section 97 of the *Local Government Act 1993*.

The following summary schedule is included in this plan:

Schedule 1	▶ Summary of works for which levies are required. The schedule was adopted in TBC and provides an estimated cost of works and the estimated time frame for their implementation.
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2. Administration and operation

2.1. Name of plan

This plan is called the *Woollahra Section 7.12 Development Contributions Plan 2021* (this Plan).

2.2. Purposes of plan

The purposes of this plan are:

- To authorise the imposition of conditions on development consents, and complying development certificates, requiring that the applicant pay to the Council a levy determined in accordance with this Plan.

-
- b) To ensure that adequate public facilities are provided to meet the demand created by development.
 - c) To assist the Council in the provision, extension or augmentation of public facilities.
 - d) To provide a comprehensive framework for the assessment, collection, expenditure, accounting and indexing of development contributions on an equitable basis.
 - e) To enable the Council to be both publicly and financially accountable in its assessment and administration of the Plan.

2.3. Land and development to which plan applies

2.3.1. Land to which plan applies

This Plan applies to all land within the Municipality of Woollahra.

2.3.2. Development to which plan applies

This Plan applies to all development applications and applications for complying development certificates in respect of development on land to which this Plan applies, other than applications made by or on behalf of the Council.

2.3.3. Transitional provision

This Plan applies to an application for development or a complying development certificate which is made on or after the date on which this Plan was first publicly exhibited.

2.4. What this Plan authorises

This Plan authorises the Council to impose conditions on development consents granted to development to which this Plan applies requiring the applicant to pay to the Council a levy of up to 1% of the proposed cost of carrying out the development, provided that the Council does not also impose on the consent a condition pursuant to section 7.11 of the Act.

This Plan requires a certifying authority to impose a condition on a complying development certificate for development to which this Plan applies, requiring the applicant to pay to the Council a levy of up to 1% of the proposed cost of carrying out the development.

Conditions authorised by this Plan are subject to any direction given by the Minister under section 7.17: *Directions by Minister* of the Act from time to time, and this Plan authorises the imposition of conditions which are in accordance with any such direction.

2.5. Relationship with relevant legislation and other plans and policies

This Plan has been prepared under the provisions of Part 7 Division 7.1 of the Act and Part 4 of the Regulation.

Nothing in this Plan affects the operation and application of *Woollahra Section 94 Contributions Plan 2002*.

A condition under section 7.11 of the Act may be imposed on a development consent as an alternative to imposing a condition authorised by this Plan, depending on the nature of the development and the demand for public facilities.

This plan repeals *Woollahra Section 94A Development Contributions Plan 2011*.

Note: *Section 7.12(2) of the Act prevents a condition under section 7.12 as well as a condition under section 7.11 being imposed on the same development consent.*

2.6. Approval and commencement of plan

This Plan was approved by Woollahra Municipal Council on TBC and commenced on TBC.

Note: *Amendments carried out to this Plan are listed in the table contained in Annexure 2.*

2.7. Section 7.12 levy rates

The summary schedule below contains the rates for developments that are subject to a section 7.12 fixed development consent levy under this Plan.

Summary Schedule	Levy rate
Development that has a proposed cost of carrying out the development	
• Up to and including \$100,000	Nil
• More than \$100,000 and up to and including \$200,000	0.5% of the cost
• More than \$200,000	1% of the cost

The levy will be determined on the basis of the rate as set out in the summary schedule above. The levy will be calculated as follows:

Levy payable = %LR x \$C

Where

%LR is the levy rate applicable in the summary schedule

\$C is the proposed cost of carrying out the development.

2.8. Determining the proposed cost of development

A development application or an application for a complying development certificate must be accompanied by a report setting out an estimate of the proposed cost of carrying out development prepared by the following people:

- a) the applicant of the application, or a person acting on behalf of the applicant, where the estimated cost is below \$750,000, or
- b) a registered quantity surveyor engaged by or on behalf of the applicant, at the applicant's cost, where the estimated cost is \$750,000 and above.

Upon reviewing an estimated cost that is below \$750,000, the Council may require a further estimate to be provided by a registered quantity surveyor at the applicant's cost.

Despite (a) and (b), the Council may appoint a person to review the estimate provided by a quantity surveyor who was engaged by the applicant or a person on behalf of the applicant. The review is to be undertaken at the applicant's cost.

Notes:

1. Refer to part 2.13 for provisions relating to the adjustment of the proposed cost of development prior to the payment of a section 7.12 levy.
2. The quantity surveyor must be registered by the Australian Institute of Quantity Surveyors.
3. The review of a quantity surveyor's estimate also applies to an estimate provided a person of equivalent qualifications.

2.9. Payment of levy

Payment of a section 7.12 levy is to be made in accordance with the terms of the condition imposed on the development consent or complying development certificate. Such conditions will generally require payment in accordance with paragraphs (a) to (d) below:

- a) in the case of consent to complying development - before the notice to commence work is submitted to the Council.
- b) in the case of consent to development where a subdivision certificate is required - before the subdivision certificate is issued.
- c) in the case of consent to development where a construction certificate is required - before the construction certificate is issued.
- d) in the case of any other development - before the occupation certificate is issued.

The amount to be paid will be calculated at the indexed rate(s) applicable at the time of payment. Refer to part 2.13.

2.10. Application of levy

Money paid to the Council under a condition authorised by this Plan is to be applied by the Council towards the cost of the public facilities listed in the works schedule in this Plan as the Council in its discretion may from time to time determine.

2.11. Planning agreement

The Council may enter into a planning agreement with an applicant as an alternative to imposing a condition authorised by this Plan.

Note: The planning agreement referred to in this part is a planning agreement under section 7.4 of the Act.

2.12. Deferred or periodic payment

Where the applicant makes a written request supported by reasons for payment of the section 7.12 levy other than as required by part 2.9, the Council may accept deferred or periodic payment. The decision to accept a deferred or periodic payment is at the sole discretion of the Council, which will consider:

- a) the reasons given;
- b) whether any prejudice will be caused to the community deriving benefit from the public facilities;
- c) whether any prejudice will be caused to the efficacy and operation of this Plan; and
- d) whether the provision of public facilities in accordance with the adopted works schedule will be adversely affected.

Council will, as a condition of accepting deferred or periodic payment, require the provision of a bank guarantee where:

- a) the guarantee is by an Australian bank for the amount of the total outstanding contribution;
- b) the bank unconditionally agrees to pay the guaranteed sum to the Council on written request by Council on completion of the development;
- c) the bank agrees to pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent; and
- d) the bank's obligations are discharged when payment to the Council is made in accordance with the guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

Any deferred or outstanding component of the section 7.12 levy will be adjusted in accordance with part 2.13.

The applicant will be required to pay any charges associated with establishing or operating the bank guarantee. Council will not cancel the bank guarantee until the outstanding contribution as indexed and any accrued charges are paid.

Every consent issued subject to a condition requiring a section 7.12 levy under this Plan will include a standard condition setting out the terms of this clause.

2.13. Adjustment of levies and proposed cost of development

To ensure that the value of contributions are not eroded over time by increases in construction costs, the contribution amount will be adjusted at the time of payment. In this way, the section 7.12 levy will accurately reflect the actual cost of the proposed development at the time of construction,

In accordance with section 25J(4) of the *Environmental Planning and Assessment Regulation 2000* this Plan requires that the section 7.12 contributions levy set out in the development consent is adjusted at the time of payment by applying the *Consumer Price Index (All Groups Index)* for Sydney for the most recent quarter.

Contributions are indexed for inflation at the time of consent and again at the time of payment using quarterly updates to the *Consumer Price Index (All Groups Index)* for Sydney.

The formula used to adjust the contribution is set out below.

$$NL = L_o + \frac{L_o \times [\text{current CPI} - \text{base CPI}]}{\text{base CPI}}$$

where

NL Is the new section 7.12 levy

L_o Is the original levy (\$)

Current CPI The quarterly Consumer Price Index (All Groups Index) for Sydney as published by the ABS immediately prior to the date of the imposition of the condition requiring payment of the contribution

Base CPI The quarterly Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics (ABS) immediately prior to the date of payment

Note: In the event that the current CPI is less than the previous CPI, the current CPI shall be taken as not less than the previous CPI.

This Plan authorises a condition under section 7.12 of the Act that contains the above formula.

2.14. Pooling of levies

This Plan authorises section 7.12 levies to be pooled and applied, progressively or otherwise, for the purposes set out in the works schedule in this Plan. The priorities for the expenditure of the levies are shown in the section 7.12 levy works schedule in this Plan.

2.15. Construction certificates and certifying authority

A certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of a 7.12 levy before the work is carried out in accordance with the consent has been satisfied.

The certifying authority must ensure that the applicant provides a receipt(s) confirming that the levy has been fully paid. Where the certifying authority is not the Council, a copy of the receipt must be provided with the copies of the documentation submitted by the accredited certifier to the Council following determination of the construction certificate application.

The exception to this requirement may occur where the Council has agreed to the payment of the levy in a particular manner after a construction certificate is issued. In these cases, the accredited certifier must provide a copy of the agreement with the copies of documentation submitted to the Council following determination of the construction certificate application.

Note: An agreement referred to in this part may or may not be a planning agreement under section 7.4 of the Act.

3. Demand for public facilities

Section 7.12 levies acquired by condition of consent under this Plan are to be applied to the provision, extension or augmentation of the following categories of public facilities works located across the Municipality:

- Engineering Services
- Open Space and Trees
- Property and Projects Management
- Environmental Works
- Community facilities

The demand for public facilities is related to expected residential, commercial, retail and other non-residential development across the Municipality. Demand for the public facilities has been identified by a series of studies, surveys and investigations, which are listed by category in **Annexure 1**.

3.1. Expected residential development

Residential development is expected across the Municipality in residential, commercial and special use areas. Types of residential development include dwelling-houses, dual occupancies, multi dwelling housing, manor houses, residential flat buildings, boarding houses, and mixed use development with a residential component.

Residential development will occur in the form of new development and alterations and additions to existing development.

3.2. Expected commercial, retail and other non-residential development

The majority of commercial, retail and other non-residential development is expected mainly in the commercial and mixed use centres throughout the Municipality. Major development is likely to occur in the Double Bay Centre, Edgecliff Centre and Rose Bay Centre.

Development is also expected in the Special Use Zones, particularly those occupied by the large private schools.

Development will occur in the form of new development and alterations and additions to existing development.

4. Definitions

accredited certifier in relation to matters of a particular kind, means the holder of a certificate of accreditation as an accredited certifier under the *Building Professionals Act 2005* in relation to those matters.

applicant means a person, company or organisation submitting a development application or an application for a complying development certificate or a person, company or organisation authorised to act on a consent.

Consumer Price Index (CPI) is a standard measure of movements in price indexes over time published by the Australian Bureau of Statistics

Council means the Council of the Municipality of Woollahra.

Municipality means the Municipality of Woollahra.

public facilities means public amenities or public services as referred to in section 7.12 of the Act.

planning agreement means a voluntary agreement referred to in section 7.4 [of the Act] and defined in section 7.1 of the Act.

proposed cost of development means the cost of development proposed in a development application or a complying development application as determined by the Council under the provisions of clause 25J of the Regulation.

section 7.12 levy means a fixed development consent levy under section 7.12 of the Act.

the Act means the *Environmental Planning and Assessment Act 1979* as amended.

the Regulation means the *Environmental Planning and Assessment Regulation 2000* as amended.

Schedule 1 –Works schedule and map

Notes:

1. The works listed in this schedule are to be funded from a mix of sources, including section 7.12 funds.
2. Maps provided in this schedule indicate the location of works where possible. Certain services and works are to be provided across the Municipality and therefore are not shown by specific site reference on the maps. The location of certain other works and services has not been determined and therefore they are not shown on the maps. Precise locations will be identified when one or more of the following occurs: the Council locates and acquires appropriate properties; investigations confirm the exact site or location for services and works.

1. Engineering Services

Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
1	1	Plumer Road Streetscape Stage 2 <ul style="list-style-type: none"> • Pedestrianisation 	300,000	Short
LGA	2	General Works <ul style="list-style-type: none"> • As identified in accordance with Council's Asset Management Policy and Asset Management Strategy 	100,000	Short
LGA	3	Part funding of interest on Streetscape Loan	100,000	Short

2. Open Space and Trees

Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
2	4	Multi-use sports facilities construction <ul style="list-style-type: none"> • Construction of multi-courts at Lough Playing fields 	310,000	Short
3	5	Eastbourne Reserve upgrade <ul style="list-style-type: none"> • Retaining wall replacement and landscaping 	140,000	Short
4	6	Park lighting upgrade <ul style="list-style-type: none"> • Installation of lighting at Royal Hospital for Woman Park 	80,000	Short
5	7	Bellevue Park extension of pathway and landscaping <ul style="list-style-type: none"> • Bellevue Park Stage 2 Design & Consultation. 	35,000	Short - Medium
6	8	Tingira Reserve Landscape upgrades <ul style="list-style-type: none"> • Pathway renewal, irrigation and landscaping improvements 	100,000	Short - Medium

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Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
7	9	Lyne Park Landscape Upgrade <ul style="list-style-type: none"> Improved entry garden beds to Lyne Park off New South Head Rd 	50,000	Short
8	10	Landscape improvements <ul style="list-style-type: none"> Landscaped improvements to Moncur Reserve, Plumb Reserve and Raoul Wallenburg Reserve 	100,000	Short
9	11	Trumper Park Pathway renewal <ul style="list-style-type: none"> Pathway renewal from the Trumper Park Tennis Courts to Edgecliff Train Station (Bowes Avenue) 	195,000	Short - Medium
10	12	Chester St Embankment landscaping <ul style="list-style-type: none"> Revegetation and landscaping of the Chester St embankment 	60,000	Short
11	13	Parsley Bay cliff columns <ul style="list-style-type: none"> Renewal of columns under cliff edges 	105,000	Short
12	14	Figtree Reserve landscaping <ul style="list-style-type: none"> Landscaping works due to flood damage to Figtree Reserve overlooking Cooper Park 	190,000	Short
13	15	Dillion Street Reserve <ul style="list-style-type: none"> Stage 2 upgrade of Dillon Street Reserve including landscaping and play equipment 	200,000	Short
14	16	Rushcutters Bay Park Youth Facility <ul style="list-style-type: none"> Construction 	325,000	Short
15	17	Yarranabbe Park <ul style="list-style-type: none"> Northern Plaza and stairs construction 	290,000	Short
16	18	Sayonara Slipway <ul style="list-style-type: none"> Construction of improvements 	150,000	Short
17	19	Playground - renewal <ul style="list-style-type: none"> Lyne Park Playground Design & Consultation. 	30,000	Short to Medium
18	20	Synthetic Cricket wicket upgrades <ul style="list-style-type: none"> Replacement of synthetic on Rushcutters Bay Park and Lough Playing Fields cricket pitches 	30,000	Short to Medium
LGA	21	Park & Street Tree Planting <ul style="list-style-type: none"> Annual planting programs of street and park trees including maintenance 	150,000	Short

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Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
LGA	22	Park furniture <ul style="list-style-type: none"> Renewal and new park furniture replacement in parks across the LGA. 	150,000	Short
LGA	23	Park and Venue Signage <ul style="list-style-type: none"> Renewal and new park signage in parks across the LGA. Identified in the asset register 	60,000	Short
LGA	24	Park Fencing - New and Replace <ul style="list-style-type: none"> Renewal of park fencing identified in the asset register 	150,000	Short
LGA	25	Softfall renewal <ul style="list-style-type: none"> Softfall renewal as identified in asset register 	100,000	Short
LGA	26	Fitness Station Renewal <ul style="list-style-type: none"> Various upgrades 	100,000	Short
LGA	28	Project Management <ul style="list-style-type: none"> Designs for future capital projects 	50,000	Short
LGA	29	General works <ul style="list-style-type: none"> As identified in accordance with Council's <i>Asset Management Policy</i> and <i>Asset Management Strategy</i> 	100,000	Short

3. Property and Projects Management

Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
LGA	30	General Works <ul style="list-style-type: none"> As identified in accordance with Council's <i>Asset Management Policy</i> and <i>Asset Management Strategy</i> 	100,000	Short
LGA	31	Disabled access improvements <ul style="list-style-type: none"> Disabled access improvements as determined annually on inspection by Council's Property team 	50,000	Short
19	32	Part funding of interest on Kiaora Place Loan	275,000	Short
LGA	33	Essential services upgrades <ul style="list-style-type: none"> Upgrade of fire safety and essential services as determined annually on inspection by Council's Property team 	15,000	Short

▶ Pg.12

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4. Environmental Works

Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
LGA	34	General works <ul style="list-style-type: none">As identified in accordance with Council's Environmental Sustainability Action Plan 2013-2025	100,000	Short

5. Community facilities

Map ref	Item No.	Public facility works	Estimated cost (\$)	Estimated time (term)
LGA	35	Public Art throughout municipality <ul style="list-style-type: none">Installations at locations to be identified	100,000	Short

▶ Pg.13

Section 7.12 Contributions - Capital Works Projects



Annexure 1: Supporting documents

General

- Development contributions Practice Note: Section 94A development contributions plans, Department of Planning, December 2006
- Woollahra Local Environmental Plan 2014
- Woollahra Development Control Plan 2015
- Woollahra Local Strategic Planning Statement 2020

Floodplain management - Woollahra Council

- Double Bay Catchment Flood Study (2008)
- Double Bay Floodplain Risk Management Study and Plan - Part 1 (2011)
- Double Bay Floodplain Risk Management Study and Plan- Part 2 (2011)
- Double Bay Floodplain Risk Management Study and Plan - Part 3 (2011)
- Paddington Floodplain Risk Management Study and Plan (2019)
- Rose Bay Catchment Flood Study (2010)
- Rose Bay Floodplain Risk Management Study and Plan (2014)
- Rushcutters Bay Catchment Flood Study (2007)
- Rushcutters Bay Floodplain Risk Management Study And Plan (2012)
- Draft Watsons Bay Floodplain Risk Management Study and Plan - May 2016 (2016)

Plans of management - Woollahra Council

- Chiswick Gardens Plan of Management 2010
- Christison Park Plan of Management 1996
- Cooper Park Plan of Management 2001
- Cooper Park Plan of Management Action Plan 2001
- District Park Plan of Management 1996
- Drainage Reserves Plan of Management 1997
- Gap Park Masterplan 2008
- General Community Use (Reserves) Plan of Management 1996
- Harbourview Park Plan of Management 2014
- Local Parks Plan of Management 1996
- Lyne Park Plan of Management 2003 (Volume 1)
- Lyne Park Plan of Management 2003 (Volume 2)

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- McKell Park and Darling Point Reserve Plan of Management 2013
 - Natural Area (Foreshore) Plan of Management 1996
 - Redleaf and Blackburn Gardens Plan of Management and Master Plan 2017
 - Regional Parks Plan of Management 1996
 - Robertson Park Action Plan (2004)
 - Robertson Park Masterplan 2004
 - Robertson Park Plan of Management 2004
 - Royal Hospital for Women Park Plan of Management 2005
 - Rushcutters Bay Park, Yarranabbe Park & Plantation Reserve Plan of Management 2005
 - Sir David Martin Reserve Plan of Management 2004
 - Trumper Park Plan of Management 1996
 - Woollahra Park Plan of Management 2001
 - Woollahra Park Plan of Management 2013
 - Yarranabbe Park Plan of Management 2012
 - Woollahra Street Tree Master Plan 2014
 - Woollahra Social and Cultural Plan 2018-2030

Note: It is anticipated that the following projects will be reported to a committee of Council in mid 2021:

- *Draft Recreational Needs Strategy & Action Plan*
- *Draft Plans of Management for Crown Lands*
- *Draft Woollahra Play Space Strategy*

Public Domain Improvements Plans - Woollahra Council

- Double Bay Centre Public Domain Improvements Plan 2002
- Double Bay Centre Public Domain Strategy 2016
- Rose Bay Centre Public Domain Improvement Plan 1999

Policies - Woollahra Council

- Asset Management Policy (2010)
- Commercial Fitness Training Activities on Public Open Space (2014)
- Community and Cultural Grants Policy (2019)
- Community Gardens Policy (2019)
- Community Services Policy (2013)

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- Disabled Accessible Parking Procedure (2014, reviewed 2019)
 - Placemaking Grants Policy (2017)
 - Playground Policy (2002)
 - Public Art Policy (2019)
 - Sale of Council Land Policy (2004, reviewed 2019)
 - Specification for Roadworks, Drainage and Miscellaneous Works 2012
 - Tree Management Policy (2011)
 - Water craft storage on public land policy (2007)
 - Woollahra Voluntary Planning Agreement Policy 2020

Reports - Woollahra Council

- Community Capacity Survey Report 2017
- Double Bay Centre Public Domain Strategy 2016
- Estuary Planning Levels Report 2015
- Rose Bay Centre Urban Design Study 1999
- Traffic And Transport Study 2000
- Woollahra Community Facility Study 2011

Strategies - Woollahra Council

- Asset Management Strategy 2011-2021 (2011)
- Carbon Reduction Strategy and Action Plan 2010-2025 (2010)
- Children's Services Strategy 2005
- Library Strategic Plan (2007)
- Library Strategic Plan - Appendix 1: Market Research and Consultation Report (2007)
- Library Strategic Plan - Appendix 2: Industry Trends and Relevant Case Studies (2007)
- Playground Strategy 2002
- Recreational Needs Assessment and Strategy 2006
- Woollahra Bicycle Strategy (Draft 2009)
- Woollahra Biodiversity Conservation Strategy 2015-2025 (2015)
- Woollahra Disability Inclusion Plan 2017
- Woollahra Integrated Transport Strategy (Draft 2021)
- Woollahra Environmental sustainability Action Plan 2013-2025
- Woollahra Traffic Management Strategy 2014

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Annexure 2: Amendments to Plan

Amendment No.	Dates of approval and commencement	Description of amendment

Note: *This table of amendments does not form part of the approved Woollahra Section 7.12 Development Contributions Plan 2021. It is provided to assist with interpretation and will be changed from time to time as amendments are made.*

Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

